

# 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 January, 2016 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:

Blair Camp,	Council Chair
Brett Hales,	Councilmember
Diane Turner,	Councilmember
Jim Brass,	Councilmember – Conducted
Dave Nicponski,	Councilmember

Others who attended:

Ted Eyre,	Mayor
Jan Wells,	Chief Administrative Officer
Jennifer Kennedy,	City Recorder
Frank Nakamura,	City Attorney
Janet Lopez,	Council Administrator
Janet Towers,	Executive Assistant to the Mayor
Doug Hill,	Public Services Director
Kim Sorensen,	Parks Superintendent
Lane Page,	Cemetery
Justin Zollinger,	Finance Director
Mark Boren,	Community and Economic Development
Mike Terry,	Human Resources Director
Citizens	

**5. Opening Ceremonies**

5.1 Pledge of Allegiance – Craig Burnett, Police Chief

5.2 Approval of Minutes

Mr. Hales asked that the minutes be taken together; no objections were made.

5.2.1 Council Meeting – December 1, 2015

5.2.2 Council Meeting – December 8, 2015

Mr. Hales made a motion to approve the minutes

Ms. Turner seconded the motion

Voice vote taken, all “ayes.”

5.3 Special Recognition

None scheduled.

**6. Citizen Comments** (Comments are limited to 3 minutes unless otherwise approved by the Council.)

Kozette Tanner – 5420 Kenwood Drive, Murray, Utah

Ms. Tanner asked if there was a way that citizens, specifically those that are seniors, could have access to some type of waste disposal that would go to the dump in their neighborhood so they could take larger items there instead of having to rent a truck.

Mr. Brass responded the City has green waste and roll off trailers available to rent. He understands what Ms. Tanner is referring to, but at this time the City does not have that, but they can look into it.

Mr. Camp added the City has the glass recycling option.

DeLynn Barney – 4902 South Box Elder Street, Murray, Utah

Mr. Barney said he has a friend in West Valley City and once a month they are allowed to put out whatever they need on the curb and it gets picked up. They also have trailers that are parked at various places throughout the neighborhoods where people can put whatever they want in them and it gets hauled off to the junkyard.

**7. Consent Agenda**

Mr. Brass asked that all items be taken together; no objections were made.

- 7.1 Consider confirmation of Mayor Eyre's reappointment of Alisa Brousseau to the Murray Arts Advisory Board in an At-Large position for a three-year term to expire January 15, 2019.
- 7.2 Consider confirmation of Mayor Eyre's reappointment of Lori Steadman to the Murray Arts Advisory Board in an At-Large position for a three-year term to expire January 15, 2019.
- 7.3 Consider confirmation of Mayor Eyre's appointment of Rebecca Santa Cruz to the Murray History Advisory Board in an At-Large position to complete the remainder of a three-year term, which expires August 1, 2017.
- 7.4 Consider confirmation of Mayor Eyre's reappointment of Jay Bollwinkel to the Murray City Center District Design Review Committee in an At-Large position for a three-year term to expire January 1, 2019.
- 7.5 Consider confirmation of Mayor Eyre's reappointment of Ned Hacker to the Murray City Center District Design Review Committee in an At-Large position for a three-year term to expire January 1, 2019.
- 7.6 Consider confirmation of Mayor Eyre's reappointment of Jeff Beal to the Murray Parks and Recreation Advisory Board in an At-Large position for a three-year term to expire January 17, 2019.
- 7.7 Consider confirmation of Mayor Eyre's reappointment of Dana Dmitrich to the Murray Parks and Recreation Advisory Board in an At-Large position for a three-year term to expire January 17, 2019.
- 7.8 Consider confirmation of Mayor Eyre's appointment of Marin Patterson to the Murray Planning and Zoning Commission in an At-Large position for a three-year term to expire January 15, 2019.
- 7.9 Consider confirmation of Mayor Eyre's reappointment of Gary Dansie to the Murray Planning and Zoning Commission representing District Three for a three-year term to expire January 15, 2019.

Ms. Turner made a motion to approve the Consent Agenda  
Mr. Nicponski seconded the motion

Call vote recorded by Jennifer Kennedy

  A   Ms. Turner  
  A   Mr. Hales  
  A   Mr. Nicponski  
  A   Mr. Camp  
  A   Mr. Brass

Motion passed 5-0

Mayor Eyre stated that Marin Patterson was in attendance tonight. He interviewed Ms. Patterson for her position on the Murray Planning and Zoning Commission which she served on a little over a year ago. Ms. Patterson has a Bachelor's Degree from Utah State University where she graduated with honors in psychology. Mayor Eyre said he thinks Ms. Patterson will be a great addition to this Commission and highly recommends her.

Mr. Brass said he started out on the Planning and Zoning Commission. He feels it is one of the tougher boards and commissions to sit on because land use is always interesting. In addition, you learn so much about the City that it is well worth while. Several Planning and Zoning Commission members have ended up serving on the City Council.

Mr. Camp said he is impressed with the caliber of people the City has on these volunteer boards. He commended the Mayor for the scouting job he has done; there are some really great people serving.

Mayor Eyre replied that a good number of these individuals are recommended by Department Heads and Senior Staff. A lot of the accolades should go to them.

Mr. Hales thanked everyone for their service.

## **8. Public Hearings**

### **8.1 Public Hearing #1**

8.1.1 Staff and sponsor presentations and public comment will be given prior to Council action on the following matter:

Consider an ordinance amending the City's Fiscal Year 2015 - 2016 Budget.

Staff Presentation: Justin Zollinger, Finance Director

Mr. Zollinger said the first item is for wildland fire reimbursement. The City's firefighters have put together a program where they can be called out by the Federal Government to help with wildland fires. There is a reimbursement that comes with that. We don't know it ahead of time because we don't know how many hours they will be working. The amount the City has been reimbursed is \$42,541. Not all of the money goes to wages. Some of it goes to wear and tear on the trucks they take to these sites.

Mr. Zollinger said each year the City receives beer tax money from the State of Utah. This money is for liquor law enforcement and DUI shifts. This money is fairly restricted in what it can be used for. Last year the City had \$8,888 left over from the allocation the State gave us. The Police Department would like to use that to purchase five more body cameras, which is an allowable use of the beer tax money.

There will be another budget opening for the money the City just received for this fiscal year. This is just the leftover from the prior year.

Mr. Zollinger said the City does not balance the budget with grants. As grants are received they are added to the budget. The City received a Justice Assistance Grant (JAG) of \$26,439. The Police Department would like to use that for first responder's in-car digital cameras.

We also received the Emergency Management Performance Grant (EMPG) in the amount of \$2,109. The Fire Department would like to use that for emergency operation equipment.

Mr. Zollinger said during the last legislative session the Legislature passed a bill that made it so they can charge the Federal Government for ambulance transport costs. They then pass this cost onto the cities in hopes we will be able to collect a greater amount of money. In the meantime, it is costing the City an additional \$14,000. It is a quarterly bill that is approximately \$7,000 each quarter. It will be paid for with sales tax money.

Mr. Zollinger said the next item is for sick leave payout. As the City has been trying to rewrite the retirement payout policy to work with the new software, as well as a couple of other objectives, we don't want our employees to lose any money and anyway as this formula is changed. This payout represents the difference between the old formula and the new formula; keeping employees whole with this benefit. The new formula will be calculated a little less, so the City is going to pay that money now. This will increase the General Fund by \$46,500, the Library Fund by \$1,050, the Water Fund by \$1,700, the Power Fund by \$13,300, and the Murray Parkway Fund by \$1,550.

Mr. Zollinger stated the last item on the list is the Solid Waste Garbage fee increase. The fee is going from \$11.50 to \$13.00 per month. Of that increase, \$0.88 is for going to weekly recycling. The additional increase is due to inflating costs. The increase in potential garbage collection revenue is \$171,370 which will be offset by collection expenses through Ace, the City's waste disposal contractor.

Mr. Camp asked if the ambulance transport fees are expected to be

reimbursed and we are just frontloading the money now.

Mr. Zollinger said the City is hoping to have higher collections rates on ambulance charges. Right now, he is not anticipating that until he sees the revenue reflected in the numbers.

Mr. Camp asked where the \$14,000 figure came from.

Mr. Zollinger replied the fee is \$7,000 quarterly. There wasn't a first quarter and there are three quarters left this year. The Fire Department already budgeted \$6,000 and that is why there are two remaining payments of \$14,000, potentially.

### **Public Hearing Open for Public Comment**

No public comments were given.

### **Public comment closed.**

#### 8.1.2 Council consideration of the above matter.

Ms. Turner made a motion to approve the ordinance  
Mr. Camp seconded the motion

Call vote recorded by Jennifer Kennedy

  A   Ms. Turner  
  A   Mr. Hales  
  A   Mr. Nicponski  
  A   Mr. Camp  
  A   Mr. Brass

Motion passed 5-0

#### 8.2 Public Hearing #2

##### 8.2.1 Staff and sponsor presentations and public comment will be given prior to Council action on the following matter:

Consider an ordinance amending Chapter 13.40 of the Murray City Municipal Code relating to the Murray City Cemetery.

Staff Presentation: Mayor Eyre

Mayor Eyre said for many years the City has not had any cemetery lots available. People were added to a waiting list in case any new lots were

discovered or any new property was bought. This was considered over the last year and it was decided there were two connector roads coming off of 5600 South that went into the main roads that looped around the cemetery that weren't absolutely necessary for circulation around the cemetery. It was decided to take those two roads out and make it a new part of the cemetery. That added 177 new graves.

During the same time, the GIS Department graphed every single lot within the cemetery. They did this with the help of volunteers and scouts. They also hired four part-time individuals that were able to help a little bit each day. They were able to identify every single lot in the cemetery and whether it was recorded correctly or not. They found an additional 244 gravesites that would be available for a total of 421 gravesites. It is important to put some of those gravesites aside, in a reserve, in case discrepancies are found even after this detailed discovery.

There will now be 361 available gravesites. Those will be sold through a lottery process to which there are some rules and regulations. One of them being that you have to be a Murray resident. A Murray resident is qualified if they have a single-family home, duplex, condominium, or a townhome. Each household that is successful in the lottery will be able to receive two gravesites.

An accommodation has been made for people who were longtime residents of Murray, living here for 30 or 40 years, but in the last couple of years have had to move for medical reasons and long term care. Therefore, if a person was a previous Murray resident and has had to move away for medical purposes within the last 24 months, that person is still considered a Murray resident and would be eligible for the lottery.

The lots have increased in price to be competitive. They are still below the vast majority of cities. They are about \$900 for a single lot with a flat gravestone. Lots with monuments are \$1,200. The 177 lots that were created by removing the road will be flat monument lots. There are less than 50 that were rediscovered that were previously, or could be, monument lots.

Mayor Eyre said the ordinance will allow alcohol to be consumed in the cemetery. The City does have ordinances regarding intoxication, teenage drinking, and that type of thing, but this ordinance will allow appropriate type of alcoholic beverages in the cemetery. There are also some other grammatical changes to the ordinance such as spelling corrections and things like that, that have been made.

### **Public Hearing Open for Public Comment**

Wes Eatchel – 4519 South 600 East, Murray, Utah

Mr. Eatchel said the Eatchel family has lived here even before this was Murray. He asked if a person dies and is cremated but owns several plots in the cemetery and his remains are not put in those plots, do those plots still remain in the family or can the cemetery annex those plots.

Mr. Brass replied as far as he knows, if you buy them you own them.

Mayor Eyre stated that once a lot is purchased, the City has an ordinance that it cannot be resold. The City's lots sell for much less than many of the other lots in the valley because many of the other cemeteries are privately owned. The City does not want anyone buying our gravesites for \$900 and then putting them on EBay for \$1,500 and selling them for a profit. Therefore, the City does not allow lots to be resold.

However, even though you cannot sell that lot, you have the right to determine who is going to be buried in that lot.

Mr. Nakamura said after 60 years, under State Law, the lot would be abandoned.

Mr. Hales said even though you are not buried there, you are still using it, it's your plot so it would not be abandoned.

Mr. Nakamura responded if it is not used, then after a certain period of time, it could be abandoned. It's not necessarily in perpetuity.

Mr. Brass asked if someone passes away and there are no heirs left and nobody to occupy that family plot, then what.

Mr. Nakamura said the City would do everything it could to make sure to identify the owner. If it's totally abandoned, we have to go through a process.

Mr. Eatchel said he bought four lots in the cemetery. One is vacant, one has his son in it, one is for him, and one is for his wife. His son and wife are deceased and buried in the cemetery. At the present time, Mr. Eatchel wants to be cremated and does not want his remains put in the lot. That lot is between his son and wife. He asked if in 60 years the City could sell that lot.

Mr. Nakamura replied the lot could be abandoned, but reminded Mr. Eatchel he has the right to determine who can be buried there.

**Public comment closed.**

### 8.2.2 Council consideration of the above matter.

Mr. Camp disclosed he intends to put in for the lottery and expects he will have the same chance as anyone else who puts in for it; no more no less. If for some reason he is successful in the lottery it is not because of any position in the City.

Mayor Eyre added that if someone was on the waiting list before, that does not mean they are on the lottery list. They will have to reregister on the lottery list that runs starting today through the end of this month. He said people that are on the waiting list will be notified personally and told to reregister.

Mr. Brass stated there is a link to the lottery on the City's website: [www.murray.utah.gov](http://www.murray.utah.gov).

Mr. Hales made a motion to approve the ordinance  
Mr. Camp seconded the motion

Call vote recorded by Jennifer Kennedy

  A   Ms. Turner  
  A   Mr. Hales  
  A   Mr. Nicponski  
  A   Mr. Camp  
  A   Mr. Brass

Motion passed 5-0

### 8.3 Public Hearing #3

8.3.1 Staff and sponsor presentations and public comment will be given prior to Council action on the following matter:

Consider an ordinance amending Chapters 7.04, 7.08, 7.12, and 7.16 of the Murray City Municipal Code relating to Solid Waste and Recycling Management.

Staff Presentation: Mayor Eyre

Mayor Eyre said the City's five year contract with our current provider, Ace Recycling and Disposal, expired on January 1, 2016. Prior to that, the City put out an RFP, and received three responses. The contract was awarded to Ace Recycling and Disposal. The amount that basic service went up is \$1.50 for basic service that includes one black and one green

can. Prior to this, the basic service was \$11.50 per month. It will now go to \$13.00 per month. Of that increase, \$0.58 is due to the new contract that starts January 1, 2016 and runs through December 31, 2020. \$0.88 of that increase is due to the fact the City decided to offer residents weekly recycling and \$0.04 of that increase is to hire a full-time employee to work within that department. An additional can previously cost \$7.90 and will now cost \$8.00 per month.

Mayor Eyre went over what some of the basic rates were for some other cities within Salt Lake County.

One of the main reasons the City decided to go to weekly recycling is due to comments we have received from the citizens. About 1/3 of the city, that lives above 900 East, are already doing weekly recycling because their garbage is handled by the Wasatch Front Waste and Recycling District (WFWARD). The City held a Town Hall meeting a while back with the people who are already receiving weekly recycling and offered them the opportunity to have their garbage serviced by Murray City. Those citizens decided that because they had weekly recycling they did not want to leave WFWARD even though it was a decrease in their monthly bill.

Another major consideration was the filling of landfills. Many people were filling up their green can before the two weeks was up, therefore they were putting the rest of their recycle material in the black cans that go to the landfill. It is filling up the landfill with what would have been recyclable material. Landfills are extremely expensive and the engineering that goes into them is very extensive. We want to preserve our landfill as long as we possibly can and this will do that.

Prior to this year the recycling tipping fee was free. Because the recycling company was able to sell the products they received from us, they did not charge us for a tipping fee. This year, the ability for them to sell the recycled products has diminished for a number of reasons. They are not able to resell many of the things they recycle right now and so they are storing them. Because of that, they will now have to start charging cities that tipping fee.

The City wants to encourage recycling as much as we can and set an example that we are a city that is concerned about being green and environmentally conscience.

Mr. Brass said that for those that don't know, Wasatch Front Waste and Recycling District is the old Salt Lake County solid waste. When the areas east of 900 East annexed into Murray, they chose at that time to stay with the County and then again chose to stay with Wasatch Front Waste and

Recycling District. Mr. Brass is a member of Wasatch Front Board and the tipping fees have changed. The price of fuel has gone down so plastics, which are petroleum based, don't have as much value. The Chinese market, which is huge for cardboards and recycled paper, is also down a little bit in value. The demand will pick up but it has impacted revenues. That is why we have gone from making money to having to pay tipping fees.

### **Public Hearing Open for Public Comment**

#### **Tony Rezac – 5668 South Bullion Street, Murray, Utah**

Mr. Rezac said he can go four weeks before he needs to put out his recycling can because he mashes his cans, plastics and puts his newspaper in it. Every one of his neighbors has a recycling can stuffed full of cardboard sticking up out of the top. He said if people would just take a utility knife and cut off the cardboard, they could go two weeks before they need their can emptied.

Mr. Rezac said we are putting out more trucks and polluting the air. He said we don't need to do that, we need to educate people. Churches and scouts collect cardboard and recycle cans. His church has three dumpsters for recycling. All of the money they receive goes to funding their programs. He doesn't see why the City cannot go to different programs and start something similar. We don't need additional trucks to add to the pollution, there is enough of that in this valley.

#### **Wes Eatchel – 4519 South 600 East, Murray, Utah**

Mr. Eatchel said most of his neighbors are senior citizens. He is against any increase in the revenue for Murray City for the collection of the green garbage. He does not need a green garbage can. It takes him about a month to fill his green garbage can. He said if this is initiated, the City can come and pick up his green garbage can.

Mr. Eatchel added there are lots of issues in the 600 East area from 4500 South down to the Ward House that need to be attended to more than picking up green garbage cans.

#### **Stan Tollefson – 4851 South Atwood Blvd., Murray, Utah**

Mr. Tollefson said he sees no reason for extra recycling pick-up. He has lived in his home with his wife who is an artist and orders a lot of things through mail and he has not yet experienced a need for more green garbage pick-up.

His neighbor who lives on Clark Street and pretty much all of his neighbors don't have a need for more pick-up. He is all for recycling but he and his neighbors find no need for more recycle cans in their

neighborhood.

Dwight Nichols – 4575 South Creek Lane, Murray, Utah

Mr. Nichols said he is not really against the extra recycle pick-up. He asked if there was an ordinance to spend money. If the City is paying to store the recycling stuff and there is no income off it, isn't that a sign to drop the program?

Mr. Brass responded the City is not paying.

Mr. Nichols said the City is paying a storage fee.

Mr. Brass said no the City is not. The City pays Ace Disposal who takes the recycling to Rocky Mountain Recycling and Rocky Mountain Recycling stores it.

Mr. Nichols asked if Rocky Mountain Recycling will send the City a bill for storing it.

Mr. Brass replied not for storing it. The City simply pays our fee and it gets taken off and dumped. That's it for the City.

Gerry Reed – 330 West Clark Street, Murray, Utah

Mr. Reed said he took a survey on upper Atwood, Clark Street and Glen Street and there is no need whatsoever for any second can or additional pickup. Most of the people he spoke with can go three to four weeks without filling the green can. If there are people that can't handle one pick-up every two weeks, they should take time and cut it up like they are supposed to.

He said when the City started using Ace, anything that stuck above the top of the can was rejected. He had that happen to him and they wouldn't take it because it exceeded the amount he could have in the can.

Mr. Reed said people on fixed incomes are being driven out of Murray because they can't afford these incremental increases. They get hit with a couple of dollars here, a couple of dollars on the Murray School Tax, 2% on the Murray School Fund, and there is a new Uniform School Fund; it's driving some out of home ownership.

Mark Boren – 5855 Majestic Pine Drive, Murray, Utah

Mr. Boren said he is a resident and a full-time employee working in the Community and Economic Development Department in the City. He said he is all onboard for recycling. He has lived in the City for 30 years and has five children. He is not sure exactly when the program was initiated here, but his family, who are really diligent with recycling, have never had

a need to have weekly service. He agrees with others that have spoken tonight. Even though the fee is not a lot, it is a fee that is never going to go away. There are people on fixed incomes and people that have lost their jobs. Over a period of time this additional money is important to them.

Mr. Boren said at Christmas, or other times, when there are a lot of boxes, educating the citizens about breaking-up big boxes is a better solution. You can take three or four boxes and fill the can, but if you cut that up, you're probably not going to have the can a quarter full.

Mr. Boren said he never heard anything about the survey. He can't believe there are only a handful of people in the room tonight. He is going to be watching very closely as he is doing his daily work in the City. He told Mr. Hales that he thinks over time, if people only have the can a quarter or a third full, which he feels is the case for most people, they won't take the recycle can out. On a street with 50 homes he thinks maybe 10 cans will be out.

He said he knows there are people that are onboard with this. He reiterated that he is all for recycling but he doesn't think this can be justified. This should be decided by the voice of the people. You can say a survey was sent out and we received 200-300 back, but he doesn't think it is a majority of the people that are in favor of weekly recycling. He added he knows it is a done deal, but he is going to watch it closely and would like to see it reversed in time.

Robyn McCloy – 350 East 5900 South, Murray, Utah

Ms. McCloy said she is totally in favor of this. Her mother orders boxes and boxes of things and Ms. McCloy cuts them up. She and her mother were excited when they saw this on their bill. She thinks it is a great idea because most of the things we all get; milk cartons, mail, everything that is in your life, is paper and plastic. She is constantly filling up the two black garbage cans and wishing she had another green one. Now that it is going to be a weekly pick-up, she thinks it is a great idea.

DeLynn Barney – 4902 South Box Elder Street, Murray, Utah

Mr. Barney said he has a hard time filling up his green garbage can once a month let alone once a week. However, he sees the need for recycling and getting stuff out of the landfill and encouraging people to recycle stuff that they are currently throwing away.

Bob Comfort – 5792 South Ridge Creek Circle, Murray, Utah

Mr. Comfort said there are certain times of the year when the cans get filled up, around Christmas time especially. What he and his neighbors have done over the years is when they have a lot of recycling stuff and it is the odd week, they check with their neighbors and put stuff in their

partially-filled recycle cans. That pretty well has always solved the problem for them. He can't see why that couldn't be extended to everyone instead of coming around weekly. Most of the people here tonight have said there really doesn't seem to be a need to come around weekly for the green waste recycling.

Mayor Eyre said that tonight has been democracy in process. This is an example of what should happen at a City Hall meeting. People have the right and opportunity to express what they want. This is one of the finest examples of how it is supposed to work.

He said this is not a done deal yet. It is not a done deal until the elected officials, the City Council, have voted on it. The Council has to determine whether the value of this exceeds the cost or inconvenience to people. The Council also has to consider things like the changing demographics for the City.

Mayor Eyre said there are three in his home now instead of six because his kids have grown up and gone away so they don't have that much recycling to do. However, the demographics of the City are changing. Many young families are moving into this city with a number of children. Those young people like recycling. They like being green, they like being environmentally friendly and they have many children that contribute to that can.

Mr. Brass stated he has a letter from one of his constituents, Jerry Reed, stating he is on a fixed income and is opposed to this. (Attachment 1)

**Public comment closed.**

Ms. Turner said two years ago when she ran for council, as she was walking the neighborhoods in the annexed area where she lives, she kept hearing that people in that area felt as if they weren't part of Murray. After she was elected she tried whatever she could do to try to make them feel more of a part of Murray because they don't get their power and water from the City. She thought one thing that could be done was to provide garbage service for them.

She spoke with her neighbors asking them what they thought. The City held public meetings to try to figure out if that would be helpful and what the citizens would want. The City found out that since Ace only offered bi-weekly recycling, the citizens in the annexed area wanted to stay with Wasatch Front Waste and Recycling District and that was one of the big reasons.

Ms. Turner said she was very surprised, but that was a big issue at that

time, about two years ago. She also thinks recycling is one of the responsible things we can do for the environment and our community.

Mr. Brass addressed Mr. Rezac's concern about pollution. He said most of the garbage companies as well as Wasatch Front Waste and Recycling District are converting their trucks over to natural gas. They are cleaner to drive and the fuel is substantially less money. In this industry, trucks and fuel are the biggest expenses.

Mr. Brass said he has heard from a lot of people on this issue and most of the people he heard from online and in emails are in favor of it. He and his wife live alone, their children have all moved out, and he fills up his recycling can regularly.

Being a part of Wasatch Front Waste and Recycling District he gets to go out and see the dumps. It is alarming how quickly they get filled up. He visited Trans Jordan and they had just finished opening up a new cell. He went back a month later and that cell was 50% full. Everybody in this valley and state are trying to keep materials out of the landfills.

Mr. Brass stated he does not frivolously add fees or vote for stuff like this, but he sees a need for this one. If we have to start moving our garbage out of the valley it is going to be breathtakingly expensive. One of the next closest landfills is Carbon County. To truck trash that far gets expensive and the fees go up higher. The City's fees are reasonable. Wasatch Front Waste and Recycling District had a \$2 per month increase two years ago and are looking at another one. It is fairly balanced.

He understands the fixed income but he reiterated he does see the value in this one.

#### 8.3.2 Council consideration of the above matter.

Mr. Camp made a motion to approve the ordinance  
Ms. Turner seconded the motion

Call vote recorded by Jennifer Kennedy

  A   Ms. Turner  
  A   Mr. Hales  
  A   Mr. Nicponski  
  A   Mr. Camp  
  A   Mr. Brass

Motion passed 5-0

#### 8.4 Public Hearing #4

- 8.4.1 Staff and sponsor presentations and public comment will be given prior to Council action on the following matter:

Consider a resolution declaring certain real property located at approximately 255 West 4500 South, Murray City, Salt Lake County, State of Utah, as surplus.

Staff presentation: Mayor Eyre

Mayor Eyre said the City has been asked to surplus the property located at 255 West 4500 South. The adjacent business would like to purchase it from the City and so they can increase their parking lot. Right now, this property is unusable for the City because of the slope on it however, we have to continue to maintain it by cutting down the weeds twice a year.

The person that is proposing to buy this property is willing to pay fair market value for the property which is about .09 acres, 3,861 square feet.

#### **Public Hearing Open for Public Comment**

No public comments were given.

**Public comment closed.**

- 8.4.2 Council consideration of the above matter.

Mr. Hales made a motion to approve the resolution  
Mr. Nicponski seconded the motion

Call vote recorded by Jennifer Kennedy

  A   Ms. Turner  
  A   Mr. Hales  
  A   Mr. Nicponski  
  A   Mr. Camp  
  A   Mr. Brass

Motion passed 5-0

#### 9. **Unfinished Business**

- 9.1 None scheduled.

#### 10. **New Business**

10.1 Election of Chair and Vice-Chair of the Murray City Municipal Council for calendar year 2016.

Mr. Brass asked for nominations for Council Chair.

Ms. Turner nominated Blair Camp for Council Chair.

No other nominations were given.

Call vote recorded by Jennifer Kennedy

  A   Ms. Turner  
  A   Mr. Hales  
  A   Mr. Nicponski  
  A   Mr. Camp  
  A   Mr. Brass

Motion passed 5-0

Mr. Camp was elected Council Chair for the year 2016.

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Mr. Brass asked for nominations for Council Vice-Chair.

Mr. Camp nominated Diane Turner for Council Vice-Chair.

No other nominations were given.

Call vote recorded by Jennifer Kennedy

  A   Ms. Turner  
  A   Mr. Hales  
  A   Mr. Nicponski  
  A   Mr. Camp  
  A   Mr. Brass

Motion passed 5-0

Ms. Turner was elected Council Vice-Chair for the year 2016.

10.2 Election of Chair and Vice-Chair of the Murray City Budget and Finance Committee for calendar year 2016.

Mr. Brass asked for nominations for Budget and Finance Chair.

Mr. Hales nominated Dave Nicponski for Budget and Finance Chair.

No other nominations were given.

Call vote recorded by Jennifer Kennedy

  A   Ms. Turner  
  A   Mr. Hales  
  A   Mr. Nicponski  
  A   Mr. Camp  
  A   Mr. Brass

Motion passed 5-0

Mr. Nicponski was elected Budget and Finance Chair for the year 2016.

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Mr. Brass asked for nominations for Budget and Finance Vice-Chair.

Ms. Turner nominated Brett Hales for Budget and Finance Vice-Chair.

No other nominations were given.

Call vote recorded by Jennifer Kennedy

  A   Ms. Turner  
  A   Mr. Hales  
  A   Mr. Nicponski  
  A   Mr. Camp  
  A   Mr. Brass

Motion passed 5-0

Mr. Hales was elected Budget and Finance Vice-Chair for the year 2016.

- 10.3 Election of a representative to serve as a member of the Association of Municipal Councils Board for a two-year term to expire December 31, 2017.

Staff presentation: Jim Brass, Councilmember

Mr. Brass asked for nominations for a representative to serve as a member of the Association of Municipal Councils Board.

Mr. Camp nominated Brett Hales.

No other nominations were given.

Call vote recorded by Jennifer Kennedy

  A   Ms. Turner  
  A   Mr. Hales  
  A   Mr. Nicponski  
  A   Mr. Camp  
  A   Mr. Brass

Motion passed 5-0

- 10.4 Consider a resolution approving the Mayor's 2016 appointment of representatives to Boards of Interlocal Entities.

Staff presentation: Mayor Eyre

Mayor Eyre said there are 11 Boards that are presently staffed. His recommendation is that the present staffing remains the same. The only change that has taken place is that Charles Crutcher was the second alternate for UAMPS. He has retired so Blaine Haacke will remain as the Board representative and Greg Bellon will be the alternate.

Ms. Turner made a motion to adopt the resolution  
Mr. Camp seconded the motion

Call vote recorded by Jennifer Kennedy

  A   Ms. Turner  
  A   Mr. Hales  
  A   Mr. Nicponski  
  A   Mr. Camp  
  A   Mr. Brass

Motion passed 5-0

- 10.5 Consider an ordinance amending Section 2.62.130 of the Murray City Municipal Code relating to a retirement payout benefit.

Staff presentation: Justin Zollinger, Finance Director  
Mike Terry, Human Resources Director

Mr. Terry said the world has changed and this policy is at least 20 years old. It was written a generation ago at a time when people would retire in their 50's and would need some sort of insurance to last them until they were Medicare eligible. This benefit was created so that when people retired, some money would be set aside for them to purchase medical insurance. The benefit dollar amount was tied

to health insurance costs so that when someone retired, depending on how long they had been here or how many hours of sick leave they had accumulated, they could purchase “X” number of months of health insurance.

After a while an account was created where when employees received this money it was kept within the Finance Department and the City would pay for their health insurance for them. After doing that for a period of time, they were notified that they could not do that. The money had to be disbursed and taxed per IRS regulations.

Since that time, the City has just been paying out the cash value; it hasn't been converted to health insurance. The value of those dollars has been paid out when a person either retired or resigned and left the City. It has been tied to the ongoing cost of health insurance which climbs much higher than the cost of inflation and that has become a problem. That is the reason a decision was made to change this policy.

Mr. Zollinger said the current payout policy was evaluated. One of the objectives that was discussed is that they want to keep current employees whole. They didn't want them to lose a penny of the payout or an hour of their sick leave. They didn't want to change the policy so much that some people had huge increases and others with huge decreases.

The City has invested significant money in the new payroll and finance software. The current system is very complex and they want to simplify it. Some of the employees and department heads have said the formula is still a little bit complex. They are right, but they did not want to switch to a fixed percentage rate because then again, some people would be big winners and some would lose significant amounts of money.

Mr. Zollinger said that going forward, new employees will be eligible for a 10% payout if they have worked here 10 years if they retire from the City. If they have been here 15 years, they are eligible for a 25% payout, up to 1,000 hours. He reiterated that simplifying was one of their significant objectives.

This liability would have doubled in the last 13 years because inflation of insurance has been so high. So, they created a fixed rate of \$16. The Council will need to address that occasionally. Because it is fixed, it will need to be adjusted occasionally until all the employees have graduated to the new schedule.

They wanted to change this so it wasn't a benefit that was paid out just because someone leaves the City. Now, this is a retirement payout benefit. In the past, there would be employees who would just leave and receive a big chunk of money. They don't want to incentivize people to leave the City, they would like them to stay and retire from the City. That was one of the other significant changes in this ordinance.

Mr. Nicponski made a motion to approve the ordinance  
Mr. Camp seconded the motion

Call vote recorded by Jennifer Kennedy

  A   Ms. Turner  
  A   Mr. Hales  
  A   Mr. Nicponski  
  A   Mr. Camp  
  A   Mr. Brass

Motion passed 5-0

## 11. **Mayor**

### 11.1 Report

Mayor Eyre mentioned Bill Francis who records the City Council meetings, which are now available online. He has spoken with Mr. Francis about channel 17, which is a government channel. Mr. Francis has the ability to broadcast information that the City would like him to, on channel 17. A format can be created where that channel is dedicated for Murray purposes and is broadcast 24/7. It wouldn't be filled completely with Murray material, but the City can decide when certain presentations of Murray are aired. Between the Murray airings, there will be movies and shows that would fill out the channel. Mayor Eyre invited members of the Council to come and see Mr. Francis' presentation to determine if they are interested in doing this before it goes to the Committee of the Whole.

Mr. Hales said he heard the other content on that channel are things that have no cost to play.

Mayor Eyre confirmed that was correct. The shows that would be shown on there are all older television shows, G rated stuff, like Ozzie and Harriett, I Love Lucy, and Bonanza.

Mayor Eyre reminded everyone that on January 12, 2016 at 7:30 am, they will be having the legislative breakfast.

Mayor Eyre said it was a unique and wonderful opportunity and experience to be part of the swearing-in ceremony today. It was a wonderful thing to see and witness and was done so well. He congratulated Mr. Hales, Mr. Brass, and Mr. Nicponski for being re-elected. He said he looks forward to serving with them for the next two years, if not more.

11.2 Questions for the Mayor

**12. Adjournment**

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Jennifer Kennedy, City Recorder

# Attachment 1

JIM BRASS - DISTRICT 3  
MURRAY CITY COUNCIL

JAN 2, 2016

FEE FOR WASTE DISPOSAL / COLLECTION

FROM THE "MURRAY CITY UPDATE" IN DECEMBER  
SOUNDS LIKE CITY HAS ALREADY DECIDED BUT  
PLEASE DO NOT INCREASE THE SUBJECT FEE.  
I DON'T NEED MORE FREQUENT RECYCLING  
AND DEFINITELY DO NOT WANT ADDITIONAL FEE  
FOR SUCH.

ADDED FEES IN OUR PROPERTY TAX AND  
UTILITY BILLS ARE ERODING MY ABILITY  
TO MAINTAIN & STAY IN MY HOUSE ON CLARK STREET.  
LIVING ON FIXED INCOME WITH NO  
COST-OF-LIVING INCREASE IN SOCIAL SECURITY  
PAYMENTS IS BECOMING UNREAL.

PLEASE NO FEE INCREASES

Jerry Reed

JERRY REED

330 CLARK ST

MURRAY UT 84107

801-262-6083.

P.S.

I SEE NO ONE ON UPPER ARWOOD, CLARK ST, OR GLEN STREET  
NEEDING ADDITIONAL RECYCLING.