

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 16th day of April, 2013 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:

Brett Hales	Council Chair
Jim Brass,	Council Member - Conducted
Darren Stam,	Council Member
Jared Shaver,	Council Member
Dave Nicponski,	Council Member

Others who attended:

Daniel Snarr,	Mayor
Jan Wells,	Chief of Staff
Jennifer Kennedy,	City Recorder
Frank Nakamura,	City Attorney
Pete Fondaco,	Police Chief
Tim Tingey,	Administrative & Development Services Director
Doug Hill,	Public Services Director
Blaine Haacke,	General Manager, Power Department
Kim Fong,	Library Director
Soni Hirasuna,	Assistant Director, Park Center
Bruce Turner,	Power Department
Kevin Potter,	Fire Department
Doug Roberts,	Police Department
Clint Nordin,	Power Department
Chad Wilkinson,	Community & Economic Development Division
Jeff Martin,	Aquatics Manager
Jim Hendrickson,	Shade Tree Commission
Stephanie Mackay,	Columbus Community Center
Karen Wiley,	Salt Lake County CDBG
Liz Kinne,	Boys & Girls Clubs of SouthValley
Roger Borgenicht,	ASSIST, Inc.

Tracy Halverson,
Torri Gillies,
Ram Haltch,
Chris Hafner,
Jay Bladen,
Paul Ricks,
Scouts
Citizens

Salt Lake Community Action Program, Head Start
NeighborWorks Salt Lake
NeighborWorks Salt Lake
Salt Lake Community Action Program, Head Start
CDC Utah
Family Support Center

5. OPENING CEREMONIES

5.1 Pledge of Allegiance-Caleb Black, Boy Scout Troop #874

Mr. Shaver asked Mr. Black to introduce himself and what Merit Badges he is working on.

Mr. Black introduced himself.

5.2 Approval of Minutes

5.2.1 Approval of the Minutes for February 19, 2013.

Mr. Brass made a motion to approve the Minutes for February 19, 2013
Mr. Hales second the motion.

Voice vote taken, all 'ayes'.

5.3 Special Recognition:

5.3.1 **Murray City Council Employee of the Month, Jeff Martin, Aquatics Manager, Parks and Recreation.**

Mr. Shaver turned the time over to Mr. Hales.

Mr. Hales stated that the Council began this program at the first of the year to recognize the employees for all of the hard work that they have done. The Council presents the Employee of the Month with a certificate, places their name on a plaque hung in the Council Chambers and presents them with a \$25.00 gift card to Fashion Place Mall.

Staff presentation: Doug Hill, Public Services Director

Mr. Hill stated that Jeff Martin has worked for Murray City for about two and a half years as the Aquatics Manager. Mr. Martin is in charge of the two swimming

pools at the Park Center as well as the outdoor pool in Murray Park. Mr. Hill said that Mr. Martin is an employee that everyone enjoys working with very much. He has been a great person to have in the Parks and Recreation Department.

Mr. Hill said that Mr. Martin worked as a lifeguard for the City when he was in college and they were fortunate to get him to come back and work full time for the City. He has a great ability to always solve problems and to make people feel good when they come to the swimming pools. The Swimming programs and lessons are always full and since Mr. Martin has been here, the youth swimming programs have increased in size. Murray now has a great water polo program which has developed into a high school State tournament team. Mr. Martin gets a lot of credit for building these great swimmers that we have here in Murray City.

As a brief example of the great and quality employee that Mr. Martin is, Mr. Hill said that recently they remodeled the swimming pool in the Park Center and replaced the stairs. That required them to drain the pool and shut it down for several months. When you shut a pool down for several months and you have all these people that want to be swimming that can cause a lot of complaints. People don't like the fact that the pool is closed. Mr. Martin did a great job in explaining to the citizens of Murray what they were doing. He also did a lot of research on making sure that the City had the best products for that pool. It is now up and going again and people love it.

Mr. Hill expressed his appreciation for Mr. Martin's initiative and his great work in researching the work to solve the problem. Mr. Martin is married and they are expecting their first child. He likes to play softball and kick ball at the Murray recreation programs and is also a great fisherman.

Mr. Hill congratulated Mr. Martin presented him with the certificate and asked him to introduce his family.

Mr. Martin thanked everyone that helped put him there. He thanked Marci Williams and Soni Hirasuna, saying that he wouldn't have this kind of recognition if he hadn't followed their lead and their support over the years. Overall, he wanted to thank his parents for what they instilled in him. His father always said that if someone is willing to pay him, they deserve the best he can do. He hopes that he always gives his best to his work. Mr. Martin added that he wouldn't be here in Utah if it wasn't for his wife Courtney; she is the love of his life and pushes him to be at his best.

Mr. Stam said that he has a son in the water polo program and his wife is on the Board. Over the last several years they have had several issues with the pool and swimming and the different things over there. When Mr. Martin came on board, he made a big difference. He has the support of all of the parents and that is very unusual in this type of a situation and he too would like to say thank you.

5.3.2 Consider a Joint Resolution of the Mayor and Municipal Council of Murray City, Utah declaring Friday, April 26, 2013 as Arbor Day.

Presentation by Jim Hendrickson, Shade Tree Commission

Mayor Snarr stated that he and Clint Nordin had a great opportunity to go up to Red Butte Gardens today to celebrate with the Division of Natural Resources for Tree City U.S.A. in conjunction with the Arbor Day Foundation. Many people may not be aware that Murray City is the longest tenured member of Tree City U.S.A. in Utah's history at 36 years. The next city is Springville at 34 years. Somebody stepped up a long time ago and said let's get involved in this program and he is very proud of what Murray has been able to achieve supporting Arbor Day, Tree City U.S.A. and supporting taking out all of the invasive species of trees along the Parkway. The City has removed all of the Russian Elms along the Parkway because of their invasiveness. The City is very fortunate to have their own arborists and they do an incredible job. The Mayor gets a lot of compliments on the City's arborists and the job they do in keeping the trees trimmed away from the power lines. He appreciates all that they do.

In listening to everyone Murray City has probably the best participation, among all cities, when it comes to getting the children involved in our elementary schools. He signed over 80 certificates to recognize those who did artwork in support of Arbor Day and Tree City U.S.A. here in Murray City. The Mayor said it was a great event and he enjoyed listening to everyone tell about the unique things that they are doing in the community to support Tree City U.S.A. He thanked the State for their support of the program. He said that this is something that Murray residents should be proud of because the City stepped up and took the lead a long time ago and others are following our lead today.

Mayor Snarr read the Resolution in its entirety. Mayor Snarr turned the time over to Mr. Jim Hendrickson, Shade Tree Commission.

Mr. Hendrickson stated that the Murray City Shade Tree Commission thanks the citizens of Murray for the effort they go through to beautify Murray City making Murray one of the most beautiful cities in the State of Utah. The Shade Tree Commission is proud that the City has been a Tree City U.S.A. for 36 years, the longest in the State of Utah. He thanked the citizens for supporting the Shade Tree Commission.

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

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

None given.

Citizen comment closed

7. **CONSENT AGENDA**

7.1 **Consider confirmation of the Mayor's new appointment of Traci Black to the Murray City Library Board of Trustees in an At-Large position to fill the remainder of a term, which expires June 30, 2014.**

Mr. Stam made a motion to approve the appointment.
Mr. Hales second 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 stated that Kim Fong, Library Director, is present tonight and the Mayor said that she is doing a great job spear-heading the library and has been a great replacement for the former Library Director, Dan Barr.

7.2 Consider confirmation of the Mayor’s new appointment of Ray Black to the Murray City Center District – Design Review Committee to serve in an At-Large position to fill the remainder of a term, which expires January 1, 2014.

Mr. Nicponski made a motion to approve the appointment.
Mr. Brass second 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

8.1 Public Hearing #1

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

Consider a Resolution approving modifications to prior appropriations of Community Development Block Grant (CDBG) Funds.

Staff presentation: Chad Wilkinson, Community and Economic Development Division Manager.

Mr. Wilkinson stated thanked the Council for the opportunity to be before them tonight. The first item is a reallocation of some unused funds from the 37th Year budget. This is not the new allocation. The proposal is to reallocate approximately \$14,000.00 in unused 37th Year Community Development Block Grant Funds to the Community Development Corporation of Utah’s proposed 39th Year program budget. They are recommending approval of that allocation and the Resolution.

Public Hearing opened for Public Comment

None given.

Public Comment closed.

8.1.2 Council consideration of the above matter.

Mr. Brass made a motion to adopt the Resolution.
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

8.2 Public Hearing #2

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

Consider a Resolution allocating the 39th Year Community Development Block Grant (CDBG) funds for program year 2013-2014.

Mr. Shaver asked Mr. Wilkinson to explain what this is and where the money comes from.

Staff presentation: Chad Wilkinson, Community and Economic Development Division Manager.

Mr. Wilkinson expressed his thanks to the Council and the Advisory Committee, which is made up of members of the Mayor's Office staff and Community Development staff, for all the work they have done. He particularly wanted to mention and thank the work of Angela Price, Community Development Block Grant Coordinator for Murray City. Ms. Price does a tremendous job for the City. Ms. Price could not attend tonight because she left a little earlier than expected for her maternity leave. A testament to the job that she does is that Mr. Wilkinson was able to take the folder from her desk this morning and be up to speed very quickly on this information. That is a real testament to the work that she does and wanted to make sure to recognize her tonight.

Mr. Wilkinson thanked all of the agencies who applied this year for the Community Development Block Grant Funds. This is a program that is

administered through HUD, (Department of Housing and Urban Development.) These funds are available for various programs that promote housing and opportunities for fair housing. These funds are also available to, in some ways, fund programs that support the community. We have some great agencies that apply each year. Each year it is very difficult for the Advisory Committee to make recommendations because each of these programs is valuable and each one of these programs provide valuable services to the community. They recognize that. It is with great difficulty that they put together their recommendations each year with the recognition that each of these programs is so important to our community. Mr. Wilkinson thanked each of the applicants for applying this year.

Mr. Wilkinson said that copies of the recommendations are available if anyone would like to look at those. He will not be going over each of the recommendations in detail because there are many people who would like to speak, but those recommendations are available. Mr. Wilkinson recognized Karen Wiley with Salt Lake County. Murray is part of the County's Urban County Program for the CDBG. This program is administered by the County with Murray City being a sub-recipient.

Mr. Wilkinson stated that each year the process begins with a letter of intent submitted by the agencies. This letter of intent lets the City know what the proposed project will be, gives staff an opportunity to offer feedback early in the process to recognize projects that may or may not qualify for CDBG funding, and to give feedback to those applicants before they make their formal application. Once they have made their formal application, the City has an Advisory Committee that actually interviews each of the applicants. At that point in the program, the City has a very detailed application submitted by each of the applicants. They are able to come in, tell the Committee about their program, give the details about their request. From that interview recommendation is formulated by the committee. Those recommendations each year are so difficult because they want to provide funding to as many programs as they can.

Mr. Wilkinson said that the methodology used when the Committee makes their recommendations includes following the County's priorities which are to fund housing programs, programs that support providing housing for the residents of Murray. That is their first priority as they look at the programs, to look at which of these programs provide opportunities for housing. They also look at critical needs. Programs that are Murray programs that provide critical services to the Murray City residents. They also look at the needs of those programs that are critical to their function. Those are the things that they look at as they make their recommendations. In accordance with the County's policy, they make sure that each of the proposed contracts is at least \$10,000.00. Because of the cost of administering each of these programs they need to make sure there is an adequate amount to justify the administration of each of those contracts. That is the criteria that is used and you will notice that all of these recommendations are for \$10,000.00.

Mr. Wilkinson reiterated that he will not go over each of the recommendations in detail. They did receive close to \$320,000.00 worth of requests this year. Their anticipated allocation was around \$158,000.00. As always, they had to make some tough decisions. There are a couple of things that Mr. Wilkinson wanted to talk about related to the process from here. Tonight the Council will make the decision on how to allocate these funds. There is a possibility based on the Federal Budget process that the City could end up with either more or less than what the anticipated allocation is. If they do receive additional funds, they are recommending that as part of the Resolution those additional funds be allocated to each of the four housing organizations: ASSIST, NeighborWorks, CDC and Valley Services. These are organizations which provide housing services in our community and a percentage of those funds would go to each of those organizations if the City receives more than expected from the allocations. If the City has a funding reduction, they recommend that the reduction come from the accessibility improvements that are proposed for Murray City facilities. We have accessibility issues with some of our buildings as part of the Fair Housing survey that was performed last year. The City has come up with some things that need to be done to correct some disabled accessibility requirements for the City. If they do receive a reduction they would propose that the funds come out of that. They are recommending approval of the Resolution that allocates approximately \$158,000.00 in the 2013-2014 CDBG Program. Mr. Wilkinson turned the time over to Ms. Karen Wiley with Salt Lake County.

Ms. Wiley echoed Mr. Wilkinson's comments regarding Ms. Price and the amazing way she has in organizing this program. She keeps it very on-track and is the first city that responds whenever Ms. Wiley asks for input. The City has been in very good hands with Ms. Price, Mr. Wilkinson and Mr. Tingey. The Mayor has made some good choices in these people.

Mr. Wiley said that the reason the County has suggested the contract amount be at \$10,000.00 is not only for the contract administration but it also allows them to have contracts that are impactful for the agencies. This does mean that they can fund fewer contracts but the money that they do get makes a difference. With the rules and requirements that the CDBG has it has often happened that agencies have turned money back to the County because they have allocated three or four thousand dollars and it was really not worth the administrative time with the reporting requirements, policies and procedures, and all of those things that go along with federal money to make it worth their time to struggle with that. They have said it is just too much work and have chosen to go elsewhere for their money. It doesn't happen often but it has happened a couple of times. They have now raised the limit to \$10,000.00 so that the money is impactful for the agencies.

Ms. Wiley said that as you look at all of the applications and the purposes of what they are doing, a lot of the agencies that have applied for a long time there comes with that a kind of entitlement. That really is not the case. This is a competitive grant. Each application and the committees both here in Murray City as well as

the committee that they have at the County for the operating or soft costs, it is based on the application that they receive for that year. They look at what the applicant has done in the prior years, the experience they have and how well they tell them what they are going to do with this money and what outcomes they expect. If the applicants do not have outcomes from the prior years they should not continue to have funding. She wants people to understand that there really is not an entitlement that comes with this. The applicants need to be working and be on their toes every year to keep being recommended for this funding. She asked the Council to keep that in mind as they look at the applications.

Ms. Wiley expressed her thanks to Diane Turner, the representative on the County's CDAC Committee from Murray City. She has been a fabulous addition and they have thoroughly enjoyed having her on the Committee and Ms. Turner is here tonight and Ms. Wiley wanted to acknowledge her. Ms. Turner represents Murray City well. She makes sure that the applications and the process that they go through really does have an impact for the residents of Murray City. She is a good choice and a great partner to work with.

Mr. Shaver said that his understanding is that HUD really does set a priority for housing, getting people into a place where they can live, be comfortable, be safe and secure. That is why we set that priority. He asked if his understanding is correct.

Ms. Wiley said that was correct. HUD went through and looked at their priorities. Their original program was really quite broad. They have come back and are working with the other Federal agencies such as Health and Human Services, Department of Labor, EPA, and others to focus on what they do best. What HUD is best at is housing. Putting people in housing, keeping them in housing and providing them with the supporting services that go along with making that possible whether that is healthcare or employment opportunities. Those kinds of things make it possible for people to stay in their homes and stay on their feet. That is the reason that they have narrowed their priorities as well.

Ms. Wiley added that they have received word from HUD that rather than the 8.2% cut that they were going to be getting, then it went to a 5.1% cut but now it looks like they will be getting a 4% increase. They are not really sure how that will filter down, whether it will be 4%, 3% or 2%, there are always more jurisdictions in the big pot. They are looking at a slight increase which could mean for Murray City about an additional \$50,000.00. The City won't need to worry about cuts there will be some additional money.

Mr. Shaver said that since they are dealing with Federal funds they are not really sure what that will be.

Ms. Wiley said that as soon as they know they will let the City know the final budget numbers.

Public Hearing opened for Public Comment

Paul Ricks, Family Support Center

Mr. Ricks thanked the City for their prior funding which has allowed them to provide services to some 70 plus kids a year during 400 plus visits to their crisis nurseries. That amounts to approximately 1,700 hours of child care. They also provide clinical counseling to the residents amounting to about 100 hours per year. They are appreciative of that and should there be additional funds they would appreciate consideration of the crisis nursery requests that were sent in.

Ramos Halteh, NeighborWorks Salt Lake, Volunteer

Mr. Halteh stated that his day job is a commercial banker for Key Bank. NeighborWorks is grateful to the City for awarding them funding in the amount of \$30,000.00 for the 39th CDBG Grant Funds for next fiscal year. Last year's funds were put to really good use. They purchased one foreclosed home on Hanauer Street; they processed one home improvement loan to a family in need, and performed rehabilitation work on a blighted property on Box Elder Street. They recognize the importance of their partnership they have with Murray City. NeighborWorks Salt Lake has been around since 1977 and they have a Murray Office. They have been very involved in revitalizing neighborhoods that typically experienced decline and they do this in cooperation with residents, government and businesses. He thanked the City for the funding.

Torri Gillies, 4685 S. Box Elder Street, Murray

Ms. Gillies stated that she is a resident on Box Elder Street that NeighborWorks worked with. She had been looking for a home in Murray for over a year that was within her budget. Her son had been going to school here forever and is on the football team here. She feels it was very important to keep her kids in school in Murray. She thanked NeighborWorks for providing the housing where she could move in affordably. They updated the home and it is almost like a brand new house. The other homes that she had looked at were pretty scary, but this was a great home.

Elisabeth Kinne, Director of Development, Boys and Girls Clubs of South Valley

Ms. Kinne thanked the City for their support saying that this year's allocation will go towards remodeling the junior center bathrooms which really need the work. They have not been updated since 1997 and she would not want to have to use those bathrooms very often given the way they are right now. The staff also appreciate the help and support.

Ms. Kinne said that people have probably seen the that billboards say "The Club saved my life; I don't know where I would be without the Club." She can honestly say that she doesn't know where the Boys & Girls Clubs of South Valley would be without the support of the City.

Jay Bladen, Community Development Corporation of Utah

Mr. Bladen said that the CDC administers the Down Payment Assistance Program for Murray. They have been doing this for several years, since the early 1990's for other municipalities in the area. They did the down payment assistance for Ms. Gillies and helped her to get into that home that she had mentioned that NeighborWorks had rehabilitated. He thanked the City for the proposed allocation and noted that this year they have procured private funds which they are now using to supplement the City money for the two down payment assistance's that they have done this year. Rather than using \$5,000.00 from Murray for down payment assistance they have used \$4,000.00 from Murray City and \$1,000.00 of private funds. This allows them to stretch the funds, help more people, and administer down payments. They are very appreciative of the City's continued support.

Roger Borgenicht, Director, ASSIST, Inc.

Mr. Borgenicht stated that ASSIST, Inc. is a non-profit community design center which has been around since 1969, one of the first in the Country. They run three essential housing programs. The Emergency Home Repair Program for critical repairs for low-income households. In addition, they do a lot of accessibility design to help people make practical modifications if they have infirmities or disabilities. They have just started a new program with a slightly higher income level, up to 80% of income, called Aging in Place. They go into homes and make sure that people who want to stay in their homes and communities can do so safely so that infirmities don't become disabilities. They install railings, grab bars and things like that. The average household that they assist with the Emergency Home Repair Program is typically about 30% of the area median and this has held true for the past two years and nine months. These are people making a living typically on a Social Security income of about \$1,200.00 per month. These are critical repairs. They are part of a continuum of what he calls the housing safety net. They do the handyperson repairs, which consist of minor repairs and maintenance, critical repairs done by a licensed and insured contractor. At the larger end, if there is a laundry list of work it goes over to the rehab programs such as NeighborWorks and others to have it done.

Mr. Borgenicht appreciates the support and understands that the city has had double the requests and half the money. The ASSIST program is down this year and ran out of money in Murray several months ago. It is hard to tell people who call for help that they will have to wait until July, but that is the reality and unfortunately in July the whole year gets front-loaded by that. If there is extra money from HUD they would certainly appreciate it. All of the money that is spent is spent in Murray with Murray low-income households.

Carla Brasher, Community Action, Head Start Program

Ms. Brasher said that they are located in the old library. Being a library, it was not set up to be a daycare. The problem is that Head Start's policy states that they have to have two staff members with the children at all times. Bathrooming is quite an issue because there are times when they have to take their whole classrooms down the hallway so both teachers can be with them. They have a yellow room and a purple room and they want the funding to build a bathroom right by those two rooms that are used by Head Start. The other bathroom would be used for the rest of the center which is the Murray Development Center. It would make life easier for them because they would not need to be out of the classroom as often. They could devote more time to the children and actually teach them instead of taking them to the bathroom.

Ms. Brasher thanked Mayor Snarr for coming to the Head Start classroom to read to the children on several occasions.

Tracy Halverson, Community Action, Head Start Program

Ms. Halverson said that she is the other Head Start Teacher. Her first year with Head Start has been quite an experience having fifteen three year olds. When a three year old has to go to the bathroom, they have to go now and not in ten minutes. They have to line up the children, go down the hall, and they all have to wait. This takes away teaching time while they are waiting for one or two children to go potty. It is a liability issue and it would be very beneficial to have a bathroom that would be right off the classroom. It would be more beneficial than taking children sometimes five times an hour out of the classroom. That is hard on the kids besides and takes time away from teaching.

Mr. Nicponski asked Ms. Halverson to repeat the name of the organization.

Ms. Halverson stated it was the Salt Lake Community Action Program, Head Start Program that is operating out of the Murray Education Center.

Stephanie Mackay, Foundation Director, Columbus Community Center

Ms. Mackay thanked the Mayor and Council for their recommendations for their Jones Court Group Home. The City has been very supportive of their on-going renovations and upgrades to the facility this year. The City is recommending money to replace flooring and needed help with the roof. She had a meeting the other day with Kerry Bate, Executive Director of the Housing Authority of Salt Lake County. They built this as the first group home in Salt Lake County which has historical significance for Murray. Mr. Bate is very grateful for the help that Murray gives them. The Housing Authority owns the home and Columbus Community Center leases the home from them. The Housing Authority does make sure that they are maintaining the home and making the appropriate renovations. Mr. Bate is very appreciative of the City's help toward the roof. The inside is often Columbus Community Center's responsibility and they need to keep it up to date and manageable for the six individuals who live there and have severe disabilities.

Ms. Mackay said that it is a great partnership and Murray is very much an important part of that partnership. On behalf of Columbus Community Center and the Housing Authority, she thanked the City for their support and help. The home was opened in 1980 with six clients who lived there. Three of those clients have lived in the home for 33 years and are very much Murray residents. They participate in all kinds of community activities because they are fully integrated into a wonderful community. She thanked the City again for all they do.

Public Comment closed.

8.2.2 Council consideration of the above matter.

Mr. Hales made a motion to adopt the Resolution.
Mr. Nicponski 2nd the motion.

Mr. Stam stated that they should include that any additional funding would go to the housing programs, ASSIST, Community Development Corporation of Utah, NeighborWorks Salt Lake, and Valley Services. If it happens to go below the anticipated amount, the reductions will be taken from the Murray City ADA improvement projects.

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

8.3 Public Hearing #3

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

Consider an Ordinance relating to land use: amends the General Plan from Residential Single-Family Low Density to Residential Business and amends the Zoning Map from A-1 (Agricultural) to R-N-B (Residential Neighborhood Business) for the property located at approximately 6271 South 900 East, Murray, Utah. (Camter Development)

Staff presentation: Tim Tingey, Administrative & Developmental Services Director.

Mr. Tingey gave some background information pertaining to the General Plan and the process related to adoption of that General Plan. The General Plan was adopted in 2003. Historic Wheeler Farm is an important asset to our community and is referenced in the Comprehensive Plan talking about the importance of this as an area for recreation as well as preserving this open-space. It is currently designated as open-space and as part of that the General Plan talks about having areas or land uses adjacent to open-space areas that are transition or buffer areas. Mr. Tingey showed a map of future land use area. The property being considered is adjacent to Historic Wheeler Farm. The future land use shows Residential Low-Density Single-Family adjacent to Wheeler Farm. Across the street on 900 East, it allows for a transition area to Residential Neighborhood Business type uses. The City has had several rezones that have been requested and the Council has adopted. This is a transition area into this residential neighborhood. The difference between the two sides is Wheeler Farm and the importance of preserving Low-Density type of land uses adjacent to Wheeler Farm. The other difference is there is a transition or buffer area which is 900 East. These are the differences in the General Plan between the east side of 900 East and the west side land uses. It is primarily because of our asset of Wheeler Farm.

The applicant, Jared Cameron, requested a zone change either last year or the year before. The area is currently zoned as A-1 (Agricultural). In order to develop Residential Low-Density housing at 8,000 square foot lots, they had to go through a rezone request. That application came in, was recommended for approval by staff, taken to the Planning Commission who also recommended approval and it was withdrawn by the applicant. That was the first application. As the Council is aware, not too long ago the City had another application from Mr. Cameron for to amend the General Plan for this area to allow for multi-family. That was considered by staff who recommended denial. It went to the Planning Commission who recommended denial. The Council deliberated on it in a Public Hearing and it was recommended for denial as well.

This current application by Mr. Cameron is different. It once again requests an amendment to the General Plan. The General Plan says this is to be Low-Density Single-Family Residential. This request is for Residential Neighborhood Business, similar to what is on the east side of 900 East. This request went to the Planning Commission where after staff recommended denial, The Planning Commission also recommended denial. The Planning Commission had concerns on the side of the street adjacent to Wheeler Farm, this important asset, going from a very low density agricultural zone to transition even above a Single-Family zone to a residential business area. They were also concerned with the adjacency and the depth of the lots into the area. On February 21, 2013 they recommended denial. Staff has analyzed this and in looking at this the General Plan really wants to preserve Single-Family residential in these areas but also have a buffer or preservation around the Farm on the east side of the street. That is why the General Plan was adopted the way it is. There is that transition there with 900 East.

Staff have looked at this, evaluated it, and met with the applicant several times. They feel that this is an area that is appropriate for Single Family residential use. That is what the applicant's original application was and that is what the General Plan says this is to be. You can develop several single-family lots on this property and that is what the Planning Commission and the staff recommended.

Staff does not feel that there is any significant change or reason behind this request and do not feel that this should be changed to Residential Neighborhood Business. Based on that, Mr. Tingey is forwarding the recommendation of staff and the Planning Commission and is recommending denial tonight.

Mr. Nicponski asked Mr. Tingey to outline the property on the map.

Mr. Tingey did so, saying that the property is right adjacent to Wheeler Farm with a small access point to a single-family residential area.

Mr. Nicponski asked if the entire property is being proposed for Residential Neighborhood Business zoning.

Mr. Tingey said it was. He added that the City does have commercial in this area further north. He showed an area that is General Office and future zone for that area is commercial. The whole purpose of the General Plan is to have an area to preserve around Wheeler Farm for lower density types of use. Land use is a buffer.

Mr. Stam clarified that the road that Mr. Tingey mentioned is a private lane to a gated community. This property is not allowed to access that lane.

Mr. Tingey said that was correct.

Mr. Nicponski asked how they would get in and out then, if that is a private lane.

Mr. Tingey stated that if they develop the property with single family units they would have to develop a public road through the single-family infill Ordinance. There are reduced standards as to a right-of-way, 35 feet depending on what is waived, as well as the City can look at different turnaround options. There is opportunity with that type of road and widths to develop multiple single-family lots on that property.

Mr. Nicponski asked where the road would go on the south side of the property.

Mr. Tingey said it would depend, but on the south side of the property the developer would have to work with UDOT.

Mr. Nicponski asked if there would be a hammerhead at the end of the road.

Mr. Tingey said that they would work with them on that, but that was not the proposal tonight.

Mr. Stam stated that there is one other method. If the owners of the private lane would sell the lane, and move their gate to the end of the street, it would then become a public road.

Mr. Shaver stated that although he appreciates the views, tonight the issue is a zoning change for the property. He invited the sponsor, Jared Cameron, to make comment.

Mr. Cameron said that he and Terry Sider are partners in the land that they are dealing with tonight. He said that Mr. Tingey did a fairly good job in explaining for the most part with the exception of one little part. He does not know if it is fluke or convenience, but as Mr. Tingey speaks of the open-space of Wheeler Farm, Mr. Cameron could not find anywhere in the General Plan where it speaks that the City needs to be an open-space buffer of any kind. There is nothing in there. He understands that they are future zoned for single-family, but in addition to that there is General Office to the south of Wheeler Farm all over the place. It gets real messy real quick. Across the street or directly to the north is the Lind zoned property and they have the furthest west property that is future zoned for General Office that also have the same situation as he does. He does say to the neighbors that regardless of the outcome tonight he feels that everyone here, for the most part, knows his feelings. Regardless of the outcome tonight he would like to meet with the neighbors after the meeting if they are willing to and hopefully come up with a time to meet at a future date and time. Regardless of the outcome, whether it is for or against their situation, he feels that if they can work together it will still provide a more positive outcome than if they all butt heads through the whole thing and nobody will win.

Mr. Shaver asked that comments are addressed to the Council.

Public Hearing opened for Public Comment

Rachelle Cameron, 7533 S Lincoln Street, Midvale

Ms. Cameron stated that she is Jared Cameron's wife and that she works in Murray at the Intermountain Medical Center as an E.R. nurse. Her concern with future family is the safety concern. She is an E.R. nurse and some of the things that she sees are somewhat unbelievable to someone who does not work there. Just down the street, a car plowed through a stone wall of the houses in that area. She took pictures of that for Mr. Cameron's use, though he did not use them. Her concerns as a mother and an E.R. nurse is safety. 900 East has a speed limit of 45 or 50 mph, she is not sure, but to put families on a 50 mph road is not safe. The lots closest to the road would not be safe and that is her concern as a mother and an E.R. nurse.

Russell Swan, 989 Wheeler Farm Cove, Murray

Mr. Swan stated that he is a proud resident of Murray. He does not want to get up and beat the same drum that they have been talking about. The Councilmembers know how the residents feel. They do feel that this is a great part of Murray that could be a great residential area. They have no problem with Mr. Cameron looking at residential in his lots but they do feel strongly about it remaining residential. Another ironic thing that struck him tonight is that at the back of that lot there is the most beautiful grove of trees in Murray. It is a part of heaven back there. To see everyone one of those trees go away will hurt everyone here. You have to see it. You could lay down there and think you were up in the Wasatch Mountains somewhere. That is why these neighbors are hard in letting this land go to that, it is a beautiful thing that you will never see again. He just wanted the Council to know how they feel and Mr. Swan thanked the Council and Mayor for their time.

Kaelynn Nielson, 986 E. Wheeler Farm Cove, Murray

Ms. Nielson commended the city of Murray and the Zoning Commission for their good work. She and her husband lived in Holladay City over 20 years ago and lived there for thirteen years. Over that period of time they felt that because of Holladay's lack of planning within the community they destroyed what was once so unique and so special about that city. She has been very impressed with the process and has seen the Master Plan in Murray and how diligent the City has been in keeping the City true to its plan. The City's work has obviously paid off because not only do families want to live here but the City has been very successful in drawing large retailers to benefit the families who live here, both with convenience and tax revenue.

The Nielson's moved into their home on Wheeler Farm Cove nine or ten months ago. They knew that they would love living so close to the Farm but the experience has been much more than they could ever have imagined. They wake up in the morning and see horses out of their bedroom window. They walk around the Farm at least twice a day with their dog Bridger. They currently have a Canadian goose nesting outside their window in the backyard. This is why it is important to preserve that buffer zone and to have the single family homes. Wheeler Farm is a beautiful, beautiful jewel that each person has a responsibility to protect. The entire south side of the property in question borders two of the horse pastures of the farm. They need to have people with a vested interest living on that property not tenants that come and go with a parking lot for people to loiter on. When the property was purchased by Camter Development they knew it was zoned A-1 and the price that they paid reflected that zoning. Camter Development can easily build homes and other A-1 approved property and make a substantial profit. The citizens of Murray should not be subjected to having the Master Plan altered to have another neighborhood business building for the benefit of two individuals. If there is a need for additional R-N-B properties there is land across the street on the west side. She thanked the Council for their time and consideration.

Karl Lind, Lind Ranches, 6181 S. 900 E., Murray

Mr. Lind said that he is feeling more comfortable in front of this group all the time having been here on three separate occasions. The interest that he has is that his property is adjoining to the proposed property. There is a waterway which goes from Wheeler Farm through this property into some ponds on his property then exits out to Little Cottonwood Creek. One of the concerns he has with the plans as it is proposed for the development of this property is that approximately one half acre of that may qualify as wetlands according to Mike Pectol of the Army Corps of Engineers. He has been over the property and Mr. Pectol believes that there is a strong probability that the easterly portion of the property qualifies as wetlands and would not be available for construction. As much as the water crossing the property drains into Little Cottonwood Creek and then subsequently into the Jordan River and the Great Salt Lake, it is a jurisdictional waterway controlled by the Army Corps of Engineers and has to be permitted before anyone can backfill or construct on that property. Before any construction takes place on this lower portion of this property, the one-half acre to the east through which this water courses, a known wetlands on Wheeler Farm onto the ponds on Mr. Lind's property and then exits onto the Creek, to backfill and construct without a permit from the Army Corps of Engineers is a violation of Federal law with significant penalties. More research and preparation needs to be done by the developer before requesting a zoning change.

Mr. Lind would submit to this group this evening that this study be done and a permit be applied for before any zoning change be approved. Any zone change would be inappropriate this evening. Mr. Lind added that he has some wetland consultants information that he could pass on to the developers. These names come to him from the Army Corps of Engineers and any one of these consulting firms are available to evaluate the property and determine whether it is or is not wetlands.

Mr. Shaver recommended that Mr. Lind pass on that information to the developers.

James H. Pollock, 980 Wheeler Farm Cove, Murray

Mr. Pollock stated that the Council has been putting up with them on this issue for quite a while and he appreciates it. Wheeler Farm backs up to Mr. Pollock's property and the property behind him on Wheeler Farm has a walkway and a pond that has flooded every year. His home was raised two years ago by Mr. Sider. He purchased the home two years ago and it was raised per Mr. Sider's advice. If it had not been raised, it would have been included in the low area of that pond. His home and his ponds as well as two rivers that he has are flowing streams that are fed by that water from Wheeler Farm and the Creek. It is a wet area.

Patrick Stutzman, 968 Wheeler Farm Cove, Murray

Mr. Stutzman said that he will not repeat what everyone else has said. He agrees with the recommendations of the Planning Commission and feels strongly that this is a residential area and should remain so.

Neil Christenson, 1005 Wheeler Farm Cove, Murray

Mr. Christenson stated that he has lived there for about five years. He loves the area, he loves Murray and loves all the great planning that the City has done. He has two or three concerns. The first issue he has is the safety issue which was brought up by Ms. Cameron. He was rear-ended several months ago with grandchildren in the car on 900 East close to his property. You try to get into the median and it is very difficult. There is more traffic now because of the west side of 900 East and to have another road or driveway within 100 feet or so in that area would make it even more difficult, especially if it were zoned commercially. To him, this is one of the major objections that they have. They also worry about the property values. If the zoning is changed he is sure that their property values could go down. Arbor Day is coming up and as it has been mentioned, there is a beautiful stand of about 50 trees on the east side of this property which would either be taken down or would eventually die if they used fill and that area would need at least four feet of fill. There are beautiful willow trees down that lane that are older than he is. They concur with the recommendation that was given earlier that it remain zoned A-1.

Mike Cameron, 1014 Wheeler Farm Cove, Murray

Mr. Cameron stated that he is Jared Cameron's father. He does not have any financial interest in the property but wanted to provide a little context to consider. The developers initially approached their neighborhood to see if they could annex their property into the lane and develop homes that would face north with access to their lane. In fairness, many of the neighbors did not live in their homes at the time that the developers approached them. About half of those living there now were there at that time. The group had said that they were not interested in having it annexed to their lane and have that be a continuation of the seven lots that they own there. He personally thought it would be a good idea as it would have given them the ability to have control over the architectural requirements of the homes. They could have protected the requirements over which trees the current homeowners association have on which trees have to stay and which have to go. It would have given them a lot of control over protecting their home values and many of the other things that the neighbors have talked about. That was turned down. In fairness to the developers, they are looking at alternatives now.

Mr. Cameron said that in reference to Mr. Tingey and some of the comments that were made, there seems to be a common theme here that this needs to be done because the Master Plan calls for protection around Wheeler Farm. In fact, everything around Wheeler Farm except this piece of property is already zoned residential, business or commercial. Everything other than a buffer zone. He does not think that it is the best

argument to say that it is part of a protection around Wheeler Farm. In fact, it is really the only thing that is not zoned for commercial or residential business. He is also concerned, as his daughter-in-law said, about the best use of the property. With State Highway 71 being a major state artery, a four-lane highway, it has a 45 mph speed limit and he is not sure that they can make the case that residential is better suited for that environment rather than business. He is the lone voice saying that he supports what the developers want to do, only as a back-up to the fact that they couldn't get the residential plan approved to access the lane.

Mr. Swan asked if it was true that in this meeting that Mr. Cameron was talking about, and it was an ugly meeting, this community wanted to allow them into their PUD and it could not happen because of zoning. Even if they wanted him in, he could not come in?

Mr. Shaver said that he would have that question answered momentarily and asked for any additional public comment. Hearing none, he asked Mr. Tingey to address Mr. Swan's question.

Mr. Tingey stated that as far as the zoning, that is an option but what would need to occur is that the current Ordinance states that they do not allow more than two single-family homes to be accessed on a private lane. At the time that this was developed it was done so as a planned unit development by the County so that private street was allowed. Murray City would not allow development off the private street but there are options. Mr. Stam alluded to, where the developer in conjunction with this development could create this as a public street. It would not have to be a huge 50' right-of-way. The City has standards that would reduce that so that it would be a 35' access. It would have to be dedicated as a public street and this could be accessed by the property.

Mr. Shaver said that with a PUD, they own that private street so there could be some negotiation between the group as a whole and the developer. The City would not have anything to do with it other than making certain that the street met certain criteria.

Mr. Tingey stated that was correct.

Mayor Snarr stated that a public street would just have to go back to where the houses began. It doesn't impact the houses that are already there.

Mr. Tingey stated that any new lots that were abutting this property as a public street.....

Mr. Hales interrupted and asked the Mayor to repeat his comments.

Mayor Snarr said that a planned unit development doesn't have the same requirements that a normal street would have that you would access a subdivision from. It could truncate at the end of the lane where they would build three lots possibly, nicer homes to match the homes that are already back there that would face to the north rather than have the ability for Mr. Cameron to build houses, have another parking lot because having two driveways that close together is an issue. The Mayor has tried to look at this from a

compromise perspective. With three beautiful, bigger lots, they could widen the street and have it be part of their development with more accommodating houses that match what they have spent on their houses. He spent the morning over there looking at options. Good governance is all about compromise and the Mayor said that legally, the developer can build another road. You would be looking at the rear lots as you went down the lane versus looking at beautiful homes facing toward the north. He has the right to do that and the Mayor is always looking at ways that they can keep the value of the current properties which are beautiful.

Mayor Snarr asked if Mr. Lind had to go through something with the wetlands when they developed their property.

Mr. Shaver interjected, saying that Mr. Swan had asked a specific question and feels that had been addressed.

Mr. Tingey stated he believes the question has been answered.

Mr. Stam wanted to add to that to clarify some information. He believes he understand what is going on but is not sure that everyone there quite catches the drift. What the Mayor was saying and what that would mean is that the gate would have to move back to the edge of the property so that Camter could then access the private lane which would then become a public road. The point of the gate at the back of the property would still remain private into the homes. One advantage to that is that the front part then would be plowed, you could pull the garbage cans out to the public road, have garbage pickup and there would not be additional fees that they would have to pay.

LaVerle Christenson, 1005 Wheeler Farm Cove, Murray

Ms. Christenson stated that since they are addressing the issue of lane access, she wanted express the concern that they all have. The reason that they purchased in that area in the first place was for charm and the appeal of the beautiful lane which is private and narrow. If they allow access to other homes, widening that lane, tearing down the gate and moving the mailboxes, everything would change. The entire appeal and charm of the whole reason that they personally moved in there in the first place would change. They moved in there because of the lane and what it meant to them. The beauty of that lane was a big factor and they have invested a lot of money into maintaining that, putting in trees, shrubs and flowers. If that is changed it would become a completely different subdivision or another ordinary street with the access into that lane.

Mr. Shaver reminded everyone that the question before the Council this evening is a zoning change. As much as they would like to become a negotiating body, that is not their function. There is some challenge between the development and the PUD but there are always options. Mr. Shaver encouraged them to meet and talk as expressed but the issue before the Council is strictly one issue and that is do they change the zoning or not. For recommendations as to how it might be resolved, they are welcome to do that on their own and he would encourage them to do so.

Public Comment closed.

8.3.2 Council consideration of the above matter.

Mr. Stam said that as they look at zoning, if the applicant came back to the Council and asked them to change the zoning to R-1-8 (Single-family Residential) that would match what the future General Plan says. If they came back to them to do that there would probably be positive recommendations from Planning and Zoning and from Staff and chances are that the Council would approve it. Mr. Stam wanted everyone to understand that would mean that they could put in another road right next to the lane, or down 50' feet or whatever it is, to access that property. As long as everyone understands that is what that means.

Mr. Shaver asked Mr. Tingey to address one issue that was brought up earlier and that is what a buffer zone actually is. A buffer zone does not mean it has to be horse farm, is that correct?

Mr. Tingey stated that is correct. A buffer is a variety of different things. A buffer can be a geographic feature such as a road, landscaping, or a variety of other things. It can also be land use. The R-N-B zone is a buffer type zone for residential areas but the difference is that this is an open-space area which the General Plan called for. Buffer can be a variety of things such as streets, landscaping, and land use.

Mr. Brass said that this is a difficult one. He hears residents talk about the trees. He mentioned this the last time that they went through this. He bought his home in Murray a long time ago and his back yard had cows and horses and rolling meadows. If he looked east toward the mountains he couldn't see anything. His nearest neighbor was on 4800 South and he is on 4700 South. The reality was that somebody owned that property would eventually develop it and they did. They tore down the trees, flattened everything and it was interesting. Now there are 62 homes back there. Four homes will change things. As Mr. Stam said, he doesn't want them to have this thought that it won't. You might lose the trees and he hates that concept himself. It is a beautiful area.

Mr. Brass said that those properties that have not changed yet are unique. Wheeler Farm is unique. He was on the Planning Commission when they looked at the General Plan. He was on the Planning Commission when they proposed the R-N-B zone and ironically he got on the Council when it was voted on. Part of the reason was that the people who owned the homes didn't want to live there anymore because 900 East turned into a State highway. It is kind of dangerous to back out of your driveway at 45 mph. It is hard to pull into a driveway at 45 mph. They had to something with those properties and General Office, which was the only option at that time, was not acceptable because it allowed for four-story buildings. If you put that up against residences it would destroy the neighborhood behind. They looked at it as a buffer.

These properties are unique and he understands Master Planning them for residential. He agrees with Ms. Cameron in that it scares him to put a house on 900 East. Mr. Brass was a Stephen King fan right up until he wrote Pet Sematary, which involved a house on a busy highway. That concerns him and he struggles with this. He does not know what the best idea is for that property. But, they need to move forward.

Mayor Snarr said that to Mr. Brass' credit along with the other former Council Members, this R-N-B zone was to try to clean up the area on the west side of 900 East because they had a lot of boarded up homes where people no longer wanted to live. They did an excellent job in setting up the criteria as far as the set-backs, the height of the structures, and the types of walls that had to be developed to adjoining neighborhoods. Most of the neighbors that the Mayor talks to over there say that it has really turned out very nice. Their property values have gone up because of the zoning for law offices, dental offices, real estate office and other types of development where they have taken houses that no one would live in anymore and have made something of it. There is another issue like this with another piece of property on the west side of 900 East. The only thing that the Mayor was looking at, just so people can understand that Mr. Cameron can build the lousiest, cheesiest housing that he wants, as long as they are 8,000 square feet lots he can do whatever he wants. Is that to your advantage? To have those types of houses there where you are going to be looking at the back of the yards when you drive down your private lane.

Over the past 15 years, Mayor Snarr has worked on different developments, some of which he has been the developer. He did not ask permission, he asked for the ability of the adjoining property owners to sit down and come to some kind of a compromise that would benefit both people. To this day they are in awe because it does benefit both. They laid out their adjoining properties to make it work to their advantage and because they did it the right way their property values are substantially higher than they would have been otherwise. They both get great utility out of their properties, they share a common access, and they share a joint parking resource which gives him and the Mayor the ability to get better tenants in that lease their properties which are commercial properties. In some cases you end up with something that ends up being devastating to both parties. It is not generic to this here, but the Mayor went down to this property, walked around and looked at the big clump of trees at the end of the lane. If they were to donate part of the property they would obviously have to say that they are going to build the additional width of the road. To get around those trees they would need to put in a bow-back there to work around it. With that said, the Mayor just wanted to say that after all the years that he has been here he has always looked at ways in which you can come out with a better product versus someone poking someone else in the eye and saying they didn't get their way so they are just going to keep the piece of garbage they don't want.

Mr. Nakamura, City Attorney, clarified for the record, that the property is currently zoned A-1. There was no decision ever made to make it residential. There has been a lot of discussion about homes going in there and that has not been done. He does not want it presumed that there is any zoning other than A-1.

Mr. Shaver asked for a motion. Hearing none, he asked again stating that he could not make the motion and someone would need to. If there is no motion, the Ordinance relating to the land zone would die.

Mr. Hales asked for clarification on what Mr. Shaver meant when he said the motion will die.

Mr. Shaver explained that the Council has been asked to make a decision based on what they have heard this evening to consider the Ordinance or not. He asked Mr. Nakamura to explain that further.

Mr. Nakamura stated that if there is no motion and a second to approve, the zoning would stay as it is.

Mr. Hales made a motion to deny the Ordinance.

Mr. Nakamura clarified that a motion to deny is a motion not to approve the rezone. A vote of 'aye' would mean that you are not approving the ordinance.

Mr. Nicponski 2nd the motion.

Call vote recorded by Jennifer Kennedy.

A Mr. Hales adding that this has weighed heavily on his mind.

A Mr. Nicponski

A Mr. Stam added that he has struggled with this and he would be open to some other ideas but this one is not quite to where he is comfortable.

A Mr. Brass echoed Mr. Stam's comment and urged Mr. Cameron and the neighbors to sit down and talk. If they truly look for a solution, he feels that they can find one.

A Mr. Shaver

Motion to deny passed 5-0

8.4 Public Hearing #4

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

Consider an Ordinance amending the City's Fiscal Year 2012-2013 Budget.

Staff presentation: Jan Wells, Chief of Staff

Ms. Wells stated that Justin. Zollinger, Finance Director, is away at a G.F.O.A. Conference and she is taking over the opportunity of this for him. There are several items that they would like to make amendments to the Budget on in this budget opening. Several of them are making adjustments for grants.

The Fire Department has a Hazmat Grant for approximately \$26,000.00; an EMPG Grant for \$4,200.00 and they also have \$3,500.00 that they would like to save in this year's budget and move to the CIP for some projects that they would like to do next year.

The Police Department has some concerns with VECC. They have talked about some of the problems that have been going on there but they didn't have the opportunity to make the adjustments that needed to be made when the budget was approved for those costs. This item is over budget by \$24,709.00 and that adjustment needs to be made. They are asking that item be paid for by the sales tax revenue variance that the City has this year. The Police also have a grant for \$2,500.00 from the Commission on Criminal and Juvenile Justice for a night monocular.

Public Services is requesting \$15,000.00 for snow plowing. Our snow plow this year was a little heavy, mostly because of the snow storms that came on the evenings and weekends and the City had to have some overtime. They are also suggesting that this is paid for from the sales tax revenue variance.

Mr. Shaver asked if this request was for a snow plow or for snow removal.

Ms. Wells clarified that this was for snow removal labor.

Mr. Nicponski asked Ms. Wells to elaborate on the VECC item. He asked if they had budgeted more than they needed to or not enough.

Ms. Wells explained that they had not budgeted enough. This was actually from last year but the City did not receive their corrected numbers in time for our budget and just realized that now.

Ms. Wells said that the Parks and Recreation Department have three projects for picnic tables, theater lights and some asphalt on the Jordan River Trail that total \$25,000.00. They would like to put that money back into the Capital Projects for next year and use that money for some other issues that have come up for next year. They are asking if they can pull those line items and move them to CIP for next year.

Public Comment

None given.

Public Comment closed.

8.4.2 Council consideration of the above matter.

Mr. Hales made a motion to adopt the Ordinance.
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

9. **UNFINISHED BUSINESS**

9.1 None scheduled.

10. NEW BUSINESS

10.1 **Consider a Resolution authorizing the execution of an Interlocal Cooperation Agreement between Salt Lake County (“County”) and Murray City (“City”) to create and fund an ongoing, regional program for homeless services in the greater Salt Lake County metropolitan area.**

Staff Presentation: Mayor Daniel Snarr

Mayor Snarr stated that over the course of the past several years they have had dialogue on who bears the responsibility to take care of the homeless. Salt Lake City has a lot of the homeless congregating in that city because many of the amenities are there. South Salt Lake also has a large share. Midvale, to their credit, has stepped up and provided additional opportunities for housing for the homeless. After being out there to see that, it makes your heart tender to see what these people are going through and yet have a place to be there. Midvale has stepped up and provided that. West Valley City has done so as well. Murray does not have these types of facilities.

What COG recognized was that perhaps instead of having these cities bear the responsibility and shoulder the responsibility from a financial perspective, we could come up with some kind of a Resolution in which we would support funding some of these costs. Mayor Snarr read from a letter from Mayor Becker:

This is funding options for homeless services. At the October 4, 2012 COG meeting I engaged a discussion regarding homelessness in Salt Lake County. Information provided by the Road Home indicates that approximately one-half of those living in the shelters are from Salt Lake City with the other half originating in other cities (Mayor Snarr indicated that 276 of which originated from our City.) throughout the County and the State of Utah. I urge for more regional support for homeless services and appreciate the positive response that I have received from many of you regarding the possibility of financial support from your respective municipalities.

Two proposals have been developed for regional financial contribution. The first proposal focused on redirecting the soft services portion of Community Development Block Grant Funding. However, many communities already allocated the maximum amount of soft costs. (15% of soft cost funds) and any additional revenue generated would not be sufficient to make an impact on the homeless population. Federal reporting requirements also make this strategy more challenging. The more impactful proposal would be an on-going, population based assessment from cities General Fund revenues. The attached graph (Mayor Snarr had copies of that graph) shows the charge of a yearly assessed fee for each city in Salt Lake based on a \$.30, \$.35 or \$.40 per person rate. General Fund sources provide greater flexibility for procurement and reporting than Federal funds. This is the key. An administrative and management model would need to be created for this to be successful with an open and transparent process for how funds are used.

Mayor Snarr added that this has been done and they are more than happy to provide information for all of us on how those funds are being directed. They are pretty much have an idea right now of how much it is costing to take care of providing these services for the homeless. We are asked to support this, we have put it into our budget and Mayor Snarr feels that it is the humane thing to do based on the fact that we have people in Murray City that in their time of need are going down and having the services provided by Salt Lake City and other communities. Some of the people that he has spoken to go out to Midvale because it is closer and more convenient.

This is basically a Resolution of support saying that Murray will participate in this funding option for taking care of the homeless.

Mr. Shaver asked if this would be administered through the County.

Mayor Snarr said that it would be. He added that there was a lot of discussion on making sure that everybody was comfortable on how the funds would be administered and how the reporting would go so that we would know where those funds were going and what they provided.

Mr. Shaver asked if it was already in the budget.

Mayor Snarr said that they put it in the budget but it was up to the Council to approve.

Mr. Shaver said that it is part of the recommendation back to the Council. He asked the Mayor what the amount is.

Mayor Snarr stated that the amount at \$.35 per resident would be \$16,361.00.

10.2 Council consideration of the above matter.

Mr. Brass stated that he liked the thought and felt the City should do this. We currently take 20% of the tax increment financing for low-income housing and such through the RDA giving it to NeighborWorks and a variety of other places. He asked if this is a possible use to provide a stable source of funding for twenty years.

Mayor Snarr said that the problem is that the CDBG funding is not always stable either.

Mr. Brass clarified saying that he meant the RDA TIFF, using the 20% that the City is using for low-income housing.

Mr. Tingey said that the short answer would be yes. It is the 20% housing that does not have strings attached. The City could utilize that money for this type of funding if they wanted to.

Being blatantly blunt, Mr. Brass said that as they do RDA's, the fact that they take that 20% and put it back into the communities has helped them. This would be one more thing that would help the City when they sit before the taxing entity committees and look at new projects. He feels that it would serve them well.

Mr. Nakamura said that they would need to look at that. This does not affect what is happening here tonight.

Mr. Brass agreed that it does not affect anything tonight but that as they go through the process, assuming that the Council approves this.

Mr. Nicponski 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

11. MAYOR

11.1 Mayor's Report

Mayor Snarr said that tomorrow at 10:15 a.m., the City will have the opportunity to participate in the "Great Utah ShakeOut 2013" which will help us to prepare for an earthquake or other catastrophic event. The big event will happen on April 24, 2013. They will be having another event at the EOC (Emergency Operations Center) where they will go through the emergency processes as they did a year ago. It is a good exercise for the City.

Mr. Nicponski asked what time the event will begin on April 24, 2013.

Ms. Wells said it would go from 9:00 a.m. until approximately 11:30 a.m.

Mr. Stam said that the paperwork that came out on this stated that you should not get under the tables.

Mayor Snarr said that they have told everyone to "Drop, Cover and Hold". He is only passing on what the agencies have told him that we should do.

11.2 Questions of the Mayor

None.

12. ADJOURNMENT

Jennifer Kennedy, City Recorder