

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 18th day of March, 2014 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 – Conducted
Jim Brass,	Council Member
Blair Camp,	Council Member
Diane Turner,	Council Member
Dave Nicponski,	Council Member – Excused

Others who attended:

Ted Eyre,	Mayor
Jan Wells,	Chief Administrative Officer
Jennifer Kennedy,	City Recorder
Frank Nakamura,	City Attorney
Janet Lopez,	Council Administrator
Janet Towers,	Executive Assistant to the Mayor
Craig Burnett,	Deputy Police Chief
Deven Higgins,	Police Sergeant
Gil Rodriguez,	Fire Chief
Doug Hill,	Public Services Director
Justin Zollinger,	Finance Director
Tim Tingey,	Administrative and Development Services Director
Mike Williams,	Court Administrator
Jackie Sadler,	Court Clerk III
Scouts	
Citizens	

7. Opening Ceremonies

7.1 Pledge of Allegiance – Dixie Davies

7.2 Approval of Minutes

7.2.1 March 4, 2014

Ms. Turner made a motion to approve the minutes

Mr. Brass seconded the motion

Voice vote taken, all “ayes.”

7.3 Special Recognition

7.3.1 Murray City Council Employee of the Month, Jaclyn Sadler, Court Clerk III, Domestic Violence Court.

Staff presentation: Mike Williams, Court Administrator
Brett Hales, City Council Member

Mr. Williams thanked the Council for the opportunity to recognize Ms. Sadler as one of the employees of the Court. Ms. Sadler has been at the Court for 11 ½ years. Mr. Williams said that a very important component of the Court is the Domestic Violence Court and Ms. Sadler has helped Mr. Williams set that up and has basically been running it since then. She is very reliable with the Domestic Violence Court as well as all the other aspects of the Court that she oversees.

Mr. Williams stated that Ms. Sadler is also the Jury Coordinator. She not only helps the Court but she helps out the City as she is the President of the Murray City Employees Association. She is also having a baby. Mr. Williams again thanked the Council for the opportunity to thank Ms. Sadler.

Mr. Hales presented Ms. Sadler with a certificate, a gift card, and noted her name would be added to the plaque that hangs in the back of the Council Chambers. He said they appreciate Ms. Sadler and as Mr. Williams stated, she is the president of the Murray City Employees Association. She is amazing.

Ms. Sadler thanked the Council and introduced her family. She said she loves working for Murray City. It is the greatest City in American and that is why we are still here and are working strong.

7.3.2 Swearing-In of Kip Davies as a new Murray City Police Sergeant.

Staff presentation: Craig Burnett, Deputy Police Chief

Deputy Chief Burnett said that a promotion in the Police Department is a big deal. He said the Police Department relies heavily on their Sergeants. Sergeants run the Police Department and take care of the City. They are the ones that are the front line and are responsible for everything. They are the ones that really do the work, make sure things happen and that the City is safe at night as well as making sure the officers are taken care of.

Deputy Chief Burnett continued saying that because of that there are not a lot of Sergeants. It is a very competitive process that the Police Department puts candidates through and every time there are numerous officers who test and work at it. It is always a hard decision because there are so many qualified candidates that deserve a shot at it, but the positions are few.

Deputy Chief Burnett introduced Mr. Davies. He said Mr. Davies started with the Police Department on January 3, 2000 and he has been with them for a little over 14 years.

Mr. Davies has done various jobs within the Police Department. He started out in patrol. He was a motor officer and one of the motor instructors. He continues to instruct the new motor officers; ensuring they know how to ride motorcycles before they go out to training. He has been on the S.W.A.T. Team, worked as a School Resource Officer at Murray High School for a few years, and now he has been a Detective for about 2 ½ years doing property crimes. Most recently he has been the lead investigator, working with all the other Detectives, on the unfortunate homicide we had a couple of months ago and has done a very good job with that.

Deputy Chief Burnett stated that has been Mr. Davies career. It is similar to what everybody else has done. He said the Police Department has some very good officers, good candidates, and it is his pleasure to have Mr. Davies being sworn in as a Sergeant.

The swearing in ceremony was conducted by Jennifer Kennedy, City Recorder.

Sergeant Davies thanked everybody for their support. He said he appreciates this opportunity that he has been given to be a Sergeant. His dad was a Sergeant as he was growing up. Sergeant Davies introduced his family and said he appreciates all their support.

Mr. Hales said that Sergeant Davies worked over at the High School and

that he talks with high school students all the time and they still respect Sergeant Davies there. He added that high school kids are honest and they spoke highly of Sergeant Davies.

Mr. Brass shared a story of the first time he encountered Sergeant Davies.

Mr. Camp said he was happy to see Sergeant Davies being promoted. He has known Sergeant Davies and his family for many years and they are a great group of Police Officers. He said that Sergeant Davies has earned this opportunity and thanked him for his service.

7.3.3 Introduction of the Murray Youth Chamber of Commerce

Staff presentation: Mayor Ted Eyre

Cancelled

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

No comments were given.

Mr. Hales asked the scouts and scout leaders in attendance to introduce themselves.

9. **Consent Agenda**

9.1 Consider confirmation of the Mayor's reappointment of Ray Black to the Murray City Center District – Design Review Committee in an At-Large position for a three-year term to expire January 1, 2017.

Mayor Eyre stated this is a confirmation of a reappointment. The City is appreciative of Mr. Black's willingness to serve another three-year term. Mayor Eyre asked the Council to consider this reappointment.

Mr. Brass made a motion to approve the reappointment
Mr. Camp seconded the motion

Call vote recorded by Jennifer Kennedy

 A Mr. Camp
 A Mr. Brass
 A Ms. Turner
 A Mr. Hales

Motion passed 4-0

10. Public Hearings

10.1 Public Hearing #1

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

Consider an Ordinance amending Section 17.72.090 of the Murray City Municipal Code related to alternative parking standards for automobile dealership inventory.

Staff Presentation: Tim Tingey, Administrative and Development Services Director.

Mr. Tingey said this issue was considered by the Planning Commission in February 2014. They forwarded a recommendation of an approval to the Council. Staff is also recommending approval.

Mr. Tingey stated this deals with an issue that staff thinks will really benefit businesses in the community, particularly automobile businesses. Right now, the City utilizes standard automobile spaces as far as the width and dimensions. This applies to inventory of dealerships as well. The reasoning for that is because those standards create a specific size. However, there are some automobiles that can fit in a lot smaller space.

He said that based on that, staff has looked having the dimensions reduced and they do not feel like that will significantly impact the public because these spaces are just for “for sale” vehicles. Staff feels it will provide more efficiency for the land use.

As far as the flexibility it allows, the applicant will still have to go through the process. There still has to be a width of 20 feet for the aisle and they will have to go through a site plan review process.

Mr. Tingey said that staff thinks this will be very beneficial. He said they have had some dealerships advocate for this and it makes since. He reiterated that staff is recommending approval of this modification to the Ordinance.

Mr. Camp asked if each dealer would require a site plan review.

Mr. Tingey responded yes. They will have to bring a site plan forward to the City and staff will have to review it to make sure they are comfortable with what they are proposing.

Public Hearing open for public comment.

No comments were given.

Public comment closed.

10.1.2 Council consideration of the above matter.

Ms. Turner made a motion to adopt the Ordinance
Mr. Brass seconded the motion

Call vote recorded by Jennifer Kennedy

 A Mr. Camp
 A Mr. Brass
 A Ms. Turner
 A Mr. Hales

Motion passed 4-0

10.2 Public Hearing #2

10.2.1 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 said there are several items to go over tonight. The first item is the City's Redevelopment Agency budget opening for \$1,343,000.00. He said this is the final touches on the Wright property purchase. The Bond issue and purchase have already been authorized. This is the final touches. He stated that the City could probably count some of the previous things we have done as the budget; but he would like this to be official so we are taking the steps to amend the budget for these transactions.

The next item is for the General Fund. The City is receiving money from the Heritage Senior Adults Organization which is a 501c(3) run by Susan Gregory, Heritage Center Director. This money is being used to help pay for the oven at the Heritage Center. The cost came in higher than expected so the Heritage Senior Adults Organization is donating some of the money to help pay for the shortage on the oven.

Mr. Zollinger said the Federal Government has changed the requirements it takes for being able to connect to their databases. They are requiring

more security. At this time, the City is not compliant with their requirements, as of the end of May, 2014, we have to be. The adjustment for \$29,000.00 is for encryption for the police connection to the database. We have a positive surplus of sales tax revenue that can help pay for this. We are not using reserves to pay for this, we have the money out of our current year budget.

Mr. Zollinger said that in addition, RSA tokens, which are similar to what you use for banking, are additional security to get to these databases. This is being paid for by a positive variance of sales tax revenue and is for \$18,000.00

The City's Capital Projects Fund would like to use some of the CIP savings from the prior year to pay for a water tanker. The total amount is \$19,525.00 and this is for our Public Works Department.

Mr. Zollinger stated the next item is part of the money for the City's software purchase. The City has set aside \$300,000.00 for the software purchase. This is well on the way to getting us on our way to buying this software. There will need to be some additional adjustments towards the end of this year where the Enterprise Funds will help contribute and help pay for some of the other modules as well, but this is to get us going to where we can start this process.

He continued saying this was brought up in the Capital Improvement Plan (CIP) Committee and they recommended that it would be good to get this going this year instead of waiting until next fiscal year. He said this money is from savings, we have saved this over the last 2 ½ years to be able to have this money available.

Mr. Zollinger expressed appreciation to the Union Pacific Railroad. He said they have provided the City a grant for \$10,000.00 for the Amphitheater roof. They funded the whole project. That was not what the City was expecting, but they did. He added he thought this was extremely generous and kind of them.

Mr. Zollinger said that the Administrative Development Services (ADS) Department would like to use some of their prior CIP savings of \$45,000.00 broken down to be: \$25,000.00 for the purchase of a new vehicle, \$10,000.00 to purchase GIS disk space, and \$10,000.00 to purchase a NAS server.

Public Hearing Open for public comment.

No comments were given.

Public comment closed.

10.2.2 Council consideration of the above matter.

Mr. Brass made a motion to adopt the Ordinance
Mr. Camp seconded the motion

Call vote recorded by Jennifer Kennedy

 A Mr. Camp
 A Mr. Brass
 A Ms. Turner
 A Mr. Hales

Motion passed 4-0

11. Unfinished Business

11.1 None scheduled.

12. New Business

12.1 Consider a Resolution approving an Interlocal Cooperation Agreement between the City and the Redevelopment Agency of Murray City regarding the conveyance of the real property located at approximately 65 East Fifth Avenue and 4868-4874 South State Street, Murray, Utah, payment of bond obligations and other conditions.

Staff presentation: Tim Tingey, Administrative and Development Services Director.

Mr. Tingey said there was a conversation regarding this issue at the Redevelopment Agency meeting earlier. The issue is it was determined that the property that was acquired with those bond payments that the Redevelopment Agency out of the central business district would pay for those bonds. With that, it would be better to have the Redevelopment Agency own the property. This agreement provides that transaction and the Redevelopment Agency would be responsible for the bond payments as well as maintaining the property. Staff is recommending approval of this Interlocal Agreement for this transaction.

Ms. Turner made a motion to approve the Resolution
Mr. Camp seconded the motion

Call vote recorded by Jennifer Kennedy

 A Mr. Camp

A Mr. Brass
 A Ms. Turner
 A Mr. Hales

Motion passed 4-0

- 12.2 Consider a Resolution approving an Interlocal Cooperation Agreement between the City and Salt Lake County to provide for bond proceeds to be transferred to the City to pay for all or part of the costs of city-wide street improvements and resurfacing, and to make other qualified improvements.

Staff presentation: Doug Hill, Public Services Director

Mr. Hill said a few years ago, the Utah State Legislature approved the ability for Salt Lake County to charge a fee on vehicle registrations. A portion of those monies were approved by the Legislature to come to Murray City for road improvements.

Mr. Hill stated that this agreement that the Council has before them would allocate an additional \$200,000.00 of those vehicle registration fees to Murray City that they would plan to use for 5900 South between State Street and 900 East. We have had a bid opening for that project and we are going to need those funds in order to stay within budget.

Mr. Brass made a motion to approve the Resolution
Mr. Turner seconded the motion

Call vote recorded by Jennifer Kennedy

 A Mr. Camp
 A Mr. Brass
 A Ms. Turner
 A Mr. Hales

Motion passed 4-0

- 12.3 Consider an Ordinance amending Section 16.16.190 of the Murray City Municipal Code relating to design and installation of curb, gutter, park strip and sidewalk requirements.

Staff presentation: Doug Hill, Public Services Director

Mr. Hill said in the subdivision code of the Murray City code there is a specific statement that specifies the type of curb and gutter that we are to use in the City. Mr. Hill showed a picture of what is being specified in the code. (Attachment 1) He said it is called high back gutter and it is the City's standard design that we

require developers and the City to put in when curb and gutter is being installed.

Mr. Hill stated they have found that this works good in most places but there are some instances where this type of curb and gutter does not work as well. For example, when you have a sidewalk that is immediately behind the curb and gutter, this type of curb and gutter creates a lot of up and down motion of the sidewalk which is not as friendly to those that are walking or wheeling along the sidewalk.

He continued saying they are requesting, in this Ordinance change, that the City Engineer be given flexibility to the type of curb and gutter that be used. The type that they specifically want to use for the application that he just talked about, is what is called a hybrid high back curb and gutter. Mr. Hill showed an illustration of that type of curb and gutter. (Attachment 1) He noted that the Council may have seen this in a lot of other cities as it is also a fairly common type of curb and gutter. It works better when you have sidewalk immediately behind the curb and gutter.

Mr. Hill said that is what they are asking with this Ordinance. That the City Engineer, through specifications that are approved by the City, would be allowed more flexibility in working with developers to put in curb and gutter.

Mr. Brass stated that on the east side he noticed that they have kind of a rolled gutter. It is close to what Mr. Hill is asking to add, but it would almost be a third type.

Mr. Hill said that this Ordinance would allow them the flexibility to use those. He said there are actually multiple types. There are additional types, like a road gutter. The City does not typically like to put in road gutter because it creates more drainage problems and allows vehicles to park on the grass because they can kind of ignore the road gutter and put their wheels on the grass.

He said that there may be instances when that would be better but we would prefer to have the modified high back before we would go to road curb and gutter. There may be an instance when we would want to use others besides just these two.

Mr. Brass said that the one he noticed was on Greenfield Avenue when they put in what was in there. He said he can see why he would want to do that if you are not replacing the entire run, you do not want a bunch of different types. He added that if this covers that, it will be good.

Mr. Hill said it does cover that.

Mr. Camp made a motion to adopt the Ordinance
Mr. Brass seconded the motion

Call vote recorded by Jennifer Kennedy

 A Mr. Camp
 A Mr. Brass
 A Ms. Turner
 A Mr. Hales

Motion passed 4-0

- 12.4 Consider an Ordinance amending Chapter 12.30 of the Murray City Municipal Code relating to Park Center fees for United States Military Veterans.

Staff presentation: Mayor Ted Eyre

Mayor Eyre said he is proposing the idea of letting U.S. Military Veterans and their families use our Parks Center at the same discounted rate as Murray City employees do. We owe a great deal to our U.S. Military. He thinks some body once said that those who serve in the Military are individuals who have written a check payable to the people of the United States of America in the amount payable up to and including their own lives. He reiterated that he thinks we owe these individuals a great deal. He appreciates their service.

Mayor Eyre said that many of them come back with some severe disabilities from their service, both physical and mental, and he believes the Park Center would be a great asset to them and he would like to see them be able to enjoy that.

Many of the benefits to the Veterans have been questioned or cut back because of different budgetary concerns. He would like the Council to consider this proposal to help these individuals out.

Ms. Turner said she thinks this is a wonderful Ordinance and she appreciates the Mayor offering it. She thinks it is a small way that Murray can thank those who have served.

Mr. Hales asked if this was going to be for all that served.

Mayor Eyre replied yes, for Veterans and their families.

Mr. Hales said it is neat that he has included everyone in this.

Ms. Turner made a motion to adopt the Ordinance
Mr. Brass seconded the motion

Call vote recorded by Jennifer Kennedy

A Mr. Camp
 A Mr. Brass
 A Ms. Turner
 A Mr. Hales

Motion passed 4-0

13. Mayor

13.1 Report

Mayor Eyre stated we have sent out two Requests for Proposals (RFP's) in the last week. One of those RFP's was for the Murray City General Plan. That was sent out on March 11, 2014 and is due back on April 4, 2014.

The second RFP was sent out on March 12, 2014 and due on April 28, 2014 regarding the architectural services for the concept of a new City Hall. We have talked about this before and the individuals who receive that RFP will be working with us to determine which site and help determine the amount of square footage and any other aspects that will help them in their RFP bid.

Mayor Eyre said if you have been over by the Fashion Place Mall you have probably seen not only the demolition of the Sears store but also the construction of the new Container Store. We have received the plans for that and they are in the process of being reviewed at this time.

Mayor Eyre stated he, Mr. Brass and Ms. Turner had the opportunity last week to go back to Washington D.C. for different conferences although he is sure they were equally beneficial. Mr. Brass and Ms. Turner went back with the League of Cities and Towns. Mayor Eyre went back there with the American Public Power Association (APPA).

He said that during that trip, which was really beneficial as far as gaining a great deal of knowledge and information with regards to public power, they had the chance and opportunity to go into two senator's offices and four representatives from our state. He said you cannot just go in there and have an open agenda where you sit and chat with them, you have to have a specific thing that you need to go in there and talk to them about because their time is so valuable.

He added they were able to have four points that they were able to bring up with all six of those representatives. To be able to do that on an eye-to-eye, person-to-person basis instead of just writing and email was invaluable. They were able to pinpoint four specific areas that dealt with Murray itself. It was an experience for the Mayor to be able to meet them and know that they know of our concerns, they are aware of them and that we had the opportunity to vet those to them.

Mayor Eyre said for those who live close to or use 5900 South you will notice that construction work is going to be starting there right away. Questar Gas has already started some of their gas line improvements on that street. A bid has been awarded to begin the construction on 5900 South between State Street and 900 East. That will be ongoing for the next while.

Mayor Eyre stated during the last Council meeting he talked to the Council about Fix a Leak Week which is this week, March 17 – 23, 2014. During this week Lowes has a public booth and is offering ideas on how to fix leaks and conserve water. The public schools are also holding a coloring contest with their students to get them aware of this. There is a partnership the City has with local plumbers and plumbing suppliers to offer a discount during this week. Also, on the City's Facebook and Twitter pages you can find examples of how you can conserve water and fix leaks in your own home.

Mayor Eyre said there are two very important meetings coming up. The first of which is happening tomorrow evening, March 19, 2014 from 6:30 – 7:30 and also the following Tuesday. This is in regards to the Wasatch Front Waste and Recycling District (WFWRD) for our application to see if the people that live to the east of 900 East would prefer to have the City provide their solid waste service. That proposal is just being presented to them and the residents can come for a question and answer period during those two public meetings.

Mayor Eyre mentioned Marci Williams, Center Director over at the Park Center. He said that last month, Ms. Williams had these little counters that she passed out to all of her employees. The employees had to click and count every time they offered an act of kindness to anyone who came to the Park Center. They had a specific time frame from February 2, 2014 until February 17, 2014 to do this, then they had to report how many clicks they had done for acts of kindness during that period of time. During that period they had 603 acts of kindness reported and for the period of that year, they had 1,757 acts of kindness that were reported. Mayor Eyre said that Ms. Williams is to be commended on that.

Mayor Eyre stated that the City had an opportunity to attend the Legislature and to present a proposal to the legislative body asking for additional funds from the Governor's budget with regards to the Jordan River drowning. The Governor had put into his budget that he would pay \$100,000.00 of the necessary funds to re-engineer and rebuild that structure on the Jordan River on Winchester Street. The City proposed to the Legislature and increase of those funds from \$100,000.00 to one half of the needed amount which would be \$332,500.00. The City has received word that those funds did make it all the way to the end of the Legislature and were approved for an increased amount of \$350,000.00. That really impacts us significantly and financially in a positive way.

He said the City will now be going to the County and asking the County to assist us in a proportional way for the remainder of that repair. He hopes the City will

be equally successful with the County.

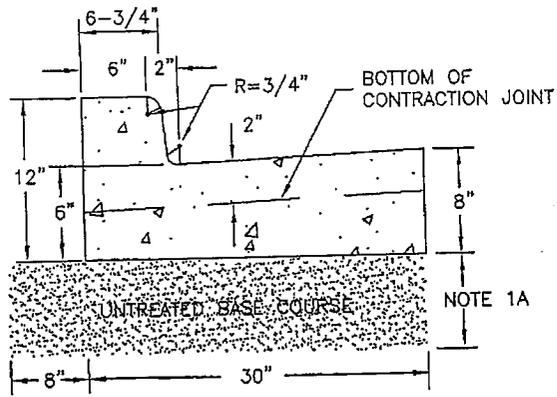
13.2 Questions for the Mayor

Mr. Hales said that life is busy and Murray City is busier than he has ever seen it. The Council appreciates everyone; all of the Department Heads and everyone here for what they do. He has noticed that as a Council, they have meetings every single day of the week which are not just two hour meetings, they are four and five hours long.

14. Adjournment

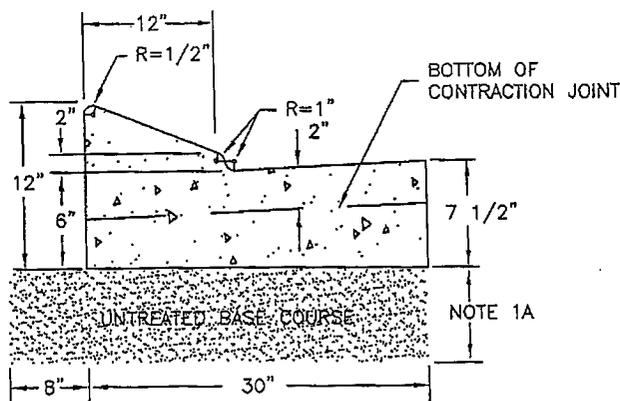
Jennifer Kennedy, City Recorder

Attachment 1



CONCRETE AREA = 1.665 SQ. FT.

TYPE A



CONCRETE AREA = 1.680 SQ. FT.

TYPE D