

# Murray City Municipal Council Chambers Murray City, Utah

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**T**he Municipal Council of Murray City, Utah, met on Tuesday, the 5<sup>th</sup> day of June, 2007 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
Robbie Robertson,	Council Member
Jim Brass,	Council Member
Jeff Dredge,	Council Member

Others who attended:

Daniel Snarr,	Mayor
Jan Wells,	Chief of Staff
Mike Wagstaff	Deputy Legislative Analyst
G.L. Critchfield	Deputy City Attorney
Shannon Huff Jacobs,	Council Director
Carol Heales,	Recorder
Don Whetzel,	Director of Finance
Doug Hill,	Public Services Director
Anne Von Weller	Deputy Public Services Director
Danny Astill	Water Superintendent
Pete Fondaco,	Police Chief
Craig Burnett,	Assistant Police Chief
Gil Rodriguez,	Fire Chief
David Wilde,	County Council Representative
Gary Stringham,	Representative LDS Church
Citizens	

Pat Griffiths Conducted Meeting

## **A. OPENING CEREMONIES**

1. Pledge of Allegiance - Doug Hill, Public Services Director
2. Approval of Minutes

Motion to approve the minutes of May 15th, 2007, made by Ms. Dunn.  
Mr. Brass 2<sup>nd</sup> the motion.

Voice Vote taken, All ayes.

3. Special Recognition(s)

- a. Consider a Joint Resolution for the Mayor and Municipal Council of Murray City, Utah, in support of the "Utah Law Enforcement Torch Run" for Special Olympics on June 06, 2007.

Complete Resolution read by Ms. Griffiths.

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

Call vote recorded by Ms. Heales

**AYE/NAY**

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

Mayor Snarr acknowledged the Police Department and thanked them for their support. The Mayor also noted that the Torch Run will arrive in front of City Hall at 12:45, on June 06, 2007.

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

1. Rick Chapman, 5966 Jamaica Circle, Murray UT

Mr. Chapman, representing the Murray Liberty League Baseball, stated that, in regard to the ordinance being considered on banning smoking in public areas including the baseball diamond, he strongly suggests approval of these bans. He said the league currently has approximately 400 kids, and at these events where there is limited space, smoking becomes an issue. He added that in addition to the kids, most of the attendees are siblings of these children, and their families. Considering the medical concerns of second-hand smoke and cancer, he strongly recommends approval of the ordinance.

2. Ms. Griffiths acknowledged the Boy Scouts in attendance, and asked them to stand and introduce themselves, their troop leaders, and which merit badges they are currently working on.

Several members of Troop 392 introduced themselves.

3. Aaron Abeyta, 13 E Creek Dr., Murray UT

Mr. Abeyta noted that he has concerns over the conditions of Creek Road. He stated that the road is breaking up, and is becoming a major safety issue. He also presented the Council with a petition from the neighborhood asking that the road repair be included in this years budget. He also mentioned that work has been done on either end of the road previously, but the area in between needs to be repaired.

4. Presentation of Report and Public Comment on Murray City Water System.

Anne Von Weller, Deputy Director of Public Services  
Danny Astill, Water Services Superintendent

Ms. Von Weller began the presentation with a “pitch” on the qualities of Murray’s drinking water, and noting that one gallon of bottled water purchased at a store is equivalent in price to 2,500 gallons of Murray water.

Ms. Von Weller provided a power point presentation on the City Water System. She noted that the water sales total revenue this year is higher than it has ever been, partially due to the sale of some property, but in looking at only water sales, there has been a steady increase of revenue from the water sales, and the 2006 fiscal year sales revenues will be at an all time high at the end of the fiscal year, which is the end of June.

She added that since 2001, water usage steadily decreased over time due to conservation programs. In 2006 though, the amounts increased once again, indicating a need to work on the conservation programs.

Ms. Von Weller said the retail summary shows the average gallons per day used per household is 759 gallons used, up 60 gallons per day from the 2005 numbers.

Shortly, Ms. Von Weller said, the Water Department will bring forth a

proposed water meter change out to address revenue losses due to old meters. She pointed out that it is estimated the City loses approximately \$250,000 in revenue due to the age of the meters. The proposal will request the City change to a remote- read automated system, as they data collection is far superior, and facilitates audits and accuracy. The system would enable the City to notify customers quickly if a leak is found, thus increasing revenue.

Mr. Danny Astill, Water Superintendent, reviewed some of the projects planned. The department will be working on replacing all the 4" & 6" lines in the City. Last year they replaced all lines that had lead joints, with the exception of approximately 100' that they will be replacing this year.

As for larger projects, he continued, a 16" steel line on 900 East from 5900 South to 6400 South will be done because that line keeps leaking. This 16" line services a transmission line. There is a 20" iron line next to it that is in great shape, but it needs to be rehabilitated for the redundant system for the transmission of water into the City. They are looking at several options for the rehabilitation of this line. He added that this line carries a lot of water from the upper system.

Mr. Astill said that on 5900 South, a line upgrade from an 8" to a 12" line is needed from about 300 West to 700 West to meet the needs of the customers on the west side.

Mr. Astill mentioned other projects which included the McGee Springs Tunnels, Supervisory Control and Data Acquisition (SCADA) and work on the collector system for security reasons.

Mr. Astill said water supplies were discussed at a Wasatch Front Regional Council meeting. It was noted at that meeting that the water supply was in great shape coming into this year, the soil moistures were great, but snow pack was down. This was the first year that the Wasatch Front did not receive a normal or above snow pack, which hurts the recharge of our wells. The Wasatch Front Regional Council painted a bleak forecast for the water supplies unless the trend changes or additional conservation measures are put into place.

The per-capita use has increased, not only in our County, but statewide. It is amazing what a good water year will do for our area. The peak demand for this year was hit on June 04, 2007 which was 16.3 Million Gallons per Day (MGD) which was the earliest for this time of year; normally it is around 7 or 8 MGD at this time of year. The City's peak-hour MGD is 21; which is hitting us harder. It would be closer to 30 MGD

if we hadn't have done some conservation efforts like having our citizens water at night. The City was hitting the peak days at 27.8 MGD, higher before conservation efforts were begun, and we only had a supply of 27.3 MGD. Since conservation efforts, our maximum day has been hitting 17.3 MGD, which we are almost at now with another 1 million gallons. We can manage 32 MGD with the upgrades we have made to our systems, so the City is still in good shape.

Mr. Astill continued his report by stating that the City has had a water violation. He explained that the City is required to sample a number of parameters at each of the well sites each year. At one well site, they missed recording the actual parameter (nitrates) which caused the violation. He said the violation will be published in the Consumer Confidence Report. He pointed out that the violation does not indicate a health risk, but it must be published that the quality of the drinking water cannot be documented for nitrates at that well, during that period of time. The last sample taken was in August of 2005, with results of .05 mg per liter. The most current test was on May 08, 2007, and the reading was the same at .05 mg per liter. The maximum allowable limit is 10 parts per million, so it is ok.

Mr. Astill stated that corrective action has been taken to avoid this situation in the future, and felt it was important to put this violation in perspective. He said there are approximately 280 parameters that they test for at 19 sites, so out of 5,000 parameters, one was missed. He said Murray's water is good, but as it is a governmental requirement, the City has to report it.

Mr. Astill went on to discuss the 700 West well. He said the normal Total Dissolved Solids (TDS) at this well was 754 mg per liter. The last sample result they received was 1300 mg per liter, meaning it is *hard* water. He said since this is a peak well, used to meet daily and peak demands, it does not increase health risks, but is an indicator of water quality. He continued to say that the City must demonstrate to the State how this water is used, and if we continue to use the water, why it is necessary to continue. The question will be, can we replace it with something else? He said the City has shut the well off and will sample the water again. The City will also do a closed-circuit TV inspection to check the perforations and to see why the content has risen. The City will suspend the use of the well for the time being and look at options such as a treatment facility on the site.

Mr. Astill used some comparisons to put the TDS in perspective. He said, the ocean ranges from 15 mg per liter to 35,000 mg per liter. The Great

Salt Lake ranges from 150, 000 mg to 220,000 mg per liter. The Dead Sea ranges from 250 mg per liter. He said, in comparison to the City's wells, the newest well, Grant Park well, is at 124 mg per liter and is a great well. The Whitmore West well, producing about 20% of the City's water, is at 212 mg per liter. The 700 West well is between 754 - 1300 mg per liter. Mr. Astill said in general, the westside wells, show a downward trend which is good. The 700 West well is the only well that is staying level or coming up. He said the City has had to place extensions on some of the other wells so that they don't break suction during peak times. Mr. Astill said the east side wells are doing better. The Millrace well and 500 East well are flowing steadily. The upper east side wells are doing well, only the 1500 East well has lost a little. The Magee Springs monthly totals have been lower, due to the low snow pack. This is normal as it depends on how much water comes out of the mountains.

Anne Von Weller spoke on water conservation, stating that education is being done, participating with the Jordan Valley Water Conservancy District, doing water checks, which is available to the citizens.

Ms. Von Weller talked about the Earth Day Celebration and the upcoming 4<sup>th</sup> of July Celebration as opportunities the City uses to help educate the public on water conservation. She said the City also has a water conservation program for the schools and gets information out to the public through newsletters.

Ms. Von Weller said the per capita use per person is up to 253 gallons per day per person. She said the valley is experiencing a lot of population growth. She added that the forecast for growth is showing that Utah is the first in the nation in number of children born per household, and per capita. She said it is projected that the population in Utah will increase by 35% by 2020 and more than double by 2050. This means she added, that with limited new resources and infrastructure we will have to work smart to meet the City's needs. She emphasized that both the Wasatch Regional Council and the Jordan Valley Water Conservancy District have identified conservation as our greatest opportunity to meet future needs.

Ms. Von Weller pointed out that the City should review the current building construction standards, especially in some of the new zones, to look for areas that we can establish water saving provisions within the ordinances in certain zones.

**Citizen Comments Closed**

**C. CONSENT AGENDA**

Ms. Griffiths asked the Council to consider the confirmations together, if it was agreeable with the Council.

No objections noted.

Ms. Griffiths read each of the matters.

1. Consider confirmation of the Mayor's reappointment of Ted Eyre to the Parks and Recreation Advisory Board representing District 5 for a term expiring January 17, 2010.
2. Consider confirmation of the Mayor's reappointment of Ralph Siebert to the Power Advisory Board for a term expiring June 01, 2010.
3. Consider confirmation of the Mayor's appointment of Mildred Horton to the Arts Advisory Board representing District 1 for a term expiring January 15, 2010.
4. Consider confirmation of the Mayor's recommendation to move Judy Baxendale from an at-large position on the Arts Advisory Board, to serve as a District 3 representative on the Board for a term expiring January 15, 2008.
5. Consider confirmation of the Mayor's appointment of Kathleen Sorenson as a member-at-large of the Arts Advisory Board for a term expiring January 15, 2009.

Ms Dunn made the motion to approve the confirmations.  
Mr. Robertson 2<sup>nd</sup> the motion.

Call vote recorded by Ms. Heales

**AYE/NAY**

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

Motion passed 5-0

**D. Public Hearing(s)**

1. a. Staff and sponsor presentations, public comment and discussion prior to Council action on the following matter:

**Consider an Ordinance adopting the final 2007-2008 Fiscal Year Budgets for Murray City, including the Library Fund Budget.**

Staff Presentation: Don Whetzel, Finance Director

Mr. Whetzel made available copies of the Budget Summary.

Mr. Whetzel explained that the Budget Summary is identical in sum for each of the sums as was adopted by the Council on May 15, 2007. He said the Administration is requesting two minor adjustments to the budgets.

Mr. Whetzel said the first adjustment involves the water fund. The City is asking for a transfer of \$350,000 from the 2008 Cash Reserve to the Plant and Equipment line item. He said these funds will be used to rebuild the Pump Station and Chlorine building that is located at approximately 1000 East and 6000 South. He said it is the intent of the Public Works department to make that well house building compatible with the new fire station.

Mr. Whetzel said the second adjustment is an addendum for a group of waivers and donations to various nonprofit organizations that come before the City Council each year. He pointed out that normally a public hearing is required for each such request, but in making it a part of the budget process, the City does not need an individual public hearing for each request that is brought forth.

**Public Hearing opened for comment.**

None

**Public Hearing Closed**

- b. Council consideration of the above matter to follow Public Hearing

Ms. Griffiths stated that this matter will be considered for approval in the June 12, 2007 Council Meeting. Ordinarily, public comment is heard prior to the final approval, so that they may have a week to receive public input.



2. Approximately 6:50 p.m.

- a. Staff and sponsor presentations, public comment and discussion prior to Council action on the following matter:

**Consider an Ordinance amending the Fiscal Year 2006-2007 City Budget including the waiver and discharge of indebtedness of the Boys and Girls Club of South Valley, a nonprofit entity, under Section 10-8-2 of the Utah Code.**

Staff Presentation: Don Whetzel, Finance Director

Mr. Whetzel stated that the Administration is requesting adjustments in the budgets. The first is to increase the *bad debt* line item in the General Fund budget by \$180,000 which has already been collected in State sales tax. This adjustment will waiver and discharge the indebtedness of the South Valley Boys and Girls Clubs, which has accrued over a number of years.

Mr. Whetzel said the next adjustment is to transfer four capital projects from the General Fund over to the Capital Projects Fund. He said it is for the acquisition of land for Fire Station 83 for \$500,000. He added that if the City is able to close on that land purchase prior to the end of the fiscal year, then the City will not transfer the money on June 30<sup>th</sup> 2007. The next line adjustment is for the actual building for Station 82, at an amount of \$1,733,000. The last item adjustment is the replacement building for Station 83, for \$1,820,000. The fourth item is Glen Oaks Road Project extending from 5900 South to Southwood for \$627,000.

- b. Council consideration of the above matter to follow Public Hearing

Mayor Snarr stated that the Fire Station acquisition of land for Station 83 is \$507,000. Mr. Whetzel agreed, but stated that the adjustment is for \$500,000.

Ms Griffiths asked if the Boys and Girls Club discharge was for principal and interest. Mr. Whetzel responded by stating this was for principal only. It has been carried on the books as a receivable and the City has not charged interest.

Ms. Griffiths stated that she was taken aback by this debt, as she had been under the impression that this debt had been paid. Mr. Whetzel stated that the Club had taken out a mortgage on the building to pay the City, but it was not sufficient enough to retire the entire debt. The Club still owed \$180,000 that was not

recorded on their books. The City informed the Club of the need to record the amount. Once discharged, if approved, the Club will be able to remove that amount from the books which will facilitate funding from other sources.

Ms. Griffiths asked if the Club had offered to pay any monies toward the debt from the allocation that the City has made this year.

Mr. Whetzel said that his understanding is that the Club barely meets its expenses and has no money to spare. The City is deeming this as an uncollectible debt.

**Public Hearing opened for comment.**

None

**Public Hearing Closed**

Ms. Dunn explained that as her husband is involved with the Boys and Girls Club, she will not be voting on this issue.

Mr. Dredge stated that the Boys and Girls Club debt was incurred over a period of years, where there was no clear delineation between Murray City and the Boys and Girls Club. The Club was started by Murray City, staffed by Murray City, and so it more or less incurred when there was a decision to clearly separate the two entities. Mr. Dredge felt it unfair to burden the Club with debts that were incurred when they were operated as somewhat the same entity as the City. He continued by stating that when looking at the value that the Club brings to the community, the forgiveness of the debt is cheaper than the alternatives available.

Ms. Griffiths stated that not having a clear delineation of when the Club became a private, non profit entity bothers her. While she values the service they provide, and admires the things they do, she said it troubles her that the City has allowed the debt to accrue. In going through the financial documents, she said she did not see this come for Council approval. She continued in stating that it troubles her, as there are many worthy non-profits that contribute to our society, and felt the need to express this publicly. She added that she hopes there is now a clear delineation, and that this would not occur again.

Mr. Whetzel explained that this is a debt that accrued over 38 years. He also explained that several years ago, they split off from the City and have kept separate records, and that this should not occur again in the future.

Mr. Brass agreed with Mr. Dredge, stating that the Club has had a unique relationship with the City since its inception, which continues, and he cannot overstate the value that the Club brings to the City with its programs, as stated in the ordinance, the at-risk programs, that help minimize juvenile crime and the cost to the community that we would have to bear if the Club was not there. He felt it was far less expensive to educate children than to incarcerate them later in life. Mr. Brass commended them in their attempts to eliminate the debt felt it was a good investment in the future.

Mr. Robertson added that this is not unprecedented, we have done this for businesses in the past that contributed to the growth of the community.

Mr. Robertson made the motion to adopt the Ordinance.

Mr. Brass 2<sup>nd</sup> the motion.

Call vote recorded by Ms. Heales

**AYE/NAY**

_____	Ms. Dunn - abstained
<u>  A  </u>	Mr. Dredge
<u>  A  </u>	Mr. Robertson
<u>  A  </u>	Mr. Brass
<u>  A  </u>	Ms. Griffiths

Motion passed 4-0

3. Approximately 6:50 p.m.

a. Staff and sponsor presentations, public comment and discussion prior to Council action on the following matter:

**Consider an Ordinance vacating an alleyway located at approximately 4425 South and between State Street and Main Street, Murray City, Salt Lake County, State of Utah.**

Staff Presentation: Doug Hill, Public Services Director

Mr. Hill explained that this property is needed to complete the remodel of this area. The City does not have any interest in this alleyway, and is recommending that this property be vacated.

**Public Hearing opened for comment.**

None

**Public Hearing Closed**

b. Council consideration of the above matter to follow Public Hearing

None

Mr. Brass made a motion to adopt the Ordinance.  
Ms. Dunn 2<sup>nd</sup> the motion.

Call vote recorded by Ms. Heales

**AYE/NAY**

<u>  A  </u>	Ms. Dunn
<u>  A  </u>	Mr. Dredge
<u>  A  </u>	Mr. Robertson
<u>  A  </u>	Mr. Brass
<u>  A  </u>	Ms. Griffiths

Motion passed 5-0

**E Unfinished Business**

None.

**F. New Business**

1. **Consider a Resolution approving the sale of power through the Utah Associated Municipal Power Systems (UAMPS) Pooling Agreement.**

Staff Presentation: Blaine Haacke, Acting General Manager Murray City Power Department

Mr. Haacke explained the City's option to sell excess power it has to other entities in Utah, California and Nevada. He said the City has 4% ownership in the Intermountain Power Plant (IPP) which is approximately 72 megawatts. He said currently we have an agreement that states the

California entities will take the excess power. He added that Utah Associated Municipal Power Systems (UAMPS), due to a contract that is being lost in December of this year, has a need for energy that we have in excess. Mr. Haacke said UAMPS approached the City with eight names of entities within the group that need power by season for the next five years. He explained that the IPP callbacks that we do are on a six month basis and are summer or winter seasonal. He added that this resolution proposes to sell the power to UAMPS, who would turn it over to these eight entities. He also noted that there are several new names on the list who would like access to the IPP3 project, and the City is willing to provide the excess energy.

Mr. Haacke said the City plans to call back upwards of 7 to 20 megawatts, depending upon the season, at a markup of \$3.00 above the IPP cost. He said three other entities that are doing the same as Murray City. He explained that one entity is charging \$1.00 markup, another \$2.50, and Murray is a \$3.00 premium. He told the Council that the numbers are a bit less than initially presented, but it is still an extremely large revenue source for the City. He said this is a win-win situation.

Ms. Dunn commended Mr. Haacke for the great business dealings that benefits both our City and our neighboring cities.

Mayor Snarr noted that he had been uncomfortable in the past with what Los Angeles Power and Water would say as far as our City calling it back, to give it back to other members when they have the right to take it, but said that they had said, with the green power initiative, they did not want it. The Mayor felt the \$3.00 was a fair cost, well below the open market cost, and believes it is a win-win situation

Ms. Dunn moved to adopt the resolution.  
Mr. Dredge 2<sup>nd</sup> the motion.

Call vote recorded by Ms. Heales

**AYE/NAY**

<u>  A  </u>	Ms. Dunn
<u>  A  </u>	Mr. Dredge
<u>  A  </u>	Mr. Robertson
<u>  A  </u>	Mr. Brass
<u>  A  </u>	Ms. Griffiths

Motion passed 5-0

**G. Mayor**

1. Report

Mayor Snarr reviewed the many road projects currently underway, and thanked Mr. Hill and his staff for their diligent work in meeting the time frames for construction.

He also thanked Roy Kenney and his crews on the weed control, and mulch projects, using mulch from our Green Waste program. They have taken care of projects that would normally fall to the Utah Department of Transportation.

The Mayor also mentioned that Granger Energy will be in town on June 06, 2007 with their officials to work out details on the contractual agreement they have with the City on Green Power. He expressed his excitement about the project, and thanked everyone for their support.

2. Questions of the Mayor

Ms. Griffiths echoed the comments of the Mayor about the City's staff. She expressed her appreciation of the people and the programs Murray City provides.

**H. Adjournment**