

# Murray City Municipal Council Chambers Murray City, Utah

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**T**he Municipal Council of Murray City, Utah, met on Tuesday, the 2nd day of September, 2008 at 6:30 p.m., for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

Roll Call consisted of the following:

Krista Dunn,	Council Chair
Pat Griffiths,	Council Member - Conducted
Robbie Robertson,	Council Member - Excused
Jim Brass,	Council Member
Jeff Dredge,	Council Member

Others who attended:

Daniel Snarr,	Mayor
Jan Wells,	Chief of Staff
Michael Wagstaff,	Council Director
Brent Davidson,	Deputy City Recorder
Frank Nakamura,	City Attorney
Tim Tingey,	Economic Development Director
Patricia Wilson,	Finance Director
Michael Terry,	Human Resources Director
Dan Stireman,	Energy Services Manager
Rondi Knowlton,	Mayor's Office
Citizens	

## **A. OPENING CEREMONIES**

1. Pledge of Allegiance - Dan Stireman, Energy Services Manager
2. Approval of Minutes for August 26, 2008:

Ms. Dunn made a motion to approve the minutes.  
Mr. Dredge 2<sup>nd</sup> the motion.

Voice vote taken; All Ayes

3. Special Recognition:

1. **Consider a Joint Resolution of the Mayor and Municipal Council of Murray City, Utah, declaring September 14-20, 2008, Public Power Week.**

Ms. Griffiths read the Joint Resolution in its entirety.

Mr. Brass made the motion to approve the Resolution.

Ms. Dunn 2<sup>nd</sup> the motion.

Call Vote recorded by Brent Davidson

  A   Ms. Dunn  
  A   Mr. Dredge  
  A   Mr. Brass  
  A   Ms. Griffiths

Motion passed 4-0

Mayor Snarr stated that in looking over the balance sheets, he finds the assets that the City has very impressive; we are the only municipally owned power department in Salt Lake County. The credit goes to our forebearers, who worked hard and struggled the first 20 years to bring power to Murray City; people who criticized the efforts in the beginning would today say, wow, you've done a great job. To the members of the Power Advisory Board, and the managers in the department, he applauds their hard work and efforts. The Mayor stated that he is proud that Public Power is celebrated across America, as it is important for people to know that cities can do a great job in delivering services to our communities, and this is one of the most powerful services we provide to our residents.

Dan Stireman, Energy Services Manager

Mr. Stireman stated that in just five years, the City will be celebrating 100 years of public power; and wanted to share a bit of the history of how Murray Power came to be:

Back in 1905, that is when electric power first found its way into Murray City, with the Progress Electric Company; they strung enough powers and wire to light perhaps a couple of hundred street lights in the City, and for a few buildings. Not too long after that, the City was clamoring for more electricity, and they really couldn't get it from the Progress Electric Company. The City commissioners saw

opportunity, and decided that there was a system that they could improve upon and perhaps bring more power to more people.

Mr. Stireman read from the Resolution that was presented on July 09, 1912, calling on voters to approve the formation of a municipal power plant. In that Resolution, the address stated: *“we, your duly elected officers, realizing the imperative need of an improved water and power system, wholly under the control of the City, have called upon you to mark upon with your approval our plan to emancipate the city of Murray, from extortionist charges for light and power, by approving the issuance of \$60,000 bonds payable in 20 years.”*

Another portion of the Resolution went on to say: *“the cheapness of power under public ownership will do away with practically all stationary engines, whether steam or gasoline, and with them will go the danger of fire and explosions, dust, ashes, dirt and fumes; and the cost of management and maintenance. All shops will operate by simply turning on a switch. The moment the switch is off, the cost ends. Every housewife can have her own electric flat iron, always hot while the switch is on; can operate her own sewing machine, washing machine and churn, by simply turning a switch. The house can be lighted at half the cost now and she can be sure of good, steady lights all the time. The surplus power of the City being so great and cheap, can be used to operate factories at less cost than Salt Lake City and enable them, the manufacturers, to compete on more than equal terms with them. This will increase consumers at home and decrease the taxes. The money spent for power and labor will not go as a constant drain out of the City, but will be used at home over and over again, passing from one hand to another and increase the circulation.”*

Mr. Stireman noted that the last section still rings true today; we still have cheap power and there are other benefits to the City. The Power Department greatly contributes to the General Fund, things like street tree planting, the infrastructure of the street lighting, etc. Public power is as valid as ever, if not more so.

Mr. Stireman stated that on September 18, 2008, the Power Department will hold their annual Public Power Celebration, and invited the community to come.

Ms. Griffiths added that they will be having Murray Cookie Tree cookies, and that this is an event well worth attending. The educational element in this is excellent and she commended Mr. Stireman for his outstanding performance in the Power Department.

Ms. Griffiths asked that Mr. Robertson be excused from tonight's meeting due to illness.

**B. CITIZEN COMMENTS** (Comments are limited to 3 minutes unless otherwise approved by the Council.)

Rondi Knowlton, 5224 Clover Meadow Drive, Murray

Ms. Knowlton stated that she loves this Council and that they are great.

**Citizen Comment Closed**

**CONSENT AGENDA**

1. **Consider confirmation of the Mayor's appointment of Winter De La Mare to the Murray History Advisory Board in an At-Large position for a three-year term to expire August 01, 2011.**

Ms. Griffiths expressed her appreciation to Mr. De La Mare for his excellent credentials, and for bringing them to this board, and sharing his time and expertise with the City.

Ms. Dunn made the motion to approve the appointment..  
Mr. Dredge 2<sup>nd</sup> the motion.

Call Vote recorded by Brent Davidson

  A   Ms. Dunn  
  A   Mr. Dredge  
  A   Mr. Brass  
  A   Ms. Griffiths

Motion passed 4-0

**D. Public Hearing(s)**

None Scheduled

**E. Unfinished Business**

None Scheduled

**F. New Business**

1. **Consider an Ordinance amending Section 2.62.150© of the Murray City Municipal Code relating to the Annual Sick Leave Payout Policy.**

Staff Presentation: Mike Terry, Human Resource Director

Mr. Terry stated that the background on this policy change is that every December, the City employees are paid out one-fourth of that years unused sick leave. Historically, the City has done this every year and have given the employees the option of not taking the payout, and keeping all of their hours in the bank to be used in the future.

There was a situation where one of the City's retirees, who retired about a year ago, where the retirement office looked at this person's last three years for their pension, and saw a substantial payout every December; they asked the City to explain what it was. The office determined that they would not count this against their pension it was discretionary, having the choice to take it or not to take it. So, he fought that, writing letters, and the Attorney's office got involved; the retirement office did rule in his favor and counted it as income towards his pension calculation. However, the City has decided, so as to avoid anything like this in the future, they would like to change the policy so that it is mandatory that employees do take the 25% payout, and not allowed to keep all of the hours in their bank for future use. By taking away the choice, it will be automatically counted towards an employees pension when they calculate that.

Ms. Dunn stated that she thinks that is what most places do now, not giving the employee the choice.

Mr. Brass made the motion to adopt the Ordinance.

Ms. Dunn 2<sup>nd</sup> the motion.

Call Vote recorded by Brent Davidson

  A   Ms. Dunn  
  A   Mr. Dredge  
  A   Mr. Brass  
  A   Ms. Griffiths

Motion passed 4-0

**2. Consider a Resolution authorizing an employer pick-up of Employee Retirement Contributions.**

Staff presentation: Mike Terry, Human Resource Director

Mr. Terry stated that prior to 1986, the City had a retirement pension plan for its employees who were career employees, not fire or police employees, which was the Contributory Retirement Plan. The idea was that the employer and the employee would both put something towards the pension. In 1986 the retirement office came out with a new plan called the Non-Contributory Retirement Plan, which was where the employer funds 100% of the plan.

At that time, all of the employees had the option to move over to the Non-Contributory plan if they so chose. Any money that they had contributed as an employee was in their fund; some switched over, some did not. Up through 1995 there have been windows where they had the option to make that change if they had not done so. They have different payout schemes: one looks at the highest five years, one looks at the highest three years. There are pluses and minuses for going from one to the other. The City currently still has 16 employees on that Contributory plan; all new employees are forced onto the Non-Contributory plan.

When the City adopted the Non-Contributory plan, the City, at that time in 1986, decided that they would also pay for all of the employee and employer portion of the Contributory plan. Apparently, there has never been a Resolution to this effect, nor could they find anything in the Council Minutes, and they have received a notification from the Utah Retirement System asking for something in writing, such as Minutes or a Resolution, where the City has agreed to pick up the employee portion of the Contributory pension, making it official that the City has been doing this for the past 22 years.

Frank Nakamura, City Attorney

Mr. Nakamura stated that this applies to all plans, not only the Contributory and Non-Contributory. This simply acknowledges the employer pick up and that is their term. In regards to all contributions, the City has done this; there may have been minutes or a Resolution years ago, but rather than poring through our records and looking for that, the City decided to prepare another one.

The reason that this came up is that they are undergoing a Federal audit, and the auditors, in order to insure that the City has a qualified program, asked for this Resolution. The purpose of this is to comply with their audit.

Patricia Wilson, Finance Director

Ms. Wilson added that it is not just Murray City that is being asked to do this, there are other cities being asked to do this.

Mr. Dredge made the motion to adopt the Resolution.  
Mr. Brass 2<sup>nd</sup> the motion.

Call Vote recorded by Brent Davidson

  A   Ms. Dunn  
  A   Mr. Dredge  
  A   Mr. Brass  
  A   Ms. Griffiths

Motion passed 4-0

**G. Mayor's Report**

Mayor Snarr stated that he had a delightful meeting last week, with two women who represent the Daughters of the American Revolution; one lives in Murray and the other in South Jordan. They had asked the Mayor to read a Proclamation, which he agreed to do as they are doing something good to recognize the sacrifice that was made for our country many decades ago. The Mayor read the proclamation in its entirety. The Mayor said it was nice to have them come in and express their support of our Constitution, and the sacrifices that have been made to defend that Constitution.

The Mayor stated that he had closed down the Public Services building tonight with Mr. Stanger and Mr. Stokes, and he had been informed that they had finished pouring the curb and gutter on Creek Drive, they still need to do some approach work, but all the approaches have been set. They have done an excellent job over there and the Mayor expressed his appreciation for all their efforts in addressing all the infrastructure under the roads in the major rebuilds. For the most part, the people are very happy with the work that has been done. There have been some challenges, as far as getting permits to do some additional road work, unfortunately, the bad news is that it doesn't look like Fashion Boulevard is going to be able to go this year, they were hopeful to get it under construction, but the Mayor told them that he did not want to carry that project through the winter, similar to what happened with Vine Street. Miller has tentatively agreed to look at the possibility of doing some preliminary

work that would not require him to remove any of the curb and gutter asphalt on the project; maybe realign some of the poles and some of the other work that needs to be done, but most of it revolves around getting the church to sign off on the property that needed to be acquired into their parking lot. They have to send it through the channels, and they didn't quite make it through yet.

The rest of the projects, as long as the weather permits: Creek Drive will be the last one that will be done internally and that should be wrapped up in the next couple of weeks. They are also wrapping up the project by the Jensen's; she had some concerns about the storm drain, but the Mayor is prepared to explain that it is an irrigation issue; he had told her that the City will make sure that the water gets to the storm drain from that street, but the Mayor had not been aware that this was water coming off the irrigation system that was going over some of the neighbors lawns. She has been pleased that the project is being completed this year.

Additionally, the Mayor said that if you go to where the Valley Center Towers are located, you will see that the initially grading for the building of the new parking structure is being done. They have decided there will be only two buildings on that site; originally there was to be the building up front, a mirror building of that, then one to the back to the freeway. They shifted the one from the back towards the west, and it looks like that project will be well under construction in the next few weeks, and it will be a nice addition to our city. There will be some new road alignments, some egresses and regresses out of the site, but will be very nice.

The Fashion Place Mall projects are progressing nicely, they hope to have a late winter, early spring opening of the Nordstrom's.

#### **H. Questions of the Mayor**

Ms. Griffiths stated that she had questions asked of her, about what is happening on Elida Street.

Tim Tingey, Director of Community and Economic Development

Mr. Tingey stated that there is an application for a re-zone of the area between 600 East, which includes Elida Street, and Van Winkle Expressway. The re-zone proposal is to have an area which has General Office, residential R-M-15 and R-M-1.8, to have the General Office area re-zoned to R-M-15. It is scheduled to go before the Planning Commission on September 04, 2008.

Mayor Snarr added that he feels this is a good option to clean up that area, and he



will see what is recommended by the Planning Commission.

Mr. Tingey said that the staff has evaluated the information and is recommending approval; they feel that it is something that will be a good transition area between the General Office area and the residential, low-density areas. He feels that there will be a number of citizens at the meeting, who may have some concerns, but they will see how it goes.

Mayor Snarr stated that to go from general office to R-M-15 really isn't a bad deal. He also asked Mr. Tingey if there were any plans yet for the area of Winchester Street where they have taken down a lot of the structures up from about 400 East, as it has recently been fenced in.

Mr. Tingey stated that he was not aware of anything at this time.

The Mayor noted that no one had divulged any information to him, as far as who is coming in or what the plans are for this. He knows that the investors are still trying to acquire the other two properties to gain access off the road to the west so that they can have access into the development as well.

## **Adjournment**