

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 7th day of June, 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:

Justin Zollinger,	Mayor Pro-Tem, Finance Director
Jan Wells,	Chief Administrative Officer
Jennifer Kennedy,	City Recorder
Frank Nakamura,	City Attorney
Janet Lopez,	Council Administrator
Janet Towers,	Executive Assistant to the Mayor
Craig Burnett,	Police Chief
Gil Rodriguez,	Fire Chief
Blaine Haacke,	Power Department General Manager
Citizens	

5. Opening Ceremonies

5.1 Pledge of Allegiance – Craig Burnett, Police Chief

5.2 Approval of Minutes

5.2.1 Council Meeting – May 17, 2016

5.2.2 Council Meeting – May 24, 2016

Mr. Camp made a motion to approve the minutes with corrections

Ms. Turner seconded the motion

Voice vote taken, all “ayes.”

5.3 Special Recognition

5.3.1 None scheduled.

Staff Presentation: Brett Hales, Councilmember

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

Darlene Morgan – 228 East Vine Street, Murray, Utah

Ms. Morgan said she came to a City Council Meeting about two months ago and introduced a man by the name of Jerry Knight who is the Manager of Sandy Suburban Improvement District. Sandy City has been successful in implementing a program that replaces and maintains lateral lines which are the lines that connect from a home to the main sewer line. This program has worked for Sandy City and their citizens. Ms. Morgan said she knows lateral lines have been a problem for a lot of people. She has informed many Murray citizens about lateral lines. Some of those citizens who are interested in finding out more about this situation are in attendance tonight.

Ms. Morgan would like to talk about a letter that Sandy Suburban Improvement District sent to their citizens as well as Senate Bill 34 (SB 34) that was passed by the Legislature which says that all municipalities must inform their citizens that the responsibility to maintain and replace their lateral line is the citizen’s responsibility. The cost to replace a lateral line is between \$12,000 and \$15000. She believes that SB 34 being passed could cause more citizens to be interested in what is going on. Her purpose tonight is to see if Murray City will be a little more proactive in researching and looking into what would work for the citizens of Murray City as well as the City in regards to lateral lines.

Ms. Morgan stated she has invited Renee Christensen to the meeting tonight to give an update on what is going on at Sandy Suburban Improvement District. Ms. Christensen is a three-time elected Trustee and is very much aware of the program that Sandy City has been involved in. She requested Ms. Christensen be given five minutes.

Mr. Brass asked if anyone objected to Ms. Christensen speaking for five minutes, no objections were given.

Renee Christensen, Board Member for Sandy Suburban Improvement District

Ms. Christensen's comments are attached to a packet of information that was given to the Council (Attachment 1).

7. Consent Agenda

7.1 None scheduled.

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 this is the final budget opening for fiscal year 2016. A few things needed to be added to the budget as the City has been awarded some money. Additionally, there are also some outstanding bonds we would like to pay off.

The City received TRCC funding for the Murray Amphitheater from Salt Lake County. The County has awarded over 1.2 Million dollars for the Murray Amphitheater. The first amount, \$636,927, will be paid to the City during the current fiscal year. Next fiscal year, the City will receive an additional \$636,000 from the County. With this money, we can start working on drawings and construction documents and construction will hopefully begin in September.

A decision was made for the City to pay off a portion of the 2009A Sales Tax Bond. The approximate amount for that is \$980,000. That money will be paid with reserves from the Redevelopment Agency Fund.

The Library Fund received a grant from the Utah State Library Division in the amount of \$500 for a seminar on young adult literature. In addition, the Utah State Library Division also awarded the library \$500 for multi-cultural literacy activities.

The Fire and Police Departments received a State Homeland Security Grant in the amount of \$3,552. This will be added to the General Fund of each department.

Mr. Hales asked what the amount was for the Fire Department.

Mr. Zollinger replied \$3,552.

Public Hearing Open for Public Comment

No public comments were given.

Public comment closed.

8.1.2 Council consideration of the above matter.

Mr. Hales 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

8.2 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 a Resolution approving assistance to non-profit entities pursuant to Section 10-8-2 of the Utah Code for Fiscal Year 2016 – 2017.

Staff Presentation: Justin Zollinger, Finance Director

Mr. Zollinger said historically as a City this has been included in the budget document and Public Hearings for the budget. Mr. Zollinger says he feels it is better to disclose this all by itself. The City is providing funding to these entities in a non-exchange type transaction. That means the City is providing this funding with no expectations of receiving anything in return. These non-profits include a farmers market, homeless services, the Council of Governments, the Boys and Girls Club, Miss

Murray, the Youth Chamber and some money for Murray School District.

Mr. Zollinger said the complete list of non-profit entities that will be receiving money is in the budget documents that are online now.

Mr. Brass stated Murray City's website is www.murray.utah.gov.

Public Hearing Open for Public Comment

No public comments were given.

Public comment closed.

8.2.2 Council consideration of the above matter.

Ms. Turner made a motion to adopt 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

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 adopting the Final 2016 – 2017 Fiscal Year Budgets for Murray City including the Library Fund Budget.

Staff Presentation: Justin Zollinger, Finance Director

Mr. Brass stated they will take public comments on this tonight but it will not be voted on until the next City Council meeting.

Mr. Zollinger stated the City's budget is always online. The budget starts out with a Budget in Brief summary which outlines many of the bigger items. In addition, as you go through the budget, each department has a budget summary provided. If someone were to read the Budget in Brief in and the budget summaries that different departments provide, they would

know about 95% of everything that is going on in the budget document.

Mr. Zollinger said the budget summary shows the changes from year to year. One other ratio was added this year which is a percentage change line item. This makes it easy to see where changes have occurred.

The Mayor, City Council and all the departments have worked very hard to balance the budget. A balanced budget is the standard; it is expected. Mr. Zollinger thanked everyone for their help with the budget.

Ms. Turner said the Council appreciates the work Mr. Zollinger has done. He has gone over the budget and has been very patient with them.

Mr. Hales said this budget was a good opportunity for the Council. It's going to be a great year.

Ms. Turner thanked Mr. Zollinger's staff as well for all the work they have done on the budget.

Mr. Brass said working on the budget is a lengthy process. He point out that in the Committee of the Whole meeting it was mentioned that as of June 1, 2016 the Power Department is debt free, which is huge. The transmission system throughout the City was rebuilt with bonds. The City has saved approximately 1.6 million dollars in interest savings over the term of the bonds by paying them off early.

Mr. Zollinger said as you build your budget, you budget for your debt service. This year, there were two goose eggs in principal and interest because the bond was paid off. We didn't have to budget for that bond payment that we have had every year.

Public Hearing Open for Public Comment

Lloyd Jones – 5151 South 600 East, Murray, Utah

Mr. Jones asked if public comment will be taken at the next meeting as the final budget approval will be then.

Mr. Brass replied there will be public comment at that meeting. The Public Hearing will not be closed, it will be continued until the next meeting.

Public Hearing continued until June 21, 2016.

8.3.2 Council consideration of the above matter.

Mr. Camp made a motion to postpone action on this Ordinance until June 21, 2016

Mr. Hales 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 None scheduled.

11. Mayor

11.1 Report

Mr. Zollinger congratulated the Power Department for being debt free.

11.2 Questions for the Mayor

12. Adjournment

Jennifer Kennedy, City Recorder

Attachment 1

My name is Renee Christensen. I am here at the request of one of you citizens, Darlene Morgan. I currently serve as the Chairman of the Board of Trustees of Sandy Suburban Improvement District. I am in my 3rd term of Office. Our General Manager, Mr. Jerry Knight, has previously spoken on the subject of our Lateral Insurance program to this council. The dynamic has changed somewhat since his visit. There is now a new piece of Legislation which was recently enacted, known as SB34 – Sewer Lateral Disclosures. This new law requires all providers of public sewer systems to yearly notify home owners that they are responsible for sewer lateral repairs. I have attached a copy in a packet of additional information I have here for you.

This current legislative directive reminds me of a scene from a 1980's animated movie, "The Secret of NHIM". Mrs. Brisby goes to the council for help with her house issue. The discussion ends when one in the council rises and says, "We have problems of our own! Let the lower creatures fend for themselves." So, SB34 just announces that the "lower creatures", the property owners must solve their own problems on that day when their basement drain begins oozing matter into their home.

You as the Council of the City has the power to do something more than post a conspicuous notice. You just have to have the courage to think outside the box and be pro-active in bringing solutions to the citizens of Murray City. This body has done so countless times before. Murray City's Legacy has always been that of protecting the "lower creatures", the citizens of its community. The beacons to that philosophy are all around us. Murray Park, Murray Schools, Murray Power, Murray Water. Murray created the concept of Auto Row decades ahead of its time, as well as the recent concept of full campus healthcare. Why stop now?

Why continue the negative, oppressive practices of others when there is the opportunity to move ahead with vision and confidence. A lateral insurance protection program not only protects the citizens, it protects the city as a whole in several ways.

The city's infrastructure is not only under attack by age and tree roots, but also by unscrupulous vendors with shoddy workmanship and outrageous pricing. In Sandy Suburban's first year of the program we had in excess of 150 claims. The repairs were done by authorized companies who maintained our infrastructure standards. The average costs brokered through the insurance providers, came in at nearly 45% below what a home owner could secure independently. Our average repair cost is \$4,800. On the open market, those repairs would have been in the range of \$8,000 to \$15,000. We, at Sandy Suburban, have saved our constituency nearly half a million dollars in just one year. Where can you get those benefits in today's economy? From that prospective, the nominal monthly fee paid by every single-family unit is insignificant.

The beauty of an insurance pool is that it can take many shapes. Straight premiums, low or high deductibles, or a little of both, over the base of single-family unit home owners within the city. Each agency decides how the insurance vehicle is constructed, who the operators will be and which benefits are provided. Those decisions are the city's to make.

Outside the box protections for lateral issues is a reality. With a little education, your citizens will easily come see the value that Murray City fathers are providing through initiating a unique, innovative and secure lateral insurance program. I recommend the Council learn enough to grasp the vision of what is possible rather than simply accepting the proclamation of the legislature that each home owner must continue to fend for themselves.

So, it is not a matter of if - but when matter starts oozing up in your own basement it will be too late. And as a "lower creature" – what will you do then for yourself?

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Enrolled

S.B. 34

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1

SEWER LATERAL DISCLOSURES

2

2016 GENERAL SESSION

3

STATE OF UTAH

4

Chief Sponsor: Karen Mayne

5

House Sponsor: Stephen G. Handy

6

7 **LONG TITLE**

8 **General Description:**

9 This bill enacts provisions relating to sanitary sewer service.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ defines terms; and

13 ▶ requires each public owner of sanitary sewer

Bill Sponsor: Floor Sponsor:



Sen. Mayne,
Karen



Rep. Handy,
Stephen G.

Substitute Sponsor: Sen. Mayne, Karen

Drafting Attorney: Christine R. Gilbert

Fiscal Analyst: Angela J. Oh

Bill Tracking

[Tracking Page](#)

Bill Text

- [Introduced](#)
- [Enrolled](#) (Currently Displayed)

facilities to provide certain disclosures
14 related to liability for the repair or replacement of a sewer
lateral.

15 **Money Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 ENACTS:

21 11-8-4, Utah Code Annotated 1953

22

23 *Be it enacted by the Legislature of the state of Utah:*

24 Section 1. Section **11-8-4** is enacted to read:

25 **11-8-4. Sewer lateral disclosure required.**

26 (1) As used in this section:

27 (a) "Public owner" means the same as that term is
defined in Section 11-8-1.

28 (b) "Sanitary sewer service" means service provided by a
public owner's sanitary sewer
29 facilities.

30 (c) "Sewer lateral" means a pipe that connects a property
to a public owner's sanitary
31 sewer main line.

32 (2) (a) Each calendar year, a public owner shall, in
accordance with Subsection (2)(b),

33 distribute a disclosure that:

34 (i) includes the definition of a sewer lateral; and

35 (ii) states whether the record owner of the property or the
public owner is responsible

36 for repair and replacement of the sewer lateral that serves a
property.

37 (b) A public owner may distribute the disclosure
described in Subsection (2)(a) by:

38 (i) once each calendar year conspicuously placing the
disclosure:

39 (A) on each bill for sanitary sewer service in a particular
billing cycle; or

40 (B) in a newsletter that is circulated within the boundaries
of the area served by the

41 public owner;

42 (ii) conspicuously placing the disclosure on the public
owner's website;

43 (iii) including the disclosure in a broad based social
media campaign; or

44 (iv) any other means reasonably calculated to make the
disclosure available to

Other Versions

- [S.B. 34](#)

Related Documents

- [Fiscal Note](#) 
- [SB0034 comparison](#)
- [Agency Perf Note](#)

Information

- **Last Action:** 25 Mar 2016, Governor Signed
- **Last Location:** Lieutenant Governor's office for filing
- **Effective Date:** 10 May 2016
- **Session Law Chapter:** 283

Similar Bills

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-

45 individuals served by the public owner.
46 (c) A public owner's failure to comply with a provision of
this Subsection (2) does not
47 result in any liability for the public owner based on the public
owner's failure to comply.

Who represents me?

Remember my Legislators

State Senate
350 North State,
Suite 320
PO Box 145115
Salt Lake City,
Utah 84114
Telephone:
(801) 538-1035
Fax: (801) 326-1475

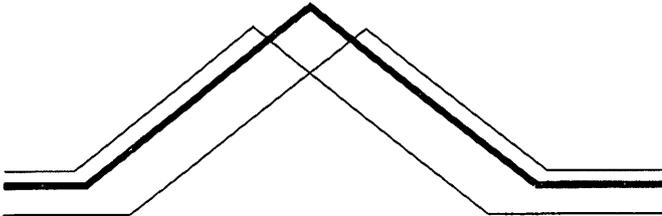
House of Representatives

350 North State,
Suite 350
PO Box 145030
Salt Lake City,
Utah 84114
Telephone:
(801) 538-1029
Fax: (801) 326-1544

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Sandy Suburban Improvement District

8855 South 700 West ◊ Sandy, Utah 84070 ◊ Phone 801.561.7662 ◊ FAX 801.495.4076

October 1, 2014

Dear Sandy Suburban Residents:

One of the scariest aspects of home ownership is not knowing when and if the sewer “lateral” to your home – the smaller pipe that runs from outside your house to the main sewage line in the street – will spring a leak or get damaged. It is a home repair that is likely to happen to everyone at least once.

If it does, the price of repairing it can be enormous, costing you anywhere from \$3,500 to \$15,000 just to fix the pipe. The fact is, while Sandy Suburban Improvement District is responsible for the main sewer collection lines in every neighborhood, it has always been the responsibility of homeowners to repair their own lateral when it becomes damaged, leaking, or plugged. The homeowner's portion of the sewer line starts at the outside edge of the house and runs to the District's sewer collection line in the street.

But now, Sandy Suburban has designed an innovative new insurance program to give single-family homeowners a helping hand. To deal with the devastating cost of repairing a damaged lateral, customers will be enrolled in the Sewer & Water Insurance Plan (SWIP), which will pay for the cost to fix or replace a lateral whenever it becomes faulty. It also eliminates the hassle of a homeowner having to find a qualified contractor to repair it.

If you have a sewer backup, call the District at 801-561-7662. We will send our crew to determine if the cause is with our main line or with your lateral. If the cause of the backup is with your lateral, we will provide you with contact information to begin the claim process. The insurance office will arrange for a representative to come to your home and inspect the damage and either repair or replace the pipe– and the full cost is covered by the insurance policy.

Sandy Suburban is so confident in this new program that it has committed to cover the cost of its implementation and coverage. We are being proactive and aware of the ever-expanding requirements of the EPA. We believe this program will have huge benefits in savings and convenience for both you as a homeowner and our entire community. Not only does this program ensure that all damaged laterals will be fixed across our community, it also provides that they will be repaired to current industry standards.

You can find more information about how the Sewer & Water Insurance Plan works as well as a list of frequently asked questions at www.sandysid.com. Also, feel free to call us at 801-561-7662. Implementation of the insurance program begins October 1, 2014.

Sincerely,

Sandy Suburban Improvement District