

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 12th day of June, 2007 at 6:30 p.m., for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

Roll Call consisted of the following:

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

Others who attended:

Daniel Snarr,	Mayor
Jan Wells,	Chief of Staff
Frank Nakamura,	City Attorney
G.L. Critchfield,	Deputy City Attorney
Shannon Huff Jacobs,	Council Director
Carol Heales,	Recorder
Don Whetzel,	Director of Finance
Doug Hill,	Public Services Director
Craig Burnett,	Assistant Police Chief
Gil Rodriguez,	Fire Chief
Dale Whittle,	Director, Human Resources
Jeff Maglish,	Police Department Cadet Supervisor
David Larsen,	Information Technology Director
Dennis Hamblin,	Community Development Director
Jeffrey Whiting	New Police Officer
Police Cadets	
Citizens	

Pat Griffiths Conducted Meeting

A. OPENING CEREMONIES

1. Pledge of Allegiance - Craig Burnett, Assistant Police Chief
2. Approval of Minutes of the Neighborhood Council Meeting held at Woodstock Elementary School, May 29th, 2007.

Ms. Dunn asked that the approval be postponed due to difficulty in transcription of meeting minutes.

Motion to defer approval of the minutes of May 29th, 2007, made by Ms. Dunn.
Mr. Brass 2nd the motion.

Voice Vote taken, All ayes.

3. Special Recognition(s)

- a. Swearing-in of new Police Officer, Jeffrey Whiting.

Assistant Chief Craig Burnett made the presentation, stating that Officer Whiting has come to Murray City from the Juab County Sheriff's office.

- b. Swearing-in of new Murray City Police Department Cadets:

Presentation done by Jeff Maglish, Cadet Advisor.

Terra Collette
Megan Niebergall
Megan Lam
Cody Maxfield
Travis Neiswender
Alicia Voorhees
Megan Campbell
Grant Simper
Shannon Ma
Courtney Langille

Each of the cadets introduced themselves and their family members.

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

Rick Barrett, 804 Shadowwood Dr., Murray, UT 84123

Mr. Barrett noted that on June 7, 2007, an *Extreme Make Over, Murray Edition* was completed at the Murray Greenhouse Foundation. He said over 200 youth from the Murray Parkway Stake participated in the activity to landscape and refurbish the location. The Greenhouse Foundation recognized Mayor Snarr's participation in the event and Mr. Barrett presented a medallion to him in appreciation for his help. Mr. Barrett also thanked the Council for their support in the project.

Ms. Griffiths thanked Mr. Barrett, and the Foundation, for their efforts in this worthy endeavor, and wished them continued success.

Citizen Comments Closed

C. CONSENT AGENDA

None

D. Public Hearing(s)

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

Consider an Ordinance amending Section 17.145.060(B) of the Murray Municipal Code relating to the Downtown Historic Overlay District (DHOD)

Staff Presentation: Dennis Hamblin, Community Development Director

Mr. Hamblin stated that the Planning Commission made a favorable (5-0) recommendation after reviewing the matter on May 19, 2007.

The sponsor, Brent Winget, a property owner within the DHOD area, noted that under the current ordinance he can only build apartments on the property. He said he would like to build town houses because he felt permanent residency was important to the City and to the community. He felt with the City's approval of the change he could help fill a need in the community and be part of the revitalization projects.

Mr. Todd Nielson, a project partner and President of Reliable Title was introduced.

Public Hearing opened for comment.

None

Public Hearing Closed

- b. Council consideration of the above matter to follow Public Hearing

Mr. Brass made a motion to adopt the ordinance.
Ms. Dunn 2nd the motion.

Call vote recorded by Ms. Heales

AYE/NAY

 A Ms. Dunn
 A Mr. Dredge

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

Motion passed 5-0

E Unfinished Business

1. **Consider an Ordinance adopting the Final 2007-2008 Fiscal Year Budgets for Murray City including the Library Fund Budget.**

Staff Presentation: Mr. Dredge, Council Member

Mr. Dredge stated that the Departments, the Mayor's Office, and the City Council provided due diligence in judiciously using the taxpayers' funds. He said they can all say they have done their best to see that the taxpayers best interest is met.

Mr. Dredge made the motion to adopt the Ordinance.
Mr. Robertson 2nd the motion.

Call vote recorded by Ms. Heales

AYE/NAY

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

Motion passed 5-0

F. New Business

1. **Consider an Ordinance Enacting Chapter 8.20 of the Murray City Municipal Code relating to Prohibiting Smoking in City Parks and Recreational Areas.**

Staff Presentation: Pat Griffiths, Council Member

Ms. Griffiths stated that approximately a year ago, the Council was addressed by a youth group who spoke on the negative effects of smoking in City parks, recreation areas, ball parks, amphitheater and Murray's Fun Days. A major concern was how second-hand smoke affects the public, with an emphasis on the affects on the families and children. Ms. Griffiths said she has received several letters from concerned parties regarding this issue.

Mr. Brass noted that he had spoken with Doug Hill, Public Works Director, regarding his concern on not exempting golf courses. He pointed out that most of the cities that have passed nonsmoking ordinances have exempted fairways on their golf courses. He said he is concerned with the original draft that exempted City streets and sidewalks. He felt if all city streets and sidewalks are included, people driving on the streets would be in violation of the ordinance. He asked if this could be looked at.

Ms. Dunn asked how this ordinance would be enforced, especially during special events. She wanted what type of notice would be posted annually during the events.

Mr. Dredge noted that, as with any ordinance, the majority of people would comply. He felt that with publicity, the word would be spread.

Ms. Griffiths asked if the streets and sidewalks were included.

Mr. Nakamura stated that they are not exempted in this ordinance. He said the parade routes would have notices issued. He made note that State roads would not fall under the City's jurisdiction and would not be governed under the ordinance.

Mr. Brass asked how streets and sidewalks, outside of our parks, would be handled.

Ms. Dunn stated that her concern would be giving people a new reason to file complaints, and the City not being able to enforce the issue. She felt if the ordinance was a send a message bill she would be fine with it.

Assistant Chief Burnett stated that it would be difficult to control on City streets and sidewalks; but parks would be handled the same as other ordinances they have in place without many problems.

Mr. Nakamura stated that this ordinance is not limited to the parks, but to all City owned streets, sidewalks, and properties.

Ms. Dunn felt that it would be difficult to get the word out to the public, especially at the larger functions.

Mayor Snarr suggested that when pairing up people for foursomes, golf personnel could ask if the party was a smoking or non-smoking party, and work something out. He also stated that *within* the park, he agrees that there should be no smoking.

Mr. Brass asked if this ordinance is specifically for parks and recreation areas.

Mr. Nakamura stated that the ordinance currently reads for all streets and sidewalks as well, but could be voted to exempt areas outside the parks and the golf courses.

Mr. Brass made the motion to adopt the ordinance, with an amendment to exclude streets and sidewalks outside City parks, and golf course fairways.

Mr. Robertson 2nd the motion.

Ms. Dunn made a motion to amend the motion to include City sponsored public gatherings on City property, exempting golf course fairways, exempting streets and sidewalks outside City park, and exempting areas designated as smoking areas.

Mr. Robertson 2nd the amended motion.

Further discussion on clarifying the ordinance was made, at which point Ms. Dunn withdrew her amended motion, and Mr. Robertson withdrew his 2nd.

Ms. Dunn made an amended motion to approve the ordinance, using only the definitions under Section 8.20.030 and remove *any other City property*, and include Mr. Brass's motion on the golf course fairways.

Mr. Robertson 2nd the motion.

Call vote recorded by Ms. Heales

AYE/NAY

<u> A </u>	Ms. Dunn
<u> A </u>	Mr. Dredge
<u> A </u>	Mr. Robertson
<u> A </u>	Mr. Brass
<u> A </u>	Ms. Griffiths

Motion passed 5-0

A secondary vote on the main motion was taken.

Call vote recorded by Ms. Heales

AYE/NAY

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

Motion passed 5-0

2. **Consider an Ordinance repealing Section 3.04.020 of the Murray City Municipal Code relating to Capital Projects Appropriation.**

Staff Presentation: Frank Nakamura, City Attorney

Mr. Nakamura explained that in prior years, capital improvements were handled through a city ordinance. He said now capital improvements are being handled through a Capital Improvement Fund that was adopted by ordinance. He said there is no need for this section in the City code. .

Mr. Robertson made the motion to repeal this section of the ordinance.
Mr. Brass 2nd the motion.

Call vote recorded by Ms. Heales

AYE/NAY

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

Motion passed 5-0

3. **Consider an Ordinance amending Section 2.62.010(E) of the Murray City Municipal Code relating to Personnel Policies and Regulation, and Section 2.62.230(A)(2) of the Murray City Municipal Code relating to the Bonus Program for Red-Lined Employees.**

Staff Presentation: Dale Whittle, Human Resources Director

Mr. Whittle stated that the addition of wording to the section is self-explanatory.

Mr. Brass made the motion to adopt the Ordinance.
Ms. Dunn 2nd the motion.

Call vote recorded by Ms. Heales

AYE/NAY

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

Motion passed 5-0

4. Consider an Ordinance amending Section 12.14.090(A)(2) of the Murray City Municipal Code relating to Franchises and repealing Section 13.08.020(F) of the Murray City Municipal Code relating to Disqualification for Water Service Assistance.

Staff Presentation: Frank Nakamura, City Attorney

Mr. Nakamura stated that this is a housekeeping change. He said Sterling Codifiers pointed out that the City had some inconsistencies in an ordinance dealing with the utility program and the franchise ordinance, and suggested this adjustment be made.

Ms. Dunn moved to adopt the resolution.
Mr. Robertson 2nd the motion.

Call vote recorded by Ms. Heales

AYE/NAY

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

Motion passed 5-0

G. Mayor

1. Report

Mayor Snarr noted that UDOT had let the bid out on 4500 South and awarded the project to Granite Construction who was the low bidder. He said UDOT is excited to get this project completed.

Mayor Snarr mentioned the access to the property between light rail and the Silverado Development. He said in discussion with Lochner, they thought it might be \$2.5 to 3 million, which falls within the budget.

The Mayor made note that Keith Snarr, Economic Development Director, is in the process of creating an RDA on the property to the North of Big Cottonwood Creek which would facilitate bringing funds to the table to be able to create a new North-South Corridor.

Mayor Snarr also noted that some of the money could be used to improve 200 West, which is currently a challenge. He said the frontage road, is severely challenged and needs improvement. He felt UDOT would not be opposed to this, and this improvement would provide access into the property to allow development to get underway.

The Mayor spoke about the challenge of developing approximately 3,000 square feet of the interchange at 5300 South and State Street because there is a dispute over property ownership.. He said when this issue is resolved UDOT will bid the project. .

The Mayor said he has been working with Doug Hill, Public Services Director, on the xeriscape for the 5300 South- I-15 landscaping because weeds have been an issue. The Mayor felt that making the area too elaborate would be too costly to maintain in the long run.

Mayor Snarr gave a brief update about Questar's progress in the City; and mentioned that there is a property on 300 West by the frontage road and the northbound on-ramp to I-15 that has some interested buyers, which would help with the landscaping issues there.

2. Questions of the Mayor

Ms. Griffiths mentioned that she would like to see the area around Division Lane cleaned up, if something can be done.

H. Adjournment