

# Murray City Municipal Council Chambers Murray City, Utah

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**T**he Municipal Council of Murray City, Utah, met on Tuesday, the 10<sup>th</sup> day of December, 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 – Conducted
Jared Shaver,	Council Member
Dave Nicponski,	Council Member

Others who attended:

Daniel Snarr,	Mayor
Jan Wells,	Chief of Staff
Jennifer Kennedy,	City Recorder
Frank Nakamura,	City Attorney
Janet Lopez,	Council Administrator
Doug Hill,	Public Services Director
Pete Fondaco,	Police Chief
Craig Burnett,	Deputy Police Chief
Gil Rodriguez,	Fire Chief
Justin Zollinger,	Finance Director
Blaine Haacke,	Power Department General Manager
Kim Fong,	Library Director
Trae Stokes,	City Engineer
Mike Williams,	Court Administrator
Lynn Potter,	Engineering and Construction Inspector
Marilyn Potter,	DEA
Duane Tuckett,	Murray School Board
Marjorie Tuckett,	Murray School Board
Mitzi Huff,	Murray School Board
Preston F. Kirk,	George K Baum & Co.
Randy Larsen,	Ballard Spahr
Scouts	
Citizens	

## 1. Opening Ceremonies

### 1.1 Pledge of Allegiance – Gus McGuire

Mr. Stam asked the scouts in attendance to introduce themselves, state what troop they are with and what merit badge they are working on.

### 1.2 Approval of Minutes

#### 1.2.1 November 19, 2013

Mr. Shaver made a motion to approve the minutes  
Mr. Hales seconded the motion

Voice vote taken, all “ayes.”

Mr. Stam mentioned there were some individuals in the audience the Council would like to recognize. Robbie Robertson and Pat Griffiths, both former City Council Members are in attendance. Newly elected Council Members Blair Camp and Diane Turner as well as Mayor-Elect Ted Eyre are also in attendance. Mr. Stam welcomed them all.

### 1.3 Special Recognition

Mr. Stam turned the conducting of the Council meeting to Brett Hales, Council Chair.

#### 1.3.1 Murray City Council Employee of the Month, Lynn Potter, Engineering and Construction Inspector.

Staff presentation: Doug Hill, Public Services Director

Mr. Hales invited Lynn Potter to join him at the podium and turned the time over to Doug Hill.

Mr. Hill said it was his pleasure to present the Employee of the Month for Murray City, Lynn Potter. Mr. Potter was an easy choice for the department. When Mr. Hill asked all his supervisors for suggestions as to who should be their department’s employee of the month, Mr. Potter was the unanimous decision as the person who should be nominated.

Mr. Hill continued saying that Mr. Potter has worked for Murray City for 19 years. He started working in the Street Department. He was one of the employees who were out shoveling the City’s streets when it was needed. Six years ago, Mr. Potter transferred into the Engineering Department and has been working since that time as an inspector. He is the person

representing the City that makes sure that any work that goes on in the public right-of-ways in our City gets done correctly. He looks out on behalf of the City.

Mr. Hill told a story which, in his opinion, represents why Mr. Potter is Employee of the Month. After a road project in which the road, and some park strips, was tore up for several months, a resident was having problems getting their sprinkling system back together. The contractor was unable to get the sprinkling system repaired so Mr. Potter, on his own time and using his own money, went back after hours and helped this resident fix their sprinkler system. Mr. Hill said this shows what kind of employee Mr. Potter is. He puts in this kind of effort into making the City's citizens happy and satisfied with the work the City does.

Mr. Hill introduced Mr. Potter and turned the time over to Mr. Hales.

Mr. Hales stated that Mr. Potter is the type that can go into a situation where people are upset and walks out of it as their friend. He has a great talent in working with people. Mr. Hales presented, on behalf of the City Council, Mr. Potter a certificate. He told him his name would be placed on the plaque that is located on the wall of the Council Chambers. He also presented him with a \$50.00 gift card to Fashion Place Mall.

Mr. Potter introduced his family. He said he works with almost all of the departments within the City and they all help him do his job efficiently; he appreciates all of them.

- 1.3.2 Consider a Joint Resolution of the Mayor and Municipal Council of Murray City expressing gratitude and appreciation to Darren V. Stam for his dedication as a City Council Member.

Staff presentation: Brett Hales, City Council Member

Mr. Hales read the Resolution in its entirety. He asked Mr. Stam to say a few words.

Mr. Stam said it has been a pleasure and opportunity to have been able to serve on the Council and to serve Murray City. It is something that not everybody gets to do. He is grateful for the support and opportunity he has had to try and make a difference. He said he appreciates the support he received from the citizens, employees, Council, and the Mayor's office. They have helped him learn to express his thoughts and the desires, to try and bring them forward.

Mr. Stam continued saying we have a great city and one of the thoughts he had is that we have a great city because of the employees and the things

they do. They make it a great city despite what the elected officials do. The employees seem to manage to just keep things going and serve the citizens well.

Mr. Stam said he is grateful for the Resolution and for the opportunity he has had to serve with the Council.

Mr. Hales asked Mr. Stam's wife, Roseann, to stand. He said that anyone who has served in a position such as the City Council, know that their partners are a huge part of it.

Mr. Brass made a motion to adopt the Resolution  
Mr. Shaver seconded the motion

Call vote recorded by Jennifer Kennedy

  A   Mr. Nicponski  
      Mr. Stam – Abstain (conflict of interest)  
  A   Mr. Brass  
  A   Mr. Shaver  
  A   Mr. Hales

Motion passed 4-0

- 1.3.3 Consider a Joint Resolution of the Mayor and Municipal Council of Murray City expressing gratitude and appreciation to Jared A. Shaver for his dedication as a City Council Member.

Staff presentation: Brett Hales, City Council Member

Mr. Hales read the Resolution in its entirety. He asked Mr. Shaver to say a few words.

Mr. Shaver said it has been an honor to serve with these good gentlemen as well as Krista Dunn and Jeff Dredge, both former Council Members as he leaned on them for support, guidance and strength of character. Even though they may have disagreed, Mr. Shaver has always respected their opinions, no matter what they would have been, and supported them in their dissenting vote for his, if that were possible.

Mr. Shaver thanked the Mayor and his staff for supporting the Council. He thanked the Department Heads also. He said he has had the opportunity to get to know each of them and they have always been supportive; even challenging him in some of his own opinions. Though they may not have always agreed, Mr. Shaver has always had the greatest respect for each of them.

Mr. Shaver wished Diane Turner, incoming Council Member, a marvelous time for the next four years. He told her he hopes she has a similar experience and joy of serving the City.

He continued by recognizing Lynn Pett and his mentor, Pat Griffiths for encouraging him to step forward and take a part in this City. He thanked them for that. He also thanked his wife, Lorri Shaver. He is grateful for her support and continued guidance.

Mr. Hales introduced Mr. Shaver's wife to the audience.

Mr. Brass made a motion to adopt the Resolution  
Mr. seconded the motion

Call vote recorded by Jennifer Kennedy

  A   Mr. Nicponski  
  A   Mr. Stam  
  A   Mr. Brass  
     Mr. Shaver – Abstain (conflict of interest)  
  A   Mr. Hales

Motion passed 4-0

Mr. Hales turned the conducting of the Council meeting back over to Mr. Stam.

2. **Citizen Comments** (Comments are limited to 3 minutes unless otherwise approved by the Council.)

Marjorie Tuckett – 5815 South Royalton Drive, Murray Utah

Ms. Tuckett said as President of the Murray City School Board she wanted to personally thank Mr. Shaver and Mr. Stam for the service they have given to the students of Murray City. Ms. Tuckett said she does not know how many citizens really recognize what a collaborative community we live in and how incredible the partnership is between the City and the School District. The District could not do what they do without the City. She expressed her appreciation for all the City does. She said Mr. Shaver and Mr. Stam have been exemplary in their service to the students of Murray. She thanked all the Council Members who help them with their work.

Mitzi Huff – 812 West Lucky Clover Circle, Murray, Utah

Ms. Huff said she serves on the School Board and has appreciated getting to know Mr. Shaver and Mr. Stam and working with them in the efforts they work in collaboratively with the City and School District. She wished them good luck and hopes their paths will cross again. She expressed her appreciation to the rest of the Council as well.

**3. Consent Agenda**

3.1 None scheduled.

**4. Public Hearings**

4.1 Public Hearing #1

4.1.1 Staff and sponsor presentations and public comment will be given prior to Council action on the following matter:

Consider an Ordinance amending the City's Fiscal Year 2013 – 2014 Budget.

Staff Presentation: Justin Zollinger, Finance Director

Mr. Zollinger stated this was a surprise; he is excited to do this. He said that Mr. Shaver had talked to him after a previous Council meeting and said he would like to do one more thing for the City to help it be in even better shape financially. Mr. Shaver asked Mr. Zollinger if there were any other bonds the City could pay off and if we have reserves to do that. Mr. Zollinger advised him that the City has two bonds that could be paid off this fiscal year in addition to one that is already scheduled to be paid off.

Mr. Zollinger stated that with Mr. Shaver's recommendation, he spoke with Blain Haacke, Power Department General Manager and Doug Hill, Public Services Director. They both liked this idea and recommended the City do it also. This budget opening is to approve the budget to pay off bonds.

This first bond is a 2004 Electric Revenue Bond. It has interest rates of 3.625% to 5.25%. We paid off part of this last year. In addition we would like to pay off the 2003 Water and Sewer Bonds which has an interest rate of 4.05%. Mr. Zollinger added that where the City is only earning .5%, this is a great investment.

Mr. Zollinger continued saying that the Electric Revenue Bond will save the City an additional \$680,000 in interest. Between the two bonds, the City will have saved almost two million dollars in total interest costs. The Water and Sewer Revenue Bond is in its last year and not as high but the City would still save \$13,000.

In addition, the City's new Grant Consultant has been applying for grants. The City received two grants. Mr. Zollinger came forward with one, but since then another one has come in for an additional \$500.00 from Wal-Mart. Mr. Zollinger asked to amend the \$1,000 line item to be \$1,500.

Mr. Zollinger stated that Wal-Mart has provided the City two grants. One grant is for \$1,000 and one for \$500. One is for exercise equipment and the other is to help pay for a new oven. Both of these grants are for the Heritage Center. He added that Wal-Mart is contributing to our community and wanted to recognize them for that and express his appreciation.

Mr. Zollinger added it is great that our reserves are in a great spot where we can respond and do some of these things.

Mr. Shaver told Mr. Zollinger it was him who made this possible. It is Mr. Zollinger's dedication to being wise with using the taxpayer's money. Every time Mr. Shaver has a conversation with Mr. Zollinger about money and budgeting, whether the City is spending it or earning it, Mr. Zollinger always remembers that this money belongs to the taxpayer's and not to the City. The City only represents the taxpayer's and the use of their funds. That mindset is something that Mr. Shaver has come to appreciate.

Mr. Zollinger added that the City may consider in the future providing a rate decrease. This is setting us up so that we may be able to do that. The City has other challenges we need to take care of too, but that is a potential the Council would be setting us up for as well.

Public Hearing open for public comment.

No comments given.

Public comment closed.

4.1.2 Council consideration of the above matter.

Mr. Shaver made a motion to adopt the Ordinance with an amendment of a \$500 grant received from Wal-Mart.

Mr. Hales seconded the motion

Call vote recorded by Jennifer Kennedy

  A   Mr. Brass  
  A   Mr. Shaver  
  A   Mr. Hales  
  A   Mr. Nicponski  
  A   Mr. Stam

Motion passed 5-0

**5. Unfinished Business**

5.1 None scheduled.

**6. New Business**

6.1 Consider a Resolution of the Murray City Municipal Council (the “Council”) of Murray City (the “Issuer”) authorizing the issuance and sale of not more than \$3,000,000 aggregate principal amount of Sales Tax Revenue Bonds, Series 2014, fixing the maximum aggregate principal amount of the bonds, the maximum number of years over which the bonds may mature, the maximum interest rate which the bonds may bear, and the maximum discount from par at which the bonds may be sold: delegating to certain officers of the Issuer the authority to approve the final terms and provisions of the bonds within the parameters set forth herein; providing for the publication of a Notice of Public Hearing and bonds to be issued; providing for the running of a contest period; authorizing the execution by the Issuer of a Supplemental Indenture of Trust, Bond Purchase Agreement and other documents necessary for the issuance of the Series 2014 Bonds; approving an official statement (if required); authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this resolution; and related matters.

Staff presentation: Justin Zollinger, Finance Director

Mr. Zollinger said this is for the purchase of the Wright property that we have under contract. We are also negotiating for the Brown property. The \$3,000,000 might be high so if we cannot work out something with the Brown property this issue will be about \$1.6 million. He explained that with a Parameters Resolution you try to set all the potential variances high so that you do not have to go through it again and the deals and contracts lapse. This is the idea with the Parameters Resolution. The interest rate is much higher than what we will get. They left out whether it was tax-exempt or bank qualified because there is still some question on how the property is going to be used once it becomes City owned. Those are some of the things that are being addressed, or not addressed yet, in this Resolution.

Mr. Nakamura said the proposed Resolution references tax exempt bonds. The City will make that decision at the time when the interest rates will be set. The Resolution also gives authority to the Finance Director and our Financial Advisor, George K. Baum to make the decision at the time in order to get the maximized interest rate.

Mr. Nakamura also pointed out that Randy Larsen, Bond Council and Preston Kirk, with George K. Baum the City’s Financial Advisor are in attendance if the Council has any questions for them regarding this bond.

Mr. Stam clarified that there will be a Public Hearing on this issue in January.

Mr. Nakamura responded that the Public Hearing will be held on January 7, 2014.

Mr. Shaver verified that the amount will cover both properties.

Mr. Zollinger stated that was correct.

Mr. Brass made a motion to approve the Resolution

Mr. Nicponski seconded the motion

Call vote recorded by Jennifer Kennedy

  A   Mr. Brass  
  A   Mr. Shaver  
  A   Mr. Hales  
  A   Mr. Nicponski  
  A   Mr. Stam

Motion passed 5-0

## 7. **Mayor**

### 7.1 Report

Mayor Snarr stated this is the last time he will give the Mayor's report or attend a City Council meeting as the Mayor. He wanted to take this opportunity to thank the Council for their help and support through the years. He has appreciated the way they have worked together on numerous projects and cooperated to recognize our great employees are truly great. He respects and admires that the employees hard work, diligence and desire to make sure that the City's citizens are taken care of in a timely manner.

Mayor Snarr said he also appreciates the work the Council has done on the budget to keep it in check. Some of the Council Members came onboard during a pretty difficult time; during the Great Recession.

The Council has been generous in letting him speak regarding the issues of the day, even though they may not be in agreement. The staff has always been accommodating in allowing the Administration to participate in the Council meetings. Mayor Snarr realizes these are their meetings and he appreciates the Council allowing him to come in and be part of them.

Mayor Snarr continued thanking his staff. He would not be here and they would not have been able to accomplish the things they have accomplished as a City if he had not had those great front-line ambassadors. He looks at all the meetings that Jan Wells, Chief of Staff, attends on a regular basis. She is very engaged,

extremely knowledgeable and very well respected throughout the County.

He recognized Rondi Knowlton, Administrative Assistant, who has been his neighbor for close to 30 years. He said he appreciates and values her. He can always count on her being at the City.

He mentioned other members of his staff who have taken on additional responsibilities and moved onto other opportunities.

Mayor Snarr said his staff has worked diligently to recognize and value the work of all the Council Members and Department Heads. Between all of them, they have accomplished a lot of great things.

One reason the City has been able to see so many initiatives come to fruition is because of their mutual respect and consideration. Mayor Snarr said it has been a wonderful experience to rub shoulders with many, many Council Members over the years.

Mayor Snarr added he hopes the Council will continue to give back to the City as he does. He still intends to go spray weeds on a regular basis throughout the City.

Mayor Snarr continued saying that the City owns a good portion of a whole block downtown between 5<sup>th</sup> Avenue and 4800 S and State Street back to Poplar Street; we are close.

He thanked everyone for working with him to keep their eyes on the goal of making Murray continue to be, what he dubbed when he was first elected Mayor, the best City in America. According to Livability.com we are one of the 100 best cities in America.

Mayor Snarr wished everyone a great Holiday Season.

He continued saying he is more of a blue collar Mayor, that is what he has always been. He likes to get his hands dirty and see if we can't put together some great win/win situations. They have been able to do that through cooperation and through very ingenious ways of looking at things.

The School District is a great example. We are fortunate as a city to have our own School District. His philosophy as always been why replicate and duplicate when we can simply learn to cooperate. The City has done that on numerous occasions with the School District and businesses. They have also been very cooperative in looking at ways in which we can improve and enhance the City.

Mayor Snarr stated he is appreciative for the last 16 years. It has been something he never envisioned would happen in his life. He never thought he would be elected to anything. It is his great love for Murray City that gave him the desire to

run for Mayor. He thanked everyone and said there is an open house for him on December 19 and told them they are welcome to come. He reiterated his appreciation for them.

Mr. Stam told Mayor Snarr that he appreciates the opportunity he has had to work with him and get to know him over these last years.

Mr. Shaver said that knowing this term was coming to a close he drove around the City. He looked at the many things that have happened over the past 16 years. Not just the new buildings but a lot of the things that have remained untouched, that we have not moved or changed, even though the opportunity was there to do so. He appreciates that delicate touch. He knows that has a lot to do with who the Mayor is and his deep respect for the history of this City as well as a deep vision of what the future could be. He thanked Mayor Snarr for that.

Mr. Brass stated that 13 years ago Mayor Snarr put him on Planning and Zoning which ultimately led him to being on the City Council. He told Mayor Snarr he is grateful for that and it has been a pleasure working with him for the last ten years.

Mr. Hales said it has been a great opportunity to work with Mayor Snarr. He said one of the talents he most admires about his is that he is not afraid to go out and visit. He said they have a lot of love and respect for him.

## 7.2 Questions for the Mayor

### 8. **Adjournment**

### 9. **Retirement Open House for Council Members Darren V. Stam and Jared A. Shaver**