

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 7th day of August, 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
Robbie Robertson,	Council Member
Jim Brass,	Council Member
Jeff Dredge,	Council Member - Conducted

Others who attended:

Daniel Snarr,	Mayor - Excused
Doug Hill,	Mayor Pro-Tem
Jan Wells,	Chief of Staff
Frank Nakamura,	City Attorney
Shannon Huff Jacobs,	Council Director
Carol Heales,	City Recorder
Pete Fondaco,	Police Chief
Craig Burnett,	Asst. Police Chief
Sioeli Hafoka & Family,	Police Officer
Cliff Millward	Retired Conductor, Murray Concert Band
Citizens	

A. OPENING CEREMONIES

1. Pledge of Allegiance - Jeff Dredge
2. Approval of Minutes of July 10, 2007

Ms. Dunn made the motion to approve the minutes.

Mr. Brass 2nd the motion.

Voice vote taken, all ayes.

Mr. Dredge welcomed the Boy Scouts, and asked them to introduce themselves and to state what merit badges they were working on.

3. Special Recognition(s)

- a. Swearing in of new Police Officer, Sioeli Hafoka.

Chief Fondaco made the presentation; Carol Heales conducted the swearing in.

Chief Fondaco noted that Officer Hafoka came from Salt Lake Community College, prior to attending Utah Peace Officer Training Academy (POST) and welcomed him to the City.

Officer Hafoka introduced his family

- b. Consider a Joint Resolution of the Mayor and Murray City Municipal Council for Commendation and Appreciation of Cliff Millward as he retires from the Murray Concert Band.

Resolution read by Jeff Dredge.

Ms. Griffiths made a motion to adopt the Resolution.
Mr. Brass 2nd the motion.

Call vote recorded by Ms. Heales

AYE/NAY

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

Motion passed 5-0

Mayor Pro-Tem, Doug Hill, presented Mr. Millward with the commendation for his 21 years of service on behalf of Mayor Snarr. Mr. Hill expressed his appreciation and thanks for all of his hard work.

Mr. Millward thanked the City of Murray for all of the support they gave to the Concert Band over the years.

Mr. Dredge also thanked Mr. Millward for his service to the community.

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

Chief Fondaco spoke regarding the homicide that occurred last night in the park. He said he has received comments of concern from several citizens, and the Chief wanted to assure the citizens that they are taking this very seriously, and have identified the parties involved, none of which lived in Murray, nor did the victim. The safety of the citizens and public in the park is of the utmost importance to the police department, and they are increasing the patrols in the park.

Chief Fondaco noted that the Community Oriented Policing (COP) Officers are patrolling from 8:00 a.m. until 11:00 p.m. in the summer months. It is a large area for the two officers, but they do attempt to do their best to patrol the area.

Ms. Dunn thanked Jan Wells for keeping the Council updated on what is happening within the City, so that they may inform their constituents when questions arise.

Bob Beaudoin, 5435 Riley Lane

Mr. Beaudoin expressed his appreciation to Cliff Millward for all of his hard work and the wonderful concerts performed over the years.

Rosie Haidenthaler 1006 E 5645 S

Ms. Haidenthaler wanted to remark on the change of boundaries on the east side school boundaries, stating she felt slighted on the decisions made in the recent Holladay vote. She stated that the citizens had begged the Murray Council to help them to remain status quo and hoped that Murray will be able to help them out the best they can.

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 providing Monetary Grant Assistance to Non-Profit Entities pursuant to Section 10-8-2 of the Utah Code.

Staff Presentation: Doug Hill, Public Services Director

Mr. Hill stated that this resolution is an annual request and the Arts Advisory Board has recommended that \$15, 596 be allocated to seven organizations that provide cultural arts programs throughout the City by use of a grant process that is set up in the budget. He made note that this request was not part of the previous budget request list and is being done separately through this resolution. If approved tonight, this money will be sent to those programs to help keep them running.

Public Hearing opened for comment.

None

Public Hearing Closed

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

Ms. Griffiths made a motion to adopt the Resolution.
Ms. Dunn 2nd the motion.

Call vote recorded by Ms. Heales

AYE/NAY

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

Motion passed 5-0

E Unfinished Business

None scheduled

F. New Business

1. Discussion regarding Smaller School District Statute.

Krista Dunn led the discussion. Ms. Dunn stated that Senate Bill 30 was passed during the 2007 legislative session, allowing cities to splinter off from the larger school districts to create districts that would be contiguous with their own boundaries. In the event that they do not meet the minimum population threshold, they would be able to combine their citizens with other geographic

areas or communities to create smaller school districts.

Ms. Dunn said the City has been involved in discussions over this issue from very early on, and have attended numerous meetings; they have known and seen that there were large gaps in creating these districts with a lot of problems in the way the bill was created. The Council and City was concerned when the law passed. Both of them let the sponsor know time and time again, that the legislation negatively affects their citizens, on the east side as well as the west side. They felt it disenfranchised the west side of Murray by not allowing them to vote on the issue and changing the current boundaries on both sides.

Ms. Dunn said the options that the legislation gave the City Council was limited to two, which one of those was not to remain status quo. In four separate meetings, the citizens were asked what their preference was, the vast majority wanted status quo first. Their second choice was to be able to make Murray City's boundaries contiguous with the school district.

Ms. Dunn explained that the first option, to participate in the interlocal agreement, allowed that area to go into the new district, and did not allow for the second choice of the citizens to go into the Murray district. The only choice that they had that would represent both of those, was option two which was not to participate in the interlocal agreement. That option did not allow people to vote. The Council was not given very good choices in this matter. But, according to the legislation, and the law, the Council had to make a decision. At this point in time, this Council voted unanimously on option two, not to participate in the interlocal agreement.

Ms. Dunn said the other three entities, Holladay, South Salt Lake, and Salt Lake County had to make their decisions. Holladay City convened to make their decision and they surprised everyone by changing the boundaries of what that new school district would include. The Council were shocked that one city could walk into their meeting and at the end of the game change the rules and the boundaries. The Council understood that the law and Senate Bill 30, as it was written and passed, asked for a feasibility study to be done and was done on the proposed boundaries. Now Holladay City created new boundaries. The Council questioned whether they could put that on a ballot, and it probably depends on what the County decides. Holladay did vote in favor of putting it on the ballot, as they adopted it.

Ms. Dunn said, because of these events and numerous responses from citizens, the Council decided to release a statement letting the residents know what the Council's decision is, and let them know that they have not changed their position, even though Holladay's decision has thrown the City out of the game leaving them no choice in the matter.

Ms Dunn read a joint statement from the City Council and the Mayor's Office:

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Press Release

August 7, 2007

During the 2007 legislative session, the Utah State Legislature passed Senate Bill 30, creating the ability of cities to break away from large districts to form their own city school districts. While the idea may be very reasonable, the elected officials of Murray City believe the law generates too many unanswered questions, as well as too many unintended consequences. Murray City believes that the measure should not be allowed to go on the ballot until these questions are answered and the consequences are mitigated.

On April 26, 2007, Murray City received copies of the Wikstrom study of the feasibility of the creation of a new, smaller school district in the eastern-most portion of Granite School District. Murray City was notified of the study and asked to respond (within 90 days) as to whether or not the City would participate in the Interlocal Participation Agreement.

In order to comply with this request, Murray scheduled three Neighborhood Council Meetings and a Public Hearing to inform the residents as to the two choices offered, and to ask their opinions on whether or not the City should participate in the Interlocal Agreement.

At that time, Murray had two options from which to choose. Option one was to participate in the Interlocal Agreement. This meant Murray's eastern-most citizens would be allowed to vote (with other select areas) as to whether the Smaller School District would break away from Granite School District. The possible outcomes of that choice would be: (1) if the measure passes in the November election, they would become part of the new school district, and (2) if the measure fails, they would remain status quo.

Option two would result in rejecting the offer to participate in the Interlocal Agreement. The possible outcomes for that position are: (1) having that area included in the Murray City School District if the measure passes, and (2) to remain status quo if the measure fails. While this option does not allow residents to vote, more than 90% of those in attendance at the Council meetings chose overwhelmingly to ask the City not to participate...even at the risk of being denied the right to vote on the issue. Many residents expressed their desire to either remain

status quo or become a part of the Murray City School District. As option two was the only choice that allowed that outcome, the City Council complied.

In accordance with State statute, Murray City followed the rules and made a decision in a timely manner. From the time the notification was received on April 26th through the 90 days allowed, Murray City had to make a decision by July 26th. However, by that time only two entities, Murray City and South Salt Lake, had made a decision.

On Thursday, August 2nd, the Holladay City Council chose to change the boundaries of the proposed new district. While Holladay attempted to solve the issue of preserving Cottonwood High School, this action does not leave the high school's population as status quo. The students living in South Salt Lake and Holladay who have traditionally attended Cottonwood High School would not be included, further reducing the number of students attending that school.

Further, Holladay's action makes it impossible for east Murray residents to ever become part of the Murray City School District. While the intent of the law was to enable cities to create school district boundaries contiguous with their city boundaries, this proposal would assure that Murray City would never be given that opportunity.

Finally, the most egregious consequence of this law is the fact that many affected citizens would be disenfranchised. While the original proposal disallowed any representation of the residents of Taylorsville (whose students would be left in limbo for lack of a school), this new Holladay proposal disenfranchises an additional group of students (residing in the western half of unincorporated Salt Lake County's Millcreek Township) who now have been cut out of the proposal. We can only assume that Holladay believes that this will allow Cottonwood High School to remain viable. However, as the statute requires a feasibility study of the proposed geographic area, we believe that this change of boundaries forces the newly proposed area to undergo another feasibility study.

The elected officials of Murray City stand by their decision to have our residents remain either in the current district situation, or to allow them to be incorporated into existing Murray City School District. While other cities are looking to provide contiguous City and School District boundaries for their residents, Murray City should not be excluded from that opportunity. We implore the Utah State Legislature to reassemble or take an additional year to rethink this issue. We believe that through thoughtful consideration, a reasonable and non-discriminatory measure will be generated.

Ms. Dunn reiterated that the Council's position has not changed, and that they felt that the law needs to undergo significant change before it is taken to the citizens, and that all affected citizens should be included in that vote, if it comes to pass.

2. Consider a Resolution merging the funding and functions of the Murray City Youth Government into the Murray Youth Chamber of Commerce and repealing the Murray City Youth Government Charter.

Jan Wells explained that there have been some challenges over time in deciding the best way to manage the organization of the City's Youth Government. When the group was organized in 1991, there were different relationships within the organization; now with mixing in Cottonwood students and others, it has become more challenging. Recently, under the auspice of the Boys & Girls Club and the Chamber, Sheri VanBibber has organized a Youth Chamber; they have participated side-by-side with our Youth Government in a variety of activities. Ms. Van Bibber has had the ability to work with both high schools in getting these programs going and dealing with the challenges involved, and recently approached the Mayor about the possibility of combining both of these organizations. They have met with many of the City staff, and it seems to make sense to combine these two groups, giving them more opportunities and activities for service that they have not previously been able to do.

Ms. Wells stated that the group is proposing keeping the same acronym: MYCC, working as both Murray Youth Chamber, and also Murray Youth Council. The City has proposed that Wayne Oberg, Recreation Coordinator, continues to act as an adult advisor, working with Ms. Van Bibber as needed. The City has budgeted \$1000 for each of these two groups, and if this proposal goes forward, they would like to combine these funds under the Chamber. There would still be plenty of opportunities for the City to be involved in this Chamber.

Ms. Griffiths stated that in the past, there has been a problem with the high school in obtaining "club" status, where the Chamber did have club status. She wanted to know if the Administration is helping them to obtain club status for the organization?

Ms. VanBibber 5541 S Avalon Drive

Ms. VanBibber had asked the students, over the past couple of years, if they wanted to become a school club. She said if they were a club, the students would not have been allowed to spend the night at a youth conference at the University of Utah this year without prior approval from the high school. The students spent the night because they were not a club. She said there are pros and cons to both

situations. The Government students said they would rather remain a separate entity with the City than becoming a school club because it would give them some privileges, sets them a bit higher than a school club, and gives them opportunities such as staying overnight at conferences. She added that the school would not excuse them for their activities if they were not a club. Ms. Van Bibber said they are still discussing these issues with the school, as the issues that they deal with are curriculum based, they may be able to work this issue out.

Mr. Brass made a motion to adopt the Resolution and to repeal the Charter.
Ms. Dunn 2nd the motion.

Call vote recorded by Ms. Heales

AYE/NAY

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

Motion passed 5-0

G. Mayor

Mr. Dredge expressed his sympathies on behalf of the City Council to the Mayor and his family on the passing of Mayor Snarr's son, Denver Snarr.

Ms. Dunn thanked the City Staff and Departments for stepping up and helping out during this difficult time.

1. Report by Doug Hill, Mayor Pro-Tem

Mr. Hill reported that the new fire station at 900 East and 5900 South is now under construction. He said there were two incidents in the past week of 100 Year storms in which the City did experience some flooding. He thanked the staff for their quick response in difficult circumstances. He added that there are a number of issues that they are dealing with to help prevent future flooding problems now that there is a Storm Water Utility.

Mr. Hill reported that in District 5, there are three streets that are under construction with water lines and reconstruction projects, and he asked for peoples' patience in that area.

He made note that there are traffic congestion problems with two projects, the Questar Gas Line project along State Street, and the 4500 South project. He said both projects are moving along quickly and should be nearing completion.

Mr. Hill said the Park Center will be closing next week for two weeks for annual maintenance and cleaning.

2. Questions of the Mayor

Ms. Griffiths wanted to mention how much they value the City's employees and wanted to thank them all.

H. Adjournment