

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 16th day of September, 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
Jim Brass,	Councilmember
Blair Camp,	Councilmember – Conducted
Diane Turner,	Councilmember – Excused
Dave Nicponski,	Councilmember

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,	Police Chief
Gil Rodriguez,	Fire Chief
Jon Harris,	Battalion Chief
Doug Hill,	Public Services Director
Kim Sorensen,	Parks Superintendent
Justin Zollinger,	Finance Director
Tim Tingey,	Administrative and Development Services Director
Bryce Philbrick,	Parks Department Leadworker
Susan Gregory,	Heritage Center
Scouts	
Citizens	

5. Opening Ceremonies

5.1 Pledge of Allegiance – Kim Sorensen

5.2 Approval of Minutes

5.2.1 August 5, 2014

5.2.2 August 26, 2014

Mr. Nicponski made a motion to approve the minutes

Mr. Brass seconded the motion

Voice vote taken, all “ayes.”

5.3 Special Recognition

5.3.1 Murray City Council Employee of the Month, Bryce Philbrick, Parks Department Leadworker.

Staff presentation: Brett Hales, Councilmember

Doug Hill, Public Services Director

Mr. Hill stated it was his pleasure to recognize Mr. Philbrick. Mr. Philbrick has been an employee of Murray City for 17 years. He is currently serving as a Leadworker in the Parks and Recreation Department. As a Leadworker he oversees the turf maintenance in the City. He is also responsible for the citywide athletic field maintenance and he also does monthly playground inspections. Mr. Philbrick recently completed his certified playground equipment course. It takes quite a bit of effort to be able to study and pass that test.

Mr. Philbrick is responsible for the irrigation systems in all of the parks. He has worked in that area for many years and he knows where every sprinkler valve and head is in the park system. The greatest compliment is to go out and look at the City’s park system and see how green the grass is and how well it is maintained. The athletic fields are always in good shape and Mr. Philbrick is the one that gets most of the credit for that.

Mr. Hill continued saying Mr. Philbrick is an outstanding employee of the City. He always goes above and beyond his regular duties and is a key to the success of the City’s Parks and Recreation Department. Mr. Hill congratulated Mr. Philbrick and thanked him for all of the many good things he does. He turned the time over to Mr. Hales.

Mr. Hales congratulated Mr. Philbrick. He said the Council started the Employee of the Month program a couple of years ago. They felt it was

important to be able to recognize the City's employees. He presented Mr. Philbrick with a certificate, a \$50 gift card and told him his name would appear on the plaque located in the Council Chambers. He expressed his appreciation to Mr. Philbrick for all he does for the City.

Mr. Philbrick introduced his family.

Mr. Nicponski thanked Mr. Philbrick for the work he does. He said these parks are used because they are so presentable. The conundrum is keeping them brand new because they are used so much. He told Mr. Philbrick he does a good job and it is neat that he takes pride in the work that he does.

5.3.2 Recognition of the L. Clark Cushing Heritage Senior Center as a recently accredited Senior Center by the National Institute of Senior Centers.

Staff presentation: Mayor Ted Eyre

Mayor Eyre stated that he recently attended the Heritage Center's celebration for their accreditation. They had about 275 people there for a wonderful meal that was prepared. They had wonderful participation by everybody at the center. They also had a great 50's band that has been playing together for a long time. It was a very enjoyable evening and a great deal of credit goes to Susan Gregory, Heritage Center Director and her staff.

During the program, Ms. Gregory presented a book, about a 4-inch three ringed binder, saying it was what the Heritage Center accomplished in order to get this accreditation. Mayor Eyre said he thinks there were nine different categories the Heritage Center had to qualify for. It was a wonderful award and really well deserved.

Mayor Eyre read the Proclamation in its entirety.

Ms. Gregory said the Heritage Center had a great event where they celebrated the Senior Accreditation they received. She said she met with the Council a little more than a year ago to outline what the steps were to complete the accreditation and it took a little more than a year for them to finish.

There were nine standards the Heritage Center had to go through and complete different aspects. They had a community committee involved where each committee helped with one of those nine standards. Some of the standards were things like programs, governance, finances, and almost every area that could heighten the Center is they follow some of the guidelines that were set up.

Ms. Gregory said she is hoping with the Heritage Center achieving the accreditation that more senior centers do so also because they are a wonderful asset in communities. The Heritage Center has great support from the City and they appreciate that. They have wonderful people and volunteers who help out at the Center. This was a great process that included looking back at what they do and having a checks and balance system to ensure they provide the best services they can.

Ms. Gregory stated they are proud of this accomplishment and appreciate all the help they received in getting it.

Mr. Camp said he thinks it is really important that they are able to take the time in a Council meeting to recognize Ms. Gregory, her staff, and center for this accomplishment. It is no small accomplishment. Mr. Camp said he has been to the Heritage Center a number of times and it never ceases to amaze him the amount of work staff does there to make such a great program. He thanked Ms. Gregory for all she does.

Mr. Brass stated he thinks Murray City has the best senior center in the valley let alone the state. It is a very active place and he is amazed at everything that goes on there. They are constantly going somewhere or doing something. He congratulated Ms. Gregory also.

5.3.3 Consider a Joint Resolution of the Mayor and Municipal Council of Murray City, Utah in support and recognition of September 2014 as National Childhood Cancer Awareness Month.

Staff presentation: Mayor Ted Eyre
Jim Brass, City Councilmember

Mayor Eyre stated the City receives many requests each month for Joint Resolutions for different, very worthwhile, organizations. However, the City cannot accommodate every one of those. Every once in a while there are those that come along that are really worthy of recognition.

When the City received this request, Mayor Eyre contacted a member of the City Council to ask his opinion on this and he agreed wholeheartedly that he supported this and endorsed it saying the City should recognize this is a Joint Resolution.

Mayor Eyre read the Resolution in its entirety.

Mr. Brass stated his neighbor went through this with one of her children and when he got this information he thought the City should recognize this. If you listen to the statistics, the numbers are staggering and we need to look at why and the causes. Are they environmental? We need to look

at air quality, the chemicals in our environment, and everything. Mr. Brass reiterated he thought this Resolution was worthy.

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

Call vote recorded by Jennifer Kennedy

 A Mr. Brass
 A Mr. Hales
 A Mr. Nicponski
 A Mr. Camp

Motion passed 4-0

Mr. Camp asked the scouts in attendance to introduce themselves and state their troop number and the badge they are working on.

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

James Harper – 4571 South 200 East, Murray, Utah

Mr. Harper said he owns a 4-plex and that address and lives there. He said he understands it is a City Ordinance that he cannot have a recycling bin provided by the City and he would like to see what could be done about changing that. At a very minimum, he would also like to have his garbage collection done by the City if at all possible. Mr. Harper said he has four 95 gallon bins that he puts out and a private contractor comes to pick those up, which is exactly the same thing that happens for each of the city's residents that live in either a single-family residence or a duplex.

Mr. Harper continued stating he has very little space on his property to hold a dumpster for recycling. He would like to receive a recycling bin from the City. He is more than willing to pay the fee as every other citizen does for a recycling bin within the City.

Mr. Harper said if that is not going to be possible, if the City Ordinance cannot be amended to include 4-plexes within the City limits, he believes the City needs to have a public, centralized recycling center available to recycle everything. He knows there are sporadic places around town to bring things to, but those are inconvenient and not conducive to recycling. He feels the residents within his four unit apartment complex would be recyclers if there was a convenient way to do it.

Mr. Harper said he has contacted some private companies and they all want to put a large dumpster on the back of his property and drive a truck in to pick that up. He does not see that as being a good solution for him because of his limited space; he has limited parking spaces etc.

Carlyle Clarke – 6074 South Fontaine Bleu Drive

Mr. Clark stated that many are aware that Questar has been digging up 1300 East and putting in a natural gas line. Prior to that time, there was a lane marking so bicycles could ride and stay away from traffic. Since they have repaved 1300 East, there are no lines on the right side of that road like there used to be. He asked the Council why Questar did not have to put the lines back that were taken up.

Mr. Clark thanked the City for the recent street improvement on Fontaine Bleu Drive. It has been over 30 years since the last improvements.

Mr. Clark asked that Ms. Turner, although not in attendance, consider as the City is redoing Vine Street from Highland Drive down to 900 East to put in bicycle lanes on the right side of the road so bikers can stay away from traffic. He has noticed from 900 East down to the railroad tracks where they have made improvements to the highway they have not put the lines back. Hopefully the City can put lines on both sides of the streets.

7. Consent Agenda

- 7.1 Consider confirmation of the Mayor's appointment of Judith Payne to the Murray City Shade Tree and Beautification Commission in an At-Large position to fulfill the remainder of a vacated position, which expires June 30, 2015.

Mayor Eyre stated one of the privileges of being the Mayor is being able to interview so many of our citizens that volunteer for the Boards and Commissions. It is those services that are offered by volunteers that really make this City, our State and Country operate so well.

Mayor Eyre said he appreciates the services these people who come forward and volunteer to work on these Boards and Commission put forth. They put in some considerable time and effort on this by attending meetings and adding valuable input. Mayor Eyre recognized Ms. Payne and asked the Council to consider her for the Shade Tree and Beautification Commission. He added he had the privilege of interviewing her and she will be a wonderful benefit to that Commission.

Mr. Nicponski made a motion to adopt the Consent Agenda
Mr. Hales seconded the motion

Call vote recorded by Jennifer Kennedy

 A Mr. Brass
 A Mr. Hales
 A Mr. Nicponski
 A Mr. Camp

Motion passed 4-0

8. Public Hearings

8.1 Public Hearing #1

- 8.1.1 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 2014 – 2015 Budget.

Staff Presentation: Justin Zollinger, Finance Director.

Mr. Zollinger stated there are four items; three carry forwards and one new budget item.

The City would like to roll-forward budget from the Community Development Block Grant Fund of \$8,500 for ADA improvements. The Water Fund would like to roll-forward the budget for the Capri Water Project of \$250,439 and the Waste Water Fund would like to roll-forward the budget for a truck bed in the amount of \$14,960.

Mr. Zollinger said in addition the City would like to do a budget opening to use General Fund Reserves for the Taylorsville-Murray Bridge in the amount of \$40,000.

Mr. Zollinger stated this will take care of almost all of the carry forwards; there will still be one more coming in the future.

Public Hearing Open for Public Comment

No public comments given.

Public comment closed.

- 8.1.2 Council consideration of the above matter.

Mr. Hales stated that on September 2, 2014 this was discussed in a Committee of the Whole Meeting. He apologized to City staff and Department Heads for the conduct during that meeting.

Mr. Camp stated that part of the Committee of the Whole discussion centered around the availability of the property, or at least a right-of-way on the property, on the Murray side. His understanding is that has not yet been resolved. He asked Doug Hill, Public Services Director to comment on that.

Mr. Hill said that the project cannot be completed until the property is secured or obtained from the property owner on the east side of the river. Currently there is a hotel that is located on that property, Hampton Inn. Hampton Inn is okay with the bridge and the sidewalk going in and they directed Mr. Hill to talk to the property owner who they have a lease with. They do not own the property.

Mr. Hill continued saying the property owner indicated they have a loan on that property so they cannot give that property to the City. They would consider either donating or selling an Easement for the property. Mr. Hill is waiting to hear from them. He spoke with them last week and is waiting for them to get back to him on this as to what direction they are willing to go.

It is a little bit tricky because of the loan and the documents that will likely have to be signed. The City will probably be in a subordinate position on this which means that if anything were to go wrong with the loan or the property, the City would be in the second position to be able to work with the bank which is a little bit of a risk. Mr. Hill wants the Councilmembers to know that there is some risk assuming the City secures the property, in putting a bridge on a property where we do not have a first position; we would be in the second position. He does not know how much risk that is, probably minimal, but everybody has to understand that is the direction it looks like the City is going with the property owner on this.

Mr. Hill reiterated he is waiting for their response; hopefully he gets it quick. He spoke with Taylorsville today and they are very concerned about how long this takes. They have a contract with the contractor that says this project is supposed to be completed by November 4, 2014. Mr. Hill told them that he cannot guarantee that they will have the property by November 4, but will work hard to try to make that happen.

Mr. Hill stated that tonight, should the Council approve the budget, they would be appropriating funds but there would be an agreement that would still have to be approved before the funds could be spent on the project or given to Taylorsville to reimburse them for any costs they have.

Frank Nakamura, City Attorney, said the Council can appropriate the money. They will have to approve the agreement separately and even with the approval of the agreement, the Mayor then must decide whether to use the appropriated funds and execute the document.

Mr. Hales asked if they know if there are loans on the property.

Mr. Hill replied that was what was communicated to him. The City will not know the details until we sign documents with the loan holder. He

added he does not see any problems with putting a stipulation on the spending of the funds although it is not necessary.

Mr. Nakamura reiterated that it was not necessary because the Council is going to have to approve the agreement anyway. That agreement will have all the conditions and will refer to the securing of the property.

Mr. Brass said the bridge is to hopefully remove pedestrian and bicycle traffic from 4500 South where the bridge crosses the Jordan River onto a pathway and a bridge. It creates access, particularly for the Hotels, to the Jordan River Parkway. There is a benefit and an interest as the City hears from the bicycling community to have more bicycle access.

Mr. Brass added he is concerned about the property issue also, but he feels the Council can appropriate the funds. Then if this issue is not addressed, the City will not sign the agreement.

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

Call vote recorded by Jennifer Kennedy

 A Mr. Brass
 A Mr. Hales
 A Mr. Nicponski
 A Mr. Camp

Motion passed 4-0

8.2 Public Hearing #2

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

Consider a Resolution acknowledging the receipt of public input and comment regarding a proposed Multi-Jurisdictional Pre-Disaster Hazard Mitigation Plan.

Staff Presentation: Jon Harris, Battalion Chief

Mr. Harris said one of his responsibilities is serving as the Emergency Manager for the City. The Federal Government has changed its regulations for cities in order to receive Federal Disaster money. One of the requirements is the City now has to have a Mitigation Plan in place. With collaboration with Salt Lake County, the City is developing such a plan. One of the requirements of the plan is to allow for public comments

and input, which they are doing tonight.

Mr. Nicponski asked Mr. Harris to define what a Mitigation Plan is.

Mr. Harris replied the Mitigation Plan encompasses a lot. Essentially they realize that certain disasters might happen. Earthquakes are what they always think of but there are other things such as floods, infestation and all kinds of things that can affect the City. They are looking at making a plan for what things they can do to help prevent or help lower the cost associated in such a disaster.

Public Hearing Open for Public Comment

No public comments given.

Public comment closed

8.2.2 Council consideration of the above matter.

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

Call vote recorded by Jennifer Kennedy

 A Mr. Brass
 A Mr. Hales
 A Mr. Nicponski
 A Mr. Camp

Motion passed 4-0

9. Unfinished Business

9.1 None scheduled.

10. New Business

10.1 Consider a Resolution approving an Interlocal Agreement between the City and the State of Utah, Department of Heritage and Arts for receipt of grant funds for certain City arts programs.

Staff presentation: Doug Hill, Public Services Director

Mr. Hill said the City has received a grant from the State of Utah in the amount of \$10,000 that will go towards City art programs. This money has been included in their budget and the revenue was also included in the budget. The reason this is

before Council is because it is an agreement between the State and the City which requires Council approval. Once the Council approves this, the contract will be sent to the State and they will send the City a check for \$10,000.

Mr. Hales made a motion to approve the Resolution
Mr. Nicponski seconded the motion

Call vote recorded by Jennifer Kennedy

 A Mr. Brass
 A Mr. Hales
 A Mr. Nicponski
 A Mr. Camp

Motion passed 4-0

- 10.2 Consider a Resolution authorizing the City to enter into an Interlocal Agreement with the State of Utah, Department of Heritage and Arts, for a Historic Preservation Grant and for the City to provide matching funds.

Staff presentation: Doug Hill, Public Services Director

Mr. Hill said this is another grant the City has received in the amount of \$5,720. This one requires matching funds. They have included in their budget for this fiscal year matching funds that will allow the City to put together a mobile app that can be used on smart phones and tablets for historic buildings in Murray. This will allow anyone in the area of Murray City to be able to bring up the app and find out where the historical buildings are. It is kind of a walking tour to learn about the history of those buildings.

Mr. Camp asked if the grant allows for the match to be in-kind.

Mr. Hill replied it does allow for in-kind services and a portion of the funds the City is providing are in-kind services.

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

Call vote recorded by Jennifer Kennedy

 A Mr. Brass
 A Mr. Hales
 A Mr. Nicponski
 A Mr. Camp

Motion passed 4-0

- 10.3 Consider a Resolution supporting the selection of a consultant pursuant to an agreement between the Salt Lake Valley Emergency Communication Center (VECC) and Salt Lake City to evaluate and recommend, in cooperation with the selection committee, a single computer-aided dispatch (CAD) software program for all public safety agencies in Salt Lake County including the City.

Staff presentation: Gil Rodriguez, Fire Chief

Chief Rodriguez stated that last legislative session H.B. 155 was introduced. Part of that was there would be a single CAD for the Salt Lake County area. This supports that Resolution. The RFP was put together on Friday, went out on Monday and is due back on October 6, 2014.

Mr. Nicponski stated that after all these years for this to come to a culmination at this point is exciting.

Mr. Nakamura stated this Resolution is premised that the City will receive funding from Salt Lake County and the State should the City be required to convert its existing platform. There is funding available in Salt Lake County. It is going to be very expensive if the City has to convert.

Mr. Nicponski made a motion to approve the Resolution
Mr. Hales seconded the motion

Call vote recorded by Jennifer Kennedy

 A Mr. Brass
 A Mr. Hales
 A Mr. Nicponski
 A Mr. Camp

Motion passed 4-0

11. **Mayor**

11.1 Report

Mayor Eyre said this week is Public Power Week. There will be a celebration in Murray Park from 4:30 – 7:00 in the afternoon on Thursday.

Tyler Technologies has been selected for the new citywide software provider. The City is now beginning work to implement this new product.

Mayor Eyre stated there is a new school that opened up over where the old 49th Street Galleria used to be, AISU. He told the Council they might receive some

phone calls from citizens concerned with traffic issues over there with regards to the safety of the children. Trae Stokes, City Engineer has been working on that with them and with the Traffic Council to make sure that traffic in and out of that school is safe for the children there.

Mayor Eyre stated in coordination with the Utah River Council the City has received 50 gallon rain barrels that are available for the residents at a cost of \$30 each for anyone who wants to be involved in a water conservation effort.

Mayor Ben McAdams has made a report of the amount of recycling done by each city. Salt Lake City recycles about 35% of the total amount which just about equals their population. Murray recycles at about the same rate as South Jordan, Cottonwood Heights and Holladay.

Mayor Eyre said last Saturday evening, he had the opportunity, along with many residents of Murray to attend the Miss Murray Scholarship Pageant. He wanted to recognize McCall Gray for the wonderful work she did this last year in representing the City at various events. She was at almost every ribbon cutting she could attend and all the D.A.R.E. graduations. On July 4th, she and her two attendants attended four different parades to represent Murray City on the Murray float.

The new young lady who was crowned Miss Murray is Meg Zullo. She is a senior at Murray High School. She is a wonderful, talented girl who will be a great representative of our City as well.

Mayor Eyre stated this last week there was an opportunity for several members of the Council as well as senior staff to attend the League of Cities and Towns conference where they had extremely valuable workshops available to attend. The conference was enjoyable and everyone received a great deal of benefit out of it.

11.2 Questions for the Mayor

Mr. Camp said he is excited to see the contract for the new software package and moving forward with that. He asked if he know what kind of a timetable for implementation they are looking at.

Mayor Eyre replied he did not, but could find out.

12. Adjournment