

Murray City Municipal Council

Chambers

Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 7th day of December, 2010 at 6:30 p.m., for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

Roll Call consisted of the following:

Jeff Dredge,	Council Chair - Excused
Krista Dunn,	Council Member - Excused
Darren Stam,	Council Member -Conducted
Jared Shaver,	Council Member
Jim Brass,	Council Member

Others who attended:

Dan Snarr,	Mayor
Jan Wells,	Chief of Staff
Carol Heales,	City Recorder
G.L. Critchfield,	Deputy City Attorney
Gil Rodriguez,	Fire Chief
Tim Tingey,	Community & Economic Development Director
Scouts	
Citizens	

Mr. Stam excused Council Members Dunn and Brass from the meeting.

A. OPENING CEREMONIES

1. Pledge of Allegiance - Darren Stam, Council Member
2. Approval of Minutes of October 26, 2010

Mr. Brass made a motion to approve the minutes.
Mr. Shaver 2nd the motion.

Call vote taken, all Ayes.

B. CITIZEN COMMENTS **(Comments are limited to 3 minutes unless otherwise approved by the Council.)**

Carolyn Anderson, 405 E. Vine St, Murray

Ms. Anderson stated that the Council should have a copy of the letter sent to the Mayor, in regards to the increase rates of the swimming pool at the Murray Recreation Center. She has been a resident of Murray for 72 years; after going to her water aerobics class today, she was thoroughly disgusted with Murray City for raising the cost of the water aerobics classes, or any other water classes at the Recreation Center. This is one of the only recreation centers in the valley that does not give a senior citizen discount. She wants the city to know that probably 95% of the people who are taking the classes at the center are retired, on fixed incomes, and go from 65 -89 years old. You happen to have a wonderful little lady over there named Felcy who attracts all these wonderful senior citizens, even older than herself; also Becky, Colleen, and Micheline, and she doesn't know who is there at night-but most of them don't want to give up their wonderful work outs. For her, she would not be able to walk without this exercise, she has been doing water aerobics since high school. As you know, they are all on limited incomes-her medical bills are so astronomical that it is terrible, and 15% may not sound like much to the city, but it's a heck of a lot to her, when she is paying \$365 for one prescription and \$276 for another per month, and she could go on and on.

Many of the others are in the same predicament; the least bit of increase in this facility may cause them to have to change pools, which they don't want to do. You took away the senior citizen rates two years ago, and now you are raising it again. She is just waiting for the day to happen that you all are her age-73 years old-trying to make it on your own, staying in your old house that was built in 1918, pay \$165 for good insurance, and going into the donut hole-which most of you don't even know what that is: it is when you've reached your amount and you have to pay full cost for your drugs-she reached hers in February. She hopes that you will consider what you have done, and she realizes that it has already been done; she has contacted those that could, such as Cory Plant, Marci, Mayor Snarr; she was told by a staff member at the pool to apply for a scholarship for herself-come on- it isn't just for her- there are many old ladies that are older than her are all in the same predicament. They offered her this for 50% off if Cory agreed with it- she did not apply for it; she knows that it was said that it should be applied to those who use the pool and the recreation center- well, she hasn't had a kid in school for 50 years and she pays the school taxes just like everybody else, so that doesn't go very far with her; they pay for the kids even if they don't have kids.

She has lived in a home built in 1918 for 52 years, and it is not that she's an old grouch-because she's not-she loves Murray, Murray Park...she has even written the Mayor a letter stating how beautiful it was after all the floods and the parades-it is a beautiful, clean park that is very well taken care of, and she appreciates that. Wait until you are seniors, wait until you have saved and done everything you are supposed to in life; her house is paid for, her car is paid for, she doesn't have a bill, but she does have a huge one- medical bills; so do most everyone else on a fixed income that attends Murray City Park.

Richard Norin, 4702 Meadow Road, Murray

Mr. Norin said that he has lived in Murray for 65 years, and stated that he has a little different approach, that addresses her same problem: he changed insurance companies so that he could become part of the “Silver Sneakers” program, which a lot of insurance companies will pay the fee to join a health club. He does not understand why Murray City is not a part of this program, because it would address Ms. Anderson’s concern of increased prices, it would put more money into the Park Center, the seniors would use it when it is not used-he goes almost every day and there are very few people there in the mornings from 9 a.m. until 2 p.m., when seniors would use this facility. He is not a computer expert, so he has not been able to get all of the information, but the Heritage Center did apply to this program and are waiting for more input from Murray City. The Heritage Center incorporated the Park Center into that application because they listed that they have a year around pool, they had cardiovascular equipment and a weight room. He does not understand why Murray City would not follow through on that program; the West Jordan Rec Center is a member, South Jordan, Kearns Oquirrh, West Valley City, Golds Gym and the Sports Mall are members. It has been his experience that most seniors don’t want to go where all these jocks are working out, but it just seems to him, that it would solve a lot of problems and pump more money into the Park Center which is underused in the middle of the day when seniors would go; it would also help with seniors, as Ms. Anderson said. Right now, the insurance companies that pay are: United, Humana and Universal-which write 65% of the Medicare supplement insurance policies in the state of Utah. It seems to him that this would be a natural, and somebody needs to follow up with that, and he has a lot of information with him, if somebody would be willing to look at it, and see if there isn’t some way to get Murray to join this program, which would help everyone.

Mr. Stam stated that a couple of weeks ago, the Council introduced the new Miss Murray, and part of her platform was to look into this Silver Sneakers program, and see how much Murray could be involved in with the seniors.

Mr. Norin said that Miss Murray is his granddaughter, and that she was shot down on this by the Park Center.

Mayor Snarr stated that he had not heard that, and that the City would look into it.

Public comment closed

C. CONSENT AGENDA

None scheduled

D. PUBLIC HEARINGS

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

1. **Consider an Ordinance amending Section 17.48.400(B)(12) of the Murray City Municipal Code relating to the sign code.**

Staff presentation: Tim Tingey, Community & Economic Development Director

Mr. Tingey stated that on October 21, 2010, the Planning Commission made a recommendation, after staff had recommended approval, of this modification to the Ordinance. It has come about after they had worked in consultation with the Attorney's Office, and have evaluated this section of the ordinance and had some concerns that there may be future litigation related to some of the wording that is in the ordinance-specifically related to the length of time that you can have a political signs up. In working with them, they have proposed this amendment to help prevent them from having any of those possible legal problems in the future.

What this would do is eliminate the wording that would require people to remove their political signs after 15 days; it would eliminate that 15 days, and they wouldn't have to remove those. The second part of the wording would eliminate the wording related to not locating them in a public right-of-way, which sits already in the code in a separate location. They recognize some of the issues and concerns with that-they don't want to have a lot of signage that collects for years-but they don't feel that it is worth the possibility of the City going through some legal action related to this. They are recommending approval of this modification to the ordinance, as did the Planning Commission.

Mayor Snarr asked if the City would still have the right, if someone places a sign in a public right-of-way, to go remove the sign, whether it is at a business or a residence.

Mr. Tingey said that is correct, they can remove the sign immediately .

Mr. Stam asked if, as long as it is on private property, the City has no legal jurisdiction, as far as a political sign, whether it is for an office or for referendum or amendment, we have no jurisdiction to say when they should take it out.

Mr. Tingey stated that is correct. It is really weighing the legal ramifications, and what it could do related to future legal problems we could face. At this point, in consultation with the Attorney's Office, they don't want to take that risk.

Public Hearing opened for public comment

Bill Finch, 1055 Chevy Chase Drive, Murray

Mr. Finch said that in this ordinance, you could impair somebody's right to free speech, that is what they are trying to say; but, you do have some rights: the number one right would be if it is a nuisance, or in some way impairs visibility-like on a corner lot- you should maintain restrictions on the codes, such as not being able to put signs on the corner, having it put so many feet back. This is just a small fragment of people who are pushing this forward, that claim they will sue if you impair their rights to free speech, and frankly, he does not see how it impairs it; he doesn't know why anyone would want Al Gore signs up in their yard after all these years. But, you do have a legal department, and Mr. Nakamura needs something to do, and it might be worth it to see what happens. He just wanted to clarify that this is just a few people who claim it is a freedom of speech to leave these signs up if they wish.

Public comment closed

Council consideration of the above matter to follow Public Hearing.

Mr. Brass stated that the visibility issue is addressed in the ordinance.

Mr. Shaver said that this is a time issue only; sign size, placement, etc. is addressed separately.

Mr. Tingey said that when it comes to health, safety, or the issue of the location, they have all of the elements in place to protect the public interests in that. This is something that is not only Murray is looking at, this is something that is common in other communities and most likely a statewide issue.

Mr. Shaver made a motion to adopt the Ordinance.

Mr. Brass 2nd the motion.

Call vote recorded by Carol Heales.

A Mr. Brass
A Mr. Shaver
A Mr. Stam

Motion passed 3-0

E. UNFINISHED BUSINESS

None scheduled

F. NEW BUSINESS

None scheduled

G. MAYOR'S REPORT

Mayor Snarr stated that the American Red Cross is seeking nominations for hero's in a wide variety of categories, who have helped others in need over the past year in our community. If you have anyone you know-and they don't necessarily have to be in this community-that you would like to nominate, please contact the Mayor's Office.

The Mayor said that he always appreciates input of individuals of individuals to serve on the various boards and commissions; they currently have some openings and if you have people who may like to serve, please have them check with his office. The positions that are currently available are on: the Arts Board, and the Board of Appeals.

There will be a public hearing tomorrow for input on the proposed Murray City Center District, which will take place at Murray High School in the Spartan Cove from 6:00 to 7:30 p.m.; there will be some instruction, but mostly an open house where they can come and look at some of the design plans.

Neighborhood Works will be hosting a holiday open house at their location on Poplar Street on Thursday, December 16 from 4:00 to 6:00 p.m. and if your schedule allows, he encourages all to attend, as they do great work.

They will be meeting with the owners of BMW and reviewing their plans for a new and separate Mini dealership to be built, and they will have additional meetings over time as well to make sure that all goes well, and they are excited about what they want to bring to this community. This is a several million dollar investment total with land acquisitions and building a separate dealership to house the Mini's.

Mr. Tingey had indicated that In and Out Burger is meeting with them to make sure that everything is done according to what the city requires, and that we have taken care of their needs quickly in regards to some landscaping that had to be addressed, and we are excited about that addition to our community as well.

H. QUESTIONS OF THE MAYOR

Mr. Shaver asked if there is an age limit on the Boards and Commissions, either bottom or top.

Mayor Snarr said that there wasn't one, as far as has heard.

Mr. Shaver asked that, if it were appropriate, he would like to meet some of the people that are on the Boards and Commissions, and as they are invited, if it is done every week. He said that the Council gets to read about and talk about them, but they really don't get a chance to meet them. He wonders if it would be appropriate for them, as a Council, to invite them when their names are read, to have them stand and be introduced.

Mayor Snarr said that they do invite those who are being nominated for the first time to attend the meeting; sometimes their schedule allows them to do that-they are encouraged to do that, and sometimes they will postpone their nomination if they are unable to attend, if it is not critical. It is the Council's meeting, and if they would like them to stand and introduce themselves, that is something they are welcome to make it part of the meeting and they can inform them of that when they come in.

Mr. Shaver stated that as this is a public forum, many of the people would like to know who they are as well.

Mayor Snarr said that they do try to recognize them at the meetings; they try to do everything that they can to encourage people to come and participate, and make people aware of who they are so that you can put a face to the name, and they will continue to do that. If you really want to become more intimately aware of what they are all about and are trying to accomplish, he encourages everyone to attend their meetings.

ADJOURNMENT