



MURRAY CITY MUNICIPAL COUNCIL

MEETING MINUTES

The Murray City Municipal Council met on **Tuesday, July 18, 2023, at 06:30 PM** for a meeting held in the Murray City Council Chambers, 10 East 4800 South, Murray, Utah.

The public was able to view the meeting via the live stream at www.murraycitylive.com or <https://www.facebook.com/Murraycityutah/>. A recording of the City Council meeting can be viewed [HERE](#).

OPENING CEREMONIES

Council in Attendance:

(Vacant), District #1
Pamela Cotter, District #2
Rosalba Dominguez, District #3
Diane Turner, District #4
Garry Hrechkosy, District #5 (Excused)
Jennifer Kennedy, Council Director
Pattie Johnson, Council Office Administrator III
Crystal Brown, Officer Administrator

Administrative Staff in Attendance:

Brett A. Hales, Mayor
Doug Hill, Chief Administrative Office
Tammy Kikuchi, Chief Communication Officer
G.L. Critchfield, City Attorney
Brooke Smith, City Recorder
Laura Bown, Purchasing Agent
Calvin Atchley, Records Officer
Wendy Saunders, Passport Agent
Brenda Moore, Finance and Administration Director
Craig Burnett, Police Chief
Joey Mittelman, Fire Chief
Stephen Olsen, Battalion Chief
Greg Bellon, Interim General Manager of Power
Russ Kakala, Public Works Director
Philip Markham, Community and Economic Development Director*
Kim Sorensen, Parks and Recreation Director
Kim Fong, Library Director
Robert White, IT Service Director
Ben Gray, Sr. Network Administrator

Others in Attendance:

Ryan Smith, Tonya Hodges, Paul Pickett, Clark Bullen, David Rodgers, Chad West, Katie Butterfield, Heather Taylor, Ben Butterfield, Jane Willie, Renyold Willie, Wendy Parsons Baker, Lindsey Smith, Dede Smith, Leann Parker-Reed, Pam Sanders, Valerie Farley, Marie Gunn, Penelope Gunn, Charles Turner, Alan DeMann, Wini DeMann, Adam Hock, Michael Todd, Loran Paselich, Jim Brass, Jennifer Brass, Jason Lynn, Jenn Lynn.

Opening Ceremonies

Call to Order – Councilmember Dominguez called the meeting to order at 6:30 p.m. District 5 Councilmember Hrechkosy was excused from the meeting. District 1 seat formally chaired by Councilmember Markham was vacant due to a resignation. Mr. Markham was attending in the audience.

The audience was invited to recite the Pledge of Allegiance led by Penelope Gunn.

APPROVAL OF MINUTES

None scheduled.

SPECIAL RECOGNITION

1. Report from outgoing Miss Murray, Emma Robison, Emma Robinson presenting

PRESENTATION

The outgoing Miss Murray, Emma Robison, gave a brief presentation that included a video highlighting special events during her reign. She expressed gratitude for the opportunity to serve as Miss Murray 2023 and be part of the Miss Murray organization for the past 10 years. She spoke about the influence of previous Miss Murray titleholders and her experiences connecting with young girls as a role model. As her reign concludes, she reflected on the memorable moments and people she met, including senior citizens, firefighters, children, and others at various community events. She treasured the relationships formed and the chance to work with city leaders to serve the Murray community. She thanked the city council for the opportunity to represent and serve Murray as Miss Murray 2023.

Councilmembers and the Mayor thanked Emma Robison for her example and congratulated her on her recent engagement.

2. Special recognition of Chad West, Mayor Hales presenting.

PRESENTATION

Mayor Hales presented a special recognition to Chad West for his actions in helping apprehend a reckless driver. Chad called 911 and pursued two women from a crashed vehicle until police arrived and made arrests. On behalf of the city council and administration, Mayor Hales thanked Chad for his actions and presented him with a recognition coin. Former Senator Howell was also in attendance for the recognition. Chad explained that he had a longstanding relationship with former Senator Scott Howell's family, and they were in attendance to support him.

Chad West thanked the Mayor and council for the special recognition.

Councilmembers thanked Chad West for his service, and former Senator Howell for being in attendance.

3. Murray City Employee of the Month, Brooke Smith, City Recorder, Rosalba Dominguez and Mayor Hales presenting.

PRESENTATION

Councilmember Dominguez introduced Brooke Smith, as the July recipient for Employee of the Month. Brooke Smith is the City Recorder for Murray. She received a certificate; a \$50 gift card; and her name will appear on the plaque located in the Council Chambers.

Councilmember Dominguez, Mayor Hales, and Finance and Administrative, Director Brenda Moore presented the Murray City Employee of the Month award to Brooke Smith. Brooke was recognized for her work coordinating the city's move to the new city hall. This included developing a process to identify surplus items and items to move, contracting with a moving

company, and keeping employees informed during the move. Her process secured three competitive bids and saved the city approximately \$20,000. Mayor Hales added that Brooke sent many emails to coordinate the smooth move and likely saved the city frustration and money.

The council and mayor thanked Brooke for her work and presented her with the employee of the month award, flowers from her staff, and a \$50 gift certificate.

Brooke Smith acknowledged that the move was a team effort, and she appreciated the support and coordination of the entire staff. She expressed her excitement about the new City Hall, especially since it was the first Request for Proposal (RFP) she published in her five years of working there. Brooke praised the excellent work of the Legit company who they contracted with and recommended them to others.

Brooke took the opportunity to express her gratitude to her colleagues, mentioning Laura Bown (Purchasing Agent), Calvin Atchley (Records Officer), Wendy Saunders (Passport Agent), her husband Ryan, and several others who supported her during the stressful time of the move. She thanked the council and her fellow staff members, especially Brenda Moore and Doug Hill, for their help and support throughout the process.

Councilmembers thanked Brooke Smith for her service.

CITIZEN COMMENT(S)

Comments will be limited to three minutes, step to the microphone, state your name and city of residence, and fill out the required form.

The meeting was open for public comment.

Charlotte Brimhall

Charlotte Brimhall, a Sandy City resident representing the Nomad Alliance, requested Murray City consider a pilot sanctioned campground for the homeless population. She noted Salt Lake City allocated \$500,000 for a campground, but the mayor requires participation from another city. Given the increasing homeless population and affordable housing crisis, and deaths of homeless individuals, they aim to establish a sanctioned campground before winter. The homeless currently suffer from routine abatements that displace them and derail progress toward stable housing. The Nomad Alliance modeled their sanctioned campground concept after Denver's successful approach. The campground would provide temporary shelter to help transition people into more permanent housing. Charlotte Brimhall asked the city council to consider participating in a pilot program and offered to provide more details on their sanctioned campground model. She thanked the council for considering this pressing issue.

Clark Bullen

Clark Bullen, a resident of District 3, said he appreciated that the Committee of the Whole meetings are being streamed again from the new city hall. He suggested scheduling all city meetings after 5:30pm to allow more residents who work until 5:00pm to participate and view the meetings. He acknowledged it would push meetings later for city staff but believes it would demonstrate a commitment to community awareness and accessibility. He hopes the council will consider this change to make meetings more available to all Murray citizens. He thanked the council for their consideration.

Reynold Willey

Reynold Willie, a resident of Murray, expressed his appreciation for Murray City. He and his wife love living in Murray, citing it as a wonderful place with great recreation amenities that allow them to meet new friends. He thanked the city council for all they have done to make Murray an enjoyable city to live in.

No additional citizen comments were given, and the open citizen comment period was closed.

CONSENT AGENDA

1. Consider confirmation of the Mayor's appointment of Wini DeMann to the Library Board for a three-year term beginning July 2023 to expire June 2026, Mayor Hales presenting

PRESENTATION

Mayor Hales recommended Wini DeMann, a long-time Murray resident, as his appointment to the Library Board for a 3-year term from July 2023 to June 2026. He noted the DeMann family has deep roots in Murray. Mayor Hales met with Wini DeMann and believes she will be an excellent addition to the Library Board and asked the Council to confirm his appointment of Wini DeMann to fulfill the open 3-year term on the Library Board starting in July.

MOTION

Councilmember Cotter moved to approve the confirmation of the Mayor's appointment of Wini DeMann to the Library Board for a three-year term beginning July 2023 to expire June 2026. The motion was SECONDED by Councilmember Turner.

ROLL CALL

Ayes: Councilmember Cotter, Councilmember Dominguez, Councilmember Turner
Excused: Councilmember Hrechkosy

Motion passes 3-0

PUBLIC HEARING(S)

Staff, sponsor presentations, and public comments will be given prior to Council action on the following matter. The Council Meeting Agenda Packet can be found [HERE](#).

1. Consider an ordinance amending Section 17.16.010 of the Murray City Municipal Code relating to the appointment of hearing officers for land use appeals and variances, Susan Nixon presenting.

Minutes Attachments

1. Attachment CC 07.18.23 Hearing Officer terms.pdf

PRESENTATION

Susan Nixon from the Murray Planning Division shared a PowerPoint with the purpose of the proposed text amendments to section 17.16.010 regarding the city's land use hearing officers. The amendments would reduce the minimum required number of hearing officers from three to two, and increase the maximum terms they can serve from three terms (9 years) to five terms (15 years).

She provided background that hearing officers serve in a quasi-judicial role, hearing appeals of planning decisions and variance requests. Staff prefers to have Officers with land use, real estate, or legal backgrounds. The current two hearing officers, one a former planning commissioner and one an attorney, are excellent. The caseload analysis shows they average 2–4 cases over 2–4 meetings per year, so it is not an overly demanding role.

Murray has used hearing officers instead of a Board of Adjustments since 2014. The planning staff and Planning Commission reviewed the proposed changes and recommend the Council approve amending the code to allow more flexible terms and a minimum of two hearing officers. The findings are it better utilizes public volunteers, is consistent with the purpose of the code, and meets needs for qualified hearing officers.

Susan concluded the planning staff and Commission recommend the Council approve the text amendments to Sections 17.16.010 A and D as proposed.

CITIZEN COMMENTS

The meeting was open for public comment.

No citizen comments were given, and the open public comment period was closed.

DISCUSSION

Councilmember Cotter stated that Susan Nixon had already presented this proposal at the Committee of the Whole meeting and answered all of her questions at that time. She had no further questions since the information was thoroughly covered during the prior discussion at Committee of the Whole.

MOTION

Councilmember Turner moved to approve the ordinance amending Section 17.16.010 of the Murray City Municipal Code relating to the appointment of hearing officers for land use appeals and variances. The motion was SECONDED by Councilmember Cotter.

ROLL CALL

Ayes: Councilmember Cotter, Councilmember Dominguez, Councilmember Turner
Excused: Councilmember Hrechkosy

Motion passes 3-0

2. Consider an ordinance amending Sections 15.20.150, 15.20.170, 15.20.180, 15.20.190, 15.20.200, 15.20.210, 15.20.220, 15.20.230, and 15.20.240 of the Murray City Municipal Code relating to power rate increases and changes to applicable electrical service schedules, Greg Bellon and Matt Youngs presenting

PRESENTATION

Greg Bellon shared the purpose of the proposed ordinance to consider an ordinance amending Sections 15.20.150, 15.20.170, 15.20.180, 15.20.190, 15.20.200, 15.20.210, 15.20.220, 15.20.230, and 15.20.240 of the Murray City Municipal Code relating to power rate increases and changes to applicable electrical service schedules.

Greg Bellon of the Murray City Power Department presented a proposal for phased power rate increases over the next 3 years to the City Council.

Greg provided background that it has been 15 years since the last rate increase, which occurred in May 2011 shortly after he started with the city. At that time, the rate increase was also phased in over 3 years. The Power Department has not implemented any rate increases since 2011 until now.

Greg noted that while a long gap between rate increases is not ideal, the Power Department has been blessed with favorable energy costs and rates and did not require an increase until recently. Last winter was unprecedented in the power industry with extremely high costs that heavily drew down the Power Department's reserves. The reserves allowed them to absorb the high winter costs without passing them on to customers through immediate rate increases.

However, with reserves now significantly depleted, and to rebuild reserves to newly established targets per the Power Reserve Policy adopted by the Council, rate increases are prudent and necessary.

They are proposing Option 2 as recommended by the Council at last week's Committee of the Whole meeting. Option 2 phases in increases over 3 years as follows:

- Increases the customer charge from the current \$3.35 to \$7 in 2023, \$8 in 2024, and \$10 in 2025.
- The \$10 customer charge is in line with other utilities and helps cover fixed costs of providing power.
- Avoids increasing rates all at once, spreading the impact over time.

The Power Department believes Option 2 provides an excellent path to bring rates more in line with underlying costs, while gradually rebuilding reserves per the Council's policy over the 3 year phase-in period.

Greg welcomed any additional questions on the details from the Council at this time. The Power Department recommends and is in favor of moving forward with the phased increases under Option 2.

DISCUSSION

Councilmember Dominguez asked if there were any visuals to show the public what the rate increases would look like. Greg Bellon said they did not have any prepared but explained the current rate is \$3.35 per month. He outlined the proposed tiered rate structure changes each year under Option 2 - increasing the customer charge to \$7, \$8, and \$10 over 3 years, with corresponding increases to the per kW charges. He noted these would put Murray in the middle compared to other utilities.

Greg Bellon added that using Councilmember Cotter's actual usage data, her bill would increase by just under \$90 over the 3 years under Option 2, very minor compared to Option 1.

Councilmember Cotter clarified for citizens that the rate increases only apply to the power portion at the top of utility bills, not water, sewer, garbage, etc.

Greg Bellon noted they are also implementing an updated Power Cost Adjustment that will be evaluated monthly and can adjust rates up or down based on underlying power costs. This will help stabilize rates moving forward.

Councilmember Turner acknowledged this is difficult but appreciates presenting a phased Option 2 versus all at once. When the City raised taxes previously, citizens preferred incremental changes.

Greg Bellon agreed it's not ideal but necessary given rising energy costs outside Murray's control. He committed to controlling what they can without compromising service and reliability.

Councilmember Dominguez confirmed even with the increases, Murray's rates would remain competitive, not the highest in the state. She noted the hydro project coming online to generate power is part of managing costs. But Murray can't isolate itself from larger grid issues. She thanked Greg for constructive leadership through this process to educate the Council.

Councilmember Cotter read a statement explaining she initially preferred Option 1 to address the issue immediately but after more analysis supports Option 2. The incremental approach over 3 years has less impact on ratepayers. She analyzed her own usage and the difference was minor. The higher reserves under Option 2 align with the Council's reserve policy. She noted the new Power Cost Adjustment will also help stabilize rates going forward. While wishing rates didn't have to increase, the city is doing what's needed to maintain service and healthy reserves. She thanked Greg for their patience and assistance navigating this complex issue.

Greg Bellon clarified that a revenue neutral rate study in 2016 did not actually result in increases. Rates were last increased in 2011. But the time has come to bring rates in line with underlying costs. He reiterated they will continue working to control costs and appreciated the Council's thoughtful and informed decision process.

Councilmember Dominguez concluded this was a difficult decision knowing the impact on citizens, but inevitable given the power grid reality. She encouraged utilizing available bill assistance resources for those struggling and having open conversations to understand the issues. The increases are to sustain reliable service. She thanked Greg Bellon for his work.

CITIZEN COMMENTS

The meeting was open for public comment.

Clark Bullen

Clark Bullen from District 3 understands the need to raise rates and supports removing the cap on the power supply cost adjustment. However, he notes the difficult timing given recent sewer rate increases and impending property tax increases. He wishes the increases could be spread over a longer 5-year period at 8% annually to soften the impact on citizens. He suggests building in automatic increases going forward, so rates keep pace rather than large intermittent spikes after long gaps without increases. He also recommends the city advertise the assistance programs available for those struggling financially, so they know help is available and don't feel desperate. Clark thanks the council for their thoughtful consideration of these matters as they decide on power rate increases.

No additional citizen comments were given, and the public comment period was closed.

DISCUSSION

Councilmember Dominguez asked why the increases couldn't be spread over a longer 5-8 year period as suggested by the citizen Clark Bullen.

Greg Bellon responded that to rebuild reserves to the needed levels, the increases need to happen sooner over 3 years rather than drawn out further. While easier on ratepayers, it wouldn't get reserves replenished as quickly to ensure financial stability.

Dominguez followed up by noting Murray had lost about \$10 million in reserves just this past year from October to May due to high power costs.

Councilmember Cotter asked Brenda Moore to discuss the utility bill assistance program available for those struggling.

Brenda explained they refer customers having trouble paying bills to HEAT (Home Energy Assistance Target) program daily. HEAT provides help year-round, not just for winter heat bills. Murray matches HEAT benefits up to \$10,000 in the city budget. They recently streamlined the process, so documentation is not required upfront for the city match. More funds may be needed if demand increases with the rate hikes.

Cotter also asked if the Power Cost Adjustment could cover the difference until reserves are rebuilt. Greg responded that it would not have the same impact as the rate increases to raise the needed revenues.

Councilmember Dominguez added these issues with natural resource availability and costs are not new and will likely persist. After learning more through conferences, she feels Murray has taken proper steps to prepare compared to other cities that had to do major increases. She is confident in the thorough process and commended the work of staff.

MOTION

Councilmember Cotter moved to approve the ordinance amending Sections 15.20.150, 15.20.170, 15.20.180, 15.20.190, 15.20.200, 15.20.210, 15.20.220, 15.20.230, and 15.20.240 of the Murray City Municipal Code relating to power rate increases and changes to applicable electrical service schedules. The motion was SECONDED by Councilmember Turner.

ROLL CALL

Ayes: Councilmember Cotter, Councilmember Dominguez, Councilmember Turner
Excused: Councilmember Hrechkosy

Motion passes 3-0

BUSINESS ITEM(S)

1. Consider a resolution providing advice and consent to the Mayor's appointment of Philip J. Markham as the City's Community and Economic Development Department Director., Mayor Hales presenting.

If approved, the swearing-in ceremony will be conducted by Brooke Smith, City Recorder.

PRESENTATION

Mayor Hales brought forward his appointment of Philip J. Markham to serve as the new Director of the Community & Economic Development Department for Murray City.

The Mayor explained there was an opening for this director position that needed to be filled. After consultation with key staff including City Attorney G.L. Critchfield, City Administrator Doug Hill, HR Director Robyn Colton, and others, Mayor Hales decided the appointment of Phil Markham made the most sense for Murray's needs.

Mayor Hales said it was a fairly simple decision given Phil's extensive background and experience relevant to the role. Specifically, Phil Markham served a full 9-year term on the Murray Planning Commission, giving him solid planning and zoning experience.

Additionally, when a vacancy occurred last year for the City Council District 1 seat, Phil Markham filled that role for around 6-7 months. The Mayor felt that short-term council experience provided Phil critical insights into city governance.

Mayor Hales shared between Phil's service on the Planning Commission dealing with development and land use issues, and his brief stint as an acting Councilmember immersed in city policies and operations, he was deemed highly qualified for the Community & Economic Development Director position.

Mayor Hales stated he had no hesitations or reservations and was fully confident that Philip Markham was the right choice to lead the department and serve Murray's needs, especially given the ongoing growth and development the city is experiencing.

DISCUSSION

Councilmember Diane Turner said she will miss having Phil as her RDA Vice Chair but looks forward to his continued presence and perspective in that role. She noted his experience will greatly benefit the city and thanked him for taking on this new position.

Councilmember Cotter said she enjoyed sitting next to Phil on the Council and will miss that camaraderie. However, she believes he will do great things in his new role that will positively impact Murray for future generations. She is happy with the Mayor's decision.

Mayor Hales noted Phil's over 30 years of prior experience with Murray City, 5 years with West Valley City, and private sector roles. He highlighted his ability to confidently make decisions.

Councilmember Dominguez echoed appreciation for initial discussions with Phil about city issues and believes this is a natural transition from the Council. She is glad the Mayor made this choice and knows Phil will passionately serve the community's best interests. She thanked him for his service on the Council and looks forward to his contributions in this new capacity.

MOTION

Councilmember Turner moved to approve the resolution providing advice and consent to the Mayor's appointment of Philip J. Markham as the City's Community and Economic Development Department Director. The motion was SECONDED by Councilmember Cotter.

ROLL CALL

Ayes: Councilmember Cotter, Councilmember Dominguez, Councilmember Turner
Excused: Councilmember Hrechkosy

Motion passes 3-0

DISCUSSION

Philip Markham thanked the Council for their support. He said that after working for Murray City for many years, he didn't fully realize how much he missed it until serving on the Council. Being appointed to fill the vacancy opened his eyes to how much he enjoyed his career with the city.

It reignited a passion for public service in Murray. He did not actively pursue this director position, but was approached about it. The opportunity to continue working with the great people at Murray that he has gotten to know again over the past 6 months made him appreciate and accept the opportunity.

He really enjoyed being on the Council and if there was a way to do both roles he would have. But taking the director position was an important decision for him and his wife. He pledged to give his best efforts in this new capacity and thanked the Council for their confidence in him.

The Swearing-In Ceremony was conducted by Brooke Smith.

MAYOR'S REPORT AND QUESTIONS

Mayor Hales thanked the Council for their support in appointing Phil Markham as the new Community & Economic Development Director. He said it came together quickly with no advance notice, but after discussion with his wife and staff, Phil was clearly the right choice and has his full confidence.

The Mayor noted appreciation for the Council for the new City Hall building. He acknowledged some ongoing hiccups with the new 80,000 square foot facility but thanked staff including Brooke Smith and Doug Hill for their work orchestrating the smooth move.

Mayor Hales complimented Doug's phenomenal calmness and patience through it all. He also expressed gratitude for the wonderful working relationship between himself and the Council, highlighting Council staff Jennifer Kennedy, Pattie Johnson, and Crystal Brown.

The Mayor thanked the Council for their continued support and collaborative relationship, without which he could not do his job. He concluded his report and opened it up for any Council questions.

Councilmembers shared thanks to the presenters and staff.

ADJOURNMENT

Councilmember Dominguez motioned to adjourn the meeting at 8:06 p.m.

City Council

July 18, 2023



Applicant: Murray Planning Staff

Request: Text Amendment to Section 17.16.010(A) and (D) changing the minimum number of Hearing Officers from three to two; and the number of terms they may serve from three to five terms (for a maximum of 15 years).

Address: N/A



Reasons for Requested Text Amendment

- ❖ Filling the Hearing Officer position is difficult and takes a certain type of background.
- ❖ Per Section 17.16.010(A): *“Hearing officers shall, at a minimum, have such training and experience as will qualify them to conduct administrative or quasi-judicial hearings regarding land use, land development and regulatory codes dealing with issues related to land use.”*
- ❖ Planning Staff believes a qualified hearing officer should have a background in either planning, land use, or an attorney.
- ❖ This of course limits those individuals who would be good candidates.





Statistics

YEAR	Hearing Officer	# of Meetings	# of Cases
2022	Finlinson	4	11
	Harland	6	8
2021	Finlinson	2	2
	Harland	3	3
2020	Finlinson	2	2
	Harland	3	3
2019	Finlinson	1	1
	Harland	3	3
4 Year	Finlinson	2.25	4
Average	Harland	3.75	4.25



FINDINGS

Based on the analysis of the proposed text amendments and review of the Murray City Planning Staff, the staff concludes the following:

1. The proposed text amendments have been carefully considered and provide better utilization of volunteer public service of citizens.
2. The proposed text amendment is consistent with the Purpose of the Murray City Code for serving as an appeal authority for appeals of land use decisions and requests for variances under this title.
3. The proposed text meets the qualifications for Hearing Officers.



Staff Recommendation

The Planning Commission and staff recommend that the City Council **APPROVE** the requested amendment to **Sections** 17.16.010(A) and (D) relating to the number of Hearing Officers and the number of terms they may serve.

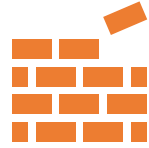


THANK YOU!

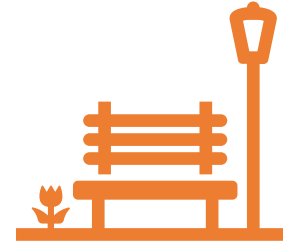




Fencing



Materials



Public Improvements



Garbage



Open Space



Moderate Income Housing



Parking



Public Comment



Elevation & Height



Access



Floorplan



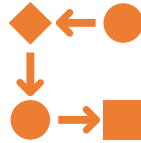
Dunno but cool



Signs



Dunno but cool



Process/next steps



Grading and Drainage



Zoning Standards