

Murray City Municipal Council

Chambers

Murray City, Utah

The Murray City Municipal Council met on Tuesday, April 21, 2020 at 6:30 p.m. for a meeting held electronically in accordance with Executive Order 2020-5 Suspending the Enforcement of Provisions of Utah Code 52-4-202 and 52-4-207 due to Infectious Disease COVID-19 Novel Coronavirus issued by Gary Herbert on March 18, 2020 and Murray City Council Resolution #R20-13 adopted on March 17, 2020.

Council Members in Attendance:

Kat Martinez	District #1
Dale Cox	District #2 – Council Chair
Rosalba Dominguez	District #3 – Council Vice-Chair
Diane Turner	District #4
Brett Hales	District #5

Others in Online:

Blair Camp	Mayor	Jan Lopez	Council Director
G.L. Critchfield	City Attorney	Jennifer Kennedy	City Recorder
Pattie Johnson	City Council	Brenda Moore	Finance Director
Danny Astill	Public Works Director	Kim Sorensen	Parks & Recreation Director
Steve Reid	Building Official	Melinda Greenwood	Community and Economic (CED) Director

Opening Ceremonies

Call to Order – Councilmember Dominguez called the meeting to order at 6:30 p.m.

Pledge of Allegiance – The Pledge of Allegiance was led by Councilmember Dominguez.

Approval of Minutes

Council Meeting – April 7, 2020

MOTION: Councilmember Hales moved to approve the minutes. The motion was SECONDED by Councilmember Turner. Voice vote taken, all “ayes.”

Special Presentation

Mayor Blair Camp's Fiscal Year 2020-2021 Budget Address

"Good evening city council, city staff, and members of the public. Tonight, I present to the city council for your consideration, a budget for Murray City for FY 2020-21.

I wish to recognize the many hours devoted to this budget document by our Finance Director Brenda Moore, the finance & administration department, all department directors, and the mayor's office staff.

How quickly the state of things can change! Less than three months ago I presented my State of the City address, reporting strong economic conditions for the city, boasting of our ever popular recreation facilities & programs, praising our cultural arts programming, and anticipating much needed capital improvement projects. Then suddenly, with little warning, came the coronavirus.

These are unprecedeted times. The fact that I am presenting this budget address to you this evening in an electronic meeting illustrates and emphasizes that reality. Budget projections for this budget have been extremely challenging. The Mayor's tentative budget has always used conservative and attainable budget estimates, and this year is no exception. However, for FY 2021, our revenue estimates have been lowered in anticipation of the economic impacts of the COVID-19 pandemic. This includes sales tax, gas tax, and other fees and charges.

BUDGET EFFECTS OF COVID-19

We were already well into the budget development process when the pandemic hit us. We asked our department directors to carefully review their capital improvement projects and identify which ones are critical and what can be postponed, recognizing that only the top priority projects were being considered to begin with.

Now we are in the midst of an economic shut down. Our local businesses, both large and small, especially in the hospitality industry, are suffering. Fashion Place Mall is basically shuttered, and our car dealerships are quiet. In addition, our residents are apprehensive. Using best estimates based on limited information, we have determined to lower our budget revenue projections for this budget by approximately \$4.5 million in the general fund.

What makes this budget so challenging is the fact that the length and extent of economic recovery is unknown at this point. In past years, our proposed budget was based on clear historic data and forecasted based on predictable trends. This year has caused us to react to unpredictable conditions late in our budget development.

I want to emphasize the importance of the mayor and city council working closely together in the coming months to adapt as necessary and as economic conditions change. It will be critical that we examine and reevaluate this budget regularly and make necessary adjustments as we

proceed through what we hope will be a rapid economic recovery process over the coming months.

PERSONNEL

As a provider of municipal services, our work force is our greatest asset, and personnel costs account for 71% of our general fund budget. This proposed budget does not include a Cost of Living Adjustment (COLA) for our employees, but it does provide for an increase in health insurance premiums by 6.5%, an increase in dental insurance premiums of 1.9%, a 6.77% increase in Tier 2 public safety retirement contributions, and a 7% increase in Tier 2 fire retirement contributions.

In addition, I am asking the council to continue to fund the employee step plan implemented two years ago. The step plan impacts approximately 2/3 of our workforce. The cost to the general fund to provide these increases is approximately \$311,000 and approximately \$127,000 in enterprise funds. I believe it is important to maintain this step plan as there was so much time and effort invested in its implementation, and it impacts mainly the lower paid employees of our city.

Two full time positions have been eliminated from this budget, including the Development Services Manager in Community and Economic Development (CED) Department, and an Office Administrator in the DEA Metro Task Force. Another Office Administrator position in the CED Department, which is currently vacant due to a recent retirement, is on hold.

Two new general fund positions requested by Public Works; a Streets Maintenance worker and a Civil Engineer are not funded in this budget.

Three additional positions in enterprise funds have been included in the budget, but if approved, the departments will be directed to postpone their hiring until we can better identify the direction the economy is moving in the coming months. These positions are a Water Distribution Technician, a Storm Water Compliance Officer, and Assistant Customer Service Supervisor in Utility Billing.

CAPITAL IMPROVEMENTS

With such a dramatic decrease in projected revenues, this budget was primarily balanced by postponement of various capital improvement projects, and by expending fund balance. Independent of the operating and employee budgets, the Capital Improvement Projects (CIP) fund relies on a transfer from the general fund to provide for improvement of the city's non-utility infrastructure - parks, roads, vehicles, fire apparatus, and other "big ticket" items. In early March, our department directors submitted CIP requests for the coming year totaling just over \$8 million, which included \$2 million for the Murray Theater renovation. Following the COVID-19 outbreak, I instructed our department directors to reevaluate their requests and submit only for critical needs that cannot be postponed for whatever reason. The CIP

committee met on April 9 and were presented an itemized list of capital projects that, in the opinion of the department directors, can be postponed for the coming year. As a result, this budget includes only \$2.9 million in the CIP for projects currently under contract and others considered critical.

OTHER NOTEWORTHY DETAILS

In our budget two years ago, we eliminated the general fund transfer from the storm water fund so that all storm water funds collected would be dedicated to meeting the requirements and objectives of our storm water program. This budget proposes the elimination of the general fund transfer from the solid waste fund. Reasons for this include the fact that the solid waste fund is not a true enterprise fund, but rather a fee-based service that generates no additional revenues other than what the customers pay for the service. In addition, it only impacts primarily single- or two-family residential customers who have their waste picked up by Ace Disposal under contract with the city. I believe elimination of the transfer is the right thing to do for our residential customers.

This budget includes no proposed tax increases. At a time when the economy is basically shut down with many of our constituents out of work, and our business community extremely stressed, I do not believe a tax increase would be the right or prudent thing to do.

This proposed budget will reduce the fund balance in the general fund to approximately 12%. However, it is anticipated that the economy will rebound relatively quickly as compared to the last recession and we will be able to at least maintain the reserve at or above the 12% estimate going forward. If we do not see economic trends improving quickly, we will be forced to make some very tough decisions during this coming budget year and into the next regarding programs, personnel, capital improvements, and already lean operating budgets.

I end this budget address this evening where I began. These are unprecedented times. It will be essential for the city administration to work very closely with this council in monitoring and adjusting revenues and expenses. I believe that our city is well positioned to rebound relatively quickly once the economy starts up again.

After many hours of work on this budget we place it in the hands of you, the city council, and invite you to study it carefully and thoroughly. Our staff is available as a resource throughout the budget process. The budget document will be on the city website beginning tomorrow for review by the general public.

The council will receive the budget by email at the conclusion of this address, and a hardcopy will be available through the council office.

The state of the city has changed dramatically in a few short months. But here is what has not changed. We will continue to make public safety a top priority by providing outstanding police, fire, and emergency medical services, as well as other critical public services. We will seek out

ways to continuously improve and become more efficient. As we move past this devastating pandemic, our strong spirit of community will help us rebound to a place better than we were before.

I'll conclude this budget address with the same closing paragraph from my state of the city address: "I am optimistic about the future of Murray City. Murray will continue to be a great place to live and work, and we will continue to provide the services that make Murray the envy of other municipalities. I look forward to the future and I hope you do too."

Citizen Comments – Comments are limited to 3 minutes unless otherwise approved by the Council.
Janet Lopez, Council Director, read the citizen comments that were received.

Allison Trease – NeighborWorks Salt Lake wrote, *"I hope this email finds you and your families safe and healthy. I wanted to reach out to you and ask if you could include us when you reach out to your constituents. We have some really great programs that can help Murray residents or potential residents.*

We recently increased the amount of our Down Payment Assistance (DPA) forgivable loans for Murray. A "forgivable loan" means that we give them the money for a down payment and as long as they stay in their home for 5 years, they don't have to pay it back. We can offer \$25,000 for Murray City employees and heroes (Police, Fire, Teachers, Military etc.) and \$20,000 for anyone else who qualifies. We can even layer it with other DPA's. In order to qualify they have to be at or below 120% of the average median income. For example, a family of 4 cannot make over \$105,480. It's a pretty great program. It can really make a difference to someone on a tight budget wanting to move into our great city.

Also, we have a great program for elderly citizens who want to "Age in Place" but their home is in need of repairs to make it safe and healthy or even livable. We can lend them up to \$25,000 with no payments or interest. It doesn't have to be paid back until they either pass away or move out of the home. It would be paid back when the home is sold or refinanced out of the equity in the home. It's a great program for people who have lived in their home for years but can't afford to repair it.

Please let me know if you have any questions or would like to know more. Thank you so much for all you do."

Shaun Delliskave – Murray Journal wrote, *"As a member of the Press, I have always appreciated the openness that Murray City has been known for regarding open meetings and responding to inquiries about city business. I would characterize the response of most city officials as helpful.*

In light of current events that have required more public meetings to be broadcast online, namely the Committee of the Whole meeting, I would like to address the council about increasing further openness.

As you are aware, this meeting is held early afternoon, at a time when many residents are at their places of employment. For instance, today's meeting was at 4:45 pm. This public meeting is helpful as it presents information that, in some respects, is not presented elsewhere or will be on the agenda for a future council meeting. It has been nice to watch these proceedings online, and not make special work arrangements to be in attendance.

As residents discover the value of the Committee of the Whole meeting, I am sure the more involved they will become in the civic affairs of their city. I ask that the city council to move forward and always broadcast online all future Committee of the Whole meetings so that residents have more opportunities to participate in their municipal government."

Consent Agenda

1. Consider confirmation of the Mayor's appointment of Mark Burton to the Building Board of Appeals for a three-year term to expire on April 21, 2023.
2. Consider confirmation of the Mayor's appointment of Bill Carnell to the Building Board of Appeals for a three-year term to expire on April 21, 2023.
3. Consider confirmation of the Mayor's appointment of Richard Kester to the Building Board of Appeals for a three-year term to expire on April 21, 2023.
4. Consider confirmation of the Mayor's appointment of Daniel Hayes to the Murray City Center District Design Review Committee for a three-year term to expire on April 21, 2023.

MOTION: Councilmember Turner moved to adopt the Consent Agenda. The motion was SECONDED by Councilmember Cox.

Council roll call vote:

Ayes: Councilmember Turner, Councilmember Hales, Councilmember Martinez, Councilmember Cox, Councilmember Dominguez
Nays: None
Abstentions: None

Motion passed 5-0

Public Hearings

Staff and sponsor presentations and public comment will be given prior to Council action on the following matters.

1. Consider a resolution adopting the Murray City Parks and Recreation Master Plan.

Staff Presentation: Kim Sorensen, Parks and Recreation Director

Mr. Sorensen said this was presented in the Committee of the Whole meeting on March 3, 2020. This plan will replace the current Parks and Recreation Master Plan that was implemented in 1994. This plan is designed to last for ten years.

The public hearing was open for public comments. No comments were given, and the public hearing was closed.

MOTION: Councilmember Cox moved to adopt the resolution. The motion was SECONDED by Councilmember Martinez.

Council roll call vote:

Ayes: Councilmember Turner, Councilmember Hales, Councilmember Martinez, Councilmember Cox, Councilmember Dominguez

Nays: None

Abstentions: None

Motion passed 5-0

Business Items

1. Consider a resolution acknowledging receipt of the Fiscal Year 2020 – 2021 Tentative Budget from the Mayor and the Budget Officer and Referring the Mayor’s Tentative Budget for Review and Consideration to the Budget and Finance Committee of the Murray City Municipal Council.

Staff Presentation: Diane Turner, Councilmember

Councilmember Turner read the Resolution.

MOTION: Councilmember Hales moved to adopt the resolution. The motion was SECONDED by Councilmember Martinez.

Council roll call vote:

Ayes: Councilmember Cox, Councilmember Dominguez, Councilmember Turner, Councilmember Hales, Councilmember Martinez

Nays: None

Abstentions: None

Motion passed 5-0

2. Consider a resolution of the Murray City Municipal Council approving a First Amended and Restated Interlocal Cooperation Agreement between Murray City Corporation (“City”) and Cottonwood Heights (“Cottonwood Heights”) granting Cottonwood Heights additional easements over City property for use as an extension of a segment of the Big Cottonwood Trail.

Staff Presentation: Danny Astill, Public Works Director

(See Attachment 1 for slides used during this presentation)

Mr. Astill said Cottonwood Heights City wants to put a sidewalk next to the Park and Ride they built on the City’s property located at the bottom of Big Cottonwood Canyon. The sidewalk will go from the Park and Ride lot to Wasatch Boulevard where it will connect with the Big Cottonwood Trail.

MOTION: Councilmember Hales moved to adopt the resolution. The motion was

SECONDED by Councilmember Cox.

Council roll call vote:

Ayes: Councilmember Cox, Councilmember Dominguez, Councilmember Turner, Councilmember Hales, Councilmember Martinez

Nays: None

Abstentions: None

Motion passed 5-0

3. Consider an ordinance amending Chapter 2.36 of the Murray City Municipal Code related to the Building Code Board of Appeals.

Staff Presentation: Melinda Greenwood, CED Director and Steve Reid, Building Official
(See Attachment 2 for slides used during this presentation)

Ms. Greenwood said a Board of Appeals (BOA) is set up to decide appeals of orders and decisions made by the City's Building Official and determines if the decision is correct relative to the application of the International Building Code (IBC), which Murray City has adopted. The appeals the BOA hear must be based on a claim that the true intent of the IBC has not been correctly interpreted or does not apply in a certain instance. The BOA may not waive requirements of the IBC. Per the IBC, members of the BOA must possess experience and training to make decisions about building construction and may not be employees of the jurisdiction they are representing.

Changes being proposed by staff include the BOA to consist of three members instead of five, and adding language related to the qualifications BOA members must have and that members may be removed by the Mayor for any or no reason.

Mr. Reid said he wants to ensure that members of the BOA are residents of Murray City. He explained that the qualifications of BOA members are also important because of the types of decisions the BOA makes.

MOTION: Councilmember Martinez moved to adopt the ordinance. The motion was SECONDED by Councilmember Turner.

Council roll call vote:

Ayes: Councilmember Cox, Councilmember Dominguez, Councilmember Turner, Councilmember Hales, Councilmember Martinez

Nays: None

Abstentions: None

Motion passed 5-0

Mayor's Report and Questions

Mayor Camp said in alignment of the Governor's phased reopening plan, Utah Leads Together 2.0, he has instructed all the Department Directors to create a phased plan that can be implemented when appropriate. As far as the Governor's plan goes, we are entering into the Stabilization Phase and it is the City's intent to be prepared to do openings as is appropriate. The City will be following the recommendations and orders of the County Health Department.

Currently, no decision has been made on whether or not to hold Fun Days. Mayor Camp believes a decision on that will come sometime between May 1 and 15, 2020.

Mayor Camp also reported on the following items:

- Starting tonight, State Street will be reduced to limited lanes as utility work takes place at 5650 South.
- The Trans Jordan Landfill has been reopened to the public.
- State Street will be closed on Friday, April 24, 2020 and Saturday, April 25, 2020 from 10:00 p.m. to 8:00 a.m. each night from 5300 South to 5600 South to remove the pedestrian bridge.
- There was a power outage on Saturday morning that effected about 3,000 customers. The outage was caused by a racoon at the substation on 4800 South.

Adjournment

The meeting was adjourned at 7:26 p.m.

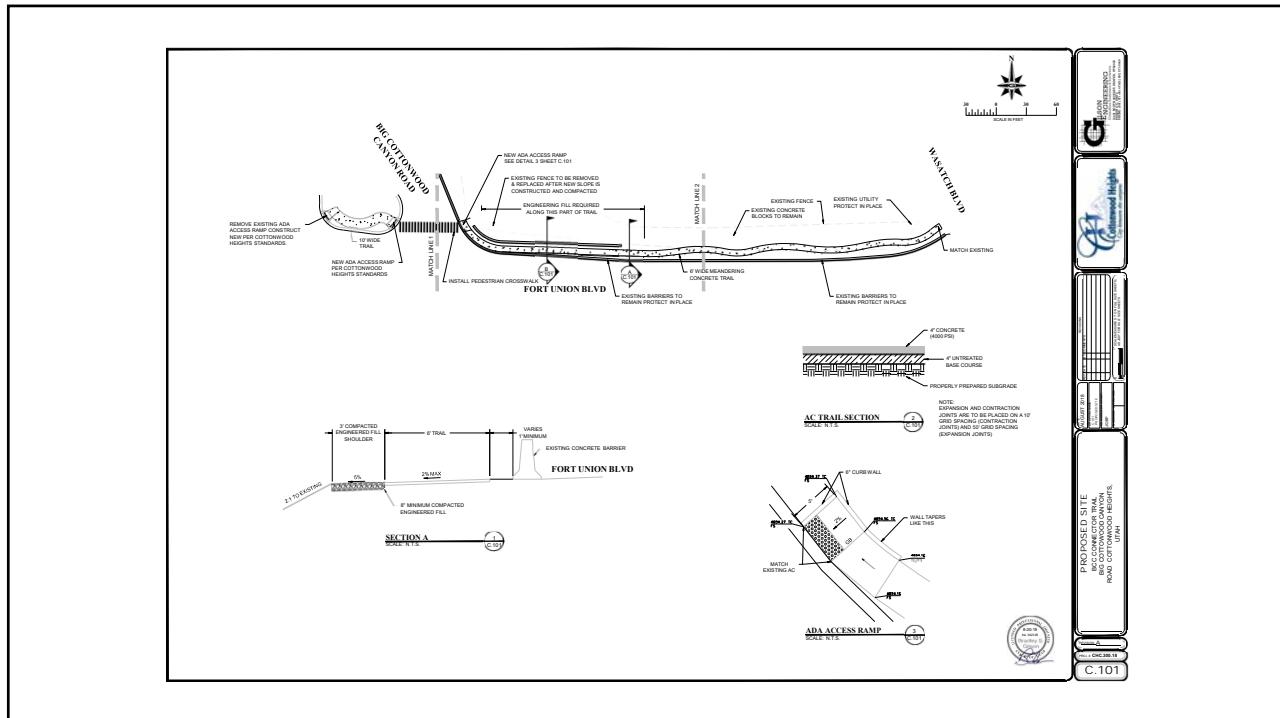
Jennifer Kennedy, City Recorder

Attachment 1

First Amended and Restated Interlocal Cooperation Agreement

Cottonwood Heights City
And
Murray City





Attachment 2

Board of Appeals

SECTION 113 BOARD OF APPEALS

* General. In order to hear and decide appeals of claims to determinations made by the *building official* concerning the application and interpretation of this code, the city hereby creates a board of appeals. The board shall be appointed by the applicable government office at its pleasure. The board shall have authority for conducting its business.

Guidelines set forth by the International Building Code:

General

- A Board of Appeals (BOA) is set up to decide appeals of orders and decisions made by the city's Building Official
- BOA determines if the decision is correct relative to the application of the International Building Code (IBC)

Board of Appeals

SECTION 113 BOARD OF APPEALS

* General. In order to hear and decide appeals of claims to determinations made by the *building official* concerning the application and interpretation of this code, the city hereby creates a board of appeals. The board shall be appointed by the applicable government office at its pleasure. The board shall have authority for conducting its business.

Guidelines set forth by the International Building Code:

Limitations on Authority

- Appeals must be based on a claim that the true intent of the Code has not been correctly interpreted or do not apply in this instance
- BOA may not waive requirements of the Code

Board of Appeals

SECTION 113 BOARD OF APPEALS

Guidelines set forth by the International Building Code:

Qualifications

- Board members must possess experience and training to make decisions about building construction
- Members may not be employees of the jurisdiction

Board of Appeals

Summary of proposed changes to City Code Chapter 2.36:

- Board will consist of three members instead of five
- Language added about qualifications based on training and experience, per the IBC
- Members may be removed by the Mayor for any or no reason



Recommendation

Staff Recommends the City Council approve the proposed changes City Code Chapter 2.36.

