

# Murray City Municipal Council Chambers Murray City, Utah

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**T**he Municipal Council of Murray City, Utah, met on Tuesday, the 5th day of August, 2008 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:

Krista Dunn,	Council Chair - Excused
Pat Griffiths,	Council Member
Robbie Robertson,	Council Member
Jim Brass,	Council Member - Conducted
Jeff Dredge,	Council Member

Others who attended:

Doug Hill,	Mayor Pro-tem
Jan Wells,	Chief of Staff
Zachery Fountain,	Deputy for Communication & Legislation
Michael Wagstaff,	Council Director
G.L. Critchfield,	Deputy City Attorney
Carol Heales,	City Recorder
Pete Fondaco,	Police Chief
Tim Tingey,	Economic Development Director
Blaine Haacke,	General Manager, Power Department
Ken White,	Operations Manager, Power Department
Doug Hill,	Public Service Director
Danny Astill,	Water Superintendent
Patricia Wilson,	Finance Director
James Prindiville,	Power Department
Steven Robertson,	Captain, 1 <sup>st</sup> Infantry Division
Boy Scouts	
Citizens	

## **A. OPENING CEREMONIES**

1. Pledge of Allegiance - Captain Steven Robertson

Mr. Brass stated that Captain Robertson is the son of Councilman Robertson, and is home on pre-deployment leave.

2. Approval of Minutes for July 22, 2008:

Ms. Griffiths made a motion to approve the minutes with corrections.  
Mr. Robertson 2<sup>nd</sup> the motion.

Voice vote taken; All Ayes

3. Mr. Brass stated that there is a tradition here in Murray to ask the attending Boy Scouts to stand and introduce themselves, their Scout leaders, and which Merit Badges they are working on.

The Scouts and leaders introduced themselves.

4. Special Recognition:

1. Special Presentation by the Murray City Power Department to James Prindiville for completion of the four-year apprenticeship program from UVU for Journey Line Worker.

Staff Presentation: Ken White, Operations Manager, Power Department.

Mr. White stated that Mr. Prindiville began working for the City in the Parks and Recreation Department, and after six years there, came over to the Utility Department. He completed a two-year program in forestry through UVSC, and became a journeyman arborist. Mr. Prindiville was an arborist for approximately two and a half years, then he became an apprentice Line worker for the Power Department. He has served a four-year apprenticeship program, as well as putting in 8,000 hours of on the job training with utility.

Mr. White stated that as a responsible representative to the utility, his association with the school is how they monitor their employees on how they are performing; the one complement that Mr. White continually received was that Mr. Prindiville strived for perfection. He had very high grades and scored highly at the Trade Center.

Mr. White presented the award certificate to Mr. Prindiville, with the City's thanks and appreciation.

Mr. Prindiville introduced his father, James Prindiville Senior.

Mr. Brass added that this is quite an accomplishment; there are written and

practical tests, and it is quite a task. Mr. Brass has been pleased to be associated with the school for 25 years, and added his congratulations.

Mr. Brass asked that Ms. Dunn be excused, as she is on vacation for three weeks, and noted that Mr. Doug Hill is acting as Mayor Pro-tem.

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

None Given

**Citizen Comment Closed**

**CONSENT AGENDA**

None Scheduled

**D. Public Hearing(s)**

Approximately 6:40 p.m.

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

**Consider a Resolution declaring the real property owned by the City located at approximately 2615 East 7000 South, Cottonwood Heights City, Salt Lake County, Utah, as surplus.**

Staff Presentation: Danny Astill, Water Superintendent

Mr. Astill stated that this property has about four and a half acres of property, indicating on a map where it is located. Right behind the reservoir tank, the City has a piece of property which follows the fence line, and they have had a situation come up as a result of a letter from a property owner who owns property adjacent to this property.

This reservoir was built in the early 1970's; they have not done a survey in many years,

but a survey was ordered for the property recently. There are pieces of property adjacent to this property, that they were not aware that the City did not own. What they found out was that C.W. Management owns the piece of protection strip along Captiva Cove; initially, C.W. Management proposed to trade property with the City, but as it turned out, they want more to make a legal size building lot than what they have to trade. The City would need to come before the Council to trade the property, but now, not just trade, but purchase some of the property. They would like to declare this piece of property as surplus, then they would exchange the protection strip and another piece would become Murray City's property, and the other would become theirs.

The property that is being offered back to the City (three small pieces), is smaller than what they would need for a legal size lot and therefore they would need to purchase an additional 881 square feet from the City, the details of which will be worked out. They are still waiting for the appraisal to come in, so they do not know the exact details on the dollar amount.

Mr. Astill added that approximately ten years ago, Murray City began receiving complaints from the neighborhood up there, and the City went in and landscaped the park strip, planting wild flowers behind the sidewalk, and cleaned the place up so that the City would be a good neighbor; this was done because the City thought that they owned that property. Had they known it was not the City's, they would have called C.W. Management and had them take care of it. The City has paid for a water connection to be installed on the property.

Mr. Nakamura, City Attorney, stated that the exchange would resolve an access to the property; there are issues regarding that, but rather than getting into whether or not we do have access over that property, this clears it up. There is access from another area of the property, but it is much more difficult, and this gives the City easier access. The other issue is that C.W. Management has agreed to and paid for the title report, an environmental assessment, the appraisal and the survey; we need to get the appraisal for 881 square feet and exchange the other two pieces of property.

Mr. Brass asked if C.W. Management or Murray City are the sponsors of this request.

Mr. Nakamura stated that the City is the sponsor.

**Public Hearing opened for public comment.**

Council consideration of the above matter to follow Public Hearing.

Kevin Oakes, 2768 Nila Way, Salt Lake County

Mr. Oakes stated he is present on behalf of the property owner, and was one of the original partners of the developers who developed this subdivision; he stated that they are trying to clear up the remnant pieces of the property and give the City access. He feels that this is a fair deal, and is available to answer any questions.

**Public Hearing closed.**

Mr. Robertson made the motion to adopt the Resolution.  
Mr. Dredge 2<sup>nd</sup> the motion.

Call vote recorded by Ms. Heales

A Ms. Griffiths  
A Mr. Dredge  
A Mr. Robertson  
A Mr. Brass

Motion passed 4-0

2. Approximately 6:50 p.m.

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

**Consider a Resolution providing monetary grant assistance to non-profit entities pursuant to Section 10-8-2 of the Utah Code.**

Staff Presentation: Doug Hill, Public Services Director

Mr. Hill stated that each year, the Arts Advisory Board accepts applications from arts organizations in the community for dispersement of funds, and this year, the Arts Advisory Board recommended that the City distribute \$2,500 to the Murray Ballet Center, \$5,000 to the Murray Symphony, \$2,500 to the Murray Concert Band, \$4,100 to the Miss Murray Scholarship Pageant, and \$1,000 to the Murray High Arts Festival.

These funds are included in the Fiscal Year 2009 Budget, and it is a requirement that when the City gives funds to non-profit agencies, that a Public Hearing is held. That is the request that is before the Council tonight.

**Public Hearing opened for public comment**

None given.

**Public Comment Closed**

Council consideration of the above matter to follow Public Hearing.

Mr. Dredge made the motion to adopt the Resolution.  
Ms. Griffiths 2<sup>nd</sup> the motion.

Call vote recorded by Ms. Heales

A Ms. Griffiths  
A Mr. Dredge  
A Mr. Robertson  
A Mr. Brass

Motion passed 4-0

**E Unfinished Business**

None Scheduled

**F. New Business**

1. **Consider an Ordinance repealing Chapter 2.31 of the Murray City Municipal Code relating to the Telecommunications Department.**

Staff Presentation: Frank Nakamura, City Attorney

Mr. Nakamura stated that the City had, at one point in time, repealed an Ordinance creating the Telecommunications Advisory Board, and at that time, should have dissolved the Telecommunications Department as well. This is a housekeeping item, and as the City had repealed the Advisory Board, would like to also repeal the Telecommunications Department.

Ms. Griffiths made the motion to adopt the Ordinance.  
Mr. Robertson 2<sup>nd</sup> the motion.

Call vote recorded by Ms. Heales

A   Ms. Griffiths  
  A   Mr. Dredge  
  A   Mr. Robertson  
  A   Mr. Brass

Motion passed 4-0

2. **Consider a Resolution authorizing the execution and delivery of a lease-purchase agreement and related documents with respect to the lease-purchase of three ambulances for City services; authorizing the executing and delivery of documents required in connection therewith; and authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this resolution.**

Staff presentation: Patricia Wilson, Director of Finance

Ms. Wilson asked the Council to consider the lease-purchase arrangements; during the Fiscal Year 2009 budget process, it was approved for the City to buy three ambulances. Part of that financing would be coming from lease-purchase; they have spoken to five different sources for financing on those ambulances, and she would recommend that the City accept the Wells Fargo agreement. The City would be financing \$519,300 through Wells Fargo with a rate of 3.85%. There would be four annual payments of \$142,395.10 starting in August 2009. A payment of \$140,000 from non-leased funds would be made in the beginning to make the balance of the budget amount of \$659,300.

The settlement date for this is scheduled for August 12<sup>th</sup>, 2008, Frank Nakamura, City Attorney, has reviewed the documents and they should be ready for signature and final approval on the 12<sup>th</sup> of August.

Gil Rodriguez, Fire Chief, added that one of the ambulances has been delivered, and that the other two should be arriving shortly.

Mr. Nakamura commented that the documents that the City presented to the Council, after discussion with Wells Fargo, do reflect insurance; the City is self-insured. The City may also set up an escrow if the vehicles are not here on the 12<sup>th</sup> of August. They are going to close on the 12<sup>th</sup>, but they may escrow the money, which is not reflected in the agreement.

Ms. Griffiths made the motion to adopt the Resolution.  
Mr. Dredge 2<sup>nd</sup> the motion.

Call vote recorded by Ms. Heales

  A   Ms. Griffiths  
  A   Mr. Dredge  
  A   Mr. Robertson  
  A   Mr. Brass

Motion passed 4-0

**G.    Mayor's Report**

Mr. Hill, Mayor Pro-tem, stated that Mayor Snarr is entertaining another Mayor tonight, and had asked him to sit in for him at this meeting, and had nothing further to report.

**H.    Questions of the Mayor**

None

**Adjournment**