

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 30th 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
Darren Stam,	Council Member
Jared Shaver,	Council Member -Conducted
Dave Nicponski,	Council Member

Others who attended:

Daniel Snarr,	Mayor
Jan Wells,	Chief of Staff
Jennifer Kennedy,	City Recorder
G.L. Critchfield,	Deputy City Attorney
Pete Fondaco,	Police Chief
Tim Tingey,	Administrative & Development Services Director
Justin Zollinger,	Finance Director
Doug Hill,	Public Services Director
Gilbert Gonzales,	Chief Building Official
Gil Rodriguez,	Fire Chief
Mike Terry,	Human Resources Director
Bob Wirthlin,	North Jordan Irrigation
Boyd Simper,	North Jordan Irrigation
Johnny Anderson,	State Representative
Scouts	
Citizens	

3. OPENING CEREMONIES

3.1 Pledge of Allegiance- Pete Fondaco, Police Chief

Mr. Shaver excused Frank Nakamura, City Attorney and noted that Deputy City Attorney G.L. Critchfield will be sitting in for him tonight.

3.2 Approval of Minutes

3.2.1 Approval of the Minutes for March 19, 2013

3.2.2 Approval of the Minutes for April 2, 2013

Mr. Shaver asked that these be taken together.

Mr. Brass made a motion to approve the Minutes for March 19, 2013 and April 2, 2013.

Mr. Hales second the motion.

Voice vote taken, all 'ayes'.

3.3 Special Recognition:

3.3.1 Consider a Joint Resolution of Mayor Daniel C. Snarr and the Murray City Municipal Council in Recognizing and Supporting May 2013 as Building Safety Month.

Staff presentation: Gilbert Gonzales, Chief Building Official.

Mr. Gonzales expressed his appreciation for the support that his department receives from the Mayor's Office, the City Council and staff. One of the things that Murray City has is a Mission Statement that says that the City strives to provide courteous and consistent plan review and inspections in a timely manner. To contractors, time is money. In addition to that, the City also has to be solution oriented. What Mr. Gonzales means by that is that during the construction and design processes there are always going to be challenges. What the City tries to do is find solutions to those challenges while still meeting the minimum building code. The other thing that the Building Division does is to try to streamline their process. This may not sound like much but currently, when they complete a plan review, they email it to the design professional. Four years ago the design professional would have to come into the office and pick up their plan review comments. It doesn't seem like much now but it is quite a change from what they were doing in the past.

Mr. Gonzales added that the Building Division also wants to be a great resource to the community. One of the ways that they do this is through Building Safety Month where they go to places such as Lowe's and talk to people, contractors,

and homeowners about the importance of building codes and building safety. Last year, they went out into the community and spoke to people about their URM's (Unreinforced Masonry Structures). They won't be doing this month because the Structural Engineers Association of Utah is working on an updated homeowners guide to retrofit existing unreinforced masonry structures. They are doing this with some generic engineering so that you don't have to go out and pay an engineer to do that. Because of the Building Division staff, they do a better job than 90% of the building departments in Utah. That is because of the staff and their dedication they have to providing the above mentioned Mission Statement.

Mr. Gonzales added that another thing that they will be doing shortly is once the Hilton and Marriott Hotels get moving forward, the Building Division will be posting progress pictures on the Building Division website. That will be done with the help of Jade Paulsen of the Mayor's Office. Mr. Gonzales asked the Mayor to thank Ms. Paulsen for that. You will be able to go to the website and see the progress of these hotels as they go up.

As we know from our ShakeOut drills that have recently taken place in Murray City, it is not if we have an earthquake, but when we have one. Mr. Gonzales has brought some 'Putting Down Roots in Earthquake Country' brochures which he will have available to everyone. The Building Division will be at Lowe's on May 1st, 10th, and 22nd, 2013 to talk about anything you would like to talk about on building code issues.

Mr. Shaver asked if those dates will be on the website.

Mr. Gonzales said that they are on the website as well as in the Murray Journal thanks to Perry Kinder of the Journal.

Mayor Snarr read the Resolution in its entirety.

Mr. Stam made a motion to adopt the Resolution.

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

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

Mr. Shaver stated that the Council is there for the citizens and they want to hear all of the comments. He reminded the public that they have three minutes to discuss their issues and he asked the public to address the Council with the comments.

Mr. Nicponski asked Mr. Shaver if it would be helpful to have Doug Hill, Public Works Director, share information relative to Murray's actions and status on the City's role in the event so that he can share that information with the flood victims and others who are present.

Mr. Shaver said that protocol does not state either way. He does not know if it would be helpful. He would like to hear what the comments are and if Mr. Hill hears something specific that he would like to address they could give him that opportunity.

John Dye, 1213 Saddle Bluff Drive, Murray, Utah

Mr. Dye said that as they are all aware, an irrigation canal managed by the North Jordan Canal Company breached its banks about 4:00 p.m. Saturday, April 27, 2013 flooding multiple homes in Murray Bluffs II. The canal was built in 1894 and contained water moving at a rate of approximately 70 cubic feet per second. This water wreaked havoc over the entire community as it made its way through the streets and neighborhoods, finally ending in fields in the Jordan River. Their street, Saddle Bluff Drive, was good humoredly nicknamed Saddle Bluff Creek that evening. In a show of unprecedented camaraderie, friendship and love, at least 70 volunteers gave willingly of their time and their abilities on Saturday and Sunday comforting and helping those who received damage dig out. Many of these volunteers were strangers, not knowing those who had received damage. But being good citizens and even better people, they responded to the need at hand. Murray High School athletic teams, LDS ward members, neighbors, local companies and others showed up with equipment, barbeques, food, water, and other supplies.

While they feel great pride in being Murray City citizens and associating with those who gave so selflessly during this disaster, they have come tonight to address another issue. Where do they go from here? Yesterday, the North Jordan Canal Company sent an insurance inspector to review the damage and begin the process to make those who received damages whole once again. Let it be noted that the citizens are appreciative of this action. However, what will now become of the canal behind their homes that left a huge breach spanning the width of their street behind their homes. You may remember that fateful night in July of 2009 when Logan resident Jacqueline Levy and her twelve year old daughter Abby and fourteen year old son Victor were not as fortunate as the residents here in Murray were last Saturday. The concrete canal above their home gave way and a fatal rush of mud literally buried them in their home. How can they sleep at night knowing that something similar could occur to us? Our homes are sacred spaces where they can feel safe, protected and secure. If they once felt that way, can they feel that way now?

Had this incident occurred at night, children who were once peacefully sleeping in basement bedrooms may have been awakened to a torrent of mud and water frantically filling their bedrooms, literally to the ceiling. Had the situation played out similar to this last Saturday

evening, and not at 4:00 p.m. in the afternoon, we may well have been attending a funeral at this hour rather than speaking in front of you. In response to the tragic loss of life when the landslide breached the northern Logan canal, killing a mother and her two children, Utah State Legislature passed two canal safety bills. House Bill 298, Land Use Authority Notification of Canal Development and House Bill 60, Water Conveyance Facility Safety Act. The purpose of House Bill 298 was to insure that residential construction projects with close proximity to a canal do not proceed until the canal owner has been given an opportunity to review the project. Thus the canal owner can protect the integrity of the canal system and assist homeowners and developers to safeguard adjacent structures. The purpose of House Bill 60 was to encourage canal owners to identify the risks associated with their canal systems and to develop solutions to reduce or eliminate those risks. This information is to be documented in a Water Conveyance Facility Safety Management Plan by no later than May 1, 2013. Let it be noted that is tomorrow.

The main canal risk factors that must be addressed in the safety plan are slope instability and storm water. Compliance to the 2010 statute is voluntary and requires a canal or irrigation company to adopt a management safety plan only when applying for State money from a revolving loan fund. The law only calls for a company to submit a letter, not the plan itself, to the State Division of Water Resources declaring its compliance. Currently, Utah does not have a canal inspection program and no State agency reviews the safety plans at all. As residents of Murray Bluffs II they are asking to be involved in the canal policy that affects them. They are here before the Council today to ask for a voice and for representation on a joint task force that will include members of the Murray Bluffs II community, other concerned Murray Citizens desiring to be involved, Murray City Officials and or staff and members of the North Jordan Canal Company. They ask that they all come together and create a dialogue that will be a win-win-win for all parties involved. They would ask that a Resolution be passed this very evening to form this aforementioned task force. If no one is in attendance from North Jordan Canal, (Mr. Dye asked if they are to stand and Mr. Bob Wirthlin stood.)

Mr. Shaver stated that Mr. Dye's time was up. He asked if Mr. Dye was representing a group.

Mr. Dye said he was and requested 60 more seconds to finish.

Mr. Dye said that together they can create a solution to a situation that is disconcerting to all involved parties. Aristotle is quoted as saying that the whole is greater than the sum of its parts. We may each think that we have the answer to the issue at hand but if we first seek to understand and then to be understood we will come to a resolution that will benefit everyone. Mr. Dye requested that they look at this joint resolution following the other comments that are stated.

Mr. Shaver asked if there was anyone independent of Mr. Dye that would like to make a comment.

Anthony Scott Goodman, 1203 West Saddle Bluff Drive, Murray, Utah

Mr. Goodman said that he comes here, not as a victim of the recent disaster, but as a concerned citizen of Murray. The canal that backs the properties of Murray Bluffs I and II needs to become a topic of discussion in these halls. Not only is this canal not regulated by any one governmental

agency, but the canal company does not take advantage of all of the available technology that is available to insure the citizen's safety. Controls such as video monitoring, electronic measures to automatically shut the gates or close control valves would have minimized the damage on Saturday. Ground penetrating mapping to detect weakness in the soil is also not being used and was probably deemed as being too expensive in the past. How many more claims will the company have to pay before this becomes an invalid argument? It took the lives of two small children in Cache County to awaken law makers last time. He prays that Murray City will not require the same wakeup call. All that he asks is that the same regulatory requirements that all other industries must abide by be put in place to help citizens in Murray to feel safe in their own homes.

Stephen Linge, 1197 West Saddle Bluff Drive, Murray, Utah

Mr. Linge stated that he loves Murray City. He was born in Cottonwood Hospital, swam for Murray High School, met his wife at Murray High and married her. He still consults for the Murray High students to this day. He swam for the U and has been here a really long time. When he came of age, both he and his wife came to the decision that they wanted to stay and live in Murray because they love it so much and it is such a safe place. His children returned home today and they have been having really bad dreams about being swept away in rivers and water and asked him point-blank if they are going to be safe tonight. They want to know if they are going to be okay and if there is going to be more water. He literally could not look them in the face and say 'yeah, we are going to be safe.' He had to tell a little white lie and could not tell them with conviction because he himself does not feel safe.

Mr. Linge wants to put his faith and trust in the Council and the Mayor that they can come to a resolution and do something to make sure that people are safe. He does not want to leave Murray, he has been here his entire life and he would be sad to have to leave. He just wants to know that they can stay here without a disaster like this happening again. They are putting their faith and trust in the City to do something about it. The City has the power and the say and the citizens are trusting them.

Scott Mooy, 6712 Murray Bluffs Drive, Murray, Utah

Mr. Mooy commended and thanked the City's Public Works Department staff, the Police and Fire Departments for their incredible response. The citizens really appreciate the help and care that they brought to the neighborhood. Mr. Mooy wished he could personally apologize to the policeman who he and his wife yelled at in panic as they were trying to get to their home. The reason that they were panicking was because their house flooded in 2011 as well. It is interesting getting on social media because there is a wonderful, snarky comment going on in response to all of the media comment about this event asking "what kind of idiot would buy a house in that location?" This idiot wants to say that he tried to make an educated decision. He spoke to the developer and he thinks they all can imagine what the developer was hoping that he would do. He does not feel that the developer withheld information but he did not have to describe any kind of risks. Mr. Mooy also contacted the City and he feels that the City thought that the only question he needed answered was that he didn't need flood insurance because this was not a flood area. He does not think that anyone in the City was trying to be duplicitous and does not

feel that he was lied to. He wants to add his voice to the voice of his fellow neighbors that as they go forward, the residents hope that they will be given the kind of information that will help them make good decisions about what they can do for their homes and what they can do for their neighbors to make sure that they are safe. He would make this plea for future residents of Murray as well. As the City goes forward with development or redevelopment he hopes that the elected officials will support the City departments in having the ability to make sure that the correct information is gathered, that it is sufficiently reviewed, and that information is made available so that potential home buyers and potential business owners will know what kind of risks they are really getting into.

Mr. Mooy stated that he does not have a degree, he is not a water engineer, and he does not understand everything about building codes. He does not know how you have to maintain a canal. He appreciates that when he asks a City representative or employee that they give him straight answers. When he has known the right questions, they have. Unfortunately he doesn't always know the right questions. He hopes that they can have the right kind of dialogue and the right kind of information available to help to protect them.

Jessica Goodman, 1203 West Saddle Bluff Drive, Murray, Utah

Ms. Goodman stated that she was told today that her house was uninhabitable. She and her husband are living in an RV right now. She grew up in Murray since the age of five and can tell you everyone on her street. Her husband is from Taylorsville and when they got married she said that they will live in Murray with no chance of moving anywhere else. She went to school with most of the people on her street, wanted to raise her kids in Murray and her daughter graduated from Murray High School three years ago. She has kept her kids in Murray schools and worked really hard to shuffle them around because where she works does not get them to and from school very easily.

Ms. Goodman said that this canal situation is not safe for anyone. She is crying because she has been affected, along with her two next door neighbors who she loves. They finished their basements at the same time together and shared ideas and stories. They are all beautiful but that is beside the point-basements can be fixed. Her wedding dress, her husband's military items and other sentimental items maybe not. They are past that process and moving on to whether this is a safe place for their kids. They lived in that basement. She worked out in the mornings at 5:00 a.m. with headphones in where the water rushed in causing the basement entrance to fly open. Had she been down there that morning, she might be gone and maybe her children would be without a mother. It is a safety concern. She realizes that they can make the houses whole again. They can tear them down and rebuild. But she will never, ever feel safe in her home again. She loves Murray, she grew up around the block from Mayor Snarr and just loves Murray. There is no other place to build in Murray and they are all here as a family and residents together; where else are they going to go? She thinks it is a really easy solution to fix the canal. She thinks that the money is there for this, that it is time, and like her husband said earlier, is it going to take a death to wake these people up and realize? There have been three canal breaches within the last year alone. Murray Bluffs II has breached twice with this one being the latest, there was also one last fall; and one in Murray Bluffs I. On behalf of the residents that she loves and this City she would like this fixed so that they don't have this problem again.

Connie Mooy, 6712 Murray Bluffs Drive, Murray, Utah

Ms. Mooy said it is no secret that she has been trying to move since 2011. They have received ground water. A flood does not have to come up over the top. Those of you that know, rain comes down and floods come up. The water came up through her basement. She has had no warning. They were able to get everything out and the water was clean. She was going to bottle it and sell it if she had to, to refinish her basement. She did not lose anything on Saturday but when she walked into her church for a ward party and saw neighbors on the phone who had asked her if she saw the flood and if her home was ok, her gut wrenched and her rib cage hurt until this afternoon because she hates the thought of anybody getting even clean water in their basement. She has yet to go to the back of her neighborhood and see the gaping hole. She doesn't need to. She sat on her front porch and watched the water rush down her street and come up to her garage and threaten her home again. As she has spoken with people, Murray is not an isolated town. You tell people where you live and they are envious. You tell people that you want to move and they ask you why. When you tell them you want to move within Murray they ask you why you want to move if you already live there. She tells them she does and doesn't want to leave but she cannot stay in her current home if when she goes down and expresses something else that has occurred in her basement and the family comes running down expecting water. That is the fear that they have. They check two pipes during almost every rainstorm to make sure that they are pumping water out from under their house. She doesn't need a houseboat at Lake Powell, she has one here in Murray. It's concrete, red brick and grey stucco and the only thing that is keeping it there are the pumps. What she would like to see happen is the safety of her children.

One of the nicest things she saw on Saturday was while she was in the neighborhood was seeing people they didn't know come in to help them. There was a family with little girls who had their little backpacks on and tiny orange snow shovels. Those girls couldn't have even been elementary school age, but that is the kind of care and love that is in Murray. She doesn't know who they were. They could have been family, friends or someone who had just heard about it. There was a man who put on waders and came down to shovel drains and said that after his meeting on Sunday would be back to do more and he was there the entire time. We need to address this issue as Murray because we all have family throughout the valley and Murray has a reputation. Murray can be a leader and this needs to happen for safety, technology, effectiveness and for the future. Get your pumps.

John Brown, 1209 West Saddle Bluffs Drive, Murray, Utah

Mr. Brown stated that he is still actively digging out of his house. He is not going to reiterate what everyone else has said, and he understands how completely heartfelt this is. His wife and son are here with him tonight. His seven year old son is at his mother-in-law's house right now, where they are all living at the moment. He does not know how long they will be there but he wants to say that they all need to work together as a team to fix this problem.

Mr. Brown is an electrical design engineer and that thing (the canal) is not engineered. They need to get some people involved. There needs to be a pipe, something that is going to mitigate

these problems in the future, end of story. There is not much else to talk about. The stuff in his basement doesn't matter that much to him. What matters is his family's safety. He hopes that everyone is on the same page. What are they going to do about it? Does anyone have any ideas? He hopes that they have some soon.

Scott Archbold, 6756 Saddle Bluffs Drive, Murray, Utah

Mr. Archbold echoed Mr. Dyes remarks about informing people of situations prior to making purchases. They were in the same boat. They noticed the canal and they really love Murray. They lived in Murray for eighteen years before moving to Saddle Bluffs. They had the opportunity of living anywhere in the valley and chose Murray for multiple reasons. There are a lot of advantages here. The canal was a concern and they specifically asked about it. The developer said 'no problem' but that doesn't surprise him because they aren't going to tell you anything. They also consulted with the City and the City basically didn't say much. He feels it is important that you understand, when talking about revising building codes and such, if Murray City issues a building permit that is an implied endorsement of the products, of the projects, the building and the landscaping. It is important to realize that and it may require a review of how that process is done so that sufficient information is given to people to make an informed decision.

Mr. Archbold said that they really love it over there and they actually like the wall of the canal behind them for many reasons. But again, they are like everyone else right now. They are nervous and don't know what this is all going to mean. They agree with the idea of forming a committee with multiple representatives that could come to a joint resolution to the problem. That will be far more productive than having a bunch of people yelling and screaming at each other.

Pat Bell, 6714 Saddle Bluff Drive, Murray, Utah

Ms. Bell stated that she saw tragedy this weekend. It was devastating. She wanted so much to take the pain away from the people who were suffering and she was not able to do it. She doesn't think that anyone would like to be down there watching what these families have gone through and not be able to help them. You have that power. She is tired of hearing that it is the landscaping, it's the trees, or it's the boulders. She drives along that canal and sees multiple old trees that have been there for years. They are having fingers pointed at them for putting trees in their yards. It is not about finger pointing. They need to quit blaming someone else for the problem. It doesn't matter who caused the problem or what caused the problem. What matters is what they, as a community, will do together to make it right and make it so that they don't have to walk away from their homes because they cannot live there anymore for fear, or for property value. They have all lost a lot. Maybe her home was not flooded this time, but she still lost a lot because of this flood. She is not going to point a finger and she is not going to say it is your fault. She is not going to say it is the canals fault. She is not going to say it was the developers fault and is certainly not going to say it is her fault for being stupid. She wanted to live in that home; she loves her home and her neighborhood and loves the people who surround her. Let's make it and keep it that way.

Bill Fink, 6759 Saddle Bluff Drive, Murray, Utah

Mr. Fink said that the breach avoided him this time, but what about the next time? You have already been reminded of the two miracles that happened and we should remember those again. One is that there were no fatalities and the second is that they lived in Murray. Murray put everything they had into this. The only thing he didn't see out there (addressing the Mayor) was snow plows. That big yellow fire truck was right in front of his house when he got home, with the water running and he knew how close he might be to that. He looks at what is happening up there on that canal and this is not the place for it, but there was mismanagement in running that system. He understands how those systems work and are supposed to work and there was a lot of mismanagement in filling that canal and not balancing it from the end where it is supposed to come out to the end where it is supposed to come in. In their case, John called right away to get the water shut off but it was not shut off until 7:00 or 8:00 that night. Why couldn't they shut the water off? He could not find out from anyone that he knows where there is a spillway that would divert 100% of that canal back into the river. They were thinking as neighbors that there was, but there was not one. There is a relief valve that would spill some of the water out, but not all of it. For safety wherever it is, not just in their neighborhood, but anywhere where there is an open canal they need intervals where a floodgate can be dropped and divert all of the water back to the river. They don't have that now which will come out in further hearings and information.

Mr. Fink thanked the Mayor again, saying that they cannot give him enough praise for turning the City loose on this.

Mr. Shaver explained that as a public forum, you have the opportunity to speak as a volunteer. The Council cannot compel or force someone to speak. He feels that Mr. John Dye has given the Council a solution in that they could hold a public forum where that kind of discussion could be had. Unfortunately, this is not the place for that. There are some recommendations that they can make and they will take those. Mr. Shaver asked if there were any other public comments.

Mr. Nicponski acknowledged State Representative Johnny Anderson and asked him to comment.

State Representative Anderson commended and congratulated all of the residents, volunteers, Municipal employees and everyone who participated in the cleanup up to this point. He said it was a herculean effort and said way to go. He echoed something that Mr. Dye had said: Thank God that we are not here discussing children who were asleep in a basement at the time and we are talking about ways that we can this. The number one thing we need to do is make sure that these residents are made whole, that the canal is made safe and make sure that those homes are brought back to a standard. They need to gather information about the breach and see what kind of reasonable actions we can take in the future to avoid this kind of a problem and insure that those actions are put into place this time. He pledged to work with members of the Council, the canal companies and everyone else to resolve this issue to make sure they don't have this problem again.

Mr. Nicponski said that the comments made tonight are not wasted on him. He thinks it is a valuable idea and something that he feels they need to do relative to a task force. He feels that they need to research what has happened and come up with a responsible and safe solution.

He wouldn't want to try to react immediately and make a mistake, they need to have the proper people involved, such as engineers, City representatives, people from the neighborhoods and we need to do the right thing. With that, he would like to hear from one of the City's experts in this area and have had Doug Hill, Public Services Director, in touch with the canal company and it was the Public Works Department who was there cleaning up the streets and other areas. It means so much to Mr. Nicponski for people to come and share. He understands the emotions that are involved and the need to have some type of action take place. That is something that he feels that they need to be able to do. Mr. Nicponski invited Mr. Hill to address the public with some of these concerns.

Doug Hill, Public Services Director, said that he did not want to take the credit for any of this. It was an awful event to have to respond to. Speaking collectively for the Police Department, Fire Department and Public Service Department, all of us as City employees have often gone into other tragic situations and have found that the neighbors are unkind and difficult to work with but that was not the case with this neighborhood. They were actually commenting throughout the evening on Saturday night how amazed they were that people were so friendly. It was nice to be in the neighborhood and he thanked the residents for letting them do what they could. He is not sure, after listening to the comments here tonight, that there is really anything that he would like to say or add to. What he has heard tonight would cover anything that he could say and he would not like to repeat what was said already. He would be willing to answer any questions if the Council has any questions and address any specific issues.

Mr. Hill also wanted to say that he knows that the North Jordan Canal Company is probably not the popular organization here tonight, but he would like everyone here tonight to know that he has worked with the organization for twenty years and he has found them to be very responsive. He has found that they are concerned about the safety of their canal. They were invited here tonight to represent the canal company and he will leave it up to them to speak if they would like to. Mr. Hill would like the residents to know that the representatives from the canal company were invited and did not have to come. They did come and hear the comments made tonight. They have been working with the residents the past three days and with their insurance adjustors and so forth and he is sure that they have understood everything that has been said this evening. The last thing he would like to add is that as City staff, again speaking collectively for the Mayor and the Executive Branch of the City, they are more than willing to work with the elected officials, City Council, in addressing anything that you think would be worth addressing in the future.

Mr. Nicponski asked Legal to correct him if he is wrong, but he thinks that at this time the appropriate thing to do is to direct staff to craft a Resolution that they could bring back to the Council. The City has to give notice within a certain amount of time relative to actions that they are going to take. He would support and endorse what this group has said tonight and would direct staff to craft a Resolution relative to the creation of a task force so that they can meet and address this problem and take it to the next level.

Mr. Shaver stated that this Council does have the capacity of forming a committee or group that can address such an issue. He feels that Mr. Nicponski's suggestion would have merit and as

part of that task force, maybe they ought to then invite some others to at least have voice whether they are part of that task force or not. At least they would have some voice in the forming of that Resolution. He asked Mr. Nicponski if he had an idea of how he would like to direct that or be a part of that.

Mr. Nicponski said that he would like to be a part of that.

Mr. Shaver asked if there were any other Councilmembers that would like to be a part of that.

Mr. Hales and Mr. Stam said they would also like to be involved.

Mr. Nicponski stated that they do this in keeping with if they had the answers tonight they would take that step. He is glad that the representative is here tonight because they may get into this and decide that they might need to do something legislatively. He appreciates Representative Anderson coming out tonight, as well as the latitude given him tonight by the Council.

Mr. Brass said that ultimately they will find that this needs to be addressed on a State level as it is a water issue. He is also glad that Representative Anderson is here and has offered to help with that. Mr. Brass also supports a task force. We operate under the State Open Meetings and Records Act so they cannot take action that hasn't been noticed in a meeting. It doesn't mean that they don't hear you or feel what they are going through. Mr. Brass said that he lives in a house that floods every year. He has a high water table too and has two sump pumps in his basement. Like you, he wishes he could do something. They did find a solution and if anyone would like to know what it is he would be happy to tell them after the meeting. Mother's Day used to be a time frame when they would end up with inches of water in his basement. To have it come blasting through your homes is really bad. They need to get together with the canal company with our representatives and find a solution for this state-wide. As it was brought up, it happened in Logan. Because we live in a desert, the second driest state in the union, there are irrigation canals all over and they are getting old and it is time it was addressed. Mr. Brass thanked everyone for coming and said they appreciate having people attend the meetings.

Mr. Nicponski added that they do understand. They were so blessed that no lives were lost and that is a very real fact to what occurred. His basement has flooded before and he understands when people talk about their basements flooding, he gets it.

Mr. Shaver asked if Mr. Stam or Mr. Hales had any comments.

Mr. Hales said that he hopes that when this is all through that Ms. Mooy will want to stay in Murray and will not have the fear. It would be great if they can make this work and make everyone feel safe in their homes.

Boyd Simper, 4788 Hidden Cove Drive, Murray, Utah

Mr. Simper stated that he is the Secretary/Treasurer of the North Jordan Irrigation Company and has been with them for the past 35 years. He wanted to address a couple of myths that were mentioned. They do test holds and Murray City has participated in the projects such as on

Winchester when the bored holes in the ground to test the soil because they had a slide area that came down and blocked the canal. Murray City, Taylorsville City, and the Flood Control entered into an agreement to put a box culvert into the canal. It was very expensive on your part but they appreciated that the project was there. It solved a lot of problems. This unfortunate instance is they are planning on doing the same thing. First of all, they want to make sure that all of the people are made whole. They have sufficient insurance to cover it; they have a claim adjuster on board and has been since that time. They talk about poor management; they have several overflow structures that have been done and they can dump the canal at an instant. But between that distance and the overflow...(interrupted). They have had a very good reputation as far as the canal has been concerned. They have had two slides since 1894 when this was accounted for. That is a good track record? (Public interruption stating that there have been three in the last three years) Mr. Simper argued that saying that there have not been three, only two. One was on Mr. Brown's property and the one that happened Saturday. If you know of another one, he would like to be told of it, as he is not aware of it.

Mr. Shaver interjected, asking the public to allow Mr. Simper to speak uninterrupted. As part of the citizen's comments they ask that comments are addressed to the Council and not to each other. That gets things heated and into arguments which is not what they are here for tonight.

Mr. Simper said that regarding House Bill 60 that was produced by the Legislature, they have complied with that. They did not need to as it was voluntary. They did a study and have been working on it for two months to do a study that was completed and complied with that during the deadline. If they had a say in Senate Bill 293, perhaps this subdivision wouldn't be in existence. Right after this subdivision was built, they wrote a letter from their attorney to each individual land owner, that they were there and he can show them copies. If people moved in after that time, they probably didn't get the letter. The letter was addressed to all the property owners explaining that they had a concern that there is a canal in their backyard.

John Brown, 1209 West Saddle Bluffs Drive, Murray, Utah

Mr. Brown appreciates Mr. Simper getting up and talking as this needs a joint effort. If the canal stays there, and he is pretty sure it is going to, they need to work together with the canal company and the engineering companies as a group. He is a project manager for a major refiner. We need to do this systematically. It will be a long process, they all know that, and they need to have meetings, talk to each other, and not have any surprises. It cannot work that way. They need to be in agreement along with the people at the canal company. He cannot say enough what a major concern this is. For people who are in the engineering environment and know how this stuff works, this has to be fixed. We are so lucky that we are banding together as a community. These people are like a second family, he has lived next to them for years. Please, let's get something done. He can see that something is going to get done and he thanked everyone for listening, both the neighbors and the City.

Mr. Stam said that the interesting thing in listening to this is that when he ran for office, one of the things that he told everyone was is that there are two things that bring a community together. One is sports and the other is a disaster. It is amazing to see how this community pulls together in times of need. The best positive thing that he sees out of this tonight is all sides coming

together and wanting to work together. We don't need to point fingers, everyone wants to come to a good resolution and that is the most positive thing he sees tonight. He appreciates that from everyone here, including the canal representatives, the City and the residents. They are all willing to work together and come to solutions so that they can feel safe. The City doesn't want anyone moving away either.

Mr. Shaver stated that if there is something that people want to address to each one of the Councilmembers individually they would be happy to hear it. He wanted to go back to something that Mr. Brass had mentioned. Sometimes it is very, very difficult to sit on the Council and know that they cannot respond as quickly as people would like. It is very frustrating. They are constrained by a law that says that if there is an issue before the City, they cannot just say 'let's do a Resolution right now.' The Council wants them to know that the people have been heard. If their faces look impassive, it is not because they don't care. One of the things that he loves about Murray is that this Council as a whole has committed to finding a resolution to this issue. You have heard all five of the Councilmembers say that and that is what they are hoping to do. They will work with the Mayor's Office because they are the Executive Branch, the ones that actually do the work. The Council can make recommendations and control the purse strings as to how that happens but it is the Mayor's Office that would gather it together and who the citizens would address. The Council would be happy to be a part of that and wants to be a part of that, but they need the experts. Some have mentioned that they are not water experts, neither are those on the Council.

As a personal note, Mr. Shaver said that his mother lived in Rexburg, Idaho in 1976. That was a singular instance because they didn't rebuild the dam. Yours, the fear that you are expressing, comes from the fact that the canal burst and didn't go away. That safety issue, that ability to feel like you can walk into your home and be safe, it is a sanctuary. You have described it as sacred and it is. Mr. Shaver thanked Mr. Fink; he described two miracles. The first one being that no one was hurt. The second one is that you live in Murray. The Council is going to act on that second one because of the first one. It shouldn't require an accident to cause the Council to act. Unfortunately, in this case it actually does, but they do want to do that.

A citizen asked to make a request to the representative from the canal company.

Mr. Shaver asked him to wait until after the meeting to talk to the representative.

Jeff Straley, 5194 Spring Clover Drive, Murray, Utah

Mr. Straley said that although not as important, his comment is about trees. He has lived in Murray for about fourteen years and loves it here. Mayor Snarr is his neighbor. He is a great Mayor and an even better neighbor. Mr. Straley said that the City does a great job planting trees and has won various awards for planting trees, maintaining them well and keeping them in good shape. His only complaint with the tree program is that they offer two types for the residential properties. You can have a Maple tree which he doesn't have a gripe with. They are a little messy but it's a good shade tree with fast growth. The other tree is a flowering tree, the Santa Clair Flowering Pear. His gripe with this one is that it smells terrible. He knows that it seems dumb at a time like this when people are suffering, but the City doesn't need to plant a tree that

smells bad. Larry Sager at the Deseret News is the ‘Garden Guy’ and he said that there are over 80 varieties of flowering trees that grow well in Utah and with subspecies, even more than 80. Mr. Straley is sure that the City can find another variety that smells good in addition to looking good. The flowers on the pear tree look good, but so do dandelions and he doesn’t want those in his yard either.

Mr. Straley added that he is a runner. When he was younger, he went to a rival high school of Murray. Murray was always a formidable foe but he never noticed the smell before. Now when he runs through the streets of Murray, he will round a corner and almost be knocked over by the smell of these Santa Clair Flowering Pear trees. He really doesn’t know why the City chose that tree. He imagines it is because it is inexpensive and grows well here. Other trees that grow well here are Magnolias, Idaho Locust, various lilacs, flowering cherry trees, Choke Cherries, etc. There is a laundry list of trees that would grow well here and he implores the City Council to consider others. He has mentioned this to the City Forester and that department has ‘accepted his complaint’ but that is about all. Mr. Straley asked if anyone on the Council felt the same way.

Mr. Straley reiterated that there are many gorgeous flowering trees available that would do well in this environment, even though the environment can be challenging for some trees. He recommends that they choose a different flowering tree so that the City can look great and smell great as well.

Citizen comment closed

Mr. Brass stated that all of the Councilmembers phone numbers are on the City’s website if someone wants to contact them with questions or if they just want to know how things are progressing.

5. CONSENT AGENDA

5.1 None scheduled.

6. PUBLIC HEARINGS

6.1 None scheduled.

7. UNFINISHED BUSINESS

7.1 None scheduled.

8. NEW BUSINESS

- 8.1 Consider approval of a resolution acknowledging receipt of the Fiscal Year 2013-2014 Tentative Budget from the Mayor and the Budget Officer, and referring the Mayor's Tentative Budget for review and consideration to the Budget and Finance Committee of the Murray City Municipal Council.

Staff Presentation: Mayor Daniel Snarr

Mayor Snarr thanked the Council for the opportunity to address them this evening. Through the years, it has been his pleasure to bring a City Budget before the Council and present it for their consideration. Each year at this time they find themselves in various circumstances. Sometimes they have flexibility in their numbers and other times stretching to make ends meet. Mayor Snarr has appreciated the opportunity to work with the Council throughout the years on the Council Administration Budget Committee. It has allowed them to understand, together, the financial status of the City and to manage and accomplish the many goals in lean times. While we have struggled through the economic downturn along with the rest of the nation, he is encouraged that our sales tax revenues are slowly rebounding. It may still take a while to return to the high numbers we enjoyed in 2007 but we are steadily seeing businesses rebound in Murray City. In 2011, we undertook a process to develop a Strategic Plan and put a Capital Improvement Plan in place. These tools have made a positive difference in the way we look at our City budget. We understand what goals are important for us to achieve and now have an ability to set funding aside to plan for higher dollar items over time. This effort has helped us to separate our budgeting into three main categories. The Mayor would like to discuss his recommendations in each category.

The first category is our day-to-day operations budget. This budget pays for the supplies, utilities, buildings and programs that are taken care of by each of the departments in the City. We have been working under a model called "Target-Based Budgeting for Operations". This allows departments to move their operations funding as needed to cover the daily work of their areas. In order to have more funding for our other two categories, the departments were asked to provide a flat operations budget. Other than unavoidable increases, this has been accomplished. There are several operational items that the Mayor is recommending be funded. These include paying for our local elections this fall, providing some funding for economic development and increased utility cost in some of the departments. Some of the outside public safety entities, such as VECC and UCAN, have required increases for their services. He is also recommending increases in the budget so that the City can open the Park Center again on Friday nights.

The second category to fund is for Capital Improvements in the City. There are a variety of large projects and equipment that must be funded. This year the amount requested for these items was over \$30 million. We had \$1.8 million to spend. A CIP Committee of executive, legislative, and staff members made recommendations on what priorities should be funded. A good portion of the \$1.8 million came from savings in our departments throughout the City. When they save budget dollars, a portion of that money is programmed for their CIP priorities in the next fiscal year by the Committee. Some of

the projects recommended by the Committee include: \$100,000.00 for a new grass truck for the Fire Department to fight fires; \$50,000.00 to purchase three thermal imagers for Fire Fighters to locate people in people in fires; \$50,000.00 to update the General Plan that is currently ten years old; \$510,000.00 for Police cars purchased in this fiscal year; \$40,000.00 to replace Police motorcycles; \$55,000.00 to re-plaster the competitive pool at the Park Center; and \$10,000.00 for additional radar speed signs. Road projects are included in the CIP. We have committed 20% of the General Fund savings to be added to the Class C road money to improve our streets. It is under \$2 million, but our Street Division works very hard to make the money go as far as possible.

Mayor Snarr stated that other projects that will be done are in our Power Department, Water, Storm Water, and Sewer Divisions which are separate Enterprise Funds. He is also recommending using some of the CIP reserves to spend \$50,000.00 to begin plans for a new City Hall.

Finally, the third leg of our budget is to take care of our wonderful employees. We are an organization that provides service. That means that we have a need for excellent people who work hard to make Murray City the great place it is to call home. Each year we look at the best possible way to provide them with great benefits and compensation. This year, we looked at over ten options in an effort to take care of some of the challenges that are the result of the rough economic times. We have considered compression, merit, market adjustments, hourly increases, and COLA's to find the right balance of equity for the employees. Mayor Snarr said that he is recommending that the City covers the increases in health care costs which are about 5%, and increases for the Utah Retirement System. These benefits alone will take \$550,000.00 to fund. Due to the three years when no pay increases were given we have seen challenging compression problems, especially in our Public Services and Public Safety areas. He is suggesting that the lower paid quarter of our employees in their pay ranges, which is about 100, receive compression adjustments. This will not take care of the total problem but it will help to begin a process with these changes. For full-time employees, his recommendation includes about \$1,000.00 raise and funding to provide a small increase for seasonal employees to be determined by the Department Heads.

The City staffing level will remain as it is with two exceptions: he would like to add a Civil Engineer position for the Public Services Department. They have been very short handed with the high demand for building services. The second position would be in the Library. The City Library Director, Kim Fong, would like to transition her staff from fewer seasonal positions to more full-time positions. She will reallocate funding from seasonal personnel to provide for this new position.

We have some items to be considered from the non-departmental fund including helping with the COG initiative to provide for the homeless population in the valley. We also continue to pay our portion of the UTOPIA commitment. Mayor Snarr is recommending that they use funding from the reserves in the current fiscal year and the next budget to transition to a utility model for fiber. He believes plans for this direction can be

completed during this time and will give us the opportunity to manage this extremely valuable infrastructure.

Mayor Snarr would like to acknowledge the cooperation and the cooperative work between the Council and Administration in this process and in dealing with the other efforts to improve our City. Because this will be his last Budget Address, he would especially like to give a heartfelt thanks to his staff for their continuous support and outstanding work. Justin Zollinger, our Finance Director, has done an absolutely amazing job in helping with options to review and scenarios to consider. Mayor Snarr believes that we are very careful stewards of public funds. It has been his goal to use them to lead Murray as to what we all believe it to be, the best city in America. The Mayor thanked everyone for their time and consideration.

8.1.1 Council consideration of the above matter.

Mr. Brass said that having been around for many of the Mayor's years with the City that it has been a pleasure and the City has been well run.

Mr. Shaver concurred. Although his experience has not been as long, he has never seen waste. It has always been a very cautious and judicious assessment of the City's needs and trying to meet those needs. He expressed his appreciation as well.

Mr. Stam said that the Mayor has not only worked to take care of the City, but he has also put this City on the map. Even if it is just in some areas for the Mayor's mustache, he has made Murray a place that is recognized, not just in the State but all over the Country. It makes people wonder and think about if this is a place they want to go. He also expressed his appreciation for the Mayor.

Mr. Nicponski made a motion to acknowledge receipt of the Budget, and refer the same for review and consideration to the Finance and Budget Committee.

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

8.2 Consider a Resolution approving an amendment to an Interlocal Agreement with member entities of the Central Valley Water Reclamation Facility.

Staff presentation: Doug Hill, Public Works Director.

Mr. Hill stated that Murray City is one of seven member entities of the Central Valley Sewer Treatment Plant. Councilman Brass is the City representative on that and he may also want to follow up on any comments.

This Resolution is an amendment to an agreement that Murray City has with Central Valley dating back to the year 2000. It has been amended a couple of times. Every time there is, for example, a plant expansion the agreement gets amended. Most of the amendments address ownership percentages, how much do we own and how we are going to pay each year. That is what this amendment is addressing tonight. It is clarifying the ownership that Murray City has in the plant and how we will pay for those capital expansion projects moving forward.

This is really just a clarification of what has been happening in the past but because there are new leadership and new Board Members that come on and off the Central Valley Board, there were some recent discussions about changing the way that those costs would be allocated. The Board felt that they needed to have this in writing so that every time there is a change it does not come up and get re-discussed. Mr. Hill asked Mr. Brass if he would like to add anything.

Mr. Brass said that Danny Astill, Water Superintendent, weighed in heavily on this. As Mr. Hill said, they have had to amend this agreement several times and the initial document was not favorable for Murray City. We have excess capacity at the plant which is a nice position to be in and some of the larger entities are running up against their capacity. This more fairly allocates the cost of improvements and expansions to the people who are actually putting the heaviest wear and tear on the facility. The initial discussions put an unfair weight on Murray City and with Mr. Astill, Mr. Hill and Mr. Nakamura looking at it, they have come up with an agreement that he feels everyone now feels is fair.

Mr. Shaver said that as part of one of the issues that was brought up in the Committee of the Whole meetings and individually, the filtering is the challenge. This would actually make that filtering be more equitable across the cities, should it be necessary for that to happen.

Mr. Hill said that the plant goes back to the mid 1980's.

Mayor Snarr said that some of it is newer.

Mr. Brass said that some is only a decade old, some is new. There is a lot of infrastructure that is starting to need to be replaced and this agreement will help out.

8.2.1 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

- 8.3 Consider a Resolution approving an Interlocal Agreement between the City and the State of Utah, Utah State History, Department of Heritage and Arts for a grant to undertake local historic preservation projects under the Certified Local Government Program.

Staff Presentation: Doug Hill, Public Services Director.

Mr. Hill thanked Mary Ann Kirk, Cultural Director, who works hard at getting these grants for the arts and history programs in the City. This is one that Ms. Kirk pursues every year and we seem to get a grant from the State to help the historic preservation issues for Murray City. This grant would give Murray City \$10,000.00 over two fiscal years. We would receive \$5,000.00 this fiscal year and the other \$5,000.00 next fiscal year. The City would need to match that with our own monies or in-kind donation which are currently in our budget and included in the Mayor's budget which was just presented.

With this money, the plan would be to create a national register historic district for the Hillcrest area which is the area just east of Hillcrest Jr. High School. It would also allow us to nominate five to seven buildings to be on the national register.

Mr. Shaver asked if that is an equal contribution, meaning \$5,000.00 from them and \$5,000.00 from us.

Mr. Hill said that was correct.

Mr. Nicponski asked if Mr. Hill had any idea of which buildings they are talking about.

Mr. Hill said he did not know. He thinks that Ms. Kirk might have an idea of which ones they might be.

Mr. Shaver said that if he understands it correctly, the buildings have to meet very specific criteria in order to be listed on that register.

Mr. Hill stated that was correct. Mr. Hill emphasized that he knows that many people have concerns that if we nominate a building to the National Historic Register, does it put

all kinds of restrictions on that property such as whether that building can be demolished or remodeled. To clarify it, the answer is no. There are no restrictions for being on the National Historic Register. It allows the property owner to receive tax credits to do historic preservation on the building.

Mr. Nicponski asked if that included selling the building.

Mr. Hill said that there were no restrictions and the owner could sell if they wanted to.

Mr. Brass said that he has friends who just put a sunroom on their house, which is on the National Historic Register. It is not difficult.

8.3.1 Council consideration of the above matter.

Mr. Brass made a motion to adopt the Resolution.
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

8.4 Consider a Resolution approving the polling locations specified by the Salt Lake County Clerk's Office, Elections Division, for the City's 2013 elections.

Staff Presentation: Jennifer Kennedy, City Recorder

Ms. Kennedy stated that Salt Lake County has sent the City a list of polling locations. By combining these polling locations it can potentially save the City money during our elections and they are recommending approval of this Resolution.

8.4.1 Council consideration of the above matter.

Mr. Hales 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

9. **MAYOR**

9.1 Mayor's Report

Mayor Snarr stated that he was on his way back from Eureka, Utah on Saturday and when he turned the corner on 1300 West to go on eastbound on Winchester, there was one of our Police Officers who had just pulled up and began to place cones. At the same time, the break had occurred about 15 minutes before; they were notified that the ambulance and other fire vehicles were down there. The officer said that everyone had been notified. The Mayor's hat goes off to everyone for the wonderful response to the event. The Power Department was there to make sure that the power stayed on and everyone got involved. He thanked all of the staff for all their hard work. They stayed there all night and it was amazing to see the amount of mud and debris that had to be moved and seeing all of the volunteers the next day that came out to help out. Even people from Lester Avenue came out to help. Lester Avenue is the City's southern-most boundary. To see individuals come down and work and participate side by side to resolve this was great. We were very lucky that this occurred during the day and not at night.

The canal company has been very supportive in saying that they need to find solutions. We know that some of those solutions could be very, very expensive and we will have to sit down and discuss the expense of putting in a culvert box similar to what is on the other side. That was put in to protect the area above up to the west, where it was sloughing off and blocking the canal. At looking at this particular situation, the same thing could happen from both sides. Just know that this will be very expensive. They will all sit down together and we know that the canal company wants to come up with a solution.

Mayor Snarr noted that Costco, Lowes, Home Depot and other organizations also came out to participate in the clean-up efforts. They saw the event on TV and being good stewards they stepped up and did a great job. The Mayor has already expressed his appreciation to them already. Ironically, they are very excited about the Building Department down there for contractors.

Gilbert Gonzales, Chief Building Official, has placed notices on the doors regarding what they are doing for education on building codes and processes. This is a delicate situation. It would be very difficult for our Building Department to go in and say that someone can't build. If a person buys property and the City tells them it is not developable, it would be considered a taking. It takes away their ability to do what the property was zoned to do. Everyone should be aware that the canal area was not a part of Murray originally. There was a boundary adjustment between Murray and

West Jordan that was done. Wayne Harper came in and worked with the City on this. It was done mainly because they didn't want to put in a lift station to pump the sewage up to 1300 West. It made sense. To the south of Winchester was not Murray. It jogged at the Jordan River. At the corner of the Jordan River going to the west and south of Winchester was a part of West Jordan. Murray City accepted it and Goff had done a good job in developing Murray Bluffs I and there was no problem over there when that was done. There have been some challenges since then but this isn't about finger pointing, it is about solving the problem and figuring out what needs to be done.

Mr. Nicponski said that the idea sometimes is to engage in an educational process after an event when things have cooled down a little bit.

Mr. Brass gave kudos to the Murray staff, saying that they will work all night and those that are scheduled to come in at 8:00 a.m. show up. He also thanked Ms. Wells for the text messages.

Mayor Snarr said that they did the same thing, although the reception was not quite as good, over in Walden Glen. The County was so busy trying to take care of the potential flooding from the Big and Little Cottonwood Creeks as well as other creeks. The County was responsible for many creeks and rivers and they were trying to address those. They had started a project just south of 5400 South and 1300 West. There is an issue with a property there where they drain a lot of property that comes off the Walmart development. Unfortunately, we had a significant rain event.

Mr. Hill stepped in saying that he realizes that they should give credit to the Power Department who was there that evening too.

9.2 Questions of the Mayor

Mr. Nicponski said that he understands that they are going to tear down the Sears building at Fashion Place Mall.

Mayor Snarr stated that they are waiting to hear what is going to happen there. They have been in contact with the corporate offices and said that they hope they have a plan in place but that the documents have not been signed yet for the potential tenant. He asked Tim Tingey, Administrative and Development Services Director, to speak to that issue.

Mr. Tingey said that was correct. They are in negotiations at this time but it has not been finalized and there has been no announcement on what they are going to do. They are very close though.

Mr. Nicponski asked Mr. Tingey about an upcoming event that he has and asked him to share that.

Mr. Tingey said that they have the Economic Development Symposium coming up this

week on Thursday from 11:30 a.m. to 1:00 p.m. at the Doty Education Center at Intermountain Medical Center. They have some panelist who will speak about the economy 101 and what is happening and the effects that it has on Murray.

Mr. Shaver noted that they have done the demolition at Vine Street and State Street. It is exciting to drive by there to know and see what is happening there. They are plowing up the earth and putting up the retaining wall. It is marvelous to see what is happening in the City.

Mayor Snarr said that it is going to be a beautiful addition to downtown Murray.

Mr. Nicponski said that he has gone to the Chick-fil-A a number of times and watches the cars come in and end up turning around and going back out because they can't get through there. It is ridiculous that they can't get that issue resolved.

Mayor Snarr said that it is very frustrating but it is a private land issue and perhaps the City could have demanded more but it is what it is. Hopefully someday somebody will say that this is a joint effort and everyone wins if a road goes through. People would have a safe way to go out and turn left without having to go back out to 5300 South or through the Park. For what it would cost, approximately \$25,000.00, it would be worth it and he hears about it all the time.

Mr. Brass said that if you look at the load that the Chick-fil-A gets, the number of customers they have, if they could easily go from the restaurant over to the shopping center he would see an uptick on his business to the retail businesses including Best Buy. He just doesn't understand why he won't just fix the problem.

The Mayor said that he and Mr. Brass see it the same way. It is very frustrating because he feels that the City went above and beyond what was necessary to help facilitate the development of that property. They have bent over backwards to make things happen over there.

10. ADJOURNMENT

Jennifer Kennedy, City Recorder