

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 3rd day of January, 2012 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
Brett Hales,	Council Member
Darren Stam,	Council Member
Jared Shaver,	Council Member -Conducted
Dave Nicponski,	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
Gil Rodriguez,	Fire Chief
Kevin Potter,	Deputy Fire Chief
Pat Wilson,	Finance Director
Doug Hill,	Public Services Director
Chad Wilkinson,	Division Manager
Susan Dewey,	Associate Planner
Krista Dunn,	Former Council Member
Bob Dunn,	Director, Boys and Girls Club
Citizens	

5. OPENING CEREMONIES

5.1 Pledge of Allegiance – Bob Dunn, Boys & Girls Club Director

5.2 Approval of Minutes:

5.2.1 November 15, 2011

Call vote taken, all Ayes.

5.3 Special Recognitions:

5.3.1 Miss Murray Event Presentation – Mallory Rogers

Ms. Rogers introduced her platform for the year- “For Every Body;” stating that her goal is to bring a better level of fitness to our community. She is targeting many different demographics in many ways. She is a certified yoga instructor and is doing classes at both the Heritage Center and Rec Center. These are free classes and she invited anyone who would like to come, they are welcome; the Heritage Center classes are focused on pain management for anything such as arthritis or chronic disease, and at the Rec Center it is for families of all levels and all ages.

Ms. Rogers stated that she has a project coming up on January 19, 2012, which will be a silent auction benefitting the female athletic scholarship fund. This scholarship fund is not to be held in perpetuity, so it is not going to be done every year, but rather in her reign this year. She sees this as something important to do as someone who has participated in athletics for many years, she sees a huge disparity in the differences in male and female athletic programs. The sad truth is that there is a lot of gender discrimination in athletic programs, a lack of funding in female teams in higher education, there are very few opportunities for young women to get scholarships because their programs are over saturated and underfunded and there are a lot of ways we can see this in our community.

The WNBA, their entire payroll for coaches, players, etc., was \$12 million and she remembers something about LeBron James signing on as a rookie for \$9 million; there is a huge difference in the way women are treated in sports and the way men are treated. She sees this as a pressing issue and something that she is doing on a local level to change this, is this auction. This will benefit the females in this city: they will choose one girl from Cottonwood High School and one from Murray High School. Their goal is to raise \$1,000 for each girl, but if they raise more than that, that would be amazing. She has invitations available and admission is free of charge; they will have live

music and refreshments, and former Maverick's player Shawn Bradley will be their spokesperson at the event. There will be auction items available ranging from \$10 to \$500, so there will something for every budget and everyone is welcome.

The way that they will pick these girls will be by GPA, essay and interview, so they will be well qualified girls to obtain the scholarship.

5.3.2 Swearing-in of Murray City Fire Department personnel:
Captains Mathew Boulden and Russ Jensen;
Engineer Brian MacNeil; and
New Fire Fighters Patrick Best and John Riley.

Staff presentation: Chief Gil Rodriguez

Chief Rodriguez said that they are presenting promotions and two new hires: Captains Boulden and Jensen have been with Murray for over thirteen years and have worked very hard on this position. The Chief stated that promoting is his least favorite thing to do and it gets harder all the time; the reason being is that there are so many qualified individuals. For these two gentlemen to rise to the top is very special and he has all the confidence in the world that they will do a great job.

Chief Rodriguez knows both of these men very well and he knows they are both hard workers; they have hit the ground running and have a plethora of knowledge to help them with their present Captains and Battalion Chiefs, and it is with great pleasure that he brings in Matt Boulden and Russ Jenson.

For the appointment of Engineer, Chief Rodriguez introduced Brian McNeil, saying that if there had ever been a guy in the department who was made for this position, Mr. McNeil was really made to be an engineer. This guy has saved the city thousands of dollars-he knows the engines inside and out, is a certified Pierce mechanic, and saves the city tons of money. Years ago, they asked them to do things on the trucks that, really, they had no business doing, but Brian McNeil knows these engines inside and out, and if he doesn't know how to fix them, he will find out how to. He is more than just a driver, he is truly an engineer.

Chief Rodriguez introduced the new hires: Pat Best and John Riley. The day that these two were hired, it was very interesting-there had been a lot going on for the Chief and as he was walking out of the house, he told his wife that he was 'going to make somebody's life today' and it really is exciting to offer somebody a position for employment; in the Fire Department, the Police Department, even working for the City...you are not just saying 'do you want a job?' what you are

saying is, 'I'm giving you a career that you will have for at least 20 years, hopefully, and you are not just going to be punching a clock, but joining a family. If you look around, you see all of the Fire Department here tonight-not just the guys in uniform, but the guys with their families as well. It is great to have these guys come in as part of the Fire Department family and it is much more than a job-it's an adventure.

Jennifer Kennedy, City Recorder, performed the swearing-in ceremony.

Those sworn in introduced their families.

5.3.3 Swearing-in of new Murray City Police Department Officer Rebecka Cox.

Staff presentation: Chief Fondaco

Chief Fondaco said that they are replacing one of the police officers, who left, and they are very lucky to get Ms. Cox; they interviewed her for the last time when they hired two replacements, and luckily she was still available. She came highly recommended from Weber State University, where she took her police training and even the director up there said he would be proud to serve with her, which is very high praise. She had her firearms training and was actually tased today.

Jennifer Kennedy, City Recorder, performed the swearing-in ceremony.

Ms. Cox introduced her family and said that everyone who works in Murray holds Murray near their heart. She added that Murray is an amazing, unique city and can't wait to give it her best.

5.3.4 Consider a Resolution of the Mayor and Municipal Council of Murray City expressing gratitude and appreciation to Jeff Dredge for his contribution to the community as a City Council Member.

Mr. Shaver stated that every two years, the City holds an election and this year they have two Council Members who have served with such admiration from the rest of the Council and the Mayor's Office, and there is a Resolution from them.

Mr. Shaver read the Resolution in its entirety.

Mr. Stam made a motion to adopt the Resolution.

Mr. Brass 2nd the motion.

Call vote recorded by Jennifer Kennedy.

A Mr. Hales
A Mr. Nicponski
A Mr. Stam
A Mr. Brass
A Mr. Shaver

Motion passed 5-0

5.3.5 Consider a Resolution of the Mayor and Municipal Council of Murray City expressing gratitude and appreciation to Krista Dunn for her contribution to the community as a City Council Member

Mr. Shaver read the Resolution in its entirety.

Mr. Stam made a motion to adopt the Resolution.
Mr. Brass 2nd the motion.

Call vote recorded by Jennifer Kennedy.

A Mr. Hales
A Mr. Nicponski
A Mr. Stam
A Mr. Brass
A Mr. Shaver

Motion passed 5-0

Mayor Snarr said that this job is very hard on the Council Members, many of them have had numerous operations, and Mr. Dredge could not be here tonight because he is recovering from an operation.

Mayor Snarr expressed his appreciation to Ms. Dunn for her service to the City; a nice open-house was held for these two, and he was reminiscing about where the city has been during his course of tenure, of which Ms. Dunn served twelve of his fourteen years of service. The city has made many dynamic strides; there have been a lot of very challenging issues that they have had to face over the years. They have expended money, but he always said that money was a very wise investment.

Sometimes, people say that government just goes around spending money, and it isn't wisely, but we have invested in our future; we have invested in capital projects that have made a significant impact on the future success of our city, and Ms. Dunn was integral in doing that and also in numerous ordinances. People sometimes feel that these are not always in their best interest-for whatever reason-but the city is always trying to do what is in the best interest for the future success of the entire city, not just select groups.

Mayor Snarr thanked Ms. Dunn for her dedication and hard work.

Ms. Dunn said that at this time, she wanted to thank all of the city employees that the city has the greatest employees and they are what make the city great. The elected people come and go, every two years you have new Council members, every four years there are major changes sometimes, and what keeps this city going are the employees who provide the services to the residents and she thanked each and every one of them from the bottom of her heart.

To Mr. Hales: their race was as friendly as it could be, and she feels like they both thought that whoever won, Murray would be in good shape. She wished him the best of luck; She wished the same to Mr. Nicponski, adding that he will do a great job. The new guys have some great leadership in Mr. Brass, Mr. Stam and Mr. Shaver. She especially thanked Mr. Brass, who has been her soul mate here on the council; they have worked together for a very long time and she thanked him for all he has done. Ms. Dunn said that the city is in great hands and there are only good things still to happen.

Ms. Dunn stated that the Mayor has been a real leader in the city for a long time, and they have worked closely together-sometimes in good times, sometimes not, but she appreciates him. Ms. Dunn said that she will continue to be involved with the city that she loves and again, gave her thanks.

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

None given.

Public comment closed

7. CONSENT AGENDA

- 7.1 Consider confirmation of the Mayor's appointment of Phil Markham to the Murray Planning and Zoning Commission representing District 1 for a three-year term to expire January 15, 2015.

Mr. Brass made a motion to approve the confirmation.
Mr. Hales 2nd the motion.

Call vote recorded by Jennifer Kennedy.

A Mr. Hales
A Mr. Nicponski
A Mr. Stam
A Mr. Brass
A Mr. Shaver

Motion passed 5-0

- 7.2 Consider confirmation of the Mayor's appointment of Martin Buchert to the Murray Planning and Zoning Commission in an At-Large position for a three-year term to expire January 15, 2015.

Mr. Hales made a motion to approve the confirmation.
Mr. Stam 2nd the motion.

Call vote recorded by Jennifer Kennedy.

A Mr. Hales
A Mr. Nicponski
A Mr. Stam
A Mr. Brass
A Mr. Shaver

Motion passed 5-0

8. PUBLIC HEARINGS

None scheduled.

9. UNFINISHED BUSINESS

None scheduled

10. NEW BUSINESS

- 10.1 Consider acknowledging completion and receipt of the Independent Audit for Fiscal Year 2010-2011 and order that notice be published pursuant to Section 10-6-152 of the Utah Code.

Staff presentation: Pat Wilson, Finance Director

Ms. Wilson stated that it is Utah law that Cities have an annual audit and the audit for fiscal year ending June 30, 2011 has been completed; the Council was earlier given an extensive explanation of the findings of that audit. This Resolution will make it part of the record that the City has complied with the law in completing a financial audit for the year ending June 30, 2011.

Mr. Stam made a motion to accept the receipt.
Mr. Hales 2nd the motion.

Call vote recorded by Jennifer Kennedy.

A Mr. Hales
A Mr. Nicponski
A Mr. Stam
A Mr. Brass
A Mr. Shaver

Motion passed 5-0

- 10.2 Consider an Ordinance amending Section 2.41.070 of the Murray City Municipal Code relating to the History Advisory Board.

Staff presentation: Doug Hill, Public Services Director.

Mr. Hill explained the History Ordinance that the City has: About 15 years ago, the city established a Historic Sites Registry and Inventory Ordinance, which is what this is about. What they do in the city is that any building in the city that is 50 years old or older goes on the inventory list- a residential or commercial property. This list is maintained by a citizen advisory board called the History Advisory Board; from that inventory, people may nominate buildings to this register. Anyone can nominate, typically, it is the property owner or sometimes the history board will nominate buildings. The register follows a classification very similar to what the State has, in that it ranks these properties as either an 'A', 'B' or 'C' property. 'A' being the most historic with very few changes having been made to it, it has been restored to its historic integrity, where on the other end, 'C' would be where so many changes to it that it no longer remains historic.

What can happen from this register, the reason that the city has this is that anytime anybody wants to demolish a building in Murray City, they have to check it against this historic register and depending on the classification of the building they are required to do certain things. Typically a 'C' has no requirements, 'B' and 'A', which are the most historically significant, may have to document, show that they have some research to see what it takes to restore this back to its original look and feel, etc. At the end of the day, it is up to the owner to decide if they can demolish the building; this ordinance does not prohibit an owner from demolishing a property or building on the historic register.

There is one exception to that, and that is in the newly created Murray City Center District, which is the well- known Downtown Historic District. This ordinance was just created in the last year and it does identify certain buildings in this area that have additional restrictions on demolition of them; they have to follow certain restrictions in that MCCD Ordinance before they can demolish, or in some cases, they would not be allowed to demolish those. However, that is not what we are talking about today-that is a separate ordinance.

What they are doing with this ordinance today is just making some technical changes to make it clear that there is a difference between an inventory and a register, which was unclear in the previous version. The property owners can qualify for certain tax incentives through the State or Federal governments on these properties and that is why they want to get on the historic registers. They do have to meet specific requirements to get on the register.

Mr. Brass made a motion to adopt the Ordinance.
Mr. Stam 2nd the motion.

Call vote recorded by Jennifer Kennedy.

A Mr. Hales
 A Mr. Nicponski
 A Mr. Stam
 A Mr. Brass
 A Mr. Shaver

Motion passed 5-0

10.3 Election of Chair and Vice Chair of the Murray City Municipal Council for the year 2012.

Mr. Stam made a motion to nominate Mr. Brass for the position of Council Chair for the year 2012.
Mr. Hales 2nd the motion.

Call vote recorded by Jennifer Kennedy.

 A Mr. Hales
 A Mr. Nicponski
 A Mr. Stam
 A Mr. Brass
 A Mr. Shaver

Motion passed 5-0

Mr. Brass made a motion to nominate Mr. Shaver for the position of Vice-Chair of the Council for the year 2012.
Mr. Stam 2nd the motion.

Call vote recorded by Jennifer Kennedy.

 A Mr. Hales
 A Mr. Nicponski
 A Mr. Stam
 A Mr. Brass
 A Mr. Shaver

Motion passed 5-0

10.4 Election of Chair and Vice Chair of the Budget and Finance Committee for Murray City for the year 2012.

Mr. Stam made a motion to nominate Mr. Shaver as the Chair of the Budget and Finance Committee for the year 2012.

Mr. Brass 2nd the motion.

Call vote recorded by Jennifer Kennedy.

A Mr. Hales

A Mr. Nicponski

A Mr. Stam

A Mr. Brass

A Mr. Shaver

Motion passed 5-0

Mr. Stam made a motion to nominate Mr. Hales as the Vice-Chair of the Budget and Finance Committee for the year 2012.

Mr. Nicponski 2nd the motion.

Call vote recorded by Jennifer Kennedy.

A Mr. Hales

A Mr. Nicponski

A Mr. Stam

A Mr. Brass

A Mr. Shaver

Motion passed 5-0

10.5 Election of a representative to serve as a member of the Association of Municipal Councils Board for a two-year term to expire December 31, 2013.

Mr. Brass stated that he just finished serving on this Board for several years and feels this is a great way for people to meet other council members in other cities; the first meeting is this Friday and will be held here in the Council Chambers. He recommends that they elect one of the two new council members for this position.

Mr. Stam made a motion to nominate Mr. Nicponski as the representative to the Association of Municipal Councils Board.

Mr. Hales 2nd the motion.

Call vote recorded by Jennifer Kennedy.

 A Mr. Hales
 A Mr. Nicponski
 A Mr. Stam
 A Mr. Brass
 A Mr. Shaver

Motion passed 5-0

- 10.6 Consider a Resolution approving the Mayor's appointment of representatives to the Boards of Interlocal Entities.

Mayor Snarr appointed Jan Wells to the UTOPIA board, with the alternate being Zachery Fountain; UIA: Darren Stam, with Brett Hales as the alternate; VECC: David Nicponski, with Brett Hales as the alternate; UAMPS: Blaine Haacke with Greg Bellon and Charles Crutcher as the alternates; Central Valley Water Reclamation: Jim Brass with Danny Astill as the alternate; Trans-Jordan: Russ Kakala with Doug Hill as the alternate.

Mayor Snarr thanked all of these people for their willingness to serve, and said that this was a great educational opportunity.

Mr. Hales made a motion to approve the appointments.

Mr. Stam 2nd the motion.

Call vote recorded by Jennifer Kennedy.

 A Mr. Hales
 A Mr. Nicponski
 A Mr. Stam
 A Mr. Brass
 A Mr. Shaver

Motion passed 5-0

11. MAYOR

11.1 Mayor's Report

Mayor Snarr said that this will be the 20th year anniversary of the Martin Luther King Day program at Murray High School; the program will be at 7:00 p.m. on Monday, January 16, 2011. The Murray Youth Chamber coordinates this program with the high school choir and they always do an incredible job. The Mayor encouraged all to attend. There is no charge for the program and they will be collecting food for the Utah Food Bank and promoting a blood drive for the American Red Cross during the day.

As many are aware, the Mayor will be out recovering from surgery beginning tomorrow; he is hoping to return back to work as soon as possible. Doug Hill will be the Mayor Pro-Tem in his absence and Gil Rodriguez has agreed to perform any wedding ceremonies.

Mayor Snarr took some time over the holidays to go out and visit with several of the businesses in the city and they are all very optimistic for the future; the Mall may create an all-time record in the amount of sales dollars collected during the holiday season and with the addition of several new stores who previously did not have a presence in Utah before, they are very upbeat about the success of the mall. We are very fortunate to have a mall that is succeeding here and he appreciates all of their hard work. It will be exciting for the city to see what the total amount of sales tax revenue was when those figures are finalized.

The car dealers are all very optimistic as well; Larry Miller Honda Dealership will be opening in March and they are looking at going ahead with a new Lexus dealership as well. He met with the owners of BMW and their plan is also to open a new Mini dealership in March. They were told by the contractor that they could have it completed by the end of February, but they are not banking on it.

Mayor Snarr said that he is absolutely blown away by the work that Hooper Knowlton is doing with the Kier Corporation on that new development; he has never seen a development take off that fast in his life. Almost all of the infrastructure is in, as far as the water, sewer, storm drains and pad for the parking lot; he has taken and accommodated the new format and in foot-printing the new development he had to move some contaminated material around and that has been completed. One nice thing that Murray has the ability to do, is to create an environment with higher density, we share green resources that gets people to stay and shop in Murray which gives value back to the city.

Mayor Snarr is very excited for the future of Murray; he was very pleased with Ms. Wilson's report on where we are financially-that is very good news-onward and upward.

11.2 Questions of the Mayor

The Council wished the Mayor good luck with his upcoming surgery.

Mr. Shaver recognized former Council Member Robbie Robertson.

12. ADJOURNMENT