

# Murray City Municipal Council Chambers Murray City, Utah

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**T**he Municipal Council of Murray City, Utah, met on Tuesday, the 17<sup>th</sup> day of July, 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 - Conducted |
| Pat Griffiths,    | Council Member            |
| Robbie Robertson, | Council Member            |
| Jim Brass,        | Council Member - Excused  |
| Jeff Dredge,      | Council Member            |

Others who attended:

|                      |  |
|----------------------|--|
| Daniel Snarr,        | Mayor - Excused                              |
| Gil Rodriguez,       | Fire Chief, Mayor Pro-Tem                    |
| Jan Wells,           | Chief of Staff                               |
| Michael Wagstaff,    | Deputy for Legislation                       |
| Frank Nakamura,      | City Attorney                                |
| Shannon Huff Jacobs, | Council Director                             |
| Carol Heales,        | City Recorder                                |
| David Wilde,         | Salt Lake County Council, District 3         |
| Mitzie Huff,         | Murray Board of Education, Pres., Precinct 1 |
| Darrell Pehrson,     | Murray Board of Education, Precinct 2        |
| Marge Tuckett,       | Murray Board of Education, Precinct 5        |
| Laurel Brown,        | Utah State Board of Education, District 10   |
| David Garrett,       | Granite School District, Bus. Administrator  |
| Patricia Sandstrom,  | Granite Board of Education, Precinct II      |
| Connie Burgess,      | Granite Board of Education, Precinct III     |
| Sarah Meier,         | Granite Board of Education, Pres., Prec. IV  |
| Patricia Pignanelli, | Holladay City Council, District 3            |
| Hugo Diederich,      | Holladay City Council, District 5            |
| Citizens             |  |

## **A. OPENING CEREMONIES**

1. Pledge of Allegiance - Tyler Norton, Scout Troop #93
2. Approval of Minutes of June 27, 2007

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

Voice vote taken, all ayes.

3. Special Recognition(s)

Ms. Dunn asked any Scouts to stand and introduce themselves, their troop number and which Merit Badge they are working on.

The Scouts introduced themselves.

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

None Given

**Citizen Comments Closed**

**C. CONSENT AGENDA**

None scheduled.

**D. Public Hearing(s)**

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

Consider a Resolution authorizing the City, pursuant to Title 53A, Chapter 2 of the Utah Code, to enter into an Interlocal Agreement with Salt Lake County, the City of South Salt Lake and the City of Holladay to submit, for Voter approval or disapproval, a measure to create a new School District that includes the area in the City that is presently in the Granite School District.

**OR**

Consider a Resolution providing that the City, pursuant to Title 53A, Chapter 2 of the Utah Code, will not enter into an Interlocal Agreement with Salt Lake County, the City of South Salt Lake and the City of Holladay to submit, for Voter approval or disapproval, a measure to create a new School District that includes an area in the City that is presently in the Granite School District.

Staff Presentation: Ms. Dunn & Mr. Wagstaff gave a Power Point presentation on the two options of the resolutions. Ms. Dunn introduced the members of the School Board who were present.

Ms. Dunn stated that as a result of Senate Bill 30, Murray City Council received an invitation to participate in an interlocal cooperative agreement to join with South Salt Lake, Holladay City, Salt Lake County( Millcreek Township) to form a smaller school district. As a result of that, Murray City must make a decision on whether they will opt in to the interlocal agreement, or opt out of it.

The law was put into place by the legislature, to allow cities to create their own school districts, or a combination of cities if they do not meet the population threshold of 65,000 residents and/or 3,000 students. In this case, Holladay, South Salt Lake, Salt Lake County (Millcreek Township), and Murray City's east-side were combined to create a new school district.

The first option (Option #1) is for Murray to participate in the interlocal agreement. This would mean that the Murray City Council would make a decision to either opt in or opt out of the agreement. In this case, opting in to this option would allow our residents living east of 900 East to vote on this measure. They could vote for or against creating a new school district. Only the people on the east side would be allowed to vote as only those people affected by and living in the new school district area would be able to vote. No one in the traditional areas of Murray, west of 900 East, would be able to vote.

If the vote is positive, to create a new school district, all of the students living east of 900 East, would become part of the new school district. All decisions made, in terms of which schools remain open, which close, all boundaries, etc., would be made by the new school board of that district. If that is the case, and a new school district is created, they would have one full year to create a new school board, decide their boundaries, etc.; and begin the new school district in 2009. If the vote is negative, and the new district fails, then Granite School District would remain in that area, unaffected by the decision.

Under Option #2, The Council decides to opt out and not participate in the interlocal agreement: If Murray opts not to participate, and the other participants in the agreement, (Holladay, Millcreek, etc) vote in favor of the new school districts, then all of those students in the east area of Murray would become a part of the Murray School District, in 2009. If they vote against the measure, or the vote fails, they would remain as they are.

Ms. Dunn reminded everyone that these are the two choices the Council has, and reiterated that they were not there to decide if this was a good or bad legislation. There are a lot of problems with the legislation, leaving many questions unanswered. But they are not here to decide that, only to decide whether or not to opt in to the interlocal agreement.

**Public Hearing opened for comment.**

Mitzi Huff, Murray Board of Education, President, Precinct 1

Ms. Huff stated that the School District has taken a neutral stand on the position, not wanting to affect the choice of those people in the affected areas. But, if the vote is favorable, or the City decides to opt out, and the students come to Murray, they will definitely welcome the students. Many people have asked why the district has not already made arrangements or plans for this; they are unable to do so until a decision is made, and then they will need input from the citizens to help them. They have looked at many of their options, but can only say that there will be room for the students and that they will be welcomed.

Ms. Dunn mentioned that when they have spoken to the Granite District, they had not been told that there were students in the eastern portion of Murray that attend a school outside of the district. They were also not previously told that there are children outside of Murray boundaries that are bused into Twin Peaks Elementary on the east side.

If the City opts out, the students would be assimilated into one of the Murray elementary schools. Likewise, the students that are not part of Murray City, and are bused into the schools here, will no longer be bused in. Twin Peaks would lose all of those students. Any decision to bus students from Oakwood, and others, would be made by the school district, not by Murray City.

Laurel Brown, Utah School Board of Education, District 10, 5311 Lucky Clover Lane

Ms. Brown noted that there are also representatives from Granite School District as well as the Murray School District present tonight.

John Haglund, 1391 Stillwood Dr

Mr. Haglund stated that he is representing the Cottonwood Community Council for Cottonwood High School. His main interest is to ensure that Cottonwood High School stays open. As a council, they are not against change, but the current proposal has a number of serious flaws. If the cards fall the wrong way, Option #2 presents a very rapid path to closing Cottonwood High School. He would encourage the Council to look past the fact that the City would inherit the property. He also feels that the public needs to be heard on this issue, and asks that the Council votes in favor of Option #1.

Ms. Dunn clarified that all of the school properties that end up in another school district will belong to that school district. There are three school facilities in that eastern area, and those properties would go to that school district. She also noted that regarding keeping the schools open: The Council does know that there are not enough students to keep two high schools open. The Council cannot make a decision on what will happen to the school, that decision would fall to the school board. There are a lot of students that get bused in from Taylorsville who do not get to vote, nor have representation. Right or wrong, it is the fact of the matter. But, without those students, there are not enough

students to keep Cottonwood open. The likelihood is that one school will close in the Murray School District. Likewise, in the new school district, we know there are not enough students to keep four high schools open. They cannot say if they will close schools, or which schools may be closed if they decide to. Either direction, there are not enough students for the number of schools on the east side of the City.

Ms. Griffiths also noted that as well as inheriting the school property, they also would inherit the school population, the staff, and all the costs associated with that.

Patricia Sandstrom, 4065 So. 1045 E. Granite School Board, Precinct II

Ms. Sandstrom stated that she represents the district that is being affected by this. There are approximately 300 students that would come from the school, which is a small number, but on the other hand, Cottonwood High School also has the Academy of Mathematics, Engineering, and Science program (AMES). As a board they will not take a stand, but asks that the Council take careful consideration on this decision because if this goes through, the east side will not be hurt as much as the west side. Currently they are able to maintain and use both sides. Ms. Sandstrom also has concerns regarding the faculty at the school: they have a large faculty and they will not be able to follow the students in total, causing these people to lose their tenure, even if placed in another area.

Steve Martinez, 413 E Afton Ave

Mr. Martinez remarked that it seems obvious what the choice should be. Either you give the people the opportunity to have a say in their own future, or you vote to take away their vote. He hopes that the Council trusts the people enough to allow them to vote for their own issue.

Mr. Dredge stated that it is not just that area that gets to determine whether or not they participate. They are homogenized into a larger area, and part of the consideration of this is, if we allow for Option #1, are we in truth giving them a vote if the percentage of the population is so small. The right to vote is important to all of us, but it is not just that section of Murray and what they decide they want to do. The Murray area makes up less than 10% of the area that will be voting on this issue.

Ms. Griffiths stated that many people have been disenfranchised by this legislation.

Darl Simmons, 1222 Castlecreek Dr

Mr. Simmons stated that he has three children affected by this decision, and is hoping that David Wilde will take this information back to the Salt Lake County Council and put an end to this when they vote. He also stated that he would like to note that Option #2, and that the residents in the area do not want to be part of a new school district. This would be their worst case scenario. If they cannot keep Cottonwood High School open,

they would much rather send their children to Murray. The only way to do that is with Option #2, and hopes the Council will vote for this option.

Ms. Dunn stated that on the voting issue, they have taken informal votes at each of the neighborhood meetings, and their results were as follows:

|                      |                  |                  |
|----------------------|------------------|------------------|
| Woodstock Meeting:   | 42 for Option #2 | 3 for Option #1  |
| Twin Peaks Meeting:  | 45 for Option #2 | 25 for Option #1 |
| Murray High Meeting: | 49 for Option #2 | 6 for Option #1  |

Sarah Meier, President of Granite School Board, Precinct IV, 3937 Hazy Way

Ms. Meier noted that there has been a false impression that there is an overwhelming ground swell to divide Granite School District. She does not believe that is the case. She also noted that, in her opinion, keeping the district intact is not only beneficial to Granite School District students, but to Murray as well. Because of their size, Murray is allowed to enjoy the benefits of the Granite Technical Institute, the teacher training, etc. She understands that this is a difficult decision being made, and hopes that the Council will consider all the options carefully.

Ms. Dunn stated that they only have the options to choose from as stated, and the question that it comes down to, is if this were to pass, do I want my children to be part of the Murray School District, or a part of a new school district. The only choice that they have is to opt in or opt out.

Patrick Treagle      6464 Sumac Way

Mr. Treagle remarked that he had no problem with paying the Storm Water bill, but would like someone to come and clean out the drain in front of his house, which he has been trying to get someone to do for a year now. His point being: government can work too slow sometimes. He believes in Cottonwood High School and in all the schools his children have attended; they work so hard at closing down school districts, neighborhoods, etc but do not work at what can be done for a child's education. Closing down any school is harmful.

Mr. Dredge clarified that what is in front of the Council now has nothing to do with closing schools. They have no control over those types of decisions, that is in the hands of the legislature.

Mr. Treagle noted that he has heard that if Murray takes control of the Cottonwood high school, that it will be closed and turned over to the colleges.

Mr. Robertson stated that the idea came from one of the people attending the meetings who had remarked that it was a possibility. The Council has not discussed it, and does

not believe that the school board has discussed it either.

Mitzi Huff, Murray School Board, responded by stating that the fact is that there would not be enough students to keep the school open, but the Board would need to take the information, if and when that happens, and look to what is best for the students. The choice is what is before them, and unfortunately, there is not an additional choice. Even if the school remains in Granite, there is no guarantee of what will happen down the line.

Mr. Treagle stated that there are many programs that Cottonwood has to offer, and that the school board should look into open enrollment, etc to keep it open.

Ms. Dunn stated that although she appreciates the emotion involved, the choices that they have cannot guarantee keeping the school open.

Hugo Diederich, 6312 Howick Dr, Holladay City Council, District 5, Mayor Pro-tem

Mr. Diederich stated that 90% of the students in his district attend Cottonwood High School. He feels that many people think that it is a done deal, that the vote will be to split the district in his area. He is not so certain, and thinks it will be a close vote that 10% can make a difference in keeping the district as it is. There is a lot of political haggling going on, and there is such a rush to make a decision in Holladay, that they have undermined the process there and will vote on Thursday. He stated that he appreciates the difficulty of the decision, and hopes that the people will be allowed to vote.

Pam Benson, 537 Holstein Way

Ms. Benson came to Murray because of the small school district, and although the traditional Murray residents are not allowed to vote, it is both financially and politically foolish to go with anything but Option #2.

David Wilde, 4873 Stonecrest, Salt Lake County Council, District 3

Mr. Wilde stated that the issues being faced by Murray are different than what the County has had to deal with; he has heard that there have been "threats" that if Option #2 passes, and Murray inherits the buildings involved, that there will be a lawsuit. He is not advocating either decision, but thinks that this should be a factor in making the decision. He also stated that in growing up in Murray, he thinks that the School District is great, and a wonderful model. He likes the idea of smaller school districts. Senator Stevens had spoken with them today, and made the point that even if we do this split, the two remaining school districts will really not be small school districts. They will be smaller than the current school district, but will have approximately 40,000 students each; and Jordan School District is projecting the west side school district, within 15 years, will be as big as the current one is right now.

He intends to vote no when the County votes on this, to opt out and not to put it on the ballot. He also mentioned that if the County opts not to put it on the ballot, it will be a moot point for our City here, and any decision that is made here.

John Haglund, 1391 Stillwood Dr.

Mr. Haglund clarified the point Mr. Wilde made, if the Granite District splits, the new district will have approximately 15,000 students, not 40,000. There would be 40,000 on the west side. He also stated that there is a misconception by the people that more is decided here than just opting in or out. His concern is that many of the comments made by the Council glosses over closing Cottonwood. He would like them to know that the risk of closing Cottonwood is much higher with Option #2. If they opt in, and the election goes forward, Cottonwood would be much more viable under Option #1, than if Murray inherits it.

Ms. Dunn stated that part of that misconception is due to Murray's School District having been very honest, and admitting that there would not be enough students in the district to keep both schools open. The only thing that they are saying is this: the number of students that exist in the new school district when it is made, will not be enough to keep all of the schools open, and if they come into Murray, there will not be enough for two high schools. It is the same under either option, with the only difference being that Murray has come right out and stated that fact. They have also only said that if there are not enough students, one will close.

Ms. Dunn also noted that they all agree that this legislation is bad legislation. They all agree that it is a bad law, and there has been no argument that no one wants this to go through. The fact of the matter is, they have to make a decision one way or the other. What most people have said to the Council is, they do not want Option #1, because no matter which way it ends up going, they would never be part of the Murray School District. They do not know how the vote will turn out. They can not say that this area will not have an impact on the vote.

Mr. Dredge added that the only thing that can be unequivocally said is: they do not know how we got here.

Patricia Sandstrom clarified that according to the Wickstrom Study, Granite District only counts three high schools, not four, with Granite High not counting as a traditional high school.

### **Public Hearing Closed**

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



Ms. Dunn stated that the School Boards will have the most difficult decisions as they will not have any options.

Ms. Griffiths added that the City also was handed this without much option. She also stated that the Council has been opposed to this legislation from the beginning, when it was enacted; seeing all of the flaws and unintended consequences that were not considered. It has been a political football for a long time. She has anguished over this, and has tried to determine what would be best for the most people, and feels badly that the people who are impacted by this issue do not have the opportunity to vote. She also felt that there are other ways to influence elections, other than voting at the polls; that would be by working and lobbying. She would like to maintain the status-quo, and does not want schools to close either. In looking at what would be the best possible outcome, she felt that it would be keeping our citizens united under one school district, which Option #1 would not give us. The current system is great, but it is not one of the options we have been given. She added that if it is a negative vote, under either option, it fails and we maintain the status-quo and Cottonwood High would likely remain open.

Mr. Dredge stated that he agrees with Ms. Griffiths, and in theory, would like to see Murray boundaries and the School District boundaries be the same. However, at the time of the annexation, it was agreed upon that the people in those areas wanted to stay in the Granite School District. That was honored and they have not sought in any way to go against that. As he looked at this, he has struggled with the concept of not allowing the people to vote; and yet he looked at the force behind passing this poor legislation, and the strong power behind it is committed to getting their way.

If they vote to give people a vote, it would be a one time vote. If they choose option #2, and they eventually come into Murray, do they get better representation? That is what the entire point behind this is, to get better representation in the long term. He can honestly say that the inheritance of the assets has not been a factor in their decision. They prefer status-quo, but if they can not have that, they would want those students to have the representation that would be in their best interest.

Mr. Robertson agreed with Mr. Dredge's comments. He said he would like to see the residents and school district the same, and agreed with the majority of the people who said that they would like to have a school district that is within their city and at least have a second choice by giving away their vote. He added that the County is also the one that will have to make the final decision.

Ms. Dunn also agreed. She said in looking at the legislation, although she does not have any problem with smaller school districts, this law does not

create equal school districts, does not give equality when paying property taxes, it taxes the west side much more heavily than the east side, it is not good legislation and she would rather not be a part of it.

Ms. Dunn said it is not so much whether people get a vote or not, it is much more whether or not we should become a part of this legislation that was thrown onto us. Whether or not we get smaller school districts is just a matter of time, but she felt that it could be done much better than with this legislation.

Ms. Dunn said that the best thing that the citizens can do at this time, is get on their computers, email the legislature, get on the phone and call them. She did not feel that we should take part of this legislation: it is not good legislation and does not accomplish what it was meant to do, fairly.

Ms. Griffiths made a motion to adopt the resolution electing to not participate in the interlocal agreement.

Mr. Dredge 2nd the motion.

Call vote recorded by Ms. Heales

**AYE/NAY**

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

Motion passed 5-0 to select Option #2

**E     Unfinished Business**

None scheduled

**F.    New Business**

1.     Consider a Resolution approving an Interlocal Cooperation agreement between the City and the State of Utah Department of Transportation (UDOT) regarding the Park-and-Ride at 6600 South 950 East.

Staff Presentation: Jan Wells, Chief of Staff

Ms. Wells stated that there have been a lot of complaints regarding the Park-and-Ride lot at this address. There are usually a lot of semi-trailers, personal trailers, etc that are not meant to be there. After discussions with the County, it has come down to the County saying that they are not interested in the property and felt that it was given to the City in the annexation of the area.

The City has drafted an interlocal agreement with UDOT, and they have agreed to close down the lot for approximately one month to give the City time to get the lot cleaned out, resurfaced and re-striped. The City will also take care of the landscaping and lighting issues; and then reopen the lot and provide enforcement, which the City had not previously been able to do as it was not under our jurisdiction. This resolution will give us the opportunity to take care of this problem area.

Mr. Robertson made a motion to adopt the Resolution.

Ms. Griffiths 2nd the motion.

Call vote recorded by Ms. Heales

**AYE/NAY**

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

Motion passed 5-0

**G. Mayor**

1. Report

Mr. Rodriguez, Mayor Pro-tem congratulated all of the incumbents on running unopposed in the upcoming elections, stating that it is a testimony from their constituents.

2. Questions of the Mayor

None

Ms. Griffiths stated that she had attended the “Ballet under the Stars”, and had left with some concerns regarding the state of the floor at the Murray Amphitheater, and would like to try to put this in for the next year’s budget.

She also noted that there are also some ‘trip hazards’ on the path at the amphitheater; and noticed that there is not enough lighting on the paths at night. She has spoken with Doug Hill regarding these issues, and has asked him to research the costs involved to improve this area.

H. Adjournment