

Murray City Municipal Council Chambers Murray City, Utah

The Murray City Municipal Council met on Tuesday, November 20TH, 2018 at 6:30 p.m. for a meeting held in the Murray City Center Council Chambers, 5025 South State Street, Murray, Utah.

Council Members in Attendance:

Diane Turner, Chair	District #4
Dave Nicponski, Vice Chair	District #1
Dale Cox – Excused	District #2
Jim Brass	District #3
Brett Hales	District #5

Others in Attendance:

Blaine Haacke	Power
Blair Camp	Mayor
Brenda Moore	Finance
Brooke Smith	Recorder
Danny Astill	Public Works
Danyce Steck	Finance
Doug Hill	Mayor’s Office
GL Critchfield	Legal
Jan Lopez	Council
Jennifer Heaps	Mayor’s Office
Jim McNulty	Public Services

Joe Tarver	Police
Jon Harris	Fire
Kim Fong	Library
Kim Sorensen	Parks and Rec
Kristin Reardon	Police
Lori Edmunds	Parks and Rec
Pattie Johnson	council
Rob White	IT
Roy Halford	Police
Russ Kakala	Public Works
Trong Le	IT
	Citizens

Opening Ceremonies

Call to Order – Mr. Nicponski called the meeting to order at 6:31 p.m. and excused Mr. Cox from the meeting.

Pledge of Allegiance – The Pledge of Allegiance was led by Joe Tarver, Deputy Police Chief.

Approval of Minutes

Council Meeting – November 6, 2018

MOTION: Mr. Hales moved to approve the minutes. The motion was SECONDED by Ms.

Turner. Voice vote taken, all “ayes.”

Special Recognition

1. Murray City Council Employee of the Month, Rebecka Cox, Murray City Police Officer.

Staff Presentation: Brett Hales, Councilmember and Joe Tarver, Deputy Police Chief

Mr. Hales said the Council started the Employee of the Month Program because they felt it was important to recognize the City’s employees. He presented Ms. Cox with a certificate, a \$50 gift card and told her that her name would appear on the plaque located in the Council Chambers. He expressed his appreciation to Ms. Cox for all she does for the City.

Mr. Tarver spoke about Ms. Cox’s accomplishments during her time with the city and Ms. Cox introduced her family.

2. Wrap-Up Report from Miss Murray 2018, Jessica Christensen.

Staff Presentation: Mayor Blair Camp

Mayor Camp explained that each year, the city has the opportunity to participate in the Miss Murray Scholarship Pageant. Traditionally, the new Miss Murray comes to a City Council meeting and presents her Platform to the Council. However, the city has never had a report from the outgoing Miss Murray until now. Mayor Camp said he feels it is important for the Council to hear about the year that Miss Murray had. He invited Jessica Christensen to speak.

Ms. Christensen shared the experience she had as Ms. Murray and showed a video “Jessica Christenson Miss Murray 2017-2018 Finale”, which is on YouTube.

Mayor Camp thanked Jessica for representing Murray City well and presented her with the Mayors Award of Excellence.

3. Introduction of Miss Murray 2019, Savannah Angle.

Staff Presentation: Mayor Blair Camp

Mayor Camp said the Miss Murray Scholarship Pageant was held on September 25, 2018. He introduced Ms. Angle and recognized her First Attendant, Kristin Breeding; Second Attendant, Julia Cheshire and the Miss Murray Scholarship Pageant Director, Leesa Lloyd. He invited Ms. Angle to speak.

Ms. Angle introduced herself and shared her Social Impact Initiative (Platform), “Better Together Arts in Education”. Ms. Angle shared the goals and initiatives she has planned while she is crowned Miss. Murray.

Citizen Comments – Comments are limited to 3 minutes unless otherwise approved by the Council.

Brian Barrow – Murray City, Utah

Mr. Barrow said recently the Lt. Governor's office announced they are going to allow municipal elections the ability to have Ranked Choice Voting. He asked if the city had plans to implement Ranked Choice Voting and if not, what can be done to adopt it.

Consent Agenda

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

1. Consider confirmation of the Mayor's appointment of Christy Anderson to the Arts Advisory Board for a three-year term to be completed January 15, 2022.
2. Consider confirmation of the Mayor's appointment of Kat Martinez to the Arts Advisory Board for a three-year term to be completed January 15, 2022.
3. Consider confirmation of the Mayor's reappointment of Nancy Buist to the Arts Advisory Board for a two-year term to be completed January 15, 2021.

MOTION: Ms. Turner moved to adopt the Consent Agenda. The motion was SECONDED by Mr. Brass.

Council roll call vote:

Mr. Brass	Aye
Ms. Turner	Aye
Mr. Hales	Aye
Mr. Nicponski	Aye

Motion passed 4-0

Public Hearings

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

Consider an ordinance relating to land use; amends the Zoning Map for the property located at 6230 and 6256 South 900 East, Murray City, Utah from the A-1 (Agricultural) Zoning District to the R-N-B (Residential Neighborhood Business) Zoning District.
Applicant – Valley Behavioral Health

Staff Presentation: Jim McNulty, Development Services Manager

Mr. McNulty explained the proposed zone change. He said there are single-family homes on each of these properties which are proposed to be removed to allow for a future medical facility on the property. Mr. McNulty added that this development pattern has been happening along 900 East and there have been some nice office buildings built along that corridor. The Planning Commission and staff are both

recommending approval of this zone change.

The public hearing was open for public comment.

KaeLynn Nielson – Murray City, Utah

Ms. Nielson asked what kind of medical facility was going in on the property.

Mr. McNulty responded that this meeting is strictly to discuss the rezoning of this property and whether it meets the city's requirements or not. He said the R-N-B zone allows for things such as medical offices, but no plan will be discussed tonight.

Kevin Potts – Murray City, Utah

Mr. Potts ask if there was a representative from Valley Mental Health at the meeting. He is concerned about having a residential facility across the street from him where they are doing inpatient detox and alcohol treatment.

A citizen acknowledged that they were there representing Valley Mental Health.

Robert Nielson – Murray City, Utah

Mr. Nelson stated he is concerned about the traffic on 900 East. In the seven years he has lived in his home, traffic on 900 East has increased dramatically. Trying to turn left onto 900 East is not an easy task. He would like to know what kind of traffic the proposed development would bring.

Robert Benson – Murray City, Utah

Mr. Benson said he is concerned about light pollution at night. Some of the properties along 900 East have a lot of lights and they are on all night long. He is also concerned about the fence height, utilities and location of the building on the lot.

Kimberly Larson – Murray City, Utah

Ms. Larson said that the business next to her property has light pollution and an alarm system that is constantly being triggered all through the night. Ms. Larsen is also concerned about the power lines and height of the fence since its being rezoned for a behavior health facility. She said on other properties that back a behavior health facility, the fence height is increased to eight feet.

Neil Christenson – Murray City, Utah

Mr. Christenson said he is concerned about traffic on 900 East and that building a large facility will add to the traffic problem. He also wondered if the properties on the other side of 900 East, next to Wheeler Farm, would also be rezoned.

Brad Christopherson, General Council for Valley Mental Health, introduced himself and responded to questions generated by the public. He said the plan for the property is not a drug treatment facility, but a day facility for adults with autism and it would operate

during normal business hours.

Mr. Christopherson added they are working with the Utah Department of Transportation (UDOT) on a variance for access. UDOT will not allow a left-turn into the property and Murray City will not allow access to the property off of Holly Avenue unless it's for emergency access only. He added that they are in the early planning stages, so they don't have all the details on the utilities and lights at this point.

Mr. McNulty clarified that this meeting is only to rezone the properties located at 6230 and 6256 South 900 East. He explained there will be another public hearing with the Planning Commission where citizens can address concerns about the light, density, fencing, traffic; etc. Mr. McNulty said the R-N-B zone is nice and has a residential character to it.

Mr. Nicponski closed the public hearing.

Mr. Hales reiterated the Council's decision tonight is solely for the rezoning of the property and there will be other meetings that will get into the specifics of the project.

Mr. Brass explained the process and importance for the Planning Commission and why the city created the R-N-B zone. He is, however, concerned about the light spill-over and would like staff to take a look at that if there is a potential issue.

Mayor Camp commented that the R-N-B zone is a good buffer zone and if there are issues with light pollution, chances are the business creating it is not in compliance and the city can have code enforcement look into it.

MOTION: Mr. Brass moved to adopt the ordinance. The motion was SECONDED by Ms. Turner.

Council roll call vote:

Mr. Brass	Aye
Ms. Turner	Aye
Mr. Hales	Aye
Mr. Nicponski	Aye

Motion passed 4-0

Business Items

1. Consider a resolution approving a Memorandum of Agreement between the City, Salt Lake County, and Salt Lake City Corporation providing for the City's participation in Brownfields Coalition.

Staff Presentation: Jim McNulty, Development Services Manager

Mr. McNulty said that by participating in the Brownfields Coalition the city will have the

opportunity to apply for grants in the amount of \$600,000. That money would be used in areas of the city that need to be cleaned up. He explained that because these are federal grants the city would not be required to put up matching funds.

MOTION: Ms. Turner moved to adopt the resolution. The motion was SECONDED by Mr. Hales.

Council roll call vote:

Mr. Brass	Aye
Ms. Turner	Aye
Mr. Hales	Aye
Mr. Nicponski	Aye

Motion passed 4-0

2. Consider a resolution to waive unbilled water usage charges between April and October of 2018.

Staff Presentation: Danyce Steck, Finance Director; Danny Astill, Public Works Director; and G.L. Critchfield, City Attorney.

Ms. Steck presented a PowerPoint (Attachment 1). She said this item is regarding the unbilled water usage that occurred between April and October of 2018. She explained the Water Fund is its own fund and does not receive any taxes or revenue from the General Fund. The Water Fund currently has \$2,800,000, or 54% of its annual revenues. The reserves are used to maintain and improve the water system. The Water Master Plan currently has \$27,000,000 in improvement projects scheduled over the next ten years.

Ms. Steck explained the city adopted a tiered rate schedule for the water system that was mandated by State Law in early 2018. The utility billing department misunderstood how to read the tiered rate schedule, therefore it was programmed into the system incorrectly. Ms. Steck showed a comparison of the rate schedule the Council adopted versus the rate schedule that was programmed into the utility billing system. She also noted that a second mistake was made when a decimal point was put in the incorrect place, causing the rates to be put in at 10% of the actual rate.

Ms. Steck said the utility billing system has been reprogrammed with the correct rates as of November 1, 2018 and that all utility bills are being tested independently and being compared with the system generated billing for accuracy. She added that policies and procedures are being developed for utility billing.

Ms. Steck recommended the Council forgive the unbilled water usage and noted that she has implemented several controls to make sure it doesn't happen again.

MOTION: Mr. Brass moved to adopt the resolution. The motion was SECONDED by Mr.

Hales.

Council roll call vote:

Mr. Brass Aye
Ms. Turner Aye
Mr. Hales Aye
Mr. Nicponski Aye

Motion passed 4-0

Mayor's Report and Questions

Mayor Camp reported on the following:

- I. A fire occurred earlier this week at 700 W Anderson Ave where a 7-year old and her grandmother lost their lives;
- II. Two students were burned by steam when they opened a pressure cooker at AMES Charter School that is located in Cottonwood High School. They were taken by ambulance and treated;
- III. The playground equipment has been selected for the Willow Pond Park. The selection committee narrowed down the choices to three designs and then let the students and parents vote on which playground design they liked the best. The equipment should be installed by February 2019, weather permitting;
- IV. 15 new cardio machines have been ordered for the Park Center and will be installed towards the end of the year; and
- V. Danny Astill sent a reminder that the work on I-15 to widen the bridges at 5900 South and 4800 South will continue over the next few weeks.

VI.

Adjournment

Mr. Nicponski adjourned the meeting at 7:47 p.m.

Jennifer Kennedy, City Recorder

Attachment 1

City Council Meeting

November 20, 2018

Water Billing Correction



The water fund receives NO tax revenue and is a stand-alone 'company' that relies solely on water fees.

No general fund revenue has been or will be used to support a utility.

The water fund currently has reserves in the amount of \$2.8 million, or 54% of annual revenue.

Reserves are used to maintain and improve the water system.

The water master plan currently has \$27 million in improvement projects scheduled over the next 10 years.

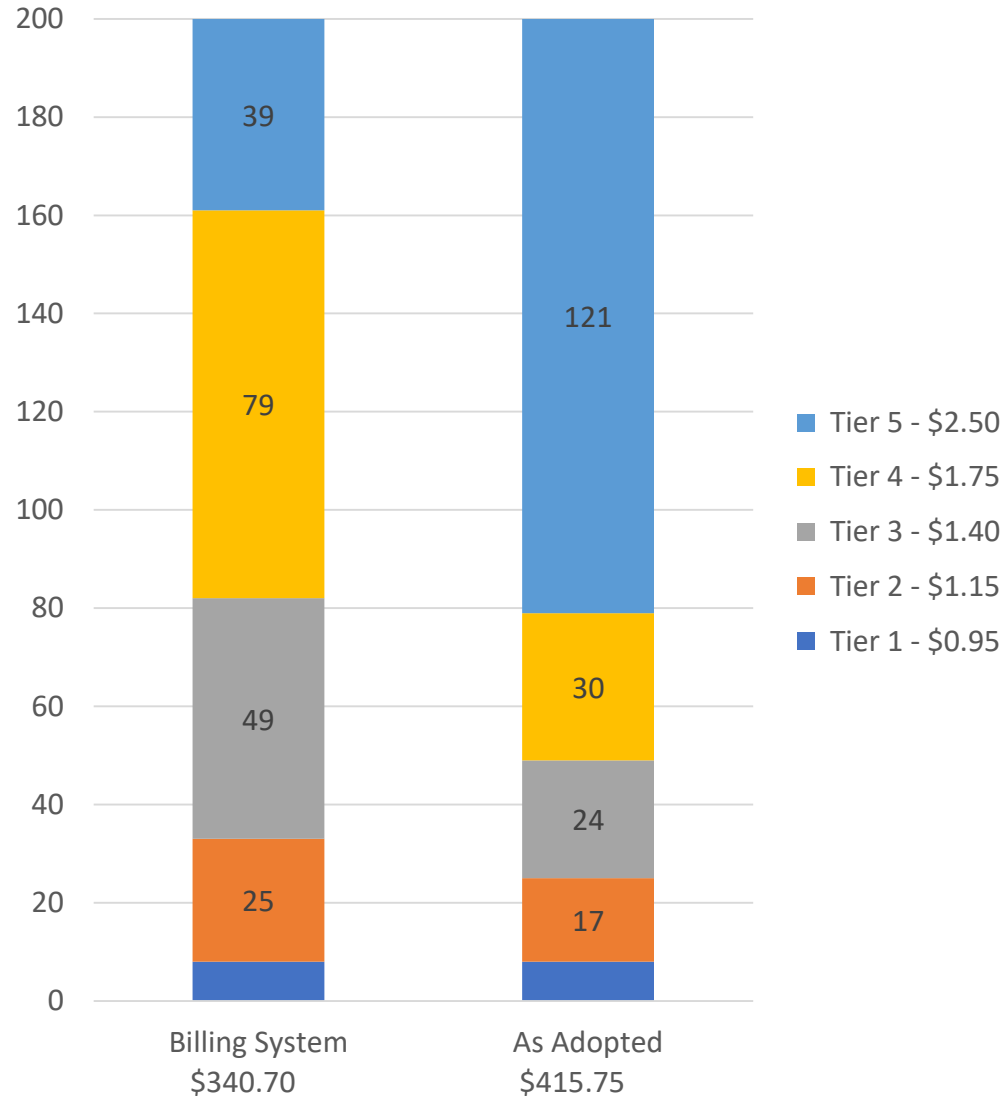
These projects are funded by the water rates.

What happened?



Tiered rate structure was misunderstood by the utility
billing department

1" Meters (Single Family Residential)



8" Meters (Institutional)



Utility billing programmed the rates for 1.5” meters at 10% of actual rate (decimal)

	<u>Adopted</u>	<u>Billed</u>
Tier 1	\$0.95	\$0.095
Tier 2	\$1.15	\$0.115
Tier 3	\$1.40	\$0.140
Tier 4	\$1.75	\$0.175
Tier 5	\$2.50	\$0.250

Utility billing system continued to use legacy seasonal rates which overrode the rates

Summer rate from May 2017
Winter rate from November 2017
Incorrect tiered rates from April 2018

Institutional consumption data appears inconsistent with prior years during the same months

What is the impact?



The minimum financial impact to the water fund is \$814,000.

Due to the inconsistency of the consumption data, it is not possible to calculate the exact amount of revenue loss.

All water users received some financial benefit from these billing issues.

The water fund is stable and has enough reserves in place to allow us to continue with our capital projects plan for the next several years.

This revenue loss may delay certain capital projects but will not eliminate them.

What are the solutions?



The utility billing system has been reprogrammed with the correct volumes and rates.

ALL utility bills are being tested independently and compared with the system-generated billing for accuracy.

Policies and procedures are being developed to support the practices of utility billing. They will include an internal control structure.

What is the
recommendation?

Recommend the Council authorize the forgiveness of any amounts that were not billed by the water fund due to these administrative and technical errors during the period of April through October.

Questions and
comments

