

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 15th day of November, 2011 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:

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

Others who attended:

Dan Snarr,	Mayor
Jan Wells,	Chief of Staff
Jennifer Kennedy,	City Recorder
Frank Nakamura,	City Attorney
Craig Burnett,	Assistant Police Chief
Tim Tingey,	Administrative & Developmental Services
Pat Wilson,	Finance Director
Doug Hill,	Public Services Director
David Carpenter,	Murray City IT Department
Randy Larsen,	Ballard Spahr
Peri Kinder,	Valley Journals
Scouts	
Citizens	

3. OPENING CEREMONIES

3.1 Pledge of Allegiance - Nate Anderson

3.2 Mr. Stam stated that there is a tradition in Murray to have the Scouts in attendance introduce themselves, their leaders, and which Merit Badges they are working on. The Scouts and leaders introduced themselves.

3.3 Approval of Minutes:

3.3.1 October 18, 2011

Call vote taken, all Ayes.

3.3 Special Recognitions:

None scheduled.

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

None given.

Public comment closed

4. CONSENT AGENDA

Mr. Stam asked that the following be taken together. No objections noted.

4.1 Consider confirmation of the Mayor's appointment of Brandon Beckstead to the Arts Advisory Board in an At-Large position to complete the remainder of a three-year term that expires January 15, 2012.

4.2 Consider confirmation of the Mayor's appointment of Ted McBride to the Murray History Advisory Board in an At-Large position to complete a three-year term that expires August 1, 2014.

Mr. Shaver made a motion to approve the appointments.
Mr. Dredge 2nd the motion.

Call vote recorded by Jennifer Kennedy.

 A Mr. Shaver

 A Mr. Dredge

 A Mr. Stam

Motion passed 3-0

5. **PUBLIC HEARINGS**

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

5.1 **Consider an Ordinance amending the Fiscal Year 2011-2012 Budget.**

Staff presentation: Pat Wilson, Finance Director

Ms. Wilson stated that the proposed changes are as follows:

1. Conversion of Lotus to Microsoft Exchange: this is a computer system upgrade; The Administrative Services Department of the General Fund, within the IT Division of that, a new line item would be created to provide funding for the conversion of Lotus to the new Microsoft Exchange email system. The cost of that would be \$31,770.00 and the funding for this budget revision would come from General Fund Reserves.
2. Software/Equipment Maintenance: ADS IT Division is requesting an increase in software maintenance of \$25,900.00 and equipment maintenance of \$17,300.00 for maintenance contracts that were not included in the original FY 2012 budget that are necessary for the general operation of the City's software and hardware.

In addition, there is a request for an increase of \$3,000 for the cost of a programming consultant to make modifications to the Prosecutor's Assistance Program, which resulted from changes from the State of Utah Court System. The funding for this would come from General Fund Reserves.

3. Weed Control: there is a request for an increase in the weed control line item; this would cover costs for spraying weeds of city residents. The funding for this \$1,200.00 increase would initially come from General Fund reserves with an eventual repayment from residents.
4. Down Payment Assistance Program: In the Community Economic Block Grant Fund, there is a request to increase the Down Payment Assistance line

item, while reducing the Housing Rehabilitation line item by \$21,891.00 so that we can continue to serve residents with down payment assistance. There would be no additional funding needed; this is just a movement between line items.

5. Low Income Housing: In the Redevelopment fund, and in the Shelter Site Division, there is a requested increase for the Low Income Housing line item of \$180,000.00 to acquire properties for rehabilitation or to sell to low or moderate income families or individuals. The funding would come from the RDA reserves.
6. Water Fund: A requested increase in the salaries and benefits line items of \$72,750.00 to replace two retired water employees after the early retirement of three employees. The funding would come from Water Fund reserves.

To summarize, fund reserves would be used to increase the budgets in the General fund by \$79,170.00, the Redevelopment fund by \$180,000.00, the Water fund by \$72,750.00, the Community Development Block Grant fund budget would be adjusted line items by \$21,891.00 with no additional funding needed for this budget change.

Public Hearing opened for public comment.

None given.

Public comment closed.

Council consideration of the above matter.

Mr. Dredge made a motion to adopt the Ordinance.
Mr. Shaver 2nd the motion.

Call vote recorded by Jennifer Kennedy.

A Mr. Shaver
A Mr. Dredge
A Mr. Stam

Motion passed 3-0

7. UNFINISHED BUSINESS

None scheduled

8. NEW BUSINESS

8.1 Consider a Resolution adopting the Regular Meeting Schedule of the Murray City Council for calendar year 2012.

Mr. Dredge suggested that this discussion be postponed until all Council Members are present.

The decision was made to move ahead with the Resolution.

Mr. Shaver made a motion to adopt the Resolution.
Mr. Dredge 2nd the motion.

Call vote recorded by Jennifer Kennedy.

 A Mr. Shaver
 A Mr. Dredge
 A Mr. Stam

Motion passed 3-0

8.2 Consider a Resolution approving an Interlocal Agreement between the City and Salt Lake County of receipt by the City of Tier II “Zoo, Arts and Parks” funds.

Staff presentation: Danny Astill, Water Superintendent

Mr. Astill stated that each year, Salt Lake County has the opportunity to distribute funds through the Zoo, Arts and Parks Tier II Grant Funding; our portion of that they are willing to give through this Interlocal Agreement amounts to \$52,049.00, to be used in the arts programs.

Mr. Dredge made a motion to adopt the Ordinance.
Mr. Shaver 2nd the motion.

Call vote recorded by Jennifer Kennedy.

A Mr. Shaver
 A Mr. Dredge
 A Mr. Stam

Motion passed 5-0

- 8.3 Consider a Resolution authorizing the issuance and sale of not more than \$2,626,000 aggregate principal amount of Sewer Revenue Bonds, Series 2011 (The “Series 2011 Bonds”) to be issued in one or more series; fixing the maximum aggregate principal amount of the Bonds, the maximum number of years over which the Bonds may mature, the maximum interest rate which the Bonds may bear, and the maximum discount from par at which the Bonds may be sold; providing for the publication of a Notice of Public Hearing and Bonds to be issued; providing for the running of a contest period; authorizing the execution by the Issuer of a Supplemental Indenture of Trust and other documents necessary for the issuance of the Series 2011 Bonds; authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this Resolution; and related matters.**

Staff presentation: Pat Wilson, Finance Director

Ms. Wilson stated that this Resolution authorizes the sale of bonds; these bonds would be used to fund several projects which have been identified by the City Sewer Master Plan. Funding for these projects was requested from the State of Utah, Division of Water Quality; Murray City recently received loan approval for \$2,626,000.00 with an interest rate of 2.5%.

The Resolution before the Council tonight gives authorization to bond for this maximum amount of the above, with an interest rate not to exceed 2.5%, and a term not to exceed 24 years; the term will be set at 20 years from the first draw. We would like to use George K. Baum as the financial advisors for this bonding-Randy Larsen is present here tonight, who is the legal advisor on this resolution.

The Resolution would start the process with a Public Hearing to follow on December 6, 2011.

Mr. Shaver asked if this was the first phase of several phases of this.

Mr. Astill said that the money that they are referring to here is for all of the funding for all of the projects, but they would be drawing on that money over the next 2 ½ - 3 fiscal years.

Mr. Shaver made a motion to adopt the Ordinance.
Mr. Dredge 2nd the motion.

Call vote recorded by Jennifer Kennedy.

A Mr. Shaver
 A Mr. Dredge
 A Mr. Stam

Motion passed 3-0

8.4 A Resolution authorizing the execution by the City of a Second Amended and Restated Pledge and Loan Agreement and any other documents required in connection therewith; authorizing and approving the taking of all other actions necessary to the consummation of the transactions contemplated by this Resolution; providing a severability clause; repealing resolutions in conflict; providing an effective date; and related matters. (UTOPIA)

Staff presentation: Jan Wells, Chief of Staff

Ms. Wells stated that UTOPIA has been working on a lot of different opportunities to make things better, as far as the city's obligations are concerned; this is what they are recommending as finance changes. The pledge agreement was last amended in 2008 and since that time, UTOPIA has continued to work with the banks to try to make adjustments to the pledges so that they are more manageable for the cities.

Under this updated agreement that we have, the bank will purchase the bonds with a final maturity that matches the term of the current bond structure. The agreement keeps the pledge amount the same as the obligation that we currently have, the term of the debt remains the same as the agreements from 2008; the way payments are made will change and with them now being paid directly to the bank. They will be collected monthly and dispersed quarterly to the trustee. The payments will be equalized, so budgeting will be more exact; the letter of credit requirement is no longer in place, but the swap continues to be a part of the equation. The equalized payments replace the risk of the present variable rate structure.

Mr. Shaver had a question regarding the severability clause, and asked Mr. Nakamura to speak on this.

Mr. Nakamura said that often times, a provision may be unconstitutional or there may be a problem with a specific provision that could be removed without making the entire agreement null and void. You want to preserve the agreement and just eliminate the one provision-that is a severability clause. In other words, we don't want the whole agreement to fail because one provision has a problem or gets challenged; we just delete the provision if it doesn't change the substance or the materiality of the agreement. If we don't have the severability clause, there could be a provision within it that becomes a problem and the entire agreement would become null and void.

Mr. Dredge made a motion to adopt the Resolution.
Mr. Shaver 2nd the motion.

Call vote recorded by Jennifer Kennedy.

 A Mr. Shaver
 A Mr. Dredge
 A Mr. Stam

Motion passed 3-0

9. **MAYOR**

9.1 **Mayor's Report**

Mayor Snarr stated that last Thursday through Sunday were exciting days in Murray City's history-as far as shopping was concerned; there was not a parking stall available at the mall, Friday there was a line of 400-500 people trying to get into H&M, and things are looking very good for the holiday season, even before Black Friday comes.

It is exciting to see what is happened at the Mall, and the General Manager of the mall indicated that there are other projects under consideration there with the expansion of some of the other retailers. How that will play out he is not sure, but they are working on it and we may see some additional activity over there in the Spring or early Summer.

We are lucky to have the mall-it is the number one revenue producing mall in the state of Utah and he takes his hat off to General Growth as they have done an excellent job in revitalizing the mall without any funds from the city-other than the fact that he had made sure that the press was well aware that the city has addressed numerous infrastructure issues, specifically addressing the way to move people in and out of there more efficiently with the Fashion Blvd and Winchester Street intersection design coming off of I-215. Also, over the years, we have widened Winchester Street numerous times, and the mall works very well.

Mayor Snarr said that three mayors showed up for the Veteran's Day events- Mayor Wall, who hosted the Veteran's Day Parade, Mayor Winder and himself. It was a nice event and very worthwhile; it is important to recognize our veterans and it is unfortunate that there isn't more information available about those who have served our country and what they have done. The news did, however, recognize the Japanese veterans and their

contributions to the World War II effort; that brought a tear to the Mayor's eye, to think about how they stepped up and said they would defend the country, even if they had to go against the country that their ancestors came from.

Mayor Snarr stated that at the end of the City Hall corridor, at the north end, they have placed a Thanksgiving Quilt, and they are asking people to write down what they are thankful for, and invited all to write down what they are thankful for. The Mayor said that we all have a lot to be thankful for, and he is thankful for the employees; he sees them out working all the time, and they were able to finish some really difficult projects under some dire circumstances with the weather; he constantly receive positive comments all the time regarding the employees, and they are very much appreciated. The employees not only serve the employees here in the city, but those up above 900 East if they have limb events or other issues involving the arborists.

The crews are working to take care of the storm drain issues on Winchester and 700 West, which has been a challenge; they fixed 700 West by replacing some concrete that had some technical issues-bouncing and breaking up-and gave everyone plenty of notification regarding road closures. The employees have always been great.

9.2 Questions of the Mayor

None.

10. ADJOURNMENT