



## MURRAY CITY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

The Murray City Municipal Council met as a Committee of the Whole on Tuesday, January 20th, 2015, in the Murray City Center, Conference Room #107, 5025 South State Street, Murray Utah.

### Council Members in Attendance:

Blair Camp, Chair	Council Member, District #2
Diane Turner, Vice-Chair	Council Member, District #4
Dave Nicponski	Council Member, District #1
Jim Brass	Council Member, District #3
Brett Hales	Council Member, District #5

### Others in Attendance:

Ted Eyre	Mayor	Janet Towers	Exec. Asst. to the Mayor
Janet M. Lopez	Council Administrator	Tim Tingey	ADS Director
Jennifer Kennedy	Recorder	Elliott Setzer	Resident
Brian Shiozawa	Senator	Kellie Challburg	Council Office
Jennifer Brass	Resident	Rich Phillips	Resident
Todd West	Resident	Stacy West	Resident
Seth Anderson	Resident	Phyllis Hollen	Resident
Penny McNair	Resident	Steph Wright	Resident
Oliver Johnson	Resident	Darin Fox	Resident
Dwight F.	Resident	Don Christensen	Resident
Jenine Jepsen	Resident	Amanda Bordelon	Resident
Russ Childs	Resident	Karen Childs	Resident
Marilyn Jensen	Resident	Zerin Brewer	Resident
Elizabeth Miles	Resident	Steve Roberson	Resident
Dave Stewart	Lobbyist	James Bell	Resident
DeLynn Holt	Resident	Pat Winegar	Resident
Wes Eatchel	Resident	Leslie Eatchel	Resident
Nicole Williams	Presenter	Beth Hawley	Presenter

Chairman Camp called the Committee of the Whole meeting to order and welcomed those in attendance. All members of the Council were present. He recognized and welcomed Senator Shiozawa.

### **Approval of Minutes**

Chairman Camp asked for approval on the minutes from December 9, 2014. Mr. Brass moved approval. Mr. Hales seconded the motion. All were in favor.

### **Business Item #1**

### **Utah Department of Transportation (UDOT) Safety Improvements to 4500 South- Nicole Williams**

Chairman Camp welcomed Nicole Williams and Beth Hawley. Chairman Camp reminded the public that this presentation was for informational purposes only, and not a public hearing. Mr. Nicponski added that there would be a citizen comment period in the Council Meeting following this meeting, and comments on this topic could be made at that time.

Ms. Williams introduced herself as a consultant for UDOT and Ms. Hawley, a Public Involvement Manager. She added that Caryle Sommers, the Public Involvement Manager for this project would be arriving later.

The project limits are from Fairbourne Avenue to 615 East. Currently there are raised medians from State Street to Fairbourne Avenue and from 615 East to 700 East.

The total project cost is approximately \$700,000, which includes the design, construction and right of way. Also included in the estimate is signal improvements on 500 East, making that signal more efficient.

The proposed raised medians would change access patterns to both residential and business areas. Raised medians would be installed from Fairbourne to Atwood with an opening at Atwood. The signal would remain at 500 East, and on 600 East, you could make a left turn in, but not a left turn out. This proposed raised median would connect to the existing raised median at 615 East,

In 2013, there was a maintenance project which was mainly resurfacing, and the safety concerns were not addressed. The safety concern was identified in 2014 and determined that something needed to be done due to the number of accidents, she noted.

In the fall of 2014, work began on the design and efforts were coordinated with UDOT regarding the necessary safety improvements.

She stated that there would be a Public Open House on January 28<sup>th</sup>. Sometime between the open house and the beginning of construction, small amounts of property on the corners would be taken for right of way access, mostly for ADA (American Disability Act) purposes. Construction is anticipated to begin at the end of the summer and completed this construction season. The project should have a short duration and minimal impact on the actual travel.

Ms. Williams showed the crash data. There have been 28 crashes within a two year span, while people were attempting to make left turns, not at an intersection. One of the

28 crashes was a fatality. Those accidents could have possibly been avoided if there was something that would cause them to go to a signalized intersection, she added.

She reiterated that the Public Open House would be on January 28<sup>th</sup> at Murray High School from 5:00 to 7:00 and the public would be able to make comments there. Project team members would be available at the meeting to discuss the project. Carlyle Sommers, the Public Involvement Manager, would be available at the meeting, as well as by phone or email.

Chairman Camp asked if there were any questions from the Council. Mr. Nicponski encouraged the representatives from UDOT to attend the Council Meeting this evening to hear the feedback and take it back to UDOT.

Chairman Camp asked Ms. Williams if the input from this meeting and the open house would be considered, or if this design is already locked down. Ms. Williams replied that the project is still in the environmental process, and the public comments would definitely be taken into consideration. She stated that the project isn't necessarily closed. Chairman Camp said that is important to know. Mr. Brass commented that Spartan Cove, the place for the public open house, may not be large enough to hold a large group of citizens. Mr. Nicponski reiterated that the comments on this issue would be heard in the Council Meeting.

## **Business Item #2**

## **Discussion & Strategy for the 2015 Legislative Session- Dave Stewart**

Chairman Camp welcomed Mr. Stewart. Mr. Stewart apologized for missing the earlier meeting, as he wasn't feeling well.

Mr. Stewart stated that the 2015 session would begin the following Monday. He noted that he was happy to see Senator Shiozawa in attendance and commented that Senator Shiozawa was a great advocate for the City.

Medicaid expansion is one of the largest bills this session and would take up a lot of time. He stated that the House isn't quite comfortable with the bill that the Governor is proposing so it will take some effort to figure out something that will work for everyone.

Transportation would be a major discussion this session also. Many cities are watching this bill closely. The Senate is more inclined to a gas tax increase to fund some needs around the state. He explained that the gas tax is a 70/30 split, with 70% going to the State for maintenance of state roads and highways and 30% going to a Class B & C funding formula for local roads. Of the 30% for local roads, approximately two-thirds goes to cities, and one-third goes to the county. The House isn't too supportive of a gas tax, and believe that with the increase in hybrid vehicles and natural gas, a gas tax is more of an antiquated system that doesn't capture growth. The House is advocating for the conversion of the gas tax to a sales tax base with an inflationary component. It would remain relatively revenue neutral but would capture growth over time. The gas tax hasn't been raised since 1995. The House is also supporting a quarter cent local option. The key to that is that it would be split between cities, counties and UTA (Utah Transit Authority). The House and Senate agree that the cities, counties and UTA need to come together with a united approach. The Speaker of the House is a former chair of UTA and

a big believer in that. The League and City legislators would support the cities and counties. Mr. Stewart said he would encourage a comprehensive solution because no one group would get that quarter of a cent. Unfortunately, in the legislature if one party does not agree, then things just don't get done. Everybody seems to agree that something needs to be done. Part of the push is to be able to pull some money from transportation to go towards education.

He stated that he appreciated the list given to him of some of the needed projects in the City. In years past, there had been the *quarter of a quarter*, which is part of the quarter cent that has been authorized and captured at the State level. It is prioritized at the State, but is local dollars that have to be spent within Salt Lake County.

Mr. Stewart said he would be working on promoting a quarter cent for cities and also trying to advocate for and identify the key projects. He would like to work with Senator Shiozawa and put together a package of key projects for local jurisdictions that need to get done. The biggest risk is if the overall transportation package breaks down, however, as long as that doesn't happen, he anticipates success.

He said there is a township issue being discussed. Mayor McAdams and the County are addressing wall to wall cities. Murray might be concerned with forced annexation. He said those issues would most likely be worked out between the City, the County, and the League. He said unless there is consensus, he doesn't believe there would be a bill. The County would not be successful in forcing the cities to do something. He doesn't believe there will be an active fight on this issue.

He said there may be some adjustments to the Good Landlord Program.

Body cameras and Police Officers would be discussed. Mr. Stewart said he understands that Murray officers currently use the body cams and he will watch for any changes in that bill.

Mr. Nicponski asked about the likelihood of a bonding bill for transportation. Mr. Stewart said he has heard that the Senate Budget Chairman isn't too keen on a bond. He added that the quarter of a quarter would involve a bond. If the State isn't comfortable with that, they could have the County bond for projects, instead of the State.

Mr. Stewart asked Senator Shiozawa if he would like to speak on a few things. Mr. Stewart noted that the prison relocation would be a huge issue in the Legislature also. He added that there aren't any locations in Murray being considered. The sites being considered are Salt Lake City, Tooele and possibly West Jordan/Saratoga Springs.

Senator Shiozawa commented to the Council that he would query UDOT on the driving motivation behind the 4500 South project, on behalf of the citizens. He said it appears to be a safety issue and he understands the accident numbers, but the prospects downstream need to be weighed also. Would this median have safety impacts on the neighborhood and in fact, will it have the net effect of decreasing the injuries and morbidity/mortality, or will it ironically increase that, he asked. He said that might be a question for UDOT and to make sure this is a beneficial change. He said he would try to be at the presentation at Murray High.

He said there are three main issues that would affect both the House and the Senate:

1. Education: There is a growing population with limited funds. How will Utah keep competitive, keep the good teachers, and educate the students, he asked.
2. Transportation: Although it may not be as high as air quality in the minds of the people, those two things do go together in terms of transit taxes. He said he imagines the Mayor often hears about pot holes, road conditions, traffic issues, etc. Those items are critical, and the Legislators also hear about them, although, people do not want their taxes raised.
3. Health/ Medicaid expansion: There are many questions that go along with this: should we expand, who is going to pay for it, how much is it going to cost, who will it affect, and what will be the net benefits.

Senator Shiozawa stated that he recently made an interesting trip out to the State prison and toured with the Warden. He had a chance to go with armed guards to visit the infirmary and the cell blocks. He also toured the “more modern” County facility. This is an interesting debate, he added. It would be close to \$1 billion dollars to relocate the prison, and that needs to be weighed against other issues, he said.

He thanked the Council for allowing him to speak.

Chairman Camp thanked Senator Shiozawa and Mr. Stewart.

### **Business Item #3**

### **Play Unplugged Program-Oliver Johnston**

Mr. Johnston thanked the Council for their time. He stated that he works for Play Unplugged, a program that is coming to Murray City next summer.

Mr. Johnston showed a video explaining the Play Unplugged program.

Mr. Johnston stated that partnerships have already been formed with the Murray Chamber of Commerce to get in front of the local business community. They have also met with D. Wright at Murray School District, and received their buy-in.

This program will roll out at the end of the school year and every child would receive a lanyard. There is also a Murray unplugged website that the children can log on for local activities and activities they can do from their home.

The goal is to get more families outside and into the downtown businesses and organizations. Other cities have even sponsored a badge for meeting City leaders, or other badges sponsored by the Police Department.

He introduced MaryAnn Kirk to speak on her experience with the program. He met MaryAnn Kirk last summer while running the program in Granite School District, and MaryAnn was able to include one of her programs in the Play Unplugged program.

Ms. Kirk said the attendance at the children's matinee program prior to last year was about 150 children. After joining with the Play Unplugged program, there were 300-400 children attending each week. She stated that Granite School District was very kind and allowed some of the Murray kids to get lanyards, but the kids that attended were from all over the valley. She noted that Chick-Fil-A sponsored the tags at no cost to the City.

Ms. Kirk would like to get children to attend the museum, as well as viewing the public art on display in City Hall.

Ms. Kirk said the program has great potential and can be tailored to what the City would like to do. Murray has a ton of really cool things for kids to see in the community. She would like to get the Rotary on board also.

Mr. Johnston stated that last summer they were in front of about 50,000 kids and hope to be involving more than 100,000 kids this year. Summer is a time when children are more at risk of a sedentary lifestyle. Children might gain 2-3x more weight in the summer months, due to the significant time spent indoors on video games. He said he would love to highlight any specific City programs through Play Unplugged. He noted that every child in Murray would be invited to participate.

Ms. Turner asked where the lanyards would be distributed. Mr. Johnston said there would be an end of year assembly and a 20 minute video would be shown and the program would be presented in all of the elementary schools in Murray. The children would receive the lanyards at the assembly.

Chairman Camp asked if Play Unplugged is constantly looking for business partners to help drive the program. Mr. Johnston replied that was correct, and that is how the program is available free of charge to as many kids who would like to participate. The program is paid for by the businesses sponsoring the badges. He said the goal is to have 101 activities in Murray, which means 101 businesses, non-profit organizations, City departments are all sponsoring these badges to give the kids something to do every day of the summer.

Chairman Camp asked if the Chamber is involved in the program also. Stephanie Wright, Murray Chamber of Commerce, stated that the program was presented to the Chamber last summer. She said they are behind the program and are going to really start pushing the businesses to get involved. The price has been reduced for a business to buy-in so she believes it is very affordable. Also, several businesses can join together and buy-in. She stated that the sky is the limit with different possible ideas.

Mr. Johnston stated that it is a \$500 buy-in for businesses, but that brings hundreds of families through their door. He said he believes it to be an excellent opportunity for both the children and the businesses.

Mr. Johnston thanked the Council for their time.

**Business Item #4**

**Discussion on Mail-In Voting- Tim Tingey  
and Jennifer Kennedy**

Mr. Tingey stated that he would present some information on the mail-in voting possibilities in the community. He said important elements include what is most convenient for citizens and how to increase the number of voters.

The County has held different meetings with all of the cities in the County to discuss mail-in voting. He said there is some interest in moving in that direction. Ms. Kennedy would explain the different impacts related to mail-in voting.

Ms. Kennedy said that the current touch screens being used now in the elections would not be available for use much longer. Those touch screens were purchased in 2006 with available grant money and the anticipated cost to replace the machines, if available, would be approximately \$10 million. That doesn't include the cost of training, or programming, simply the cost of the equipment. That cost would be shared between the cities and the County. The County is hoping that as more cities are moving to the vote by mail option, the machines will last until the 2016, and possibly the 2020 presidential election.

The County is offering two different options for the coming election:

- An all-City vote by mail election: All of the ballots would be mailed to the voters, and one voting center would be open on Election Day.
- A consolidated polling location: Instead of having 10 to 12 polling locations on election day, it would be consolidated to one location per 4,000 voters. Murray would probably end up with between 4 and 6 polling locations. It would be a cost savings, but would require people to drive further to vote.

Murray City has had a steady decline of voters over the past few elections. In 2007, voter turnout was 39.13%, in 2009 it dropped to 27.27%, in 2011 it dropped to 22.73%, and in 2013 voter turnout was 17.24%. The question was asked if that was the percentage of registered voters. Ms. Kennedy replied that was correct.

Ms. Kennedy stated that Cottonwood Heights did an all vote by mail in 2013. In 2011, the voter turnout in Cottonwood Heights was 20.91%, and the number increased to 40.61% in 2013 with the all vote by mail. The other city that had an all vote by mail was West Jordan. In 2011, the turnout in West Jordan was 13.56%, and it jumped to 34.32% in 2013 with vote by mail. The cities are getting a higher percentage of voters with the all vote by mail process. Mr. Hales asked if there would still be a central polling place, even with the all vote by mail. Ms. Kennedy said more than likely, the vote center location would be City Hall. There is one vote center set up for every 20,000 registered voters. Mr. Hales clarified that it would be available on Election Day only. Ms. Kennedy said that was correct, with the all vote by mail option the County has proposed.

Murray City has 23,793 active voters, as of December 2014. Of the 23,793 voters, 7,800 are on a permanent vote by mail status. Basically, a third of the voters are already doing the vote by mail option, noted Ms. Kennedy. In 2011, approximately 1,500 people went to the polls, and 1,555 voted by mail and 139 did early voting. In 2013, 1,193 went to the

polls, 2,838 voted by mail, and 120 did early voting. She noted that the trend is that more people are using the vote by mail option.

One of the concerns people have with vote by mail is if their ballot is secure, she noted. Salt Lake County checks every ballot they receive with the signature on the voter registration card. If a ballot comes in unsigned, it is returned to the voter. If more than one ballot is sent in, only the first ballot received is counted. The County does verify all ballots they receive.

If Murray City did an all vote by mail election, the voting center would be open from 7:00 a.m. to 8:00 p.m. Everyone would be able to cast a provisional ballot on Election Day. The County would also offer same day voter registration, so people that are not previously registered can still come in and vote on Election Day.

Ms. Kennedy said the recommendation is to move forward with an all vote by mail election for 2015.

Mr. Brass asked how many ballots typically get rejected in the vote by mail system. Ms. Kennedy said she didn't have that number but would get it for him. Mr. Brass said he has seen the concern that the resident believes they voted but due to some irregularity, their vote did not count. Ms. Kennedy said there is a *track your ballot* option on the County website.

Ms. Turner asked what the approximate savings would be. Ms. Kennedy said the City contracts with the County for the voting. If Murray did the all vote by mail, the cost would be \$56,452, and a consolidated polling election would be \$59,589, for a savings of about \$3,000 she stated. The reason that the vote by mail option is still an expensive option is because the City pays for return postage. The estimated dollar figure accounts for every ballot being returned. Chairman Hales asked if the resident pays for postage or the City. Ms. Kennedy replied that if Murray is an all vote by mail City then the city pays for postage. If the resident chooses to vote by mail, then they pay for the postage. The City would also offer a drop box for residents to return their ballot that way.

Mr. Nicponski asked if Murray becomes a vote by mail City, does the City then automatically send out ballots to each household. Ms. Kennedy replied that was correct for Murray City elections. Next year, during the presidential election, the resident would not receive an automatic ballot, unless they are considered a permanent vote by mail voter. If Murray decides to do vote by mail for this election, the County would send postcards to the registered voters informing them of the change. Social media would also be used to inform the residents. Afterwards, a ballot would be sent to all registered voters, noted Ms. Kennedy.

Mr. Camp noted that an interesting element to the last election was the amount of time after Election Day when the mail in votes were counted and resulted in changed outcomes. He asked if that was to be expected in the future as more voters vote by mail. Ms. Kennedy said she believes that is accurate because the votes tallied on the evening of Election Day do not account for any votes cast on Election Day or sitting in boxes at polling locations waiting to be picked up. She said that delayed results would most likely be the outcome, no matter what the voting process, due to procrastination by people.

Ms. Turner commented that she has voted by mail for years and loves it. If it increases voter turnout in Murray, she thinks it is a great idea.

Mr. Nicponski asked if votes are tallied as they come in. Ms. Kennedy said the County tallies the votes as they come in. She noted that the County has offered to give tours of the facility for anyone that is interested. Ms. Kennedy clarified that on the eve of Election Day, the County would have all votes counted that they had received up to the day of the election.

Mr. Brass noted that an unintended consequence of the mail in voting could mean that the results are pushed out several weeks. Ms. Kennedy said the results are not technically official until the canvass is done two weeks after Election Day, but it could possibly change an election. Mr. Brass commented that it had changed election results, and two races changed last year.

Mr. Hales noted that he is shocked at how large of an increase in the voter turnout that comes from a vote by mail process but there is an unknown element that requires some faith. Ms. Kennedy stated that although the cost savings isn't huge the increase in voter turnout would be great, and it would make it easier for residents to get involved.

Chairman Camp asked if the change would require a change to the ordinance. Mr. Nakamura replied that the City would receive an interlocal agreement with the County. Ms. Kennedy said the decision needs to be made whether the City does an all vote by mail or a consolidated polling location, which would alter the agreement with the County. Mr. Nakamura stated that while a decision could not be made in this forum; one or both agreements could be presented to the Council. He stated that deadlines must be met.

Mayor Eyre asked for some clarification on the numbers from 2011 compared to the numbers from 2013. He said it appears that there were more voters in 2013, yet the turnout was lower. Ms. Kennedy noted that 2013 was a Mayoral election which involved more voters in the City, whereas 2011 only Districts 1, 3, and 5 were involved. A comment was made stating that the denominator changed. Ms. Kennedy clarified that in 2013, the entire City was involved in the election, which meant close to 25,000 registered voters; in 2011, approximately 15,000 registered voters would have been involved. Mayor Eyre thanked Ms. Kennedy for the clarification.

Chairman Camp thanked Ms. Kennedy for the presentation. He adjourned the meeting.

Council Office Administrator II  
Kellie Challburg