

# Murray City Municipal Council Chambers Murray City, Utah

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**T**he Municipal Council of Murray City, Utah, met on Tuesday, the 19<sup>th</sup> day of May, 2009 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:

Jeff Dredge,	Council Chair
Krista Dunn,	Council Member
Pat Griffiths,	Council Member
Robbie Robertson,	Council Member - Conducting
Jim Brass,	Council Member

Others who attended:

Jan Wells,	Chief of Staff
Michael Wagstaff,	Council Director
Carol Heales,	City Recorder
Frank Nakamura,	City Attorney
Doug Hill,	Public Services Director/Mayor Pro-tem
Jenny Lund,	Murray History Advisory Board
Greg Bellon,	Assistant General Manager
Ray Christensen,	Senior Planner
Jon Harris,	Battalion Chief
Mary Ann Kirk,	Cultural Arts Director
Citizens	

Mr. Robertson recognized Doug Hill as Mayor Pro-tem

**A. OPENING CEREMONIES**

1. Pledge of Allegiance - Greg Bellon, Assistant General Manager
2. Approval of Minutes for May 05, 2009:

Ms. Dunn made a motion to approve the minutes.  
Mr. Dredge 2<sup>nd</sup> the motion.

Voice vote taken; All Ayes

3. Special Recognition:

**The Murray History Advisory Board would like to recognize Jenny Lund with a Heritage Award.**

Staff presentation: Mary Ann Kirk, Cultural Arts Director

Ms. Kirk stated that this is National Preservation Month, and the City changed the name of the Heritage Award from Vintage Days Award because of Ms. Lund's suggestion. Ms. Kirk said that they have one of the most prized, unbelievable resources in Ms. Lund, who has served on the Murray History Advisory Board since August 2001, providing leadership for the past 8 ½ years, much of the time serving as the Board Chair. Her love of history was obvious; Murray City was extremely lucky to have a volunteer board member with the kind of professional credentials that Ms. Lund has. Her expertise will be very difficult, if not impossible, to match in the future.

Ms. Lund helped to guide staff and the Board through a lengthy discussion to establish the DHOD, edit signage for the Smelter Plaza, restructure a new Ordinance to reflect the role of the Board, revise and refine our local register, and to develop policies and procedures for the museum. In fact, the museum would not exist without her expertise. She came on board just as the artifacts were discovered in a City storage shed, and the museum vision was developed for the centennial celebration. Ms. Lund was a master at leading board discussions in a way that focused the board on the task at hand. She was an excellent listener, which helped the board to clearly define what needed to be done. Her presentations to City leaders were always professional and carefully prepared, and Ms. Kirk would like to thank Ms. Lund for finding time, amidst all other commitments and responsibilities; her input and leadership have been extremely valuable, and the City has greatly benefitted from her expertise.

Ms. Kirk presented Ms. Lund with a certificate and a City afgan.

Doug Hill, Public Services Director told Ms. Lund how much she has been appreciated, adding that Ms. Kirk has often mentioned all of the great things that she has done for the City.

Ms. Lund said that it has been a great opportunity for her to serve on the Board for the past eight years, and she is very impressed with the City staff. Ms. Kirk has been a great person to work with- so creative and dedicated, and she does not know how she accomplishes everything that she does. Ms. Lund added her appreciation to Mr. Hill and many others in the City, and the Council.

Ms. Lund stated that her experience here has been very valuable, not having had background in historic preservation, and coming on the Board, she has received training in historical preservation, and she has received a lot of great training. There have been other Board Members who have contributed a great deal, and she has appreciated working with them as well.

Mr. Robertson added his appreciation for all she has done and continues to do.

**B. CITIZEN COMMENTS (Comments are limited to 3 minutes unless otherwise approved by the Council.)**

None given

Mr. Robertson stated that the Council received a letter from Thomas R. Henry, requesting the Council to consider a change in the way they do notifications on zoning changes. He will enter this into the record.

**Public Comment closed.**

**C. CONSENT AGENDA**

Mr. Robertson asked that the following confirmations be taken together. No objections were noted.

- 1. Consider confirmation of the Mayor's appointment of Natalie Gochnour to the Murray Power Advisory Board in an At-Large position for a term to expire June 01, 2012.**

2. **Consider confirmation of the Mayor's reappointment of Karl Snow to the Murray Power Advisory Board in an At-Large position for a term to expire June 1, 2012.**
  
3. **Consider confirmation of the Mayor's reappointment of Richard Stauffer to the Murray Power Advisory Board in an At-Large position for a term to expire June 1, 2012.**

Ms. Griffiths made a motion to approve the appointments.  
Mr. Brass 2<sup>nd</sup> the motion

Call vote recorded by Carol Heales:

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

Motion passed 5-0

#### **D. PUBLIC HEARINGS**

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

**Consider an Ordinance relating to zoning: amends the Zoning Map for property located at 223 West Winchester Street, Murray City, Utah, from R-1-8 (Single-Family Low Density Residential District) to R-N-B (Residential Neighborhood Business District). (William Green)**

Staff Presentation: Ray Christensen, Senior Planner

Mr. Christensen stated that this application is a request from William Green for a zone change; this is consistent with the General Plan; the Planning Commission has given a positive (7-0) recommendation in favor of this zone change.

Ms. Griffiths said that she understands that they are considering all the uses permitted in conditional, and she noted that he is planning on having a kiosk; Ms. Griffiths asked if this would be at the side of the home.

Mr. Green said that yes, it would be at the side.

Ms. Griffiths stated that she has driven by the home, and has some concerns over the traffic; she was nervous driving on that street and trying to access that address.

Mr. Christensen stated that it would still need to go the Planning Commission to review the site plan to see if it would work for the business use.

Ms. Griffiths said that as far as a residential neighborhood business, what she envisioned was not kiosks at the side or front of residences. The Ordinance reads that the zone should share design characteristics with the nearby residential districts, provide a good neighborhood fit, and exude a distinct residential character. For the particular use, she does have concerns.

William Neff Green, 223 W. Winchester Street

Mr. Green stated that the terminology of a kiosk can mean so many different things; as they have worked to have this building built for them, the primary design criteria has been to keep it in line with a residential area, it is real low-key. They will be providing both warm beverages and shaved ice beverages for commuters on the TRAX rail system. They have addressed off street parking, to make it as safely accessible for all patrons as possible; they have done a lot of analysis of the area, and what they can do to mitigate concerns such as trash, and things of that nature. They are committed to be an earth-friendly business, using only biodegradable, earth friendly products, and the whole tone, nature, and intent of the business is much different than what you might see in a fast food or supermarket parking lot type of business. They are really trying to be aesthetically pleasing in the neighborhood.

Ms. Griffiths said that another concern that she had is that their intent is to attract business from the TRAX line, which is across the street, a very busy street.

Mr. Green said that at the initial hearing in front of the Planning Commission, he did request that a designated crosswalk be put in from the TRAX station, as currently, there is no way to legally cross Winchester Street from the north to the south sides leaving the TRAX station. Mr. Green added that he appreciates that Ms. Griffiths has done some excellent homework on this, and it is clear that she has the public's interest in mind. Mr. Green assured the Council that they are doing everything possible, as they set up their business and their plan, to make sure that the business attracts young people, and to ensure the safety of their patrons. They will make every possible concession to make sure that they are safe.

On the other hand, this has been a dream of his son's and his own, to open a small business so that they can do something on their own. They purchased the house 15 years ago, with one concern: the train tracks running right outside his home. He was assured

that the old Union Pacific Line was no longer used. They moved in, signed the deal, and got a notice two weeks later informing him of the upcoming TRAX line going in there. They have named the corporation "Making Lemonade LLC" with the thinking that if life gives you lemons, you may as well make lemonade. If this had been 15 years ago, he probably would be in front of the Council saying 'don't approve the TRAX station'; but the reality is, the General Plan has moved it along to make some of these frontage properties R-N-B, and they just want to be one more, as his neighbors are. Although it is residential, it more fits the plan.

Mr. Robertson noted that this is premature, as this is a zone change, and anything can happen within that zone.

### **Public Hearing opened for public comment**

### **Public comment Closed**

#### Council consideration of the above matter to follow Public Hearing

Ms. Dunn stated that her concern over not having a light on Winchester, is a terrible decision by UDOT/UTA, and they should keep an eye on that area, as she feels that this will become a problem. Every time she drives along Winchester, there are people running across that street and without a light and a crosswalk, it is a big mistake.

Mr. Robertson stated that he drove there today, and with the road change, it is now further away from the area, which may be even more of a problem because the speed from the traffic builds up again before it gets to there.

Mr. Dredge made a motion to adopt the Ordinance..  
Mr. Brass 2<sup>nd</sup> the motion

Call vote recorded by Carol Heales:

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

Motion passed 4-0

**E. UNFINISHED BUSINESS**

None scheduled

**F. NEW BUSINESS**

- 1. Consider a Resolution approving the Application by the City for a grant under the “Challenge Grant Program: Recovery Act of 2009 - Water Marketing and Efficiency Grant” (The “Grant”) and verifying that: the Mayor has the legal authority to enter into any agreement regarding the Grant; the City has the ability to provide approximately \$1.1 million in matching funds and to satisfy all other legal and financial obligations of the Grant; and the City commits to work with the United States Bureau of Reclamation to meet the deadlines for entering into a cooperative agreement.**

Staff presentation: Doug Hill, Public Services Director

Mr. Hill stated that this is some stimulus money that is available in the Buy America program, it is to approve the marketing of water resources, as well as improving efficiency. We have spoken for years about changing out the meters to the automatic read meters, and this is an opportunity for the City to apply for a grant through the Bureau of Reclamation for this money.

Mr. Hill thanked Ms. Dunn for working with Mr. Astill, who is in the process of writing the grant at this moment. If the Resolution is approved, they will include it in the packet that will be submitted to the government for their approval. This Resolution is a requirement as part of the application.

Ms. Dunn added that what this will do is, have the City, out of our Enterprise Fund, provide 50% match to the dollars that they would put forward. In all reality, this would give us a finished project for half the price.

Mr. Brass mentioned that quite a few people have complained over the years, about the way the City figures the sewer charges; depending on whether there is a water leak, during the wrong time of year, you can end up paying for that through the whole period. This will increase the accuracy of our entire water program.

Ms. Dunn made a motion to adopt the Resolution.  
Mr. Brass 2<sup>nd</sup> the motion

Call vote recorded by Carol Heales:

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

Motion passed 5-0

2. **Consider a Resolution adopting the Tentative Budget for the Fiscal Year beginning July 1, 2009 and ending June 30, 2010 and scheduling a Public Hearing to receive public comment before the final budget is adopted.**

Staff presentation: Krista Dunn, Budget Chair

Ms. Dunn stated that there have been several meetings on this, they have gone through it line by line with not only the Council, but with Department Heads, Mayor's Office, and Finance Director. The Mayor's Office has made many cuts, and the Council made a few more after that.

Ms. Dunn wanted to thank the Department Heads for going the extra ten miles, to make it all work out and give them a budget that they can address some real needs in the community despite the fact that revenues are way down. They appreciate everyone for really working with them on this, they know it makes it scary for the departments to make it through normal, everyday costs and expenses throughout the year, when you are right at the bare bones to begin with.

They have a tentative budget available, beginning tomorrow, for any residents or businesses to view. They may contact the Recorder's Office, the Mayor's Office, or the Finance Office for that, and it will also be available on-line. They will be setting a Public Hearing on June 02, 2009 for anyone to make comment on the budget, and it will be adopted on June 16, 2009. This gives people a month to become familiar with the information and make comments and ask for changes.

Mr. Brass made a motion to adopt the Resolution.

Ms. Dunn 2<sup>nd</sup> the motion



Call vote recorded by Carol Heales:

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

Motion passed 5-0

**G. MAYOR'S REPORT**

Doug Hill, Mayor Pro-tem

Mr. Hill stated that Mayor Snarr is at the International Conference of Shopping Centers with Mr. Tingey, Community and Economic Development Director; in hopes of recruiting more business for our community. We hope that when they come home, they will have good stories to report.

**H. QUESTIONS OF THE MAYOR**

None

**ADJOURNMENT**