



MURRAY CITY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

The Murray City Municipal Council met as a Committee of the Whole on Tuesday, September 2nd, 2014, in the Murray City Center, Conference Room #107, 5025 South State Street, Murray Utah.

Members in Attendance:

Brett Hales	Council Member
D. Blair Camp	Council Member
Diane Turner	Council Member
Dave Nicponski	Council Member
Jim Brass	Council Member

Others in Attendance:

Doug Hill	Public Services Director	Janet Towers	Exec. Asst. to the Mayor
Janet M. Lopez	Council Administrator	Kate Sturgeon	Resident
Tim Tingey	ADS Director	Russ Kakala	Public Services
Jan Wells	Chief Administrative Officer	Kellie Challburg	Council Office
Frank Nakamura	Attorney	Laura Hanson	Jordan River Commission
John Taylor	Taylorsville City	Wayne Harper	Taylorsville City
Kent Sutcliffe	Resident	Ian Sutcliffe	Scout/Resident
Kirsten Heins	Taylorsville City		

Chairman Hales called the Committee of the Whole meeting to order and welcomed those in attendance. He said the Mayor would be arriving shortly. Chairman Hales acknowledged a boy scout in attendance and he introduced himself as Ian Sutcliffe.

Approval of Minutes

Chairman Hales asked for approval on the minutes from August 5, 2014. Mr. Brass moved approval. Ms. Turner seconded the motion. All were in favor.

Business Item #1

Murray City Merit System- Mike Terry

Mr. Terry stated that the Murray City merit system is made up of three components: the first is cost of living adjustment (COLA)'s, the second is merit increases and the third is market adjustments. Each component has its own separate purpose to the success of a compensation system.

COLA's are usually tied to an economic indicator or an inflation rate. When a COLA is given, everyone is affected by it and the salary ranges increase. The COLA involves the philosophy of "the tide lifts all boats." It is a benefit for all employees and is a way to keep up with the cost of inflation.

A merit increase is a salary raise given to an employee based on performance, as a result of an employee evaluation. Depending on the budget, there is an average range determined and employees are given an increase based on their evaluation.

A market adjustment occurs when the City surveys other cities for comparable jobs and salaries. The survey is called the Wasatch Comp Survey and is done nearly every year. The surveys shows which employee positions are behind in the market. It may show that some specific job titles are in line with the market, while others are not. A market adjustment happens when a job position is assigned to a higher grade as a result of the survey. All the employees in that grade would be given a higher maximum pay range.

Mr. Terry showed a list of the current grades: including minimums, midpoints and maximums. Murray City currently has 35 pay grades. Midpoint in a grade is defined as 100%, the minimum is always 80% of the midpoint, and the maximum is 120% of midpoint. For example, if an employee stated that they are 90% of midpoint or 112% of midpoint that is where they are on the scale in the salary range. Chairman Hales asked if an employee was at the maximum, or 120% of the scale, if they were "capped out". Mr. Terry said that was correct, and that is also called "red-lined." The employee would be at the top of the range and unable to go any higher until a COLA was given or it was determined that the pay grade needed to change. Mr. Nicponski clarified that a red-lined employee still receives the COLA. Mr. Terry replied that was correct.

Mr. Terry showed an example of a range that went from \$12 an hour to \$18 an hour, and had an employee earning \$13.80, which is 92% of midpoint. If a 3% COLA was given, it would increase the minimum, midpoint and maximum by 3% also, and that employee would remain at 92% of the midpoint.

Another example was shown of a merit increase given, that doesn't affect the pay range. The merit increase is the only way an employee can move up through the salary range. Chairman Hales asked if a merit increase would ever allow the employee to exceed the maximum, or just reach the maximum level. Mr. Terry said the employee would receive the merit up to the maximum level, and then depending on the year, could receive a red-line bonus. A red-line bonus is a one-time payment. Chairman Hales asked how many employees are currently red-lined. Mr. Terry replied that almost a third of the employees are red-lined. He said the ideal situation would be a bell curve with a third at the top, the middle, and the bottom.

Mr. Nicponski commented that there had been three salary increases since he has been on the Council.

A market adjustment is when the Wasatch Comp survey is done and specific job titles are surveyed. The grades are separated by a 5% range, and an adjustment gives a 2.5% increase to their salary, which makes them a little lower in the grade. The market adjustment gives a higher ceiling and gives the employee more room to grow. Mr. Camp asked if the Wasatch Comp survey was still being used. Mr. Terry replied that the City

uses a website called Technet, which is new name for the Wasatch Comp Survey. The local agencies, as well as, other states all submit salary data to this website.

Mr. Terry showed a historical representation of all salary increases. Prior to 2008, each salary component was done every year. That was an expensive proposition but was a well-balanced compensation plan. During the years of 2009, 2010, and 2011 there was nothing done. In 2012, a 3% COLA was given. In 2013, there was \$1000 given to everyone, and many of the bottom quartile employees received salary adjustments to correct some problems. This past summer, employees were given a 1% COLA, and either a 1%-2% merit increase.

He added that the salary survey had not been used for some time for market adjustments. Mr. Terry stated that he would like to bring the market survey back and also make adjustments to some of the ranges. The ranges have moved with the COLA's but the job titles have not changed ranges. That leads to the risk that Murray City is falling behind in targeted job titles within the market. The market adjustment would correct some of those issues. The COLA keeps the wages in line with the cost of living, but doesn't target certain areas. Merit increases reward performance but do not look at targeted areas like the market study would.

He stated that the survey would be done this year, and it is a challenge every year. Ms. Turner asked what he meant when he called it an expensive proposition. Mr. Terry replied that if a certain position, for example, police officers, needed to be raised to a different grade. It would require a 2.5% increase for all of the officers, in addition to any COLA or merit increase. Ms. Turner clarified that the process isn't expensive, but the results of making salary adjustments is expensive. Mr. Terry replied that was correct. He said he believes he would find 20%-30% of certain jobs that have fallen behind pay compared to the market. He said he would look at the City's midpoint and compare it to other midpoints and then decide if the job itself needed to be in a higher paying grade. Any salary changes would be done in July, since it is a budgetary thing, he noted. He added that all of the job titles would be surveyed and the survey itself takes months to do.

Business Item #2

Tobacco Retailers Ordinance- Tim Tingey

Mr. Tingey stated that he is bringing some modifications to the tobacco retailers' ordinance. The ordinance was adopted about a year and a half ago. Since then, some issues have occurred that have prompted enforcement actions on tobacco retailers. This includes the definition of an e-cigarette facility under State and City codes.

In the past four months, there have been two appeals on e-cigarette retailers in the City. This prompted the City to bring the ordinance in line with the State ordinance. This change would amend the ordinance to reference the State code. The State code meets the needs of the City in regulations, he noted.

Currently, the City ordinance requires a distance requirement of 1000 feet from a tobacco retailer to a residential site. The State ordinance requires 600 feet. In addition to that, the City ordinance requires 500 feet between two tobacco retailers and the State ordinance is 600 feet. The City ordinance also has a cap on the number of retailers, which is one per 10,000 population in the City and the State code doesn't have a cap. The reason to make this change is because staff recognized that the State code

adequately limits the number of retailers with the distance requirements. It states the distance of 1000 feet from a community location; which includes parks, schools, recreational facilities, churches, libraries, and playgrounds. If the distance allowed to residence is added in, there are very few qualifying locations for additional retailers.

He would like to move forward with referencing the State Code for tobacco retailers and would be presenting it to the Planning Commission, as well as, the Council.

Mr. Camp asked if the existing non-compliant facilities would still remain as non-compliant. Mr. Tingey said that was correct. Those facilities are in place and unless they move to a different location that would make them no longer non-conforming or if they vacate the premise for at least a year, they would remain non-compliant. Mr. Nicponski clarified that they could sell to another business and still operate. Mr. Tingey said that was correct if they were initially established as a legal non-conforming facility.

Business Item #3

Lobby Contract- Brett Hales

Chairman Hales stated that Dave Stewart is the lobbyist for Murray and it is time to renew his contract. It is proposed that the City renew his contract for one more year. He said he feels like Mr. Stewart has done a pretty good job thus far. Ms. Turner said she likes the scheduled reports to the Council, and believes that would be very helpful. She has no objections, she added. Mr. Camp said he had no objections either. Chairman Hales said if there were no objections, he would give the contract to the Mayor for his signature.

Business Item #4

Taylorville Pedestrian Bridge- Dave Nicponski

Mr. Nicponski introduced the Economic Development Director, Wayne Harper and the City Manager, John Taylor from Taylorville City. Mr. Harper introduced Kirsten Heins from Taylorville City, Department of Forestry and Engineering, and also Laura Hanson from the Jordan River Commission.

Mr. Harper expressed his appreciation in meeting with the Council. He stated that this issue has been discussed for nearly 12 to 14 months. Taylorville City was approached by some citizens that reside in both Taylorville and Murray. The citizens were concerned with the safety of pedestrians crossing the Jordan River at 4500 South. His staff started researching it and came up with a proposal to present to various groups. They initially presented the idea to former Mayor Snarr.

The initial estimated cost for the bridge and improvements was approximately \$400,000. Since then, the project has gone out to bid and looks like it is \$485,000, plus some soft costs. He said Taylorville City feels like this bridge is an important project. There has been some discussion as to whether the bridge mostly benefits Taylorville, Murray, the County or the Jordan River Parkway.

Mr. Harper passed out some printed materials showing the cost at \$485,000 and some soft costs at \$60,000 for a total cost of about \$545,000. UDOT (Utah Department of Transportation) has committed to \$270,000, UTA (Utah Transit Authority) has committed to \$25,000, Taylorville City would commit \$106,000, and the County would commit to \$40,000.

Ms. Hanson stated that Murray City has one of the nicest sections of the Jordan River Parkway and allows people easier access to enjoy the investments that have been made. Especially, for the new nearby neighborhoods that get to enjoy this great amenity, she added.

The Blueprint Jordan River is a document that the cities adopted by resolution. It identifies two different river centers: one at 4500 South and one at 4800 South. Those centers are identified as opportunities for mixed use development; high quality development that brings people to the river corridor. She stated that the lack of a pedestrian friendly bridge on 4500 South becomes a real barrier. Ms. Hanson said she noticed the land use plan shows a transition to retail from the industrial uses that are currently in this area. The trail is really becoming more of a bicycle commuter network for the region and expanding access to that would be a great resource, she noted.

There are a couple different goals in the blueprint noted Ms. Hanson. The number one goal was to expand east-west connections to the trail and especially Trax stations. She said she is aware of trails planned along Big and Little Cottonwood Creeks as well, and this is a key connection. The current auto-bridge is a little frightening to cross as a pedestrian, she noted. Mr. Nicponski asked her to elaborate on the auto-bridge and how it pushes the pedestrian into 4500 South. She agreed and added that there isn't much of a shoulder there, and not a lot of room for the driver to swerve. She encouraged the support of everyone to complete the project, and believes it would be a nice amenity for the Murray residents.

Mr. Brass said the alignment of the bridge appears to be different than the one in the documents. Ms. Lopez said this version was one just sent by Mr. Hill. Mr. Harper stated that after the discussion with the hotels, the alignment was shifted so that it parallels the UDOT right of way. It increased the length of the bridge, but was done as a response to the request of Murray property owners. Mr. Nicponski asked if that increased the cost of the bridge. Ms. Heins replied that it was an increase of about \$73,000. Mr. Nicponski clarified that accommodated the request by the Hampton Inn. Mr. Brass stated that both the Hampton Inn and the Fairfield Inn are located right there.

Mr. Brass commented that he uses the Jordan River Parkway frequently to ride his bike, but lately it has been very crowded. It is a great facility and believes it would benefit the hotels to get access to the parkway. He stated that he travels often and is always looking for outdoor places to run and walk. He said the trip around the bridge to get to the parkway is exciting. He was recently asked to become an ex-officio member of the Chamber of Commerce Board, and they recently got on board this project also. He noted that an email from Laura Hanson listed all the reasons to support this, making it bike and pedestrian friendly. He commented that it made sense to him, especially with the money currently being spent on bike trails. He said the City's share of the cost has been a moving target.

Chairman Hales asked what the amount was that the City is being asked to pay. Mr. Harper said the initial request was for \$100,000, but then there was discussion about Murray having a shorter section. UDOT put in \$270,000 because it is important to them to get pedestrians off the auto-bridge at 4500 South. The amount discussed has been \$40,000-\$60,000 and possibly doing the concrete work on the Murray side, noted Mr. Harper.

Mr. Nicponski said he had asked Mr. Hill to work up some numbers, but it is basically \$40,000 that Taylorsville is asking Murray to contribute. He asked Mr. Hill what the cost was that he came up with. Mr. Hill replied that it was approximately \$35,000 to \$40,000 more for the installation of the sidewalk. Mr. Brass commented that it would be about \$80,000 total cost. Ms. Heins stated that she had bid prices for that, but believes it was for an asphalt trail. Mr. Hill said the City wouldn't be interested in an asphalt sidewalk.

Mr. Hill clarified that the last time he met with Taylorsville, the cost was \$160,000 and that was based on an estimate of \$250,000 for the bridge and \$40,000 for the sidewalk. He took one half of the cost of the bridge (\$125,000) and the cost of the sidewalk (\$40,000) to come up with an estimated cost of \$160,000. He stated that he had not seen the latest numbers and doesn't know if things have changed.

Mr. Nicponski said he believes what they are asking, and what the budget would allow, is \$40,000 to Taylorsville to complete the project and also to budget \$40,000 to accommodate the sidewalk and landscaping, either from this budget year or next. Mr. Hill added that this is all contingent on the property owner's donation of the property. He doesn't have a commitment yet, but they have been verbally supportive.

Mr. Harper stated that was one reason to move the location because the owners indicated that they would be supportive of that. He said he would send the bid schedule to Mr. Hill.

Mr. Camp commented that since he became involved with the bicycle lane task force, he has looked at this project with a different lens. His biggest concern is that the cost is a moving target, as Mr. Brass said. He noted that he is looking at it a little more positively with the new information, and the new alignment of the bridge.

Mr. Brass said he just forwarded the referenced email to the Council. That email contains some good arguments about the bike lanes. He now believes this is a regional concern for all of the bicyclists. He stated that the current bridge is not safe in any fashion for bicycles. He said he feels like over time it would be worth the investment.

Ms. Turner said she likes the new configuration better as well, and if the cost is \$40,000 this year, and \$40,000 next year, she would be okay with the proposal.

Mr. Camp asked if the Chamber was interested in participating financially also. Mr. Brass said the Chamber doesn't have the budget for it.

Mr. Taylor said if everyone is good with \$80,000, then why doesn't Murray commit to spend dollar for dollar what Taylorsville spends, up to \$80,000. He proposed to put the sidewalk and real estate costs in also and get this thing done. Ms. Lopez clarified that Taylorsville would put in \$106,000. Mr. Taylor said that was correct that Taylorsville was committed to \$106,000 and Murray would match dollar for dollar up to \$80,000. He would include the sidewalk and real estate costs, so Murray knows what the numbers are, he stated. Chairman Hales commented that one of his concerns was not knowing what the total costs were. Mr. Taylor asked Murray City to commit to working out the real estate cost. Mr. Nicponski commented that Mr. Hill had been effective in working with the land owners.

Mr. Nakamura said there is an issue with crossing budget years; funds are appropriated on an annual basis. He would prefer an agreement that is \$40,000 for 2014-2015, and a budget amendment has already been noticed for that. He would like to see an interlocal agreement that coordinates with the budget opening. Mr. Taylor asked if the agreement could be drafted in that manner. Chairman Hales said he is good with that.

Mr. Nakamura said the agreement would be fiscal year 2014-2015, and next year wouldn't really be addressed until the spring. Mr. Taylor said it would be mentioned in the interlocal agreement. Mr. Nakamura stated that he didn't think so; the only thing mentioned in the interlocal agreement would be the \$40,000 that Murray is committing to this fiscal year. Mr. Brass asked if it could be done, subject to appropriations. Mr. Nakamura said the agreement could be prepared and researched. He asked if Taylorsville was going to prepare the agreement. Mr. Taylor said someone in the Taylorsville City would modify the agreement, and send it over this week. Mr. Harper said the project was ready to go to construction. It was asked how long the project would take. Ms. Heins said it should be completed by November 4th. Mr. Nakamura clarified that if it is to be done this fiscal year, the budget would need to be amended. Mr. Taylor joked and clarified that there wouldn't be any changes in elected officials by that time.

Chairman Hales asked if everyone was in agreement to go forward with that. Mr. Nakamura added that it is subject to a budget amendment. Mr. Harper said he would work with Mr. Hill and get him the numbers for the concrete sidewalk, and other numbers.

Chairman Hales welcomed the Mayor, who had arrived late.

Business Item #5

Mr. Hill stated that the Water Division has been focused on trying to brand Murray Water for the last couple of years. There has been a feeling that it hasn't been branded as well as possibly Murray Power, he noted. The Water Department had been including funds in the budget to try and get the Murray Water name out there. He recognizes that citizens don't have a choice, and receive Murray water, regardless. The focus has been to make the citizens aware of what the Water Department does, including the quality of the water, reliability of the service, and the investments made into the infrastructure.

Some examples of things that have been done include social networking. A Facebook page has been set up, with rebates and incentives where citizens can upgrade fixtures in their home and receive reimbursements for some of their costs.

The Water Department would like to advertise in the Murray High School Football program. Murray High School has offered a full page advertisement in their football program for \$5,000. That is a reduction in the rate of about 50% of what is normally charged. Murray High would also put up a sign in the stadium indicating that Murray Water is a supporter, and also make announcements during the game that state Murray City Water is one of their supporters.

Mr. Hill said there is money in the budget, set aside for these branding purposes. A budget amendment would not be required. He added that the issue is coming before the Council, because Murray High School is considered a non-profit organization and so it is viewed as a donation, even though Murray City would receive some services. Any

donation requires a Public Hearing which would come in a Council Meeting for official action. He wanted to get feedback and discussion, as there is some concern about making donations.

Chairman Hales stated that he was at the stadium recently and it was packed, and looks like it could be a winning season. Mr. Nicponski said he feels like anything that reminds the citizens where their taxpayer dollars are going, is a good thing. Water is one of those things that you don't think about, until you are reminded about it, he added.

Chairman Hales stated that he would support the idea. Ms. Turner stated that she is concerned because she represents two different high schools in Murray City, Murray and Cottonwood. She said she knows that the Power Department previously contributed to Murray High and not Cottonwood High. She stated that she had a hard time supporting this. Chairman Hales asked if Cottonwood High had asked for funds. Ms. Turner replied that Cottonwood High may not realize that possibility.

Mr. Hill clarified that Murray Water does not service the Cottonwood High School area and that is why Cottonwood High was not approached. Residents east of 900 East do not receive water service from Murray City he added. Ms. Turner asked if those residents are still contributing to the \$5,000 with their tax dollars. Mr. Hill said that was not correct, the money is only coming from the Water Fund. She said that was better, and feels like she must support Cottonwood High also.

Mr. Camp struggles with the value of the advertising, even if it is a donation. There are so many teams and clubs that would like the benefit, he added. Last year, this Council allocated money to the debate club and he struggled with that also. The Power Department made the donation to the football team also. He is aware that it isn't tax payer money, but rate payer money. He knows people that are cutting back on watering to keep their rates low. He doesn't know if he can support this donation; even with the benefit of advertising to high school kids, he doesn't think that is valuable exposure to the brand. His concern is that he doesn't believe it is the best use of \$5,000.

Mr. Brass said he initially thought it was wrong, for the same reasons as Mr. Camp. After talking to others and understanding that the world is shifting to social media and people get information in different fashion, it makes it interesting. His biggest complaint is that Public Power doesn't market itself well, other than Public Power Days. Citizens don't understand how much power contributes to the City; and water also contributes to a smaller degree. All of the ILOT (in lieu of tax) transfers keep the overall tax dollars lower, and any educational program may be a good idea, he added. He stated that at the last Eggs and Issues Meeting, the speaker read from the Murray City Water report. He believes this proposal may be worth discussing because Murray Water is a great product. He said the citizens could be educated about storm water, waste water and the challenges of delivering water.

Mayor Eyre asked if this advertisement was just for this year, and if it will be a couple weeks before this goes to the Council Meeting, how much time would be remaining in the football season. It sounds like it could be there for only a few games, he added. Mr. Hill said the football team was willing to assume the risk and put the advertisement in the program before it is officially approved. Mayor Eyre asked how many home games would remain. Chairman Hales said there are more home games this year because last year many were played away. Mayor Eyre noted that if there are four more home

games, it would cost about \$1,200-\$1,300 per game to get the exposure. Mr. Hill said that was probably an accurate number.

Mr. Nicponski said he wishes more of the enterprise funds would do something similar. He believes this is a good start and wants the citizens to know that they are getting what they pay for.

Chairman Hales said he is okay to move forward. Mr. Hill said he appreciates the good feedback and will work with the Mayor and make the decision whether to move forward or not.

Ms. Lopez reminded the council members of the Heritage Open House next Monday, September 8th to celebrate their national accreditation. The open house is from 5:00-8:00. If you would like to have dinner, there is a cost of \$6.00 per person and a reservation is needed. Mr. Nicponski asked if this was in addition to the annual open house they usually attend. Ms. Lopez said the other function is the volunteer banquet, and they also have this open house every year.

Chairman Hales adjourned the meeting.

Council Office Administrator II
Kellie Challburg