

**MURRAY**  
CITY COUNCIL

# Council Meeting

## June 5, 2012



**MURRAY**  
CITY COUNCIL

**NOTICE OF MEETING**  
**MURRAY CITY MUNICIPAL COUNCIL**

**PUBLIC NOTICE IS HEREBY GIVEN** that there will be a meeting of the Murray City Municipal Council on Tuesday, June 5, 2012, at the Murray City Center, 5025 South State Street, Murray, Utah.

5:30 p.m. **Committee of the Whole:** To be held in the Conference Room #107

**1. Approval of Minutes**

- 1.1 Council/Administration Retreat – April 16, 2012
- 1.2 Committee of the Whole – April 17, 2012
- 1.3 Committee of the Whole – May 1, 2012
- 1.4 Council Initiative Workshop – May 14, 2012

**2. Business Items**

- 2.1 Fiscal Year 2011-2012 Budget Openings – Justin Zollinger (10 minutes)
- 2.2 Murray City Council Handbook and Travel Policy Discussion (30 minutes)
- 2.3 Strategic Plan Committee Membership (10 minutes)

**3. Announcements**

**4. Adjournment**

6:30 p.m. **Council Meeting:** To be held in the Council Chambers

**5. Opening Ceremonies**

- 5.1 Pledge of Allegiance
- 5.2 Approval of Minutes
  - 5.2.1 None scheduled.
- 5.3 Special Recognition
  - 5.3.1 Presentation of Heritage Stewardship Awards (Mary Ann Kirk presenting)

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

**7. Consent Agenda**

- 7.1 Consider confirmation of the Mayor's reappointment of Preston Olsen to the Murray Board of Adjustment in an At-Large position for a five-year term to expire April 2, 2017.

**8. Public Hearings**

8.1 Public Hearing #1

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

Consider an ordinance amending Section 17.152.030 of the Murray City Municipal Code relating to conditional uses in the Manufacturing General Zone (M-G-C). (Cory Ellsworth and Matthew Perry applicants)(Chad Wilkinson presenting)

8.1.2 Council consideration of the above matter.

8.2 Public Hearing #2

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

Consider an ordinance amending Section 17.170.080 of the Murray City Municipal Code relating to permitted uses in the Murray City Center District (MCCD). (Chad Wilkinson presenting)

8.2.2 Council consideration of the above matter.

8.3 Public Hearing #3

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

Consider an ordinance relating to land use; amends the Zoning Map for property located at 5668 and 5636 South Bullion Street, Murray City, Utah from A-1 (Agricultural District) to R-1-8 (Single-Family Low Density Residential District).(Chad Wilkinson presenting)

8.3.2 Council consideration of the above matter.

8.4 Public Hearing #4

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

Consider an ordinance adopting the Final 2012-2013 Fiscal Year Budgets for Murray City including the Library Fund Budget. (Justin Zollinger presenting.)

8.4.2 Council consideration of the above matter to be June 19, 2012.

**9. Unfinished Business**

9.1 None scheduled.

**10. New Business**

- 10.1 Consider a resolution approving an Interlocal Cooperation Agreement between the City, Salt Lake City, South Salt Lake City, Sandy City, South Jordan City, Draper City, Bluffdale City, Lehi City, American Fork City, Vineyard Town, Orem City and Provo City to establish a Quiet Zone. (Jan Wells presenting)
- 10.2 Consider a resolution adopting the Murray City Strategic Plan. (Jan Wells presenting)

**11. Mayor**

- 11.1 Report
- 11.2 Questions of the Mayor

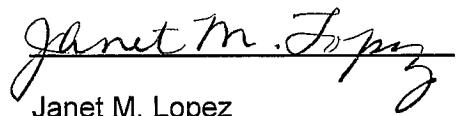
**12. Adjournment**

**NOTICE**

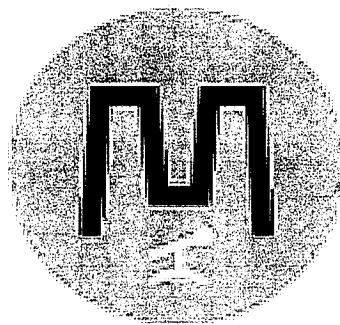
**SPECIAL ACCOMMODATIONS FOR THE HEARING OR VISUALLY IMPAIRED WILL BE MADE UPON A REQUEST TO THE OFFICE OF THE MURRAY CITY RECORDER (801-264-2660). WE WOULD APPRECIATE NOTIFICATION TWO WORKING DAYS PRIOR TO THE MEETING. TDD NUMBER IS 801-270-2425 or call Relay Utah at #711.**

**Council Members may participate in the meeting via telephonic communication. If a Council Member does participate via telephonic communication, the Council Member will be on speaker phone. The speaker phone will be amplified so that the other Council Members and all other persons present in the Council Chambers will be able to hear all discussions.**

On Friday, June 1, 2012, at 9:00 a.m., a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Murray City Center, Murray, Utah. Copies of this notice were provided for the news media in the Office of the City Recorder and also sent to them by facsimile copy. A copy of this notice was posted on Murray City's internet website [www.murray.utah.gov](http://www.murray.utah.gov), and the state noticing website at <http://pmn.utah.gov>.



Janet M. Lopez  
Office Administrator  
Murray City Municipal Council



**MURRAY**  
CITY COUNCIL

# **Committee of the Whole**

# Committee of the Whole Minutes



MURRAY  
CITY COUNCIL

DRAFT

## MURRAY CITY MUNICIPAL COUNCIL AND CITY ADMINISTRATION RETREAT

The Murray City Municipal Council met with the City Administration for a retreat on Monday, April 16, 2012, in the Murray City Center, Council Chambers, 5025 South State Street, Murray Utah.

### Members in Attendance:

Jim Brass	Council Chair
Dave Nicponski	Council Member
Darren V. Stam	Council Member
Jared A. Shaver	Council Vice Chair
Brett A. Hales	Council Member

### Others in Attendance:

Michael D. Wagstaff	Council Executive Director	Dan Snarr	Mayor
Janet M. Lopez	Council Office	Jan Wells	Mayor's COS
Frank Nakamura	City Attorney	Doug Hill	Public Service Director
Tim Tingey	ADS Director	Gil Rodriguez	Fire Chief
Pete Fondaco	Police Chief	Blaine Haacke	Power General Manager
Michael Williams	Court Administrator	Mike Terry	Human Resource Director
Justin Zollinger	Finance Director		

The meeting commenced at 4:05 p.m. Ms. Wells mentioned that there were a couple of pertinent agenda items to go over and she had agreed to lead the discussion giving everyone an opportunity to speak. She would try to keep the dialogue moving as necessary.

### Strategic Plan Implementation and Prioritization – Jan Wells

A considerable amount of time has been spent in the Strategic Planning process. To move this forward a follow up discussion was suggested to determine how to implement the strategic initiatives. Ms. Wells directed everyone to find the chart of "Committees for action plans of the Strategic Plan." This packet is a summary of the Initiatives and Key Performance Areas that were agreed upon in the Strategic Plan (SP). The administration has had some internal discussions on this and they wanted an opportunity to talk with the Council to see if they are on the right tract on moving these forward. There is no intent to be presumptuous; however, they just wanted a place to start.

Ms. Wells said that some committees and sub-committees have been formed that could be used to help the City move forward on the initiatives. She welcomes ideas, thoughts and suggestions.

Mr. Stam said that he noticed the Benefits Committee is listed as a participant on one of the focus areas. Looking at possible new committees, he asked if existing advisory board committees could become part of this. Ms. Wells said that those are the kind of discussions the City will want to have as they go through this; it is not comprehensive or complete, just a place to start.

Ms. Wells began to review the seven different areas.

Financial Stability – A list of the tasks involved is attached and she mentioned that it made sense for Mr. Zollinger to be the chair of that committee. She thought a Council member with a particular interest who would want to participate. It was talked about during the SP process that there might be residents who would want to be involved and staff to help. She asked for thoughts on that.

Mr. Shaver noted that because this was specific to finances, his recommendation would be that either the Council Chair or one of the two budget leaders be involved due to their work with Mr. Zollinger on a regular basis.

Ms. Wells said that it was her assumption that as a Council they would select which of these they want to participate on. She understood Mr. Shaver's suggestion on the Finance area.

Mr. Tingey suggested that the City's financial advisor should be part of this committee. Mr. Brass liked that idea because it is important to know what the bonding room is and where the City stands on certain things so they would have the person who could speak to that. If you are looking for initiative priority Mr. Brass said this would be his number one priority because all else stems from the money. Ms. Wells agreed with that suggestion.

Mr. Zollinger stated that one thing that has changed for governments and private companies is an audit committee, which could talk about this as well. In the early 2000s this was implemented due to all the fraud going on. He thought possibly an audit committee for this instead. You would select the auditors, review the financial statements, and could almost combine the budget into the audit committee, as well. Mr. Brass said there are provisions in the Council Rules that may prevent that.

Mr. Wagstaff asked if this is outside of the annual audit. They would present the audit findings to this committee and in addition to Council. This is one of the things Mr. Zollinger was picturing for this. The committee would meet once a quarter. Mr. Shaver said that he sees that inverted. The auditor reports directly to the Council and bring it back to the finance committee as part of the discussion. The other way the audit committee hears it first and then it comes to the Council. Mr. Zollinger confirmed that, adding that two Council members would be on the committee. Mr. Shaver did not understand the concept or the purpose. Mr. Zollinger asked if he felt it would be filtered before going to the Council. Mr. Shaver stated that this committee is for financial sustainability not where the City stands. The audit is past not future. He feels the financial sustainability says where are we going and the audit says this is where we have been. Once we get the audit information it is late and there is no opportunity to adjust it or do anything with it. He would rather have it come to the Council and then to the financial sustainability committee.

Welcome and Thriving Business Climate – Ms. Wells noted that she has Tim Tingey as the potential chair, working with Council representation, staff, business representative and a Chamber of Commerce representative. Mr. Tingey agreed with a small or larger business representative.

Responsive and Efficient City Services – This area has three different initiatives with the first one being discussed a lot, City services. This would be to compile a City services review team and go through the steps suggested in the Strategic Plan.

Ms. Wells planned to go into depth in these areas after the overview.

Internal communications was part of that initiative, and the third part was a sub-committee of employee compensation and resource options. The City already has a benefits committee and Mike Terry is the logical person to head that area. If Council wants to be involved in that they certainly can, but this is just a sub-committee of Responsive and Efficient City Services. Mr. Shaver asked if her question was whether a Council Member wanted to be part of the Benefits Committee. Ms. Wells stated that is an option on any of the committees.

Engaged and Informed Residents – Ms. Wells suggested that Zach Fountain be the chair of that committee working directly with the staff public information officers (PIO), community outreach and Council.

Well Maintained, Planned and Protected Infrastructure – This comes under the Capital Improvement Program Committee with Brett Hales as chair. The committee as it stands right now could be adjusted annually if it is the pleasure of the group.

Safe and Healthy Neighborhoods – This is another area that comes under Tim Tingey's purview because it deals with zoning issues, housing and NeighborWorks. It could involve staff, Council and different housing groups involving residents.

Vibrant Parks, Recreation and Cultural Amenities – Doug Hill would take this chairmanship and is contingent upon funding the update to the Parks Master Plan. As Darren mentioned you would probably involve the Parks Advisory Board in this area.

Those are the groups and Ms. Wells asked for thoughts and input on the breakdown of these groups as a way to start.

Mr. Shaver asked what staff would be involved in the committee for Safe and Healthy Neighborhoods. Ms. Wells responded that it could be whatever support Mr. Tingey would like possibly involving police and fire. Angela Price as CDBG coordinator could be part of the committee.

Mr. Nicponski said that he feels what is being done here is excellent. He sees this as a generation of controlled information flow that is needed and he likes that it is a combination of the professionals in the City with Council representation. He does not want it to become a veto power that is normally Council decision.

Ms. Wells mentioned that there was an extensive list of Best Practice recommendations. She thought perhaps Mr. Wagstaff would like to chair that with her, Council representation and

staff. This is another one that would probably involve sub-committees as the work there is identified.

Ms. Wells gave credit to the department heads for suggestions and input on how to organize. This is a lot for one sitting but taking full advantage of the Strategic Plan is the desire to move the City where it wants to be.

The attached pages outline the initiatives and by seeing the tasks it may put things into perspective with the people suggested to take responsibility for particular areas. Ms. Wells asked how much flexibility should be given within the committee and shall the committee be allowed to prioritize. Some things may be very easy to take and accomplish quickly. Others may depend on policy that needs to be identified or finances that may not be in line quite yet. Do we want to give the committee the power to prioritize, decide timelines and evaluate which initiatives need to be first, with some happening concurrently?

Mr. Hill observed that, for example, with the financial committee, they have immediately the four tasks identified as part of the plan. The question then becomes shall the committee decide which tasks to work on first or do you want to give them direction on priority.

Mr. Shaver said that the first question he would like to ask is, "What is the reporting structure?" If the committee sets priorities and timelines where does it go? Who do they report to? Would it come to a Committee of the Whole meeting or to a staff meeting? He feels the committee should set the priorities and meet with Ms. Wells and then bring it to the Council at a Committee of the Whole. Ms. Wells agrees with that thought, allowing the committees to work and just as we have the boards report, maybe these committee chairs could come to another meeting to report their progress on the initiatives. This would keep everyone informed. Mr. Wagstaff said that using the Committee of the Whole to collaborate makes sense as this is a group effort.

Mr. Brass noted that once the committees move forward it can be decided how much information is needed. And if the committees don't have flexibility, then nothing will ever get done. Everyone has to trust in that happening and where Council members are involved, if you talk to one, then you talk to all. Council members will keep each other informed.

Ms. Wells suggested another option: to have committee chairs give a synopsis of meetings that could be sent out with Council communications. Mr. Wagstaff said that it could be random; just as committee chairs have something to report they could schedule time in a Committee of the Whole, leaving it the chair's responsibility.

Ms. Wells asked how the Council would feel about information coming to them in the Council Communications with major reporting done at a Committee of the Whole. Mr. Brass felt that would be a good idea, pointing out that this is new ground and we may have to learn as we go along. If we err on the side of more information that could not possibly be wrong. Mr. Shaver suggested if there were questions about information related in the Council Communications, then a report at the Committee of the Whole could be requested of that chair.

Mr. Nicponski gave an example of needing to know bonding capacity due to the urgency of giving an answer to the performing arts people. That is the kind of information that he sees these committees providing to the Council. He asked if budget needs, and adherence to budgets are the kind of things these committees would let the Council know. That was confirmed.

Ms. Wells proposed that the Council members take time to think about the committees and let her know which ones they would like to be involved with and then the chairs can begin to work with their committees.

Mr. Brass stated that each Council member has different interests and strengths. Mr. Nicponski said he would leave it to the Council Chair to solicit from the Council their desires and then let Ms. Wells know the outcome.

Along with this, Ms. Wells mentioned the other area that needs attention is to get the employees involved in the Strategic Plan and let them know of the focus areas, Mission, Values and Vision. They have some ideas to introduce it and make it fun for the employees to get excited about participation and helping to use this in everyday efforts.

Mr. Tingey inquired if everyone felt comfortable with the direction. It was confirmed that up to two Council members could sit on a committee without notice of the meeting, and some may have one or none.

Mr. Nicponski asked if the committee members would feel better if a Council member is there or would they feel less important if no Council member were in attendance. Ms. Wells said that she did not feel that made any difference. It is more up to the Council, their time and interest.

Mr. Hill asked if everyone were familiar with the Best Practice recommendations. There were several pages referring to this suggesting establishing a performance management system, establishing a centralized fleet system and clarifying the role of Chief of Staff. There are a lot of specific things that are not focused on any single department but more toward changing the structure of the City. Mr. Nicponski noted his excitement at having these guidelines and they should be prioritized.

Mr. Shaver mentioned that the Council is going through this, as well, setting up best practices for the Council on its issues. Determining how and why things are done.

Ms. Wells said that she would like Council members help on this and sees the use of sub-committees important here.

### **Fiscal Year 2012-2013 Budget Discussion – Justin Zollinger**

Mr. Zollinger proceeded to show the Council the process the administration had gone through to get to the Mayor's level budget. The pages show the summary of each department's expenses and at the very bottom is the comparison from last year's budget to this year's budget including the revenue over expenses. This report gives a pretty good feel for where the City is.

Page One - This is as if nothing from 2012 has changed. There were some capital expenses from the prior year that caused some savings. Other savings are a result of the early retirement. The total difference is a \$2 million savings from the prior year.

To clarify Mr. Zollinger detailed that he is speaking of the 2012 fiscal year (FY) budget compared to the next years (2013) projected budget.

When you look at the revenue over the expenses there is a \$1 million surplus. This is a positive thing. The revenue is Mr. Zollinger's projection.

Mr. Zollinger pointed out that the Fire budget is down \$347,000 from the previous budget. Part of that is savings from early retirees. The same goes for police and some of the other departments. Mr. Shaver noted that we do not see the enterprise funds here. Mr. Zollinger said that most of his concern is in the General Fund.

Page Two – This shows the base budget with the retirement and insurance increases. The health insurance went up 8.5% and various percentages for Utah Retirement Systems (URS). You see on the bottom line that the City does have a surplus; however, it is not as much. This is a \$450,000 surplus showing a substantial decrease from the \$1 million on the previous page. He said the administration was hoping to use that for raises.

Mr. Haacke asked if the increase from URS is a dictated number. That was confirmed by Mr. Zollinger. Mr. Haacke asked if this was based on the Liljenquist bill. Ms. Wells said that the way they have planned to keep the fund whole was to have large increases for the next two years and then level it off over three more years. Mr. Haacke asked if it is based on the number of employees we have or salaries or is there a formula they use. Mr. Terry said it is a percent of salary. So everyone in the police pension is at 32%, instead of what they were before. Police are in one pool, fire fighters are in another pool and other employees in another pool.

Page Three - The next projection shows a 3% COLA (cost of living adjustment) for employees and a pay adjustment for compression. For example, an officer hired three years ago is being paid the same as an officer hired today, which we will try to remedy with pay adjustments. Three new positions are included here. That takes the bottom line to a negative \$345,000. Ms. Wells mentioned that the three positions are to replace retirees in police, and two in parks. Mr. Wagstaff questioned whether this takes into consideration changing the pay grade scale from 10 years to 20 years.

Page Four - The next scenario shows a 3% COLA, no pay adjustments, 3 new positions and an 8% fee in lieu of taxes (ILOT) across the board. Currently, the ILOT is 8.3% for water, sewer, storm and solid waste; and power is 6.8%. Making that standard is the idea. This puts us into a positive balance of \$384,000. This is the plan that is currently in the Mayor's level budget. There is no increase in training or operations, just the 3% and fee ILOT. There have been some requests for operational increases. They were requests to cover actual expenses. That surplus really could be used based on those requests. Vehicles are on the CIP (capital investment program). The only vehicles included here are the Class C vehicles. There were questions regarding the inclusion of benefits in this scenario. Mr. Zollinger stated that everything from each preceding page is included in the next proposal, except where it specifies that no adjustments are made.

Ms. Wells expressed that the requests for operational funds to get to where the departments expenses currently are come to about \$450,000.

Page Five - The final scenario has the 3% COLA, pay adjustments, three new positions and the 8.3% ILOT fee. The operational requests still are not included here. The revenue and expenditure difference here is \$151,604.

Mr. Zollinger stressed his willingness to work some other scenarios if there were additional ideas from this group.

Mr. Shaver asked Mike Terry to review the pay adjustments and years span that he had detailed in an earlier meeting. Mr. Terry stated that he had broken down the scale of employees by each year so that a two year person would be making more than a one year person and a ten year person would move to mid-point in the range. He has figured where each person would rank according to years of service.

Mr. Shaver said that in his mind the real discrepancy comes in fire or police where a one year person is hired at the same rate as someone who has been here for five years. That is where the real discrepancy exists, not in the people who have been here 20 years. He asked if it is possible to put in a pay adjustment increase for a portion of the employees and not all employees. He understands that the scenarios presented have increases for all employees. Mr. Terry said that they have retooled it so that people are only pushed out to mid-point. They have not gone beyond that. The scenarios presented by Mr. Zollinger have only included pay adjustments to the mid-point. Anyone already above mid-point would just get the COLA. So a ten year employee will go to mid-point and the other criterion is to be in their current job for 10 years.

Mr. Hales asked if there is a cap on the increase amount and he wondered if someone could benefit by thousands of dollars because of that. Chief Rodriguez stated that the compression issues are not just from the last three years. That has been an issue for a long time and that is part of the problem.

Mr. Shaver stated that he would like to look at the numbers if pay adjustments were given only for those employees in their jobs for the last five years. This would cover the last recession period, Mr. Zollinger noted. Mr. Shaver said that the numbers given were marvelous and easy to comprehend; however, there is only one option on the pay adjustments. Several options in ILOT and other areas, why not run three year, five year, seven and ten year pay adjustments. Then they can compare the savings.

Mr. Nicponski asked the Mayor his reasoning for picking the option that he decided upon. Mayor Snarr responded that it keeps the City in the black. Mr. Zollinger pointed out that it is a sustainable budget. He said the employees are being addressed, operational increases are being addressed, and capital is being addressed. Three of the major things to be achieved in a budget are being addressed, not completely fulfilled but being taken care of pretty well.

Mr. Hales confirmed that the budget being recommended was the 3% COLA, no adjustments, three new positions and 8% ILOT. He explained his understanding from conversations with department heads that they are concerned for their people. He asked what the feel is for getting a 3% COLA and no other pay adjustments. Chief Rodriguez replied that the compression is a big deal and he feels the problem will just be pushed to the next year. It has to be addressed sometime and he knows the money is tough, but his people are frustrated. At some point we push good people out the door. Mr. Shaver mentioned that it is also a morale issue for people who have been here for three years making the same wage as those just hired with benefits that have not improved, as well. Mayor Snarr remarked that it brings up the option of how to raise revenue.

Mr. Nakamura said we have the opportunity to discuss this at length and to resolve all the compression issues; however, the City will have to do it piece meal. We will start with the new people, entry level and not the highest paid people. These are generally the entry level fire and police and in all offices. We are not doing nothing, but just beginning to address these

issues. Mr. Terry stressed that if the City just does a COLA it does not begin to address the other issues.

Chief Fondaco understood the Mayor's viewpoint, but he feels the City needs to consider Mr. Terry's suggestion to look at pay adjustments from the mid-point down. Above that can receive the COLA only. The Chief has officers here for three plus years and he just hired two or three that came in making the same amount.

Mr. Shaver wants to hear from the department heads. He noted that there was a marvelous meeting with the employees; however, the trust factor between the employees and the Council present some challenges. He would like to do adjustments for the three and half year employees now, and the following year go up to five year employees and then up to the ten year employees. Seeing the regular increases in revenue is good, although, with the zero budget the City still has to do a swag to determine what the increase in tax rate will be. If the three and a half years were increased now, with the others to follow, what would that do to the employees? Would that help or make it worse? Chief Fondaco said that it will hurt the four to six year employees. Mr. Zollinger added that no matter what, someone will be unhappy.

Ms. Wells indicated that it would cost the General Fund \$263,000 to adjust to mid-point. Mr. Stam reported that from broader meetings that he has attended, other cities are trying to do something for their employees; although, some are only giving two percent. Have we considered the scenario with a two percent COLA? It sounds like that would allow the City to be at the same point with the three percent and no adjustments. Ms. Wells said it was something to look at. Mr. Stam said it benefits the younger ones the most and the older employees less with only the two percent.

Mr. Hales indicated his total understanding of Mr. Stam's suggestion; however, he insisted that a two percent increase comes across as nearly nothing and it will not help morale. He feels less than three percent should not be considered. Mr. Stam asked if that is true coming out of four years with nothing. That is the difference he sees; it is a time when two percent means more than usual with the adjustments for compression. Mr. Hales felt employees would disagree with that concept.

Mr. Nicponski asked if the City goes with the Mayor's recommendation of the three percent COLA with the compression adjustments, what the practical realities are. Would the City need other revenue sources to make it work? The Mayor replied that there are some suggestions and Ms. Wells said it is part of the discussion. Mayor Snarr said there are things some other cities do that he feels are reasonable.

Mr. Wagstaff asked if the \$263,000 is the cost of the compression adjustments. It was confirmed.

Mr. Brass said that the group has been presented with revenue issues and those alternatives and the costs need to be considered because the one thing that has been suggested is increasing the ILOT on power. We need to talk about the ramifications to power because our utilities keep our taxes low, however, if we sacrifice reliability to cover a budget shortfall then that impacts Murray businesses and everything. The power utility brings reliability and before he felt comfortable with that he would need assurance that it would not impact operations. Operations have been discussed everywhere else; he insisted the City not look at power as the City piggy bank. Ms. Wells said that conversation is on the agenda.

Mr. Hill commented that the operational costs, other than employees, are a big concern in Public Services. He added that he cannot continue to operate at the same level as this current budget. If all the money goes to employee raises, which he does support, with no adjustments to operational line items then he will not be able to operate within the budget. For example, Rocky Mountain Power costs for street lights have increased \$30,000, which will be short before the budget year starts. No money for overtime or temporary employees makes it simply impossible to operate at this level on an ongoing basis. He has a bigger concern of putting all the money toward employees and not addressing operational costs. He has let Justin and Jan know about that. The City cannot just discount the operational expenses.

Ms. Wells stated that this was the reason they decided on option four for the Mayor's budget. No one asked for fluff and she saw this as a way to cover actual expenditures that they know the City will be forced to spend. The compression concerns are well understood and she said she appreciates the discussion.

Mr. Nicponski appreciates that Mr. Hill is watching out for the residents that is important too.

CIP Committee – Ms. Wells explained that the CIP Committee has worked with \$3 million dollars. They have taken the requests from the departments and have made some recommendations for allocations that will be presented the next evening in Committee of the Whole for discussion. The three big issues that were not addressed were the City Hall replacement, Performing Arts Center downtown and the Hillcrest Junior High option. The City is at a point where some sense of direction must be prioritized.

The first decision is whether the City wants to be involved with the school district on Hillcrest Junior High options. The window for deciding is coming to a close.

The second priority involves the Performing Arts Center. Murray is in a process with the County, who is pressing for a commitment. They want to know if Murray will make a promise to bond for half of the money if the county gives us the other half the money. We must decide the priority and direction, because if we don't we may lose an opportunity.

As much as everyone thinks the new City Hall is the top priority, as far as timing goes it is really third. The second would be Performing Arts because of the squeeze from outside influences. As a group we need to discuss this.

Mr. Nicponski said it would be interesting for each Council person to give their priority. Personally, he would say no to Hillcrest Junior High, City Hall would be placed as number one and if there was money left, then he would put it toward performing arts center.

Mr. Shaver agreed with those positions with different reasoning. If Murray is told to do a bond for the performing arts center it is not a City choice; it must be voted upon by the public. He said that is not pressure on the City, it is not up to Murray officials. The citizens could say no. If yes, then the project could move forward if they wanted.

Ms. Wells asked if there were going to be a referendum, would he want it on City Hall first and then performing arts second.

Mr. Shaver said he believes there is a way to construct City Hall without a bond or with a limited bond. As a part of that committee he has discussed it with other committee members. If

we can do this and be financially sustainable, then it would free us to do a bond for performing arts.

Mr. Hill asked if we are saying that we withdraw our application to Salt Lake County for the performing arts center. We have to let them know by the end of April if we want any money from them. If it is not a priority, he does not want to be embarrassed by continuing to court the county. That would mean we withdraw the application.

Mr. Brass took this opportunity to talk with everyone as he had circumstances that prevented him from talking with his fellow Councilmen regarding this earlier. He received an email from the Friends of the Murray Centre for the Performing Arts (FMCAPA) group about their meeting that occurred last Thursday. They wanted to know where the Council stood and he took the initiative to go and speak with them because Council members had talked at length about it and he felt he could accurately represent the Council. He told them bluntly that the City does not have bonding room at this time. He said we all support a performing arts center downtown; however, we can't commit to going into that kind of debt. If we have to come up with \$15 million it would mean a general obligation bond on top of the junior high school. He does not believe the citizens would vote for that and the City does not have room for bonding on sales tax. (Mr. Zollinger said that Mr. Matsumori confirmed that.) Mr. Brass told them the Council was disappointed in the presentation they gave because he was left with the impression that they kind of, maybe, had some people that might, if the situation was right, give some money, sort of. They now assure him that they have firm commitments for between \$4 and \$5 million making the City portion \$10 to \$11 million. He said that was interesting and if they decide to go forward, please talk with the Council. Mr. Chatterton said he would not reveal the donor's names. If you tell me you have these commitments, he will believe it, Mr. Brass explained. They honestly believe they have these firm commitments. He added that the City does not want another building that must be annually subsidized for \$800,000. Murray cannot afford that. He is concerned about the downtown because it all competes for dollars even if it is not the same market. As Mr. Hill said, a decision must be made. Mr. Hill confirmed that he is not trying to persuade anyone, but if that is the feeling, and it is what he is hearing from the Council, then he needs to tell the county not to consider Murray's application any longer. We have only two weeks to decide. Mr. Brass emphasized that we do not know our options right now.

Mayor Snarr said that timing has been difficult because of the pressure on the City to commit. Yes, we know we need a city hall and it will take several years to plan. His issue is that if someone buys into doing something downtown then we will convince people that the City is committed and wants to see it come alive and have something that will drive other developers. They will see the parking structure for multiple purposes. He sees the need for two of these options and has mixed feelings. It is a tough decision to make.

Mr. Hales stated that he has raised money his whole life and people drop out on commitments and it is hard to do it. He feels confused on which direction to go. When he hears two weeks to make a decision that is difficult.

Mr. Hill said that we have two weeks to make a decision regarding coming up with matching funds if Salt Lake County gives us money, but Murray has made this representation to them for over a year now. He feels that if we want to get out, this is a good time because he is not comfortable going forward if the City is not committed.

Mr. Hales asked Mr. Hill how he would feel if he were a constituent. Mr. Hill said that a performing arts center would do a whole lot more for the City and downtown than a new city hall

or the junior high. He would rather see the City make an investment in the downtown with a performing arts center because that creates many more economic development opportunities. Granted, it will be expensive, it will not pay for itself. If Mr. Hill had to vote for one or the other, he said he would vote for a performing arts center. Mr. Nicponski said the City would ask him to pay for one or the other. He continued that we would ask citizens to pay for the performing arts on a referendum and find another way to build the city hall. If we asked the citizens to pay for a city hall we would lose.

Mr. Brass added that he knows the citizens want something downtown. Mr. Hill understands the problem because it is a ton of money and he is not trying to persuade anyone, he just feels that we cannot keep telling Salt Lake County that we want their money if we really don't want the money. Now is the time we need to tell them if we are not in a position to build it. Or we are in a position to do it. Mr. Nicponski asked where else it would go. There are others who want it, Ms. Wells said. Cottonwood Heights and Taylorsville both have applications in.

Mr. Stam mentioned a couple of points. Russ Wall of Taylorsville said they built their city center with lots of property out in front to attract retail and they received no response. Finally, they installed grass in a large portion of it. He also realizes now that next week we could have an issue in the basement and have to be out of the building. He does not think that residents know that. If they knew that, and that we would not be able to provide the services they need, they would be pretty upset. It might change how they would vote. As a resident would you vote differently if you knew the consequences. Others added that people would not believe it. Mr. Stam indicated that he would probably agree with the other Council members on priority. He does not know if it will be a complete catalyst, but he does think it will have an effect. He does not feel we are in the same situation as Taylorsville because we are on State Street. He asked if the county would really have money to do anything in the next five to six years. Mr. Hill did not have the answer to that. Mr. Nicponski commented that things change at election time.

Mr. Shaver added that his answer to continuing to court the county is yes. There are so many variables that could change, so he says stay with the project.

Chief Fondaco expressed that he really has a problem with the performing arts center and spending \$30 million, because he feels that only government can spend \$30 million for a building knowing that it will cost a million dollars a year to keep it running. Only government can do that. No private company can spend that money knowing it will operate in the red. I have trouble because you say it will cost \$800,000 a year to operate and that means it will really cost \$1.2 million. That means \$1.2 million out of the General Fund, which is where he lives in public safety. Where will the \$1 million per year come from? Others agreed that was good input.

The meeting recessed shortly.

Ms. Wells resumed with a question to confirm what she heard about the Hillcrest Junior High project. Her understanding was that the City really is not interested in investing in the construction of Hillcrest.

Ms. Wells said regarding the performing arts center that we want to call the county's bluff and continuing pursuing the money to see if they award that to us. If they do give us the money, Mr. Shaver confirmed that the City is not encumbered in any way except to pay for a referendum bond election. If the citizens are willing to pay for it, then it can be done. Mr. Hill said that is the question, because he feels that this year Salt Lake County may move forward. They have already asked Murray to go to the TRACT Committee (Tourism Recreation Act) to make a

presentation. Mr. Hill believes the TRACT Committee will support the Murray facility because the Salt Palace Bond is coming off. They are going to have a ton of money next year. He believes they will decide to help Murray out with this project. If you are willing as a Council to put this on the ballot for our citizens to decide, then he feels we should stay in the game. If we are not willing to put it on the ballot for our citizens, then he says, let's get out because he feels it will damage the City's reputation and his own.

Mr. Tingey feels that the City needs to be proactive in getting this bond. There has been a lot of talk about downtown investment, the City has purchased property and in a lot of ways he has wondered when Murray would go out to bond to see what the citizens really think: whether it is for a performing arts center or a city hall. He feels we need to develop that plan and decide when to go on to the election. Mr. Nicponski said that the City needs to see how the recovery will pan out. He feels we should keep it alive and we need to let them know that we are also looking at a new city hall and we need to see how it plays out internally. There are some variables and we definitely want to do this; however, it may be down the road a ways.

Mr. Brass agrees with the Chief that we cannot afford to subsidize another building. But it could be an interesting attraction downtown. Another consideration is that plumbing is not the only issue in this building. If there is an earthquake City Hall will not survive and our public safety personnel, the police department, work here. That is something that we need, as we are ill prepared in this state for an earthquake. If you lose access to the valley, how do get the things you need to help. In a disaster are the people we need to help even going to be around?

Ms. Wells hears that everyone votes for City Hall as a number one priority; and the performing arts as number two but to stay on track with the county. Mr. Zollinger said that we will not be able to afford all that as the City will need revenue sources for each of the first two priorities. He is doubtful that the citizens would vote for two general obligation bonds. Mr. Hill agreed with that knowing that we really cannot afford it. He stated that it would be a relief to him to step back saying Murray cannot afford it. Mr. Stam said that we owe it to the citizens to ask them. Mr. Hill said that Chief Fondaco made a good point in that the facility has to be maintained every year.

Mr. Shaver recalled the University of Utah class that made a presentation on the operation of a performing arts center. He said that because of his expertise in this area he noticed so many issues in their numbers that were not addressed. Everything they talked about was conjecture: if we get this many days filled - if we can use it in this way - this is the money we will make. No one has made any commitment to use it. Tim and Doug have both said, we are either in it or we are not. Mr. Shaver thinks a formal vote of the Council should be made. We do not want Mr. Hill or FMCPA to be left in a precarious situation. We need a positive affirmation to go after it or dismiss it and back out the Murray application from the county process.

Ms. Wells said we might need a follow-up discussion on this.

Mr. Brass would still vote for a city hall and FMCPA was going to have a vote on whether to continue or not. That was supposed to be Thursday and we have not heard anything.

Mr. Nicponski said that, based on Mr. Zollinger's observations, we should proceed on a city hall and then a couple of years down the road, we can always worry about the performing arts and resurrect it if we desire.

Ms. Wells thanked everyone for the discussion and will tell the school district that the City is not interested in pursuing involvement.

Ms. Wells commented that the CIP for the enterprise funds will be in the budget when we get there. They are not part of the next CIP discussion.

Vehicle Replacement Policy - The Vehicle Replacement Policy is included with the other documents distributed. The CIP committee used this policy in determining what vehicles to recommend for replacement.

Mr. Shaver asked that the point system be explained. On the last page of the policy, the point system is explained.

Also, included is a list of the vehicles that could be replaced but the departments have not asked for all these vehicles. You will see the recommendations the next evening. This is just forming a standard so the vehicles can be tracked. Ms. Wells said that the policy is a starting place that Mr. Hill worked on and it is hoped that we will get to the point where it will be adopted. Adoption should be done before the budget is completed.

Operations - The operations budget includes about \$460,000 that has been requested.

Employees - Ms. Wells said she would run through some of the ideas for the employees. She asked for Council thoughts on these items. The salary increases and merit adjustments were mentioned by Mr. Terry earlier. Mr. Terry worked hard on the retirement system and health insurance increases, which were successfully negotiated from 11% to an 8.5% raise in premium.

Discounts - City employees have asked for some things at different times, one being discounts at the Park Center, outdoor pool and golf course. Mr. Hill worked up a proposal that offers about a 30% reduction for employees if they are interested in taking advantage of these things. Each is a little different: the golf course would give a senior fee with 15% off merchandise. The Park Center would give 30% off the resident rate and 50% off the daily admission. This is for entrance only. The outdoor pool would give a 50% discount. We don't feel it would cost a lot of money but maybe something that could be offered as a morale benefit. An ordinance would need to be approved to have that happen.

Tuition Reimbursement - Ms. Wells explained that there have been some requests to reinstate the tuition reimbursement, car pool payments and car allowances. Mr. Terry said that tuition reimbursement was formerly \$2,500, which was cut to \$1,200 a few years ago. Last year there were 16 employees taking advantage of that benefit for a total of \$17,600. Nine employees used the entire \$1,200 and seven did not utilize the full amount. If nine employees used the entire \$2,500 it would be an additional cost of \$11,000, assuming that these factors remain the same.

Mayor Snarr asked if those employees utilizing the tuition reimbursement must stay with the City for a certain period of time. Mr. Terry said that if you leave within one year of your last class, then the money must be repaid to the City. Mr. Stam said that if we raised the benefit, then the time should be raised to two years.

Alternative Transportation - In the mid 1990s the Department of Air Quality required governmental agencies to come up with an alternative transportation plan to try to get 20% of

employees to carpool, ride the bus, bicycles, or motorcycles to work. The City created an Alternative Transportation Rebate Plan that was eliminated with the economic crisis. Anyone that would use these alternative plans three times a week for a three month period would receive \$50 at the end of the quarter. The greatest benefit anyone could claim would be \$200 per year. The last time it was done was fiscal year 2010 with 39 people participating for a cost of \$5,600. The goal was to get vehicles off the road by using transportation other than driving yourself to work. The Department of Air Quality rescinded that requirement five years later. Mr. Terry suggested that if it is brought back then that amount should be increased as the \$50 per quarter would not even buy a bus pass.

There was a question regarding car allowances. Mr. Terry said they do not come through the HR office, but he was aware that allowances were decreased. That affected mostly department heads.

Safety Awards - The City formerly had a safety awards program for a calendar year that was discontinued in 2009, Mr. Terry related. If there were no at-fault vehicle accidents, no loss time injuries and no positive drug screens then an employee would earn a year-end safety award. The last annual payout was a \$15,400 cost to the City. Employees would receive a gift card to either Costco or Sportsman's Warehouse.

Dental Policy – Mr. Terry reviewed that PEHP increased health insurance by 8.5%; however, on dental coverage three options were offered.

Murray's current plan on the most common procedures is covered at 80% and the employee pays 20%. You always have a co-pay amount. This is the lowest covered benefit.

The second plan charges a \$25 deductible, which once that is met treatments are covered at 100%.

The final and best plan has no deductible and coverage is at 100%. These plans do not cover procedures like root canals where the employee will pay 50%, as is charged now. Our current plan has a waiting period of five years for major work, such as a tooth replacement. For other dental work the waiting period is six months.

The offer was a rate reduction of 8.4% for continuing the plan we are currently on, which nets a savings of \$23,000 to the City. The second option amounted to a \$15,000 to \$20,000 savings and the best plan would have cost the City an extra \$9,100. In a department head meeting it was decided to keep the current plan and take advantage of the \$23,000 savings. It was a split vote.

In conclusion, Mr. Terry reported that medical coverage increased 8.5% and dental went down 8.4%.

Mr. Hales asked if this is a benefit to the employees. The City pays 85% and the employee pays 15% so there will be a savings.

Additional Floating Holiday - Ms. Wells noted that the previous year the administration did add one additional floating holiday making the total three floating holidays because nothing had been done for the employees in so long. That made a total of 24 hours and they were told that it was for the one year only and may not be ongoing. The Mayor would like to leave this on if only the COLA is given in salary adjustments. Mayor Snarr feels that the work will still get

done even with the additional holiday. Mr. Hales said the floating holidays at the bank were a major thing and management did not feel like it cost a thing.

Revenue – Ms. Wells expressed that the Mayor has always wanted to do a street light program and it has been an ongoing discussion. He would like to charge a monthly fee to the residents; we already pay for lighting some of the streets in the old City area. In the new Murray area we pay Rocky Mountain Power for lighting. In order to do this we would like to do a citywide effort. We would have to work with Rocky Mountain Power and have them collect that on the power bill. It would be a pay for itself service, billed through Rocky Mountain. The infrastructure would have to be built on the east side. The Mayor said a certain amount would cover the power and the remainder would pay for the enhancements. They would have to give Murray a list of what is being done every year.

Mr. Shaver asked if Murray could supply and own the lamp and fixture and Rocky Mountain just supply the power. Mayor Snarr said that they do not want us to do any work on their infrastructure. If anything goes wrong they would hold us liable. Mr. Haacke said that Murray does not stock the same fixtures and standards.

Ms. Wells continued that to do this we would have to institute a citywide street lighting plan (make sure everyone had lighting) and then build the infrastructure. The other thing we could do is to pay for street lighting in the General Fund; we have had it in power before and it has moved back and forth. Mr. Zollinger said that currently we pay \$200,000 out of the General Fund for street lights. If we built a street light fee program we could match the cost with the revenue. This would take a lot of work to get in place and Ms. Wells admitted that she is not sure how much revenue could be expected.

Increase Property Taxes – Ms. Wells said this is unpopular.

Reserves – This is the possibility of using one time reserves for specific operation line item costs. For example, if we wanted to cover some training then we could put that in and then evaluate it at the end of the year.

Fees for Non-Profit Organizations – Ms. Wells stated that this had been talked about and she feels it is an untapped source; however, she does not know how to get there. Mr. Shaver asked if this would be a business license cost. She said it would be a little different, such as a fee for service or asking for some kind of ILOT. It is Intermountain Medical Center Mr. Tingey remarked. Mr. Shaver said you need to do it based on acreage. There are a number of different ideas, Ms. Wells added.

Power Department – Ms. Wells insured the group that the goal is never to use Power as a cash cow. The goal is to try and figure out the best way to help fund the City. They are part of the City and should participate like the other enterprise funds do.

Mr. Zollinger informed the group that prior to the UAMPS (Utah Association of Municipal Power Systems) payment the power reserve was at \$9.8 million. The UAMPS expense was \$1.3 to \$1.4 million, bringing reserves down to \$8.5 million currently. Mr. Haacke has worked hard to bring this reserve amount up. If anyone wants to see a possible explanation of why things have occurred and the difficulty in building reserves, then Mr. Zollinger would be happy to walk through the scenario. He has gone through this with Mr. Haacke and Mr. Bellon to come to an understanding as to why reserves have not grown as much as they would have liked.

Mr. Shaver asked if the enterprise funds have a requirement about the reserve amount. Mr. Zollinger said that it is the same as the General Fund at 18%.

Mr. Haacke takes ownership of the Power Department, even though everyone is in it together, as far as making the budget work; however, he needs to protect his interests. It would cost about \$500,000 to raise the ILOT amount to 8%. He would have to go back and look at the budget to make cuts. This is on top of the increase in ILOT last year; that was about \$350,000 to \$400,000. Mr. Zollinger said that in actuality it dropped last year based on the revenue. In the last two years he has had to come up with \$800,000, Mr. Haacke stated. He will have to go back and find ways in the budget to come up with that. Mr. Brass is right, it is based on revenue and that is frustrating when metered sales are down. July, August and September are his big months and if sales are down, he still has to pay the commitment to the General Fund. Mr. Haacke said he can come up with the money, 8% or 8.3%, however, it may mean some creative movement of backyard rebuilds put on hold or less money going into reserves. That is a big issue to him. When the last rate increase took place a few years prior there was a gentleman's agreement between power and the Council that \$500,000 would be put into reserve each year. He still feels that commitment. If it is okay with the Council that \$500,000 not go into reserves then it is okay with him.

Mr. Shaver noted the reduction of employees in power and he asked how much of a savings that produced. Mr. Haacke confirmed it was seven employees for about an \$800,000 savings. Mr. Shaver asked how things look based on that savings. Mr. Zollinger stated that he could provide that information. Mr. Haacke responded that he is planning \$1 million more in capital expenditures than the previous year. Mr. Zollinger said that it is all in the budget. His revenues are conservative and some good amounts are still going to reserves. With lower revenues, then lower expenses are budgeted. By operating that way all year long Mr. Haacke usually comes in below on expenses and this year power may come in above on revenue projections. Mr. Shaver commented that it is still a guess as to what it may be. You want to look at the numbers as best as possible.

Mr. Brass noted that last June was very cold and wet and power was not being sold for air conditioning which accounted for an impact in revenue. Now we are fortunate that natural gas costs are very low so overall power costs are very low. Years ago when California tried to game the system Murray power burnt through reserves very quickly paying \$100 to \$200 per MW and selling it for \$80, then money goes pretty quick and we cannot raise our rates to cover that. It is a balancing act. He does not want to see the City balance the budget and not keep up the infrastructure. The citizens will come apart if they don't have power or water or the ability to flush the toilet. We need to monitor that. For many years Murray's ILOT was pretty low and we are not asking more than other cities. This is every bit as important as roads.

Mr. Shaver added that the golf course needs a sprinkler system for a \$2 million investment. There is another possible bond. Mr. Shaver brought up the idea of the use of a grant writer as an opportunity to add revenue. Second, from a conversation with Mr. Stam and Mr. Wagstaff the City has services and expertise that can be sold to other cities. They hire someone to dig trenches and bury cable. If we have the manpower to do that, why doesn't Murray dig the trench and bury cable and get paid for it? Mr. Hill responded that we don't have enough resources to do it. Mr. Shaver suggested we create the resources, people or equipment, as an investment in the City, and also a revenue builder that can be utilized over and over. Midvale, Taylorsville and others are both building for UTOPIA and we could have a crew out daily making money for the City. Mayor Snarr said that for 14 years he has seen this battle go on at the Legislature every single year with allegations of crossing the line with private industry.

He loves the idea and believes there is money there. Mr. Shaver says that because UTOPIA is part of us and we are part of them, we are hiring us and the fact that we contract out to other organizations is only because we want to. UTOPIA is part of who we are. If we did that work for the City, UTOPIA has the money to pay us to do it.

Mr. Hill said that by state law we could only do up to \$180,000 for each project. Mr. Nicponski said that legislation dealing with that this year got stalled in the house but you don't know what it will trigger on Capitol Hill.

Mr. Zollinger made a last comment on the budget: he projected this year's sales tax to come in at \$11.85 million. Next year (FY 2012-2013) is the final year of the "hold harmless" agreement. Our budget is \$12.2 and we could cut \$200,000 but it would be a stretch and cause some grief. He wants everyone in the room to know that and when the "hold harmless" expires we are back at \$11.5 and Murray would be in a tough spot. Mr. Nicponski said that is another reason to tell the county that we will likely not be able to do anything.

Ms. Wells thanked everyone for their time and input. The meeting adjourned at 6:10 p.m.

Janet M. Lopez  
Council Office Administrator



MURRAY  
CITY COUNCIL

DRAFT

## MURRAY CITY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

The Murray City Municipal Council met as a Committee of the Whole on Tuesday, April 17, 2012, in the Murray City Center, Conference Room #107, 5025 South State Street, Murray Utah.

### Members in Attendance:

Jim Brass	Council Chair
Dave Nicponski	Council Member
Darren V. Stam	Council Member
Jared A. Shaver	Council Vice Chair
Brett A. Hales	Council Member

### Others in Attendance:

Michael D. Wagstaff	Council Executive Director	Dan Snarr	Mayor
Janet M. Lopez	Council Office	Jan Wells	Mayor's COS
Frank Nakamura	City Attorney	Doug Hill	Public Service Director
Tim Tingey	ADS Director	Russ Kakala	Public Services
Justin Zollinger	Finance Director	Angela Price	CDBG Coordinator
Peri Kinder	Valley Journals	Dwayne Woolley	Trans-Jordan Landfill

Chairman Brass called the Committee of the Whole meeting to order at 5:30 p.m. and welcomed those in attendance.

### Minutes:

Mr. Brass asked for corrections or action on the minutes from the Committee of the Whole meeting held on March 20, 2012. Mr. Stam moved approval as written. Mr. Shaver seconded and the motion was approved 5-0.

### Business Item #1: Trans-Jordan Landfill Fee Increase Presentation – Doug Hill and Dwayne Woolley

Mr. Hill introduced Dwayne Woolley General Manager of Trans-Jordan Landfill and pointed out that Murray City is a part owner of the Landfill. A few issues are forthcoming that he felt would be important for the Council to know of regarding future plans of Trans-Jordan.

Mr. Woolley said that Council members are always invited to visit the Landfill for a personal or group tour of the facility. There is a lot more to garbage than people realize. Most people just know that they put a garbage can out in front of the house and it is gone. It shows up at the landfill and is pushed out of the back of the truck that actually compacts the garbage to about twice its density to what it was in the can. Compactors at Trans-Jordan then go over it five times to make sure it is adequately crushed and shredded because landfill airspace is important.

Trans-Jordan started in 1958 without Murray. There are currently seven city members and all have active curbside recycling programs. This was a requirement for membership. Murray was the last to come on with curbside; although the City did have another reasonable recycling program. Current life expectancy is 20+ years and does depend on how much garbage is coming in. The prior 15 year life expectancy was increased due to lower than 3% growth rate. The last four years have not seen any growth. Additional recycling compensates for the growth of Daybreak and other areas. Current estimates are set at a 1% growth rate.

Mr. Woolley showed an aerial view of the facility, which covers 325 acres. Forty five acres are active with seven cells and six in lateral expansion, an EPA designation meeting all standards. The north area or old cell was prior to EPA requirements and is completed. The current area is in the center with a future mega cell in cell six. It will last a lot longer and is beginning to be dug now.

Mr. Shaver asked why cell six is so much larger. It is part of a design issue because the very first one comes in on an angle, shaped like a parallelogram; although, by the last cell you have both sides and is a function of an operating issue that works well.

The green waste area is 12.5 acres leased from South Valley Sewer and Murray is the only city not in it. The six other members are all part of the South Valley Sewer District. Because of location, Murray is part of Central Valley Sewer. This property is just south of Trans-Jordan where we had a composting program in conjunction with them composting bio-solids for about ten years. The smell in composting bio-solids is a challenge. It is difficult to keep people happy. Because of Daybreak construction, the entire south end of the valley pays higher sewer rates. Two thousand people live in that community and did not like the smell that was already there; therefore, now 400,000 pay higher sewer rates because the alternative to composting was a more expensive option. They physically dry it on site and then haul it out to different locations. Some of the wet sludge is still being buried in the Wasatch Regional Landfill, because they want three choices. Mayor Snarr noted that Central Valley composts most of their bio-solids. Mr. Woolley added that Central Valley has digesters in their sewer plant; it is a different product and cannot be compared by smell issues. It is easier to compost digested sludge. South Valley is one of only seven sewer plants in the nation under the old fashioned way, which is a little cheaper but with disadvantages. The new plant is a membrane technology that is different from their current plan.

Mr. Woolley showed a cross section of how landfills look. The bottom is lined to protect ground water, the garbage is added in layers called cells, the wide area at the top is the active area and when it is filled, the entire top is capped. To protect the environment a GCL liner is put down, which is a clay blanket equivalent to three feet of compacted clay. A 60 mil HDPE liner is put over it, following that two feet of dirt goes on the bottom and then the cell is ready. The dirt protects the liner from the garbage. Six feet of "good garbage" goes in first that is garbage only from a house so that nothing can puncture the liner. That creates an eight foot barrier before just anything goes in the cell. Mr. Woolley showed schematics of this process with photos of the HDPE that comes in 22 foot wide rolls and crosses each other, is sealed and covered with a drain net. It is similar to turtle tile that you see in recreation centers to keep your feet out of the water with a plastic layer for water to drain and a fabric over the top to keep garbage from going into that area. The entire landfill is built on side slopes that are 3 to 1 but the bottom slope is 2%. All the water that makes it through the landfill stops at the liner, flows to the low spot and is pumped out. This is called landfill coffee because it is a percolation process, the water picking up whatever is in the garbage. The landfill is designed to keep the water from going into ground water and then it is collected and taken out.

Mr. Woolley presented figures on how many vehicles visited the Landfill. A graph showed the number of member cities, commercial, green waste and residential vehicles. There

are more residential visits, almost 25%, which is mom and pop. There were 120,000 total vehicles. The interesting thing is a comparison to the tonnage equivalent. The member cities garbage comes in the large trucks after being compacted with more tons per visit amounting to greater than 50% of the total annual tonnage. Residential accounts for 30% of the traffic and only a very small percentage of the volume. Trans-Jordan provides all the services, where commercial facilities provide only the garbage. Allowing residential is a lost leader with lots of work for a small amount of money.

A graph of tonnage received over the last eleven years shows a spike in two years, which was from Kennecott's construction of Daybreak. They found 80,000 tons of garbage that had been dropped in a ravine and covered with dirt in the 1950s. It was put in Trans-Jordan over a two-year period. The tonnage is going down slightly even though there is growth in numbers. It is a concern when you try to balance with the fixed costs. Compactors are a must and cost \$885,000 each and lasting three years.

Mr. Woolley explained a graph that indicated the tonnage that comes in from different sources. The member city amounts are holding even, going up just slightly. The commercial tonnage is going down, with those close to Trans-Jordan still coming to them; however, there are other options.

Trans-Jordan offers the lowest member tipping fees in the area. Murray City pays \$12 per ton. The tipping fee is \$26 per ton at the gate. The operating costs are about \$15 to \$16 per ton, so the commercial subsidizes the cities. It is a great formula and works well. If the commercial receipts are going down then the subsidy is slowly disappearing. Several years ago the price was tied to 50% of the gate rate for the member cities. A couple of years ago, there was a gate rate increase; but no raise in rates was passed on to the cities. One of the reasons for the increase now is because it is necessary to break even, Mr. Woolley stated.

Mr. Shaver asked what is anticipated in five to ten years, knowing that the commercial tonnage is dropping. Mr. Woolley said he expects a similar drop. Garbage is changing and population is growing. The commercial is finding alternatives, such as private landfills. They are going to go to the cheapest location. Mr. Shaver asked how that will impact the 20 year life expectancy of the landfill. Mr. Woolley said it has been taken into account. Mayor Snarr commented that the commercial has a formula, looking at rising fuel costs versus the location and tipping charges.

Mr. Woolley said there is a judgment call. Two years ago when the \$2 increase in commercial tipping rates was proposed the Salt Lake landfill followed with the same increase in their rates. The fees have matched, not being in collusion. If commercial rates are too low then more tonnage would come to Trans-Jordan, filling it faster and creating a lost benefit to member cities. It is a trade off. They would like to stay there a reasonable period of time, and yet they have promised South Jordan City that they would not expand. If a transfer station is added then you will double the cost due to the additional expense. It would cost \$5 per ton to build, \$5 per ton to operate and \$5 per ton to get it from the transfer station to the disposal site. There is a desire not to close early; although, it will close someday.

Mr. Woolley pointed out the other tipping fees in the area:

Trans-Jordan	\$12.00
Salt Lake Valley	\$24.25
Bountiful	\$25.00
Wasatch Energy	\$16.00
Logan	\$29.00
Weber County	\$29.50

Northe Point	\$31.00
Southern Utah Valley \$33.00 (they have a transfer station)	

Mr. Woolley pointed out that \$12 is substantially less than the others and his proposal is to raise it to \$13. The gate fee of \$26 would remain the same.

The state looks at Trans-Jordan as the model. The public Convenience Center has been replicated at three other locations. The benefits of the landfill include participation in service projects, litter control and enforcement of the state tarping laws. Trans-Jordan was instrumental in getting that legislation passed as a state ordinance.

The Public Convenience Center (PCC) was developed to prevent individual citizens from entering the landfill and being subject to accidents with the big trucks. They have an area where people can push their garbage out the back of a truck and then a machine pushes it into bins and the bins are hauled down. It is double handling but the liability makes it worthwhile. There is also an area for household waste and electronic recycling as a partnership with the County Health Department. Tires cost \$1 off the rim and \$2 on the rim. That is what it costs them to get rid of tires to a private company. Tires migrate to the surface, just like rocks in the garden. They cannot effectively be buried.

Over 23,000 tons of green waste was diverted last year. Murray does not bring in much because it has its own program. The fee for that is half the regular tipping fee. Compost and wood chips are available for purchase. There is a horizontal grinder that operates 1 to 1.5 days a week. The cost of this machine is \$500,000.

Trans-Jordan does have a recycling program taking metals, carpet pad, paper, cardboard, tires and batteries. They take refrigerators at \$8. They then remove the Freon. Every city has curbside recycling so they do not get a lot of that.

Mr. Woolley explained that household hazardous waste is taken, including acids, and there are two technicians that process it. Legally it could be put in the landfill, but the more we keep out the less chance there is to contaminate the ground water. Murray takes hazardous waste called ABOP, antifreeze, batteries, oil and paint.

Trans-Jordan does tours constantly with a lot of school groups. They have a float in the Murray parade each year.

Mr. Woolley noted that they have a gas recovery system. There are 100 wells with a flare and three generators and Murray gets the benefit from that. He met with a carbon credit group for verification of their process.

They do recycle glass and green waste. This is not bad to have in the landfill because it makes gas.

The final matter is the transfer station. Someday it will be necessary to build a transfer station. Currently, Sandy City wants to break away and build their own transfer station. Trans-Jordan does not think it is needed today. It is felt that when the landfill is closing would be the time to build.

Mr. Brass confirmed that the rate increase will be from \$12 to \$13 per ton. He said he had taken a tour to look at the generating plant and it is fascinating. The cells do fill up quickly. They look huge.

The increase would be on July 1, 2012, Mr. Woolley added.

Mr. Hill thanked Mr. Woolley for the presentation and informed the Council that the \$1 fee increase equates to about \$15,000 per year of a million dollar budget. They are seeing other issues and cost increases related to the solid waste program. The garbage cans ordered five years ago are wearing out and more are being replaced; therefore, they are seeing higher expenditures and anticipate going into reserves the next year. He has been working with Mr. Zollinger on the budget and he feels the City will likely have to recommend a rate increase if the Council would like to do that. Otherwise the reserves will continue to be utilized.

Mr. Brass said that could be brought up as a discussion item. He noted that Murray does benefit from the power that is generated and seeing the plumbing that goes into that on the capped part of the landfill is amazing.

**Business Item #2: Discuss Proposed Amendment to the Fiscal Year 2011-2012 City Budget – Justin Zollinger**

Mr. Zollinger mentioned three items that would be included in the Budget amendment: the Library, Capital Projects Fund and use of General Fund reserves for unanticipated professional fees in the Retained Risk Fund.

The Library has a restricted endowment of \$20,000. The endowment has been amended to allow \$10,000 to be spent for a stained glass window in the library. It will be paid for out of the Library budget.

The \$3 million transfer is the amount over the allowed reserves in the General Fund and will help get that in line and fund the Fiscal Year 2012-2013 Capital Improvement Project. The balance changes daily as revenues come in; however, after this transfer reserves will still be a little above where they should be.

Mr. Stam asked about some expenses that had been paid from the wrong fund. He wondered if that had been corrected. Mr. Zollinger responded that it had been taken care of and the reserves are still a little above. He hopes that this happens each year so that extra money can be transferred to the Capital Projects for the CIP money. It is a goal he would like to achieve.

The third issue involves fund reserves for professional fees in the retained risk fund, which Mr. Nakamura informed the Council of earlier. The amount is \$100,000.

**Business Item #3: Capital Improvement Program (CIP) Recommendations and Vehicle Policy Discussion – Brett Hales and Justin Zollinger**

Mr. Zollinger stated that the committee was pleased with the recommendations for the CIP. Ideas from all members have been pooled and it is a good start at getting back on the road to replacing capital needs. It obviously will not fill all the needs.

The Capital Projects category will have \$739,000, which is about 25.5%. The Information Technology (IT) Capital Maintenance is \$131,000, amounting to 4.5%. The Vehicles and Equipment group has \$957,000 planned for approximately 33%. Buildings and Facilities Maintenance will be appropriated \$552,000 making 19%. Capital Maintenance for Streets will be funded at \$500,000 in addition to the Class C funds in the General Fund. Personally, he feels that is a victory to keep funding the roads and not fall behind to incur really big costs later.

The Attorneys office will have \$2,500 and some money is being moved into the Golf Fund for future funding of the sprinkler system. Because they paid for part of the Parkway this is

a gesture to help build up golf reserves to fund that without going into a substantial amount of debt.

To show the allocations by department:

ADS is receiving \$157,000, 5% of the total;  
Police receives \$518,000, 18%;  
Parks gets 29%; and  
Public Service funding is 35%.

Vehicle Policy – Mr. Hill reviewed that the consultants recommended that the City adopt a vehicle replacement policy. This could be used as a guideline on when vehicles would be replaced. Mr. Hill met with the Fleet Manager, George Hamer and they looked at various cities' vehicle policies within the state and outside. They found one from Wyoming that they really liked. Some policies were very simple, for example, every five years you replace the vehicle. They did not feel that was a good guideline particularly in Murray City, because many of the vehicles do not have high mileage on them with use just around the City. We feel our vehicles can be kept much longer, even over 10 years on some.

The policy that they liked and recommended to the Mayor and the CIP Committee for adoption has a combination of years, miles or hours and the condition. City vehicles were placed in categories based on whether it was an emergency vehicle, car pool vehicle or personal vehicle (like police which is assigned to an individual). Then a point system was created taking into consideration the category, age and other criteria. Each vehicle is rated based on the point system. When the vehicle reaches a certain level in the point system, then it becomes eligible for replacement. We felt this was an objective way to judge the vehicle taking into consideration the various factors. They did receive feedback from the departments and have made adjustments based on that. To his knowledge the department heads agreed this was a fair way of doing it, Mr. Hill commented. It may make some keep their vehicles a little longer than perhaps they wanted to. It was his understanding that the CIP Committee used this policy to evaluate and make their recommendations on vehicle replacement. Because a vehicle meets the point system doesn't mean it must be replaced, it just means it is eligible. For example, the power department said that they have a couple of bucket trucks that meet the point system but they want to keep them. Mr. Shaver confirmed that replacement is not forced or compelled.

Mr. Hill advised that, on the other hand, there may be some vehicles that don't meet the point system but the purpose of the vehicle is changing. For example, in power, a big bucket truck doesn't meet the point system but they would like to purchase a smaller bucket truck to work in tighter neighborhood areas. The large bucket was not serving the purpose and they made a case for getting rid of the vehicle and replacing it with the smaller one. The CIP committee would take that into consideration and the department could make an argument for replacement.

Mr. Shaver noted that the department would have a voice in the process with the CIP. He asked if personal vehicles have a limit on mileage. Mr. Hill used the example of a police officer's patrol vehicle, which has to have 100,000 miles to be considered for replacement. Once a vehicle reaches that mileage, regardless of condition, it would be eligible for replacement; however, it could be replaced sooner if it has had major repairs making the point system elevated. Mr. Shaver said that he knows none of the department heads or people assigned vehicles would ever do such a thing, but if one wanted to get rid of a vehicle they could just run up mileage and beat it up and it would meet the point system. Mr. Hill said he supposed that could happen. If a vehicle is assigned to someone, is there a limitation to how many miles they could put on a vehicle every year, Mr. Shaver asked. Mr. Hill responded that there is no limit

under the policy. Mayor Snarr added that police officers are charged a monthly fee for the use of their vehicles. Mr. Shaver said that because some vehicles are not aged based on mileage, it may be done by hours and kind of usage. One used harshly will wear out faster than others. Is that a consideration in the point system, he asked. Mr. Hill said that it is for vehicles such as backhoes, which must reach a minimum number of hours for the category it fits into to be eligible for replacement.

Mr. Shaver is concerned about fuel costs and vehicle use. He detailed that possibly one trip can be made rather than three trips to the same location. He said that the policy recommendation says that usage over years shows that a particular vehicle is used 12,000 or 22,000 miles per year; therefore, we are conserving energy and conserving vehicle replacement as a part of the policy. He said we are trying to find a way to conserve fuel and one of the best things that happened is that the Crown Victorias are gone. This will help conserve fuel because those costs are going up. This would be a measure we would want to look at. Mr. Hill said that is something that could be discussed by the CIP committee or the Council when this comes forward to adoption. He said some policies did go beyond replacement and addressed energy usage. It is a different policy even though it is vehicle related. Many cities had policies that said they would convert all vehicles over to natural gas or hybrid type systems. Murray has not gone that far yet, but is something the Mayor and Council could talk about. We found that conversion has not been cost effective yet, but you don't always do things because it costs less. Sometimes the City may want to send a message that we want to use clean fuels and set an example for the community. That is something the Council could talk about, Mr. Hill stated.

Mr. Shaver asked if he recommends fuel conservation to be a separate policy from the replacement policy. Mr. Hill agreed. Mr. Shaver inquired if the City bids vehicles. Mr. Hill responded that they do bid vehicles and many are purchased off the state bid list. Specialty vehicles like the sewer TV camera vehicle that was just purchased was done on our own bid. Vehicles like police and pickups are done off the state list. Mayor Snarr said that sometimes vehicles on the lot may be purchased at a high discount and save a lot of money.

Mr. Shaver suggested that used vehicles could be put into a group and sold as a whole for someone to turn around and resell. Mr. Hill said that when a vehicle is no longer functional for one department, they first see if another department could benefit by using it. Mr. Shaver asked if that is part of the policy. Yes, Mr. Hill responded. When the City decides they can no longer use the vehicle it is surplussed by the Recorder's office. They have a company that comes in and takes all the vehicles and equipment to an auction. In turn the City gets a portion of the proceeds.

Mr. Zollinger said that if it is a fixed asset then the revenue goes into the fixed asset account. On other items the revenue from the sale goes back to the appropriate fund depending on which fund the vehicle or equipment was purchased from.

Mr. Shaver referred to a conversation that took place regarding saving and if we are a wise manager of our money then a portion of that could go back in. Mr. Zollinger said that would be part of the pool, going back into the CIP. Mr. Zollinger said that going forward that would be easier because purchases came from the CIP and resale money will go there; but until all of our equipment has transitioned and been purchased there, it needs to go into the General Fund or whichever fund purchased it.

Mr. Stam said that another discussion in the CIP committee was instead of selecting the vehicles for replacement individually, a lump sum would be given to Fleet and let them decide which vehicles needed replacement or movement to another department to extend the life.

Mr. Zollinger asked if the Council would like to see the CIP list included in the budget document or broken up into the accounts for presentation. Mr. Shaver indicated that he preferred this list. Mr. Zollinger pointed out this list includes just the governmental funds and he would do the same type of list for the proprietary funds.

Mr. Nicponski asked if the City looks at leasing. Mr. Hill said that George Hamer has looked at leasing from time to time; although, it has not been done as a general practice. Some leasing has been done on golf carts and a lease purchase on large vehicles, such as a street sweeper and road paver, when the City did not have the money up front to purchase. The City has found it is less expensive to purchase rather than lease. It can be beneficial for government if you want to flatten out the dollar expense from year to year. Mr. Hill thinks it is better not to lease if you have the money. Mr. Zollinger might have another opinion. Mr. Hales said that we do have our own repair shop and that is one of the advantages for ownership. In leasing, because items are new, the maintenance costs are not as high. Mr. Zollinger said that there are limits in mileage. Mr. Nicponski said the numbers would have to be run but it might be considered. Mr. Hill said very few leases are done because the City keeps vehicles so long. Mr. Nicponski added that you run into a bubble where they have all been kept so long that they all need replacement at once. Mr. Zollinger commented that one of the goals of the CIP is to replace part of the fleet each year.

Mr. Zollinger explained that on the CIP list the departments prioritized in one column and the CIP committee prioritization can be seen according to what was funded.

Mr. Stam commented that it was discussed for the Council to hold a CIW (Council Initiative Workshop) or some other format to review the recommendations of the CIP committee. Others suggested it would be done during the budget meetings. Mr. Hales said the process had been impressive and he gave much credit to Mr. Stam for his insight.

With no further questions or business, Mr. Brass adjourned the meeting at 6:23 p.m.

Janet M. Lopez  
Council Office Administrator



MURRAY  
CITY COUNCIL

DRAFT

## MURRAY CITY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

The Murray City Municipal Council met as a Committee of the Whole on Tuesday, May 1, 2012, in the Murray City Center, Conference Room #107, 5025 South State Street, Murray Utah.

### Members in Attendance:

Jim Brass	Council Chair
Dave Nicponski	Council Member
Darren V. Stam	Council Member
Jared A. Shaver	Council Vice Chair
Brett A. Hales	Council Member

### Others in Attendance:

Justin Zollinger	Finance Director	Dan Snarr	Mayor
Janet M. Lopez	Council Office	Jan Wells	Mayor's COS
Frank Nakamura	City Attorney	Doug Hill	Public Service Director
Tim Tingey	ADS Director	Sally Hoffelmeyer-Katz	Citizen
George Katz	Citizen	Peri Kinder	Murray Journals
Starlyn Nockos	Murray High School	Brandon Elwell	Murray HS Student
Alex Nixon	Murray HS Student	Adam Ebling	Murray HS Student
Taylor Palmer	Murray HS Student	Russ Kakala	Public Services
Mike Terry	HR Director	Chandler Page	Murray HS Student
Matt Dahle	Murray HS Student	Kolten Cooke	Murray HS Student
Jennifer Kennedy	City Recorder	Craig Burnett	Assistant Chief of Police
Maxwell Dunbar	Scout		

Chairman Brass called the Committee of the Whole meeting to order at 5:50 p.m. and welcomed those in attendance.

### Minutes

Mr. Brass asked for corrections or action on the minutes from the Committee of the Whole meeting held on April 3, 2012. Mr. Shaver moved approval as written. Mr. Stam seconded and the motion was approved 5-0.

### Business Item #1:

Salt Lake Valley Health Department – Linda Bogdanow and Tom Trevino

Ms. Bogdanow stated that the presentation was to introduce themselves as liaison from the Salt Lake Valley Health Department. If the Council had any questions or concerns they noted their availability to communicate by email or at future meetings.

Mr. Trevino said that Mayor Snarr had received a letter from Gary Edwards pertaining to meth houses and he pointed out that type of information can be expected in the future relating to all the cities. He works for Environmental Health off of Vine Street and is a resident of Murray City. His information addressed chemically contaminated properties and environmental health including the four bureaus that exist related to environmental programs. This packet gives an outline of what each of the bureaus do and he gave that to Ms. Lopez, who would copy and distribute to Council Members.

Mayor Snarr added that this is a serious problem and it is important for anyone moving into those houses to be protected from a health perspective.

Mr. Shaver asked for further explanation of what environmental issues are covered by the organization. The Bureau of Protection is involved in inspecting restaurants, nursing homes and any public facilities, as well as, mass gatherings, such as festivals and temporary food vendors, Mr. Trevino responded.

The Bureau of Safety and Sanitation work on housing issues, cosmetology, tattoo parlors, waste problems and the meth houses. The Bureau of Air Control monitors cars and pollution from permanent non-movable locations and are looking to advance in that area.

Mr. Trevino said the Bureau of Hazardous Waste and Water Quality, which is probably most recognizable for swimming pool inspections, deal with drinking water issues and chemical waste spills. Through this bureau is the emergency response team.

Mr. Shaver noted that they coordinate with local cities and county. Mr. Trevino confirmed that and said that the following day an environmental task force meeting would be held to review waste water issues that may be under notice of violation or heading in that direction. All agencies in the valley have representatives that attend this meeting to discuss these issues and determine how to handle future problems that may occur. Mr. Shaver asked if they have oversight for the work that is done by Murray City. He agreed with that concept.

Mr. Brass mentioned an issue in his district involving creatures and the SL Valley Health Department had been very involved and helpful in addressing that to make sure it was cleaned up. He spoke very highly of their work.

Mr. Nicponski commented that one area that affects everyone is the restaurant policing. He asked if Mr. Trevino considers the enforcement capability resource adequate. Mr. Trevino said that great improvements had been made in just the last couple of years. A good working relationship had been established with the District Attorney's (DA) office with individuals who are dedicated to working with the Department in all issues of environmental health. Most cases involving the DA office are concerning waste water, storm drain or chemical spills. They utilize the DA office, pointing out the Queso Fresco Mr. Cheese fiasco that has been ongoing for two years. Mr. Nicponski asked if the manpower for inspector level resources were adequate. Mr. Trevino said they are not. He thinks they were probably at about 80% of the needs. He can speak to this because he serves in management for the Bureau of Food Protection; however, he cannot speak for the other agencies accurately.

**Business Item #2:**

**"Project Citizen" Recycling Presentation - Murray High School Speech and Debate, Starlyn Nockos**

Ms. Nockos is the Speech and Debate Coach at Murray High School and she presented a select group from her class who was in attendance to make the recycling presentation. The class had been exploring the theme of activism because they want to teach the students to use their skills acquired from speech and debate to make a positive impact on the community. They have compiled a lot of research and left a folder with Mayor Snarr. She introduced each student.

Mr. Palmer addressed problems stating that the earth is suffering. Recycling is vital because of its effects on the environment. He said that the citizens of Murray do not know enough about what to recycle and what not to recycle. It costs Murray City more when something is improperly recycled. That money comes from the citizens.

Adam Ebling addressed the alternatives to solving this problem. He suggested switching to a dual stream recycling collection, using other mediums of education or staying with the current system. The dual stream recycling would utilize a box for plastics, one for paper and one for specific types of plastics. Studies have shown that the single stream recycling system, like Murray's, results in improved recycling. Therefore, the current system will work best. Another alternative is education. Some mediums have been ignored such as public service announcements, television, radio and newspapers. Signs, public speakers and door to door campaigns may also prove helpful, he said. It has been recorded that 2.7 % of garbage is recycled in the state of Utah. This is drastically low compared to the EPA estimate that approximately 75% of garbage can be recycled. Another study shows that 20% of people contaminate recycling with garbage. Because the current situation cannot be sustained the Murray High School Debate Team offers a policy as the best alternative.

Alex Nixon stated that the Debate Team proposes a recycling education program to better inform the Murray community on the do's and don'ts of recycling, how to properly recycle and make it more accessible to residents. The main end goal is to adapt the Salt Lake City policy to Murray. They have free bins and pick up on a weekly basis and make a large positive balance off the recyclables. Since Murray is much smaller, it has a hard time with this. The students believe that if they can educate the population and get them involved in hands-on projects it will motivate them to recycle more giving a bigger incentive to change the current program. At this time, the students are trying to get the ball rolling to reach that stage.

Ms. Nixon stated that a study was done at Bentley College on recycling techniques comparing the results of flyers, campaigns, television announcements, or fairs. Many were shown to be very beneficial. She stated that the program and proposal for Murray City is completely constitutional both in Utah and the United States. Utah Code Section 76.10.20.101 states only what recycling is and the penalty. The maximum penalty for incorrect recycling is \$750. She feels this is hard to track and education of the citizens would be a better alternative than charging this fee thus bettering the community. The final part of the proposal would be to have the public service department put the program into action.

Brandon Elwell communicated how the Murray High School Speech and Debate Team proposed to accomplish the goal of better educating the public on recycling. The program has been outlined into five steps.

1. Working with the public service department, create a precise list of the biggest mistakes made by Murray residents when recycling.

2. Distribute the list to Murray residents informing them of improper recycling using flyers, speakers at the local schools, a website and an article in the Murray Journal. Educating students will affect the parents' education.
3. Take a more active role by having a recycling fair. Mr. Elwell suggested that the recycling fair would give people a chance to see and practice recycling properly while enjoying an entertaining activity.
4. Pull additional data to determine if there had been a reduction in the contamination of recycling products, if more fines were paid or if the recycling had improved. Getting this list out to residents would encourage continued improvement in recycling efforts.
5. Annually, go back through steps 2-4 as a reminder to residents. Another meeting such as this can take place with the City Council to determine if changes to the City recycling policy were necessary.

That was how the Murray High School Speech students felt they could better educate the public about recycling, Mr. Elwell said, in closing.

Mr. Shaver asked how the students chose the topic of recycling. Ms. Nixon said that they discussed several problems they saw in the community. As a class it was felt that recycling was very important, beneficial and impacts a lot of people.

Mayor Snarr commented that the City officials tried for five years before instituting the current recycling program. Ace Disposal has a recycling cop who checks the cans for improper recycling products and when found the cans are tagged with a list. He likes the students' ideas.

Other Council Members agreed that recycling has picked up greatly and Mr. Brass said that he was informed that pizza boxes are not recyclable because the oils in the box harm the recycling process for paper. The oils clog up the filters when broken down and made into paper again. Educating the public is a good thing.

Mr. Shaver asked that the students return to report when they are ready to implement. He suggested that for step four the City could help with data from Ace Disposal and he would be interested in the results.

Mayor Snarr proposed that the recycling fair would work simultaneously with the Health Fair. They get a lot of people there.

**Business Item #3**

**Open and Public Meeting Training – Frank Nakamura**

Mr. Nakamura stated that under Utah law the City is required to provide the Council members annual training on the Open and Public Meetings Act. The purpose is to make sure that all action and business is taken out in the open. If there is any question as to whether or not there is a meeting that should be noticed and published, we always err on the side of openness. We have a very good reputation in this area. Under the Open and Public Meetings Act, which he has provided a copy of for each Council member, the only issue raised with him was social meetings that are allowed without the requirement of notice. A social meeting is narrowly

construed and as a word of caution in a social setting the intent is not to transact or discuss business.

The notice is required to be sent out 24 hours in advance and to publish on the website and in the newspaper. He has seen no issues in regards to our publication notices and public hearings. Our agendas, openness and publications have never been challenged and he thinks Murray is one of the better cities on that.

One issue that has come up is the agenda. You want to err on the side of specificity and to be able to notify the public what it is that will be discussed during that meeting.

Mr. Shaver asked if the public notification can be done within 24 hours. Mr. Nakamura said that Murray has established a practice of notice anywhere from two weeks to 10 days or one week, and rarely do we publish a 24 hour notice. In meeting the criteria of an open meeting for creating the agenda, Mr. Shaver asked if there is a timeline specified as to how much time must be given. Mr. Nakamura said it is 24 hours. Therefore, if the Council would like to alter or change the agenda previous to the day of the meeting, a public notice can be made and still include it on the agenda. Mr. Nakamura confirmed that the agenda could be amended as needed and he would hope the changes would fit into the original agenda notice. It must occur within 24 hours.

Mr. Brass said that typically Murray operates on the side of caution. It is not a good idea to drop a major budget hearing or budget change as a 24 hour notice. Citizenry complains that government does not give them enough time.

Mr. Shaver said that issues do arise that the Council would like to discuss. Usually budget hearings are scheduled well in advance; however, other issues can be noticed with a 24 hour period to meet legal requirements. He asked about areas in which a vote may be taken. In retreats or other discussions a vote may not be taken, but a vote should be taken only in an open meeting. Mr. Nakamura said a vote may not be taken in a closed meeting. Votes must take place in an open meeting in front of the public. Mr. Shaver asked if there must be discussion. Mr. Nakamura said that discussion can take place on a closed meeting item, but deliberation and the vote must occur out in the open.

Mr. Stam said that a point of record must be established with a reason why a decision is made. Mr. Nakamura said that is with any decision that is made and he admitted to being somewhat of a stickler particularly on land use decisions; however, the record is so important. It becomes what the public and courts can review. Matters and reasoning must be on the record. Mr. Shaver noted that on the reasoning, when a motion is given and a vote taken, the reasoning must also be there. That reasoning becomes a critical part of the record, is that correct, he asked. Mr. Nakamura confirmed that it is and the discussion prior to the vote becomes part of that reasoning. As a whole, it is viewed as the record.

Mr. Nakamura pointed out that closed meetings are legal and have taken place for real property purchase and sale and to avoid disclosing sale price or proposed purchase price. The City has the right to close the meeting and, also, at times, for litigation that is imminent and pending. The case must be very specific. Matters discussing the character and professional competence of an individual may also be closed. All these matters can be public, but there is a right to close the meeting on a two-thirds vote. The vote needs to be in the public.

Moving into a closed or executive session, Mr. Shaver noted, needs to be in an open forum before going into closed session. Then it comes back into the open meeting to adjourn, Mr. Stam added.

Mr. Nakamura advised that the final issue is something he has not alluded to in prior trainings, and that has to do with social networks and other electronic communications. He was not sure that the law had caught up to it, emails, texting, blogs, Facebook, and how they relate to the Open and Public Meetings Act. With citizens and other Council members responding brings up some issues as to whether or not that is undermining the Act. He has provided an article on this and he feels the law will have to deal with it as the new public forum. The existing Open and Public Meetings Act has not quite adjusted to how to deal with these electronic communications. If a Council member is making a decision with texting or emails going on then it does undermine the Open and Public Meeting Act. It cannot be done and is a little easier to identify than Facebook or other websites. He will be watching how the law adjusts to that. He asked that Council members be cognizant of texting and email and not do that to subvert the open meeting.

Mr. Shaver asked if the Council could establish its own rules until there is legislation regarding that. Mr. Nakamura said that could be done.

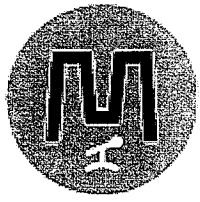
Mr. Stam said that the Council makes decisions in open meetings and takes votes. As time goes by, Council members and their feelings change. If a Council member decides he no longer agrees with that vote and wants to pursue a change, he may talk individually with other Council members, as is allowed. If a consensus is formed and then one acts on that is it legal for them to act on it, even though the issue had been voted on in a previous meeting?

Mr. Nakamura said that the only way an official decision can be made, even though discussions take place, is by a majority of three votes in a Council meeting. It is not an action by the Council if that takes place.

Mr. Stam remarked that if two Council members do something to take an action and state they are taking an action, then it becomes illegal. Mr. Nakamura said it is not illegal, they have no ability to take an action, they have no authority, and it must be an official Council action by a vote. They cannot possibly or legally take any action without a vote of the Council in an open meeting. They have no authority.

With no other business the meeting was adjourned at 6:37 p.m.

Janet M. Lopez  
Council Office Administrator



DRAFT

## MURRAY CITY MUNICIPAL COUNCIL COUNCIL INITIATIVE WORKSHOP

A Murray City Council Initiative Workshop was held on Monday, May 14, 2012, in the Murray City Center, Conference Room #107, 5025 South State Street, Murray, Utah.

### Members in Attendance:

Jim Brass	Council Chairman
Jared Shaver	Council Vice Chairman
Dave Nicponski	Council Member
Darren V. Stam	Council Member
Brett A. Hales	Council Member

### Others in Attendance:

Frank Nakamura	City Attorney
Janet M. Lopez	Council Office

### Minutes Approval:

Mr. Brass asked for changes or action on the minutes from the Council Initiative Workshop held on May 1, 2012. Mr. Shaver moved approval of the minutes, Mr. Hales seconded the motion. Motion passed 5-0.

### Discussion Item: Council Office Staff, Job Descriptions, Positions - Jared Shaver

Mr. Shaver mentioned the minutes that stated the assignment of Mr. Shaver and Mr. Nicponski to review Council positions. They met the Friday previous and took the initiative to talk with some other cities and people, with Mr. Stam providing some information. The more Mr. Shaver got into the topic the thought that kept recurring was that they would be making a decision without the foundational information being discussed.

Mr. Shaver wrote a letter to the Council Chair and Members stating some decisions that need to be made before getting into talk about positions. Some of those are:

- What is the involvement of the Council in City government? A review of Council duties and responsibilities may be helpful.

- How involved should or would the Council Members decide to be? For example, with the Strategic Plan there are a lot of committees dealing with various areas of the Plan. Is the Council going to serve on or Chair those committees?
- What would be the staff positions necessary to help the Council fulfill their duties and responsibilities?

*(Mr. Shaver's letter to the Council is attached to these minutes for reference.)*

Mr. Shaver expressed his thought that these issues were critical before talking about staff positions.

He continued, pointing out that currently there is no direction in the regulatory book on hiring and managing staff, other than the staff is directed by the Council Chair. If there is a need to change or to let a staff person go, is there a directive that all five Council Members must do it or only two Members (chair and vice-chair)? Nothing states how the Council would go about doing that or how a review is done of a position or the person. No guiding language exists. Mr. Shaver proposed that the language be in place first before the other decisions are made. That way every decision following would be based on what was created by the Council for the Council. Then the Council may move forward. Just like was done in the last Council Initiative Workshop (CIW), Mr. Brass stated that someone needed to look at the positions and people were assigned. Currently, there is nothing that guides how that is done, how the decisions are made and what limitations would be placed on Council Members. Mr. Shaver reiterated his feeling that these questions must be addressed prior to having a discussion of office staff.

Mr. Shaver said that in meeting with Mr. Brass earlier that day, the comment was made that there is a Council budget set for the year. Positions are outlined and budgeted for the year. The time can be taken to go through this and he feels that the Council is rushing, unnecessarily. He would like to take time, have individual discussions and Council discussions to move gently through the process. As an example, when the last Executive Director for the Council left, there was a five-month time span before the next person was hired. This means that time can be taken. Should there be a change in personnel there is nothing that says the Council must fill that position right away. We can take our time and make these decisions.

Mr. Nicponski asked if that applies even if someone left. Mr. Shaver confirmed that. He feels there is time to decide how to move forward. The budget is not going to be affected; it is set. The Council can be more methodical, cautious and not quite as emotional.

Mr. Nicponski remarked that it should be done in a timely manner. He does not want to wait.

Mr. Hales concurred that certain reasons can exist to move quickly. Sometimes not, but at times not moving quickly can hurt an organization.

Mr. Stam said that speaking on the other side, sometimes moving too quickly can hurt as bad or worse.

Mr. Nicponski repeated that moving in a timely fashion would serve the Council well. Others agreed.

Mr. Shaver said that the Council can set how quickly to move, without rushing to get it done. Other issues are pending to deal with, such as the procedures that the Council creates to develop and use the staff. He reviewed that staff members are "at-will" and hired and released based on the will of the Council.

Mr. Hales asked how Mr. Shaver proposes that the Council go about that process. Mr. Shaver stated he would like to utilize a CIW, with Ms. Lopez and Mr. Nakamura working out the language, to decide how this Council or a future Council would move through the staff process.

Everyone would have input, Mr. Hales confirmed. Yes, everyone would contribute in developing the foundation and then the next step would be outlined to get to where the Council members would like to be, Mr. Shaver expressed.

Other Council Members agreed with that concept.

Mr. Brass adjourned the meeting at 4:07 p.m.

Janet M. Lopez  
Council Office Administrator

*(Attachment)*

Murray City Council

Jim Brass

Council Chair

Mr. Brass,

Per the recommendation of the council Dave Nicponski and I met last Friday to discuss the two positions now held in the council office. After several minutes of discussion the thought that continually returned to my mind was:

- 1) What is the involvement of the council in city government?
- 2) How involved should or would the members of the council decide to be in the governing of the city?
- 3) What staff positions would be necessary to fulfill that role?

After taking some time to discover from other cities how they staffed their council offices, asking what the budget was and the role of those staff members. It only serve to confirm in my mind that prior to determining the staff positions we as a council must address some specific issues for ourselves.

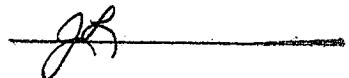
- 1) How do we as a council implement change in the staff?
- 2) How are those decisions made?
- 3) What are the limitations placed upon us as a council as to the time, energy and focus requisite to meet our duty both by ordinance and by goodwill?

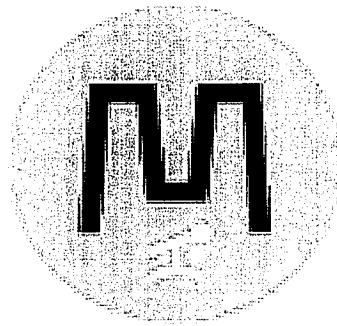
With this in mind I would like to recommend that we suspend our planned CIW conversation for review at a later date after we have determined the aforementioned.

Respectfully,

Jared A Shaver

RECEIVED  
MAY 14 2012





**MURRAY**  
CITY COUNCIL

# Discussion Item #1

# Murray City Municipal Council

## Request for Council Action

**INSTRUCTIONS:** The City Council considers new business items in Council meeting. All new business items for the Council must be submitted to the Council office, Room, 112, no later than 5:00 p.m. on the Wednesday two weeks before the Council meeting in which they are to be considered. This form must accompany all such business items. If you need additional space for any item below, attach additional pages with corresponding number and label.

**1. TITLE:** (Similar wording will be used on the Council meeting agenda.)

FY 2011-12 Budget Openings

**2. KEY PERFORMANCE AREA:** (Please explain how request relates to Strategic Plan Key Performance Areas.)

Financially Sustainable & Controls

**3. MEETING, DATE & ACTION:** (Check all that apply)

Council Meeting OR  Committee of the Whole

Date requested **6/5/2012**

Discussion Only

Ordinance (attach copy)

Has the Attorney reviewed the attached copy? \_\_\_\_\_

Resolution (attach copy)

Has the Attorney reviewed the attached copy? \_\_\_\_\_

Public Hearing (attach copy of legal notice)

Has the Attorney reviewed the attached copy? \_\_\_\_\_

Appeal (explain) \_\_\_\_\_

Other (explain) \_\_\_\_\_

**4. FUNDING:** (Explain budget impact of proposal, including amount and source of funds.)

Reserves, non-departmental budget, state library grant money, UDOT

**5. RELATED DOCUMENTS:** (Attach and describe all accompanying exhibits, minutes, maps, plats, etc.)

Budget opening memo

**6. REQUESTOR:**

Name: Justin Zollinger

Title: Finance Director

Presenter: Justin Zollinger

Title: Finance Director

Agency: Murray City

Phone: 801-264-2669

Date: 5/23/2012

Time: 5:00 PM

**7. APPROVALS:** (If submitted by City personnel, the following signatures indicate, the proposal has been reviewed and approved by Department Director, all preparatory steps have been completed, and the item is ready for Council action)

Department Director:

Date: 5/24/2012

Mayor:

Date: 5/24/2012

**8. COUNCIL STAFF:** (For Council use only)

Number of pages: \_\_\_\_\_ Received by: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Recommendation: \_\_\_\_\_

**9. NOTES:**

February 24, 2012



MURRAY CITY CORPORATION  
FINANCE DEPARTMENT

Daniel C Snarr, Mayor  
Justin Zollinger, Finance Director  
801-264-2669 FAX 801-264-2517

## Memo:

**To:** Frank Nakamura, City Attorney  
**From:** Justin Zollinger, Finance Director  
**Date:** May 25, 2012  
**Subject:** Budget Opening

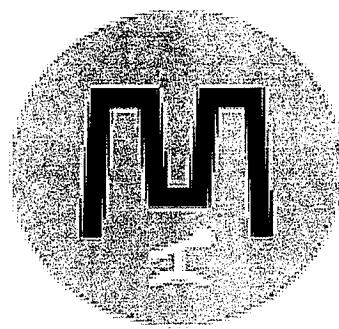
This correspondence is to request a budget opening for fiscal year 2012 for the Library, Police Department, Public Services Department, and Fire Department.

The Library was awarded 12,000 dollars for the CLEF (Community Library Enhancement Fund) grant. This is 2,000 dollars more in revenue than our original budget anticipated. Please contact Dan Barr if you have any additional questions.

The Police Department was also awarded 20,182 from the Utah Commission on Criminal and Juvenile Justice in November of 2011. This amount was not included in the original budget and need to be included. The Police Department needs 44,654 to cover two car replacements. The original cars were damage in vehicle accidents. The budget amount can be moved from Non-departmental's budget to cover these expenditures. The Victims Advocate (VOCA) grant expenditures of 36,713 were not budgeted for in FY 2011-12, this budget can be moved from non-departmental's budget as well.

Per our inter-local agreement with UTA we owe interest for improvements they completed along the Cottonwood & Winchester Street intersection. The amount the Public Services Department is estimating for this project is 250,000. In addition, there are Federal funds from UDOT the City received for the project in the amount of 2,214,309 that will be paid to UTA that needs to be budgeted.

Last, the Fire Department was awarded 10,618 dollars from the Emergency Management Performance Grant (EMPG). This money is used to pay for a portion of the City's Battalion Chief's salary and benefits.



MURRAY  
CITY COUNCIL

# Discussion Item #2

# Murray City Municipal Council

## Request for Council Action

**INSTRUCTIONS:** The City Council considers new business items in Council meeting. All new business items for the Council must be submitted to the Council office, Room, 112, no later than 5:00 p.m. on the Wednesday two weeks before the Council meeting in which they are to be considered. This form must accompany all such business items. If you need additional space for any item below, attach additional pages with corresponding number and label.

**1. TITLE:** (Similar wording will be used on the Council meeting agenda.)

### MURRAY MUNICIPAL COUNCIL HANDBOOK & TRAVEL POLICY DISCUSSION

**2. KEY PERFORMANCE AREA:** (Please explain how request relates to Strategic Plan Key Performance Areas.)

RESPONSIVE & EFFICIENT CITY SERVICES

**3. MEETING, DATE & ACTION:** (Check all that apply)

Council Meeting OR  Committee of the Whole

Date requested Only COW JUNE 5, 2012

Discussion

Ordinance (attach copy)

Has the Attorney reviewed the attached copy?

Resolution (attach copy)

Has the Attorney reviewed the attached copy?

Public Hearing (attach copy of legal notice)

Has the Attorney reviewed the attached copy?

Appeal (explain) \_\_\_\_\_

Other (explain) \_\_\_\_\_

**4. FUNDING:** (Explain budget impact of proposal, including amount and source of funds.)

NONE REQUIRED

**5. RELATED DOCUMENTS:** (Attach and describe all accompanying exhibits, minutes, maps, plats, etc.)

COMPLETE HANDBOOK WITH TRAVEL POLICY ATTACHED

**6. REQUESTOR:**

Name: JIM BRASS

Title: COUNCIL CHAIR

Presenter: JIM BRASS

Title: COUNCIL CHAIR

Agency:

Phone:

Date: MAY 24, 2012

Time:

**7. APPROVALS:** (If submitted by City personnel, the following signatures indicate, the proposal has been reviewed and approved by Department Director, all preparatory steps have been completed, and the item is ready for Council action)

Department Director: NA Date:

Mayor: NA Date:

**8. COUNCIL STAFF:** (For Council use only)

Number of pages: \_\_\_\_\_ Received by: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Recommendation: \_\_\_\_\_

**9. NOTES:**

February 24, 2012

# Murray Municipal Council

## Handbook



**MURRAY**  
CITY  
COUNCIL

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## APPENDIX

## Foreword

In the course of serving as a public official, you will be involved with numerous municipal issues. This Handbook is designed to centralize general information on common issues related to Murray's form of government and your role as a member of the Murray City Council.

The issues addressed are often complex and sometimes subjective. Thus this Handbook is intended as a guide or general reference, and is not a substitute for the counsel, guidance, or opinions of City Department Heads, Council Staff, neither is it intended to be a substitute for actual city ordinance or state code. Failure to follow procedures described in this Handbook shall not invalidate any action taken by the Council except as may be otherwise provided by law.

The Council intends to revise the contents of this Handbook as needed and reviewed. Moreover, this handbook shall function as the rules and norms of the City Council. It shall be adopted as such by a majority of Council Members in a Committee of the Whole Meeting, and amended in the same fashion. Council rules may be suspended by two-thirds vote of a quorum.

This Handbook was originally approved on March 20, 2012 in a Murray City Council Committee of the Whole meeting. It was last updated on:

DATE

CONTENT

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## **I. Murray City's Form of Government**

Murray City government is set up as two separate, but equal and distinct independent branches. Part of the genius of separate branches of government is that one branch cannot override the interests of the other branch. This encourages a more transparent and effective use of public resources.

### **The Council Mayor Form of Government**

In 1977, the Utah State Legislature approved the optional forms of municipal government based on the constitutional framers' ideal of "separation of power" between the legislative and executive branches.

In 1983, Murray City shifted from commissioner form to a Mayor and five Council form of government. The current Council Mayor form of government vests in two separate, but equal branches of government. The executive branch consists of a Mayor, and the administrative departments, associated officers, and employees. The legislative branch consists of five (5) Municipal Council Members from unique districts, and its staff, Murray City Code §2.02.010 (2008).

### **Five Council Members**

Currently, there are five geographical council districts in Murray. Council Members are elected for terms of four years which are staggered. Three district seats are elected during one election. The remaining two seats are elected two years later along with the mayoral election. All municipal elections are considered non-partisan.

### **Vacancy in Elected Office**

If a Council Member vacates his/her seat on the Council before the term of office expires, or the Mayor vacates his/her office before the term of office expires, the Council shall fill the vacant seat, unless otherwise provided by statute, in the following manner:

Applicants shall be qualified for the office in accordance with all applicable State laws;

Applicants shall complete an application form available through the Council office.

## II. Role of the Mayor

The Mayor has sole executive power, and executes city ordinances and policy as established by the Council. Utah Code Ann. §10-3b-202.

The Council adopts or amends ordinances in which the Mayor then administers and executes.

The Council also adopts or amends policy through a resolution clearly stating the subject matter of the policy. Additionally, policy may be implied or directly stated with the adoption of an ordinance. Furthermore, the annual budget also reflects Council "fiscal" policy. The Mayor then administers policy through directives to City Departments and Divisions.

The Mayor reports budget appropriations, financial conditions to the Council, and annually City affairs to residents and the Council alike. The Mayor may request Council ratification of various boards and committees, Murray City Code §2.08.010 (2009). See also, Utah Code Ann. §10-3b-202.

Other responsibilities and functions of the Mayor, not as closely related to the City Council can be found under Mayor's responsibilities in State Code and Murray City Ordinances.

### III. Role of the Council

Cities have only those powers specifically given them by an act of the State Legislature or Constitution. The State of Utah's enabling acts are generally found in Title 10 (Utah Municipal Code) of Utah State Code (Utah Code Ann.). Specifically, the Council has the responsibility to consider ordinances and resolutions, including the annual budget, review performance and services, ratify Mayoral appointments, and approve policy. Utah Code Ann. §10-3b-202, Utah Code Ann. §10-3b-203.

#### **Ordinances and Resolutions**

Ordinances and resolutions are used to exercise Council responsibilities over functions such as setting water and sewer rates, creating departments, and regulating the use of municipal property. Some of the legislative powers include:

- Setting tax levies
- Setting service rates (water, power, golf)
- Adopting an annual budget
- Consider policy resolutions
- Consider master plans, annexations, zoning changes, temporary zoning regulations
- Appointing qualified persons to fill vacated City-elected positions

#### **Budgeting - Oversight and Process**

The budget is one of the Council's most effective policy making tools. Each year the Council has the opportunity to express priorities through the annual City Budget and Capital Improvement appropriations. A budget can be used as a planning tool to convey what a local government expects to accomplish during the upcoming fiscal years. Ultimately, the budget should be a reflection of policy priorities, an operating plan, and a tool for communicating with the public about how revenues are used to create value.

##### **Mayor's Budget Recommendation**

It is the responsibility of the Mayor to make recommendations regarding budget expenditures. The Mayor also may use the recommendation as an opportunity to explain the most efficient and effective way to use resources to achieve the City's strategic policy priorities. The Mayor's budget generally reflects the

administrative expertise pertaining to the management and operational side of the budget.

### **Process - Annual Budget Hearings and Recommendations**

Typically, after the beginning of the calendar year, the Council and the Mayor host a series of budget meetings. During these meetings revenue forecasts, estimated income, and expenditures are discussed for the upcoming fiscal year. Items which may impact the City's general budget, capital improvement or other funds are reviewed and balanced against Council policy statements. Moreover, the Council is afforded the opportunity to informally discuss the Mayor's initial budget priorities with the Mayor and Department Heads. This is where Department Heads are invited to present budget needs to the City Council. These presentations are not intended to review specific budget line items, as much as, to give the City Council an overview of how departmental expenditures relate to City strategic policy, mission, vision, and values.

### **Mayor's Annual Tentative Budget**

As provided by Utah Code the Mayor's Annual Tentative Budget must be submitted to the Council by the first regular Council Meeting in May, Utah Code Ann. §10-6-111.

### **Adoption of the Annual Budget**

Prior to adopting the annual budget, the Council receives the Mayor's tentative (proposed) budget. The City Council is charged with determining if the Mayor's tentative budget reflects an appropriate funding balance of public service levels, personnel costs, creation and operation of City departments, operations and maintenance of City facilities and equipment, fund balance reserve, and capital improvement projects. Additionally, the administrative budgetary requests should be weighed against the City's strategic priorities and policies.

The Council has the right to adjust the Mayor's proposed budget to reflect the City's strategic priorities and policies, as long as expenditures always balance with revenues. Working with the Budget and Finance Chair, staff will prepare the budget policy intent statements to be considered and adopted with the Budget.

**Budget Amending:** the Council may amend the budget through a process if requested by a Council Member or the Mayor, Utah Code Ann. §10-6-135(4). In addition, the Council may adjust tax rates and implement or adjust fees, as deemed legal and necessary.

### **Yearly Audit and Financial Report**

Each year, following a financial audit by an independent auditor, a report is presented to the City Council. The financial report assists the City Council in reviewing municipal administration and providing financial oversight of the City's financial affairs.

### **City Performance and Services Reviews**

As part of the oversight function, the City Council may choose to conduct municipal performance and services reviews. Because these reviews generally focus on administrative areas, including members of the administration on a review team is traditional. These reviews reach beyond the annual financial audit, maintaining an ability to target areas of municipal performance or services. Reviews may speak to establishing minimum service levels, the effectiveness of programs, or the efficiency of a department. Performance reviews typically center on a department or program rather than the City finances as a whole, Utah Code Ann. §10-6-203(1)(iv).

A publication by the National League of Cities (MIS Report, January; 1989) regarding performance reviews for local government indicates,

...management can also expect from an internal auditor an in-depth examination of operating practices. It can expect a performance audit to show whether a department plans its activities, whether it is adequately staffed, and whether it provides direction and establishes good procedures for efficient operations. A performance audit analyzes whether organizational goals and objectives are appropriate, makes recommendations on how to improve operations and management capability, and provides management with an objective assessment of the extent to which the department or function being audited is obtaining good value for money spent.

A performance or service audit can focus on the entire local government organization, on a single department or program. Its aim is to measure economy, efficiency, and program results by looking at the system for managing and reporting; at the use of staff, goods, equipment; measured

against specific and desired results. While financial audits and performance audits are two distinct types of audits, findings from a financial audit may be incorporated or used for a performance audit.

#### **Process – Management, Service and Performance Reviews**

**Timing.** A review may be scheduled at any time. However, it is typical that reviews will be coordinated and advanced along with the annual budget. This means that reviews should be discussed and decided in January or February prior to budget adoption.

**Scope of Review.** Although a program or department may be looked at in its entirety, the Council may opt to focus a review on a particular service or division of any given program or department. The scope of review details the items to be studied, the timeframe for the study, and any rules of procedure needed to assure boundaries and thoroughness of the study.

**Procurement Process.** The City procurement ordinance shall be used as guide for assembling a screening committee, reviewing any consultant applications and reducing the number of proposals. The Council ultimately shall have the final decision regarding consultant selection, and staff to be included in the review process.

**Initial Review Process.** The Council Member(s) wanting to review a particular municipal area shall gather three Council Member signatures and discuss the matter at a Council Initiative Workshop (CIW). There the details and objectives of the review can be discussed and a timeline established. Each review item shall be added to a master list to be discussed again in coordination with the budget.

**Reporting Findings.** The reporting responsibility will be to the City Council. Any problems the consultant identifies are reviewed with the Council Members. Once the draft report is received, the Administration and Council Staff would be asked to review it to assure there are no errors of fact. A meeting to review the draft with the entire Council is scheduled. Once the consultant has received comments from the Council, a final draft is prepared and presented formally at a regularly scheduled Committee of the Whole.

**Response from Mayor/Administration.** Once a final report has been presented to the City Council, the Administration will have an opportunity to respond to the recommendations, and to outline how the recommendations may be implemented.

## **Advice and Consent**

Various municipal positions, both volunteer and career require the Advice and Consent of the City Council, Utah Code Ann. §10-3b-202(1)(c). Department Heads or appointed career positions and all City board and commission members are appointed by the Mayor with Advice and Consent provided by the City Council. Upon the Mayor's presentation to the City Council of a candidate, the Council must either approve or reject the Mayor's recommendation. Among other things, advice may be given regarding residence location, length of residency, ability and willingness to serve, and breadth of unique expertise of potential candidate. A majority vote of the Council is required to approve a Mayoral appointment.

The process for implementing the Advice and Consent duties of the City Council is, at a minimum, as follows:

Process for Providing Advice and Consent for City Director/Department Heads.

- After a selection process, the Mayor forwards a candidate name, resume, and references to the City Council to formally consider Advice and Consent of the candidate.
- As desired, the Council may schedule an executive session to interview the candidate before Advice and Consent is considered. (All executive sessions will follow the Utah Open and Public Meetings Act).
- The executive session agenda shall reference a "Competency Discussion regarding [City Position Title]" (The candidate name shall not be disclosed until the Council Meeting where formal Advice and Consent shall be considered by the City Council).
- Upon an executive session, with the City Attorney present, the Council may interview the candidate.
- After the interview, Council consideration for Advice and Consent of the candidate will then be formalized in a Council Meeting.
- As Advice and Consent is considered in a subsequent Council Meeting, the new appointment may be invited to address the City Council.

Process for Providing Advice and Consent for City Boards and Commission Appointees.

- Mayor recommends a name along with a resume to the Council.

- If a Council Member has a concern with a proposed candidate, the Council Member may request Council staff to set up an executive session to discuss the concern. (All executive sessions will follow the Utah Open and Public Meetings Act).
- If the Council has no concerns with the proposed candidate, the name will be placed on the consent agenda for consideration and formal Council approval.

Commission and Board candidates are invited to attend the Council Meeting where they will be recognized. Pending time, the newly appointed or reappointed candidate may be afforded the opportunity to share brief acceptance thoughts regarding their appointment.

### **Policy**

Every attempt will be made to label Policy as such, as it is the reasoning behind any directive or process. It is the responsibility and prerogative of the City Council to create, develop, revise, and approve policy as necessary. The City Council, working with the Administration, shall create conceptual ideas or policy in which the Mayor statutorily implements. These policy directives are used by both the Administration and Council in strategically moving the City forward, and advancing any particular initiative. The Mayor, as head of the executive branch of government, overseeing Department and Division Heads shall execute Council adopted policy, Utah Code Ann. §10-3b-202(c)(ii).

Legislative Policy will be adopted by ordinance or resolution. Policy amendments will come by way of a Council Member presenting the idea in a CIW. However, a policy amendment can also be recommended by a member of the Administration. Either process, garnering enough reasoning and support will formally be considered by Council Members during a scheduled Council Meeting.

### **City-Related Organizations**

Council Members also serve on City-related, but separate organizations. The Redevelopment Agency Board (RDA) is a separate agency from Murray City, established under the section of Utah law governing "community development and renewal agencies", Utah Code Ann, Title 17C. Another similar organization is the Municipal Building Authority, commonly referred to as the MBA.

## **Requests for Information**

Council Members or Council Committees may request information from the Administration. Customarily this information is requested through the Mayor's Office. However, the City Attorney and the Finance Director serve both the Council and Administration equally, meaning requests made of these two departments do not need to go through the Mayor's Office. Demanding or requesting a Department Head to work on a City project, perceived as a priority by a Council Member is considered a violation of the separation of powers, Utah Code Ann. §10-3b-203(c)(iii). The Mayor is required to inform the City Council regarding financial and operational conditions of the City, Murray City Code §2.08.010(B)(8) (2009). A Mayoral report to the Council is customary at the end each Council Meeting. Additionally, the Mayor has weekly sent a "Council Communications" detailing departmental highlights and achievements.

**DRAFT**

## IV. Council Meetings

Taking action on presented issues and policies is the privilege and the responsibility of the Council. The choice to vote in the affirmative, negative or to abstain is a personal and often weighty decision. Meeting protocol is what assists these weighty matters by providing process and decorum.

### **Council Meeting Rules**

The Council may adopt its own rules to regulate the Council meeting. However, the Council has traditionally followed parliamentary procedure based closely on the most current edition of Robert's Rules of Order. Where applicable, this Handbook also serves as a companion to Robert's Rules when questions of procedures arise. The Executive Director has customarily served as parliamentarian.

### **Council Meeting Comportment**

Decorum is a high priority for all government processes and meetings. Regardless of whether one is in a Court Room or the City Council Chambers, maintaining respect for all involved in the process is paramount. Conducting business with a high level of respect for all involved ensures a level playing field for all participants. When someone is addressing the City Council, or the City Council is debating a matter, they have the floor, and are entitled to be fully and fairly heard. What a presenter says should be heard by the Council Chamber as a whole. The Council Chamber refers to the City Council Members, staff, security, and the attending audience. Participants and Council Members should be able to hear a presentation, and presenters should be able to hear when questions are raised by citizens and Council Members alike. All comments made by a presenter should be made directly to the City Council. Hissing, applause, loudly sighing, shaking ones head in agreement or disagreement, talking to others, or otherwise distracting any participant is a courtesy to the process. In the spirit of impartiality, due process, safety, and the preservation of decorum, citizens and Council Members alike, should never show an outward response to debate, comments, or presentations done in the Council Chambers during Council Meetings. Moreover, it is the responsibility of the conducting Council Member to safeguard the decorum of City Council meetings.

### **Meeting Notice: The Open Meetings Act**

Public notice is required in order to convene a meeting of the Council for the purpose of discussing or acting on a subject where the Council has jurisdiction. Under Utah State law, the convening of a majority (three or more Council Members) in a meeting requires ~~a minimum at least of~~ 24 hours notice.

Various types of Council actions require different types of noticing. Generally, Council meetings require at least 24 hours notice, with an agenda placed at three places, submitted to the press, and to the state public meeting notice website. Each notice must include the place, date, and time as well the subject matter. Different types of Council action may require additional notice. For example, land use items entailing a public hearing generally require ~~at least not less than~~ ten calendar days notice in addition to the regular 24 hour meeting notice.

The intent of the Open Meetings Act is that the reasoning and deliberation behind all decisions made at the municipal level are open, and can be clearly understood by the general public. Any behavior that implies deliberation was conducted behind closed doors or in secret is strongly discouraged. Speaking clearly into the diocese microphones during public meetings, especially when articulating the reasoning for any particular motion is important to the process of making public decisions. Whispering while on the diocese, talking or texting on a mobile phone, playing games on electronic equipment, or like behavior is considered a distraction to the intent of the Open Meetings Act.

### **Meeting Agenda**

Meeting agendas are prepared by staff and approved by the Council Chair. Roughly 14 days before a Council Meeting, a preliminary agenda along with supporting documents is sent to Council Members for review. If a Council Member requests more information after receiving the preliminary agenda, that request will be addressed by staff or the agenda item(s) in question will be postponed until the request is satisfied. Once the final agenda is published it is implied all Council Members have consented to the agenda as finalized. It is in violation of state code to discuss a topic that has not been properly noticed, unless first raised by a member of the audience. ~~And clearly no final action should ever be taken if interjected topics outside of the agenda were are discussed. Finally, agenda item order may be amended at anytime with a majority vote of the Council.~~

Each meeting traditionally begins with a ceremonial portion which may include the Pledge of Allegiance, special recognitions, and questions from the audience. Action items, in the form of public hearing items provide another forum for members of the audience to address the Council on specific agenda items. Items not requiring a public hearing will then normally be considered under the agenda subtitle New Business.

### **Electronic Participation**

On occasion Council Members may participate in Council Meetings by electronic communication if the required technology is available and the meeting is properly noticed in accordance with Utah State Law. Before electronic participation occurs, a quorum of three Council Members must be physically present at the noticed meeting place. The Council must provide space and facilities at a location where the public may attend, monitor and participate in the open portions of their meetings, Utah Code Ann. §52-4-207, Murray City Code §2.04.040(F).

### **Council Quorum**

When the Council convenes at a properly noticed meeting, a quorum is required to take action or vote on an agenda item. Under Murray's form of government, a quorum is defined as three or more Council Members.

### **Voting or Abstaining**

To pass or change an ordinance or resolution, or affirm action on any item, three (a majority) or more Council Members must vote together. If a Council Member chooses to abstain from a vote, it has the same effect as voting against the motion.

Additionally, the Mayor may contribute freely during a Council Meeting, Utah Code Ann. §10-3b-202(1)(d)(vii) but does not vote.

### **Reconsideration**

A Council Member may move to reconsider a vote of the Council at the following two Council meetings, but only if that Council Member voted with the prevailing side at the time of the vote.

### **Mayoral Veto**

The Mayor can disagree with the Council vote on a tax levy, appropriations, ordinance, or resolution. If the Mayor disapproves of the Council action, the Mayor must explain the reasoning in writing to the Council within 15 days. If after considering the Mayor's objections,

the Council then feels justified in its original action, it can override the Mayor's disapproval with a vote of at least two-thirds of the Members (4 votes) at a subsequent Council meeting. If the Mayor does not return an item with an explanation within the 15 days, the action takes effect without the Mayor's signature, Utah Code Ann. §10-3b-204.

### **Absences**

Any Council Member absent for more than six meetings (except those absences due to illness, family matters, or due to Council or personal business) shall forfeit whatever leadership position that member holds. Any Council Member exceeding these guidelines (1) may appeal the matter to the Council and (2) the Council, by majority vote, may excuse any of the absences and waive the penalty, Murray City Code §2.06.060, relating to salary penalty.

### **Council Meeting Schedule**

By City ordinance and state statute, the City Council shall hold at least one regularly scheduled meeting monthly. Regularly scheduled Council Meetings are traditionally scheduled for the first and third Tuesdays of most months. If a need arises, a third meeting will be legally noticed; and likewise if there are no action items for a second meeting, that meeting will be cancelled.

### **Request for Council Action Process**

Although the process to request Council action differs for the two branches of government, the Executive and Legislative, both sides utilize the procedure. The Executive notifies the Legislative branch of its request by filling out a Council Action Request form and attaching supporting documentation. The request is then processed by Council staff, vetted by Council Members, and after approved by the Chair, placed on a Council meeting agenda to be considered by a Council quorum. Typically, requests are heard first in a Committee of the Whole meeting. This first hearing is normally dedicated as an education forum. Council Members listen to a presentation about the concept and have the opportunity to ask questions; after which, if there are no major concerns the issue moves forward to a subsequent Council Meeting.

A request for Council action may also be brought forward by a Council Member. This may be done by way of a private resident, or a group drawing attention to a need for new legislation. If a Council Member is willing to sponsor proposed legislation they take it through a process.

The idea is first presented to a quorum of Council Members at a Workshop for vetting and refining. The refining process may take several meetings before an ordinance or resolution is ready for consideration.

Alternatively, the idea may be abandoned because it did not garner Council support after being heard initially.

### **Voting**

Council action items may be voted upon by a quorum in the following manner:

- Approve an action with a positive majority vote
- Deny an action item with a negative vote (abstaining votes are counted as "no" votes)
- Continue an item to a future specified date with a majority vote (This may affect the validity of the current legal notice).
- Refer an item to a Study Meeting, Council Committee, convene an Ad Hoc Committee, or refer to Council or Administrative Staff for more information. It is typical to designate a "report back to the Council" date and lead individual.

### **Council Minutes and Amending Policy**

Council minutes are generally a verbatim record from public meetings. Written minutes are extrapolated from the digital audio recording of the meeting. Both the written and audio records are available to the public upon request.

Council minutes are a written record of the proceedings during the actual Council Meeting. They reflect the substance of what actually occurred in the Council meeting. The purpose of keeping meeting minutes is to legally satisfy state code by keeping a record of the official actions taken by the Council.

Council Members are required to approve the minutes. Corrections, deletions, or additions to factual information, quoted statements, meeting events, and official Council actions should be made prior to consideration of meeting minutes.

After the minutes are approved, any additional corrections, deletions, clarifications, or additions should be submitted in writing to the all Council Members, and staff. The Council as a whole will review the submission and vote to determine if the submission is:

- A factual correction which will be inserted into the previously approved minutes, or
- A necessary and pertinent clarification that will be attached to the minutes as an addendum, or
- Insignificant, unrelated or inappropriate information that will not be included or attached to the approved minutes, Murray City Code §2.04.050(C).

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## V. Committees

### **Service on Council Committees**

The Council may create internal committees as it sees fit. The name, subject matter, the number of Council Members assigned to a committee, and the selection of committee members is decided by a majority of the Council. Additionally, when the Council creates a committee or entertaining a request for Council Members to serve on a committee, Council committee service is decided in a Committee of the Whole meeting where an informal majority vote is used to make committee assignments.

### **Committee of the Whole (COW)**

The Committee of the Whole meeting is usually held on Tuesdays an hour before Council Meetings. This will vary depending on need and agenda items. Generally, COW is reserved as a less formal venue where information is presented regarding a known issue. As COW is typically an education forum, Council questions for a presenter are encouraged. However, public comment is normally not accommodated and no formal action is taken, unless it is internal Council matters. Often presentations by the Administration and staff are heard in a COW (a public venue) before the public hearing held at a Council Meeting. (However, land use items are generally first be heard by the Planning Commission and then forwarded to a Council Meeting). If questions are satisfied an item will be moved to a Council Meeting agenda, if not, further clarification may be attempted by the applicant at a later date.

### **Council Initiative Workshop (CIW)**

The Council Initiative Workshop is designed to assist Council Members desiring to campaign original initiatives. As issues are conceived by Council Members the CIW is the first procedural step in the process to implement an initiative. An initiative is presented by a Council Member at a CIW as a method of undergoing a first blush evaluation. After the first presentation, it should be decided if the initiative fits within current Council general policy, the City's strategic plan, and therefore should be pursued. The Administration should be notified about any idea prior to a presentation. This is done to formally solicit help vetting and refining any idea. Concerns and thoughts regarding the idea may be raised at the meeting, but a decision whether to pursue the idea should ultimately be resolved at the initial meeting. If a decision to move

forward is affirmative, assignments should be made for future meetings and discussions - as needed.

Council Members presenting an idea at a CIW should consider using the following documents to aid their presentation.

- Preliminary legal language
- Explanatory memos
- Background information
- Maps

Council staff can be used to help collect and analyze data presented at a CIW meeting.

### **Budget and Finance Committee**

The Budget and Finance Committee convenes to discuss matters related to the budget. Traditionally, multiple budget meetings will occur prior to June 22<sup>nd</sup> (the statutory deadline an annual budget shall be adopted by the Council). However, the Committee can convene outside of the traditional meetings to discuss amending the process or requesting budgetary reports and explanations.

A standing subcommittee of the Budget and Finance Committee is the Audit Committee. The Audit Committee is chaired by the Budget and Finance Committee Chair. The Audit Committee, working with Council staff and the Finance Director shall manage both the annual financial audit, and city performance and service reviews when conducted. The Finance Director is considered an *ex officio* (non-voting) member of this committee.

### **Capital Improvement Plan Committee**

A Capital Improvement Plan (CIP) is a short-range, five year outlook, which identifies capital projects equipment purchases, maintenance, and provides a planning schedule which also identifies financing options for infrastructure and assets. Essentially, the CIP provides the working link between City leaders and implementation of the City's strategic plan, and the annual budget.

Two Council Members are assigned annually to a five member CIP committee. The Mayor, the Chief Administrative Officer (CAO), and the Finance Director make up the other members of the CIP committee. Together, this group meets numerous times prior to the adoption of the

budget to prioritize capital projects while looking through a five year lens.

### **Other Committees**

Most other committees or liaison assignments are to coordinate Council service with City administrative departments and residents. However, under the Chair's leadership, the Council may organize committees of its Members or invite residents to assist the Council in performing Council duties.

### **Neighborhood Meetings**

Each Council Member may schedule a "neighborhood" meeting held within their district, as needed and as the Council budget allows. Council staff will assist in all arrangements.

### **Redevelopment Agency (RDA)**

Redevelopment Agencies (RDAs) are a tool used by local governments to eliminate blight and to implement the development goals of a community.

As the city grows older, parts of it can become deteriorated with buildings and core public infrastructure that are in disrepair. In other areas of the city that were once focused on industrial uses, basic infrastructure is inadequate to attract and support new investment and development. The effects are a decrease in the assessed valuation of the property that results in reduced property tax collections for all taxing entities, and further disinvestment that promote a cycle of urban degeneration.

RDAs bring life back to depressed areas by investing in core infrastructure, such as streets, lighting, curb, and sidewalks; by facilitating redevelopment of underutilized property and providing incentives for private investment. As the project area's social value and economic potential increase, other businesses and private investors are encouraged to respond with additional development and improvements. RDA projects are designed to spur additional growth, allowing blighted areas to be reestablished as economically productive centers for business and social activity.

## VI. Role of Council Leadership

### **Election of Council Chair and Vice Chair**

At the first Council Meeting of each year, as required by City ordinance, the Council elects a Chair and Vice Chair. Council leadership elections are listed as an action item on a Council Meeting agenda.

### **Chair and Vice Chair Election Process**

Upon reaching the agenda item for conducting Council elections, whichever Council Member is conducting the meeting will call for nominations from Council Members for each Council leadership position.

**Nominations and Elections.** Nominations need not be seconded. After nominations have concluded, Council Members proceed to voting. Traditionally, voting is by roll call, but other methods found in the Robert's Rules of Order may be used as determined by the Chair. Elections take effect immediately after the vote is finalized. The election effect is predicated on candidates being present and not declining a leadership position. If a nomination is absent and has not consented to candidacy, the election takes effect when they are notified of the election, provided they do not decline the opportunity to serve.

The Vice Chair shall be the presiding officer in the event the Chair is incapacitated due to illness or is otherwise unable to attend Council Meetings, and shall sign as the Chair on all ordinances, resolutions, and official correspondence.

**Term Limits:** No Council Member shall serve more than two consecutive calendar years as Council Chair.

**Vacancy.** In the event the Chair shall vacate the office of Chair for any reason the Vice Chair shall assume the office of Chair.

In the event the Vice Chair vacates their position for any reason before their term expires, the Council Members, by simple majority shall elect a Vice Chair to complete the term at the first regular Council Meeting following the vacancy announcement.

### **Chair Responsibilities**

The Council Chair presides at all Council Meetings, in the Chairs absence the Vice-Chair will preside. Traditionally, the Council Chair delegates or shares the Council meeting limited conducting

responsibilities duties with the other four Council Members. As such, Council Members rotate, each conducting Council Meetings for a month at a time. This delegation of responsibilities applies only to conducting for the duration of the assigned Council Meetings, and does not imply conferring any other duties or responsibilities associated with the Council Chair position.

Additional duties associated with the Chair and Vice Chair (at the Chair's request or absence) are:

- Moving Council Initiatives and projects forward to completion
- Setting Council meeting agendas
- Signing all ordinances and resolutions on behalf of the Council
- Signing all documents on behalf of the Council
- Communicating official position statements that have been approved by the Council as a whole
- Liaison to the Mayor on Council's behalf
- Disseminating information from the Administration to the rest of the Council
- Conducts both the Committee of the Whole and Council Initiative Workshops

The Chair is also elected to represent the Council and is considered the Council's spokesperson to the:

- Media
- Public
- Official Publications
- Mayor

### **Budget and Finance Chair Responsibilities**

The Budget and Finance Committee's area of responsibility includes coordinating the review and recommendations to Adoption of the Annual Budget, Budget Reviews, Capital Improvement Programs, Financial Reports, Taxes, Fees, Assessments, and Independent Management and Performance Analysis.

The Budget Chair is responsible for coordinating Council activity surrounding the above list of Budget and Finance related duties. Where an official Budget Meeting of the Council is held the Budget Chair will approve the agenda. Additionally, the Budget Chair will serve as the

Audit Committee Chair, as well as, coordinate and oversee all management and service review activities.

### **RDA Chair Responsibilities**

The RDA is the board that formally approves and formalizes the efforts to revitalize the City's blighted areas. The Executive Director for the RDA is statutorily the Mayor of Murray City; however, traditionally these responsibilities have been delegated to the Administrative and Development Services Director. The RDA Chair works closely with the Executive Director in dealing with developers, formalizing contract agreements, and financing for various redevelopment projects. Deference is typically given to the Chair and the Vice Chair to serve on the Taxing Entity Committee (TEC). However, it is foreseeable that the Chair would appoint another member of the board to serve on the TEC. Depending on the activity of the RDA, the Chair will hold monthly meetings with the Executive Director to communicate and coordinate the economic development for the various projects. Some travel may be expected, and will be coordinated with the Executive Director.

## VII. Ethic Rules

### **Disclosures**

Elected officials are required to annually disclose conflicts of interest, which are kept on file in the City Reorder's office. The purpose of disclosure is to place on notice any potential conflicts of interest a Council Member may have during their time in office.

### **Withdrawal Due to Conflict of Interest**

If an action item or matter of business on a Council agenda conflicts with the interests of a Council Member where disclosure is required by the Municipal Officers' and Employees' Act, a Council Member must withdraw from discussion on the matter, leave the dais, and should abstain from the vote as the matter comes up for consideration, Utah Code Ann. §10-3-1305 through 10-3-1308.

## VIII. Role of the Council Staff

### **Council Office Staff**

The current Council Office Staff is comprised of an Executive Director, the City Attorney (who is shared with the Administration) the Finance Director (who is also shared with the Administration) and an Office Administrator III. As prescribed by City Code, the Executive Director is appointed by a majority of the Council. The Council Chair, as the elected representative of the Council guides Council staff.

Ancillary, but related to Council Staff is the Director of the Administrative and Development Services, who predominately has administrative duties, but also serves as the Executive Director for the Redevelopment Agency (RDA) by way of an Executive Order. But for the Executive Order, the Mayor fills the statutory position of the Executive Director for the RDA.

### **Executive Director**

As prescribed by City Code, the Executive Director is appointed by a majority of the Council. The Council Chair, as the elected representative of the Council oversees the Council staff direction.

The duties of the Executive Director include, but are not limited to:

- Serve as a liaison to the Administration
- Coordinates Administrative reviews with assigned Council Members
- Coordinates Council Auditing activities as prescribed by law
- Coordinates Council activities regarding City budget analysis, review, and adoption
- Coordinates Council activities related to budget tracking and appropriations
- Coordinates Council activities related to Council Meeting agenda requests
- Coordinates and attends Council Meetings, citizen meetings, and other similar meetings as caused by Council Members
- Under direction of the Chair, supervises Council employees
- Coordinate agenda preparation and analysis
- Submits a proposed budget for Council Office operations
- Helps coordinate and provide policy analysis

### **Office Administrator III**

The Office Administrator is a full time clerical position supervised by the Executive Director. The Office Administrator has many responsibilities, such as overseeing Council Office bookkeeping, organizing travel arrangements, coordinating special events, interfacing with the public and minute taking.

### **Other Professional Staff**

Other professional services as needed by the Council may be hired or contracted as the need arises following purchasing standards and budget limitations.

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## IX. Internal Provisions

### **Public Relations Account**

A Public Relations account has been established and is funded solely by payroll deduction from Council Member pay checks. The deduction amount shall be decided or amended by a vote of the Council. Council Staff will assist in all transactions and report the status of account to Council Members periodically.

The purpose of the public relations account is to provide a mechanism for the Council as a whole to purchase and deliver token remembrances or acknowledgments. The events listed below shall be considered first priority use for account funds; all secondary uses not listed and the donation amounts shall be informally approved by a majority of Council Members.

- Death or serious illness of an employee or an employee's immediate family;
- Weddings of department or division heads, or their children;
- Retirement of 25 year+ employee.

### **Mobile Telephones**

A mobile phone allowance shall be paid to each Council Member for use in conducting City business during their term of office.

### **Expense Allowance**

Council Members shall be provided with a monthly expense allowance to defer the costs of conducting City business during their term of office.

## APPENDIX

City Organizational Chart - Appendix 1

2012 Strategic Plan - Appendix 2

Committees, Boards, Liaisons - Appendix 3

Agenda Submission Process - Appendix 4

Agenda Order of Business - Appendix 5

Conflict of Interest Disclosure Form - Appendix 6

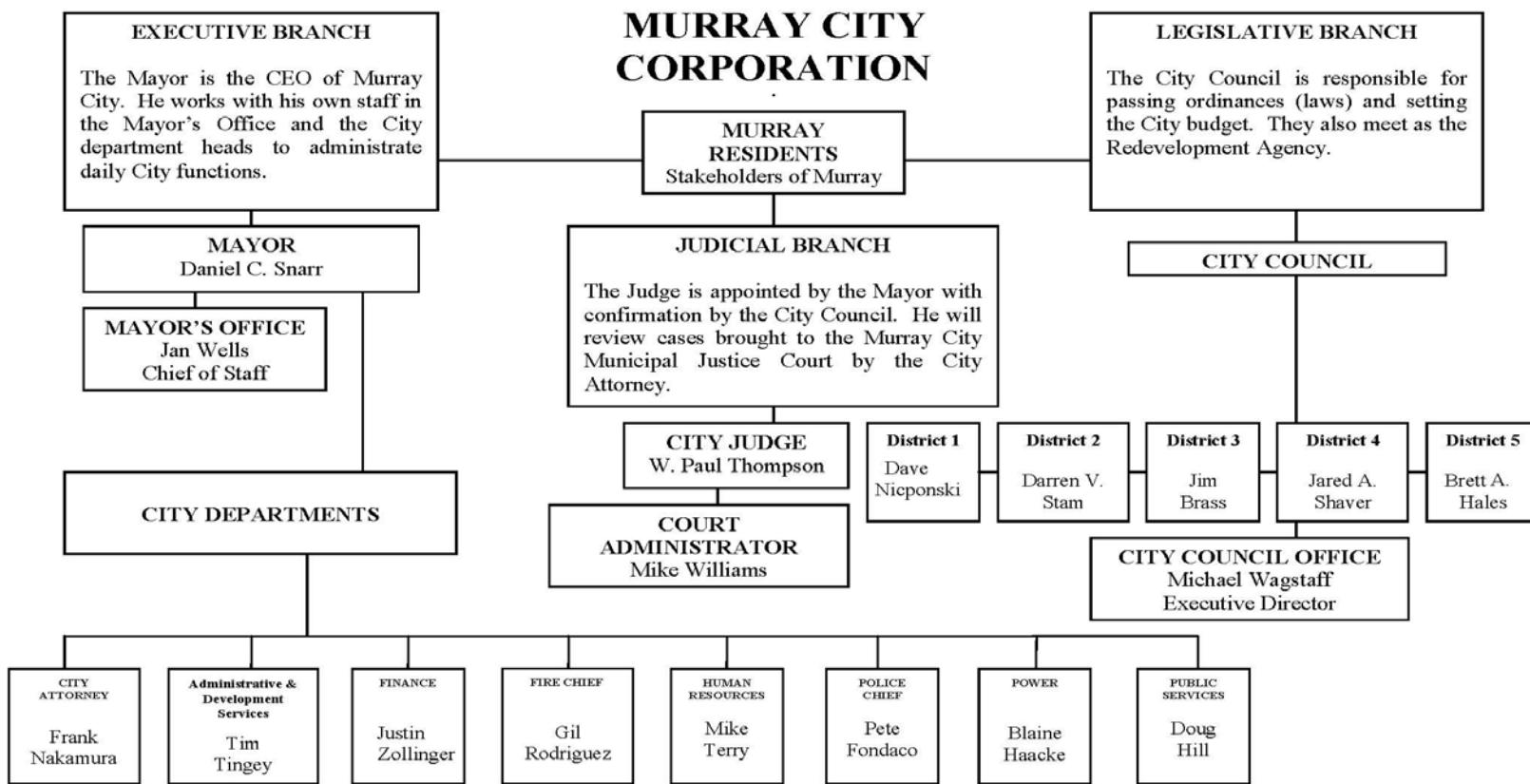
Open Meeting Requirements - Appendix 7

Council Travel Policy - Appendix 8

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# Appendix 1

## MURRAY CITY ORGANIZATION CHART



## Appendix 2

### Murray City Strategic Plan Framework As agreed to by the Mayor and Council on January 30, 2012

#### Vision

Murray City is a progressive, vibrant, independent and self-sustaining community that balances the needs of its businesses and protects an ever-changing resident population. We capitalize on our strengths, including our central location and infrastructure, to attract quality businesses and jobs. Our quality of life is enriched through the availability of thriving and diverse neighborhoods, healthcare services, community recreation and educational opportunities. We encourage public participation and foster inclusiveness for our citizens in moving the City forward.

#### Mission

Murray City promotes a high quality of life by providing superior governmental services in a professional, friendly, innovative and proactive manner.

#### Murray City Organizational Values

Murray City employees and elected officials serve our community in an environment grounded in core values that guide our daily actions. We aspire to work in an environment that is defined by a sense of **camaraderie** with our colleagues. We know that we are **accountable** for our resources, decisions, actions and deeds, and we recognize that good governance requires that we act with the utmost **integrity**. We **collaborate** to provide services and are **responsive** to those we serve.

#### Key Performance Areas and Strategic Initiatives

Seven key performance areas have been identified for Murray City. These are the critical areas that must be successful in order to achieve the vision and live out the mission. Strategic initiatives have also been identified within most of the key performance areas. Draft action plans have been developed for each initiative and are detailed in the next section.

##### 1. Financially Sustainable

Murray City is well equipped to meet its short and long term financial obligations with the annual adoption of a balanced budget, the implementation of a multi-year capital improvement program, and the diversification of revenue streams in response to changing economic trends.

Strategic Initiative:

- Diversify City revenue sources

## **2. Welcoming and Thriving Business Climate**

Murray City maintains an aesthetically pleasing, efficient, progressive and business friendly environment through investments in transportation, technology and infrastructure that support quality businesses and jobs in the community. Murray City is home to unique, destination oriented, sustainable commercial development.

Strategic Initiatives:

- Develop a comprehensive economic development policy and incentive plan
- Pursue aggressively the creation of a vibrant and sustainable Murray City downtown

## **3. Responsive and Efficient City Services**

Murray City ensures the delivery of high quality public services by maintaining an effective, efficient and well-trained workforce, regularly investing in technology, equipment and other resources, and communicating with residents and business owners regularly to understand how responsiveness may be enhanced to meet the needs of residents and property owners.

Strategic Initiatives:

- Develop a performance management system and perform a City services review
- Develop an internal communications plan
- Evaluate employee compensation and resource options

## **4. Engaged and Informed Residents**

Murray City provides its residents the opportunity to be knowledgeable, informed and aware of local issues. Our residents take ownership in improving the community and serve as active partners and participants.

Strategic Initiatives:

- Develop a comprehensive external communications plan

## **5. Safe and Healthy Neighborhoods with Varied Housing Opportunities**

Murray City is comprised of safe, healthy and attractive neighborhoods that reflect socioeconomic diversity, promote walkability (e.g., complete streets), offer a variety of housing options and foster a strong sense of community.

## **6. Well Maintained, Planned and Protected Infrastructure and Assets**

Murray City provides for timely maintenance, repair and replacement of our assets. The City makes regular contributions to a capital improvement fund to meet existing infrastructure needs and plan for and accommodate future growth.

Strategic Initiative:

- Develop a comprehensive Capital Improvement Program

## **7. Vibrant Parks, Recreation, and Cultural Amenities**

Murray City provides a variety of active and passive cultural and recreational opportunities in well maintained parks, facilities and public spaces for the personal enrichment of residents and visitors.

Strategic Initiative:

- Develop a parks, recreation and cultural amenities master plan

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## Appendix 3

### Murray City Boards and Commissions

Entities and committees made up exclusively of Council Members:

- Committee of the Whole (COW)
- Budget and Finance Committee
- Council Initiative Workshop (CIW)
- Redevelopment Agency (RDA)
- Municipal Building Authority (MBA)
- Board of Canvassers (includes the Mayor)
- Workshops and Retreats

City Council Members and The Murray City School Board Members participate on the following committee:

- Murray City - School Coordinating Council

Committees which individual Council Members, or Administrative staff, are appointed, traditionally at the beginning of each calendar year:

- Association of Municipal Councils (Two-year term)
- Salt Lake Valley Emergency Communications Center
- Central Valley Water Reclamation Facility Board
- Utah Telecommunications Open Infrastructure Agency
- Utah Infrastructure Agency
- Utah Associated Municipal Power Systems Board (Power General Manager)
- Intermountain Power Agency (Power General Manager)
- Trans-Jordan Cities (Public Services staff member)
- Utah League of Cities and Towns Legislative Policy Committee (Mayor's Legislative Assistant)
- Council of Governments (Mayor's Chief of Staff)

Murray City Advisory Boards and Commissions are established by City Code. Appointments are made by the Mayor with Advice & Consent by the City Council.

- Board of Adjustment
- Building Code Board of Appeals
- Arts Advisory Board
- Personnel Advisory Board
- Murray City Center District (MCCD) Design Review Committee

- Heritage Center Advisory Board
- History Advisory Board
- Library Board of Directors
- Parks & Recreation Advisory Board
- Planning & Zoning Commission
- Power Advisory Board
- Shade Tree Commission

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## Appendix 4

# Murray City Council Agenda Submission Process

A concept requiring Council action may be developed by:

- Private Resident through a Council Member
- Council Member
- Mayor
- A Department Head through the Mayor

### Private Resident

Any private resident or organization may bring a proposal forward by requesting sponsorship by a Council Member. If a Council Member is willing to sponsor a proposal, then the item moves forward by the same process as any Council Member proposal.

### Council Member Proposal

Any Council Member may bring any proposed action to a Council Initiative Workshop (CIW), providing two other Council Members have signed off indicating their consent to evaluate the topic further. The CIW is then scheduled for the purpose of discussing the subject matter in detail. The sponsoring Council Member is responsible for presenting information to educate Council Members with data, experiences and current trends. Following this discussion the Council shall determine if there is sufficient interest for future action, staff involvement, or whether the item is to be tabled until further notice.

### Mayor/Administration

At a Council/Administration meeting, Council Meeting items are discussed and reviewed before items are forwarded to an agenda for Council consideration. The Mayor will often maintain the log adding items requested by Department Heads. Items are typically heard in a Committee of the Whole first then finally to Council Meeting for final consideration.

### Council Office Agenda Process

1. The City Council generally meets on the first and third Tuesdays of each month. A meeting schedule is adopted and published prior to the beginning of each calendar year. Council

Meetings consist of a Committee of the Whole for discussion and study of topics that may be forthcoming on a future Council agenda. On the same day the Council Meeting follows for formal Council action on business items.

2. The Council Chair holds Council/Administration meetings to organize agenda items for Committee of the Whole and Council Meetings. The administration and Council staff prepare the necessary documentation for business items to come before the Council.

3. Legal documents, explanatory memos and background information relating to the agenda items must be received by the Council Office the Wednesday two weeks prior to the scheduled Committee of the Whole or Council Meeting. Over the next two days the agenda and documentation is compiled in the Council Office and an agenda to be publicized is created.

4. The Council staff sends the agenda and all meeting documentation to the Council Members by electronic means the Friday that is one and a half weeks prior to the Tuesday meetings. This "preliminary" documentation may be perused by Council Members with time for them to have questions answered, items postponed or pulled from the meeting agendas, if deemed necessary.

5. On Friday, prior to the Tuesday Council meetings the agenda is formally published (noticed) by the Council staff to meet the legal Open and Public Meeting Act requirements. The Council staff then sends the "final" Council meeting documents to the Council Members in preparation for the meetings.

6. Committee of the Whole and Council Meeting is held the following Tuesday.

## Appendix 5

# City Council Meeting Agenda Order of Business

### Committee of the Whole

1. Approval of Minutes
2. Business Items
  - a. For education and discussion purposes on items that may require future action of the Council. No vote will be taken on these business items.
3. Announcements
4. Adjournment

### Council Meeting

1. Opening Ceremonies
  - Pledge of Allegiance
  - Approval of Minutes
  - Special Recognition
    - a. Resolution shall be read, motion to adopt proposed, discussion, vote on motion taken, presentation and response from recipient.
2. Citizen Comments
  - a. Any citizen or group may address the Council and Mayor. A three minute limit is generally observed.
3. Consent Agenda
  - a. Items of routine business, all requiring action, but not expected to generate discussion. May be taken together in a single motion, second and vote or a Council Member may ask that an item be considered during the New Business section.
4. Public Hearings
  - a. Presiding officer relates the procedure for the hearing.
  - b. City staff briefly summarizes the request that prompted the public hearing. (five minutes)
  - c. The sponsor of the request may make a presentation. (fifteen minute maximum)
  - d. Public comments may be made on the matter. Speakers are required to fill out the appropriate form, come to the microphone, state their name and address, and briefly state their viewpoint. (three minutes)

- e. After all public comments have been given; the sponsor may make a response or summation. (fifteen minutes)
- f. The presiding officer will declare the public hearing closed.
- g. The Council shall consider the item.

5. Unfinished Business

- a. This section is for consideration of items that have been referred out of a committee or were postponed from the New Business section of a previous agenda.

6. New Business

- a. Introduction of New Business to be considered by the Council. The Council may, by majority vote, (1) send an item to committee, (2) postpone final action to a future meeting, or (3) take final action on the matter.

7. Mayor's Report & Questions

- a. This affords the Mayor an opportunity to report City business to the Council and gives the Council an opportunity to ask questions or raise issues of concern to the Mayor.

8. Adjournment

## Appendix 6

### ANNUAL DISCLOSURE STATEMENT

Murray City Recorder's Office  
5025 South State Street, #113  
Murray, Utah 84107

I, \_\_\_\_\_, being first sworn, hereby disclose as follows:

1. I reside at: \_\_\_\_\_.

2. I was elected/appointed as a Member of the: \_\_\_\_\_.

or: Not Applicable \_\_\_\_\_

3. I am an officer, director, agent, employee, or owner of a substantial interest in the following business entity or entities:

1. Name of business entity: \_\_\_\_\_

2. Position Held: \_\_\_\_\_

3. Nature and value of interest: \_\_\_\_\_

or: Not Applicable \_\_\_\_\_

*\*Note: This disclosure requirement does not apply to instances where the total value of the interest does not exceed \$2,000. Life insurance policies and annuities shall not be considered in determining the value of any such interest. This statement is to be filed on first becoming a public officer, annually updated, and again if the position or value of interest in the business entity significantly changes.*

4. I have solicited, received or have agreed to receive, for myself or another, compensation, loans or gifts, directly or indirectly, from the following persons or business entities:

A. Name of person or entity providing compensation, loans, etc.:

\_\_\_\_\_

B. Brief description of gift, loan or other compensation transaction:

\_\_\_\_\_

or: Not Applicable \_\_\_\_\_

*\*NOTE: This disclosure requirement does not apply to an occasional non-pecuniary gift of a value less than \$50.00, a public award of recognition for public service, bona fide loans from commercial lenders, or political contributions.*

5. I have participated in or received or have agreed to receive compensation

1. In respect to a transaction between state agencies and a business entity as to which I am an officer, director, or employee; or own a substantial interest, or
2. For assisting persons or business entities in transactions involving state agencies, as follows:

- A. Name of Agency: \_\_\_\_\_
- B. Name of person or business entity involved: \_\_\_\_\_
- C. Brief description of the transaction and nature of service performed or to be performed: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

or: Not Applicable \_\_\_\_\_

*\*NOTE: This disclosure statement is required to be filed for each transaction or continuing transactions with an agency. It should be filed with the Murray City Recorder's Office within ten days after the date of any agreement or receipt of compensation, whichever comes first.*

Please list any additional interests that you may have, that may be perceived as a conflict of interest with your City duties and responsibilities: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dated this \_\_\_\_\_ of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

State of Utah  
County of \_\_\_\_\_

SUBSCRIBED and SWORN to before me, this \_\_\_\_\_ day of  
§ \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Residing at: \_\_\_\_\_

## Appendix 7

### Open and Public Meetings Act\*

Title 52, Chapter 4, Utah Code

#### Training

“The presiding officer of the public body shall ensure that the members of the public body are provided with annual training on the requirements of this chapter.”

Source: Section 52-4-104 Utah Code

#### Purpose

State agencies and political subdivision:

- Exist to aid in the conduct of the people’s business
- Must take their actions openly
- Must conduct their deliberations openly

Source: Section 52-4-102 Utah Code

#### Key Definitions

Meeting = the convening of a public body

- With a quorum present
- To discuss, receive comments, or act on a matter over which it has jurisdiction or advisory power

Convening= calling of a meeting of a public body,

- By an authorized person
- To discuss a subject over which it has jurisdiction or advisory power

Public Body=any administrative, advisory, executive, or legislative body that:

- Is created by the Utah Constitution, statute, rule, ordinance, or resolution;
- Consists of two or more persons;
- Expendes, disburses, or is supported in whole or in part by tax revenue; and
- Is vested with the authority to make decisions regarding the public’s business.

Meeting≠

- A chance meeting
- A social meeting or
- A convening solely for discussion implementation of administrative or operational matters if:
  - No formal action is taken or
  - The matters would not come before the body for discussion or action

Public Body≠

- Political party, political group or political caucus or
- Conference committee, rules committee, or sifting committee of the Legislature

Source: Section 52-4-103 Utah Code

## **Meetings are Open**

Meetings are open to the public unless closed in accordance with the act.

Open Meetings include:

- Regular meetings
- Special meetings
- Workshops
- Executive sessions
- Site visits
- Traveling tours

## **Closed Meetings**

Closed meetings have specific restrictions:

- A closed meeting may be held if:
  - A quorum is present
  - Two thirds of the members present vote, at an open meeting, to approve closing the meeting
- The reasons and location of the closed meeting shall be announced and entered into the minutes of the open meeting
- Only certain matters may be discussed in a closed meeting

Permitted Purposes for a closed meeting:

- Discussion of the character, competence or health of an individual
- Strategy sessions for:
  - Collective bargaining
  - Pending or imminent litigation
  - Purchase, exchange, or lease of real property
  - Sale of real property
- Discussion of security
- Investigations regarding allegations of criminal conduct
- Discussion by a county legislative body of certain commercial taxpayer information

Source: Section 52-4-204 Utah Code

## **Public Notice**

A body shall not give less than 24 hours public notice of each meeting

- The public notice must include:
  - The agenda (providing reasonable specificity to notify the public as to the topics to be considered – list as agenda items)
  - The date, time, and place
- The public notice must be:
  - Posted at the principal office of the public body, or if none exists, at the building where the meeting is to be held

- Posted on the Utah Public Notice Website (with exceptions for certain small entities)
- Provided to:
  - At least one newspaper of general circulation within the jurisdiction; or
  - A local media correspondent
- Public notice of an annual meeting schedule must be provided if the public body holds regular meetings

Source: Section 52-4-202, 63F-1-701 Utah Code

### Topics Not Listed on the Agenda

A topic raised by the public may be discussed during an open meeting, but the public body may not take final action on the topic at the meeting, unless it is an emergency meeting.

Source: Section 52-4-202 Utah Code

### Minutes and Recordings

- Open Meetings:
  - Written minutes and a recording shall be kept of all open meetings, except a recording is not required to be kept of:
    - A site visit if no action is taken; and
    - A meeting of a small local district (\$50,000 budget or less)
- Closed Meetings:
  - A recording must be made of the closed meeting, unless:
    - The closed meeting is exclusively for:
      - Discussion of the character, competence or health of an individual; or
    - The person presiding signs a sworn statement that the closed meeting was solely for the purposes outlined above.
- For Open Meetings, the written minutes are the official record of action taken and must include:
  - The date, time, place and names of all members present and absent
  - The substance of all matters discussed which may include a summary of comments made by the members
  - A record of each vote of each member
  - The name of each person who, after being recognized, provided comments and the substance in brief of each person's comments
  - Other information that is a record of the proceedings that a member requests to be entered in the minutes.
- A recording shall be complete and unedited from start to finish of the meeting open or closed and be properly labeled.
- For Closed Meetings, the recording and any minutes must include:
  - The date, time, and place and names of all members present and absent
  - The names of all other present except where the disclosure would infringe on necessary confidentiality to fulfill the purpose of the closed meeting

- Written minutes and recordings of open meetings are public records under GRAMA.
- A public body must establish procedures for approval of written minutes
- Written minutes prepared in a form awaiting only formal approval are a public record
- Written minutes shall be available with a reasonable time after the meeting
- A recording of an open meeting shall be available to the public for listening within three business days after the meeting
- Closed meetings minutes and recordings are protected records under GRAMA

Source: Section 52-4-203, 52-4-206 Utah Code

## Emergency Meetings

- An emergency meeting may not be held unless:
  - An attempt has been made to notify all members of the public body; and
  - A majority of the members vote to approve the meeting
- The 24 hour public notice requirements may be disregarded if:
  - Unforeseen circumstances cause a need to hold an emergency meeting to consider emergency or urgent matters; and
  - The best notice practicable is given of the time, place and topics to be considered

Source: Section 52-4-202 Utah Code

## Electronic Meetings

A public body may not hold an electronic meeting unless it has adopted procedures for conducting it.

- “Electronic meeting means a public meeting convened or conducted by means of a conference using electronic communications”
- Adopted procedures may include consideration of budget, logistics, presence of a quorum at an anchor location, vote to establish an electronic meeting, notice requirements, etc.

Source: Section 52-4-103, 52-4-207 Utah Code

## Penalties

The attorney general and the county attorneys shall enforce this chapter.

- Any final action taken in violation of the act is voidable by a court
  - A suit to void a final action must be commenced within 90 after the action (30 days for bonding instruments)
- A closed meeting violation is a class B misdemeanor
- If closed meeting is challenged, a court shall review the recording or minutes (in private) and determine whether a violation occurred

- o If the judge determines a violation occurred, the judge shall publicly disclose all information about the portion of the meeting that was illegally closed

Source: Section 52-4-302, 52-4-303, 52-4-304, 52-4-305 Utah Code

\*This briefing is provided for the convenience of the Legislature, other public bodies, and citizens. Users should consult the Utah Code for definitive provisions of the Open and Public Meetings Act. Produced by the Office of Legislative Research and General Counsel.

# DRAFT

## Appendix 8

### Murray City Council Travel Policy

The Council currently budgets for travel expenses by requesting each Council member to declare at the beginning of the budget process which, if any of the following conferences they wish to attend:

- Utah League of Cities and Towns, Annual & Mid-Year Conferences (SLC, St. George)
- National League of Cities; Washington, D.C.
- National League of Cities; location rotates

Based on the travel requests from Council Members, staff will submit cost estimates for the Council Office travel budget.

Council travel is generally related, but not limited to, education, municipal responsibilities or programs, marketing and public relations, e.g., policy committees, best practices, lobbying, and site visits.

Members may decide to attend other conferences or activities related to City business.

However, travel outside the approved list above will not be paid for from the Council office travel budget unless approved by a majority of the Council. Often travel related to City matters will be sponsored by another Department. Travel sponsored by another Department is subject to that Department's travel budget restraints and administrative travel policies and will be rotated among Council members. Council members traveling under these circumstances shall report to the Committee of the Whole following their return.

Only one City Council member to be approved for City related business travel during the time of a scheduled City Council meeting.

Because the Council is committed to a well-trained professional staff, the Council budgets for one conference approximately every year per professional staff person within existing budgetary constraints, and as work schedules allow and with approval of the Executive Director.

Travel arrangements: All travel arrangement will be completed by Council Staff.

#### Hotel Use

An individual room will be provided for each Council member. A reasonable rate will be obtained based on what options are available, the location in relation to vis-à-vis the conference sessions, availability, and safety. Unless otherwise requested, every effort will be made to house Council members in the same hotel for ease of coordinating and communicating conference logistics. Room telephone expenses will be reimbursed as they relate to City business only.

No additional room expenses (such as edibles from a mini-bar, movies, room service, etc.) will be reimbursed. Hotel nights beyond those necessary for a conference or activity (e.g., travel day and during conference) will be paid by the individual Council member. This may be done when leaving the hotel or may be reimbursed to the City by the individual Council member within 10 days following the return from the trip. Any exceptions must be approved by the City Council as a whole.

#### Airline Travel

Council members are expected to travel the most direct route taking into account the Council members other obligations to work, family, etc. If a Council member or staff is bumped from their travel plans by the airline company for any reason, the City will pay for the extra expenses beyond that paid by the airline. To get reimbursement, expense receipts will need to be presented with a reimbursement request. The City will pay full coach airfare or mileage at a maximum of the rate allowed by IRS regulations. Mileage reimbursement is not to exceed the average cost of airfare available between the hours of 6 am and 6 pm. The cost savings will be taken into consideration if a rental car is required. Parking of private vehicle at a parking lot at or near the airport or train station, when a personal vehicle is used to get to that transportation facility, will be reimbursed by the City. If a Council member travels to an additional destination route or leaving the City of business, that Council member will reimburse the City for any additional costs.

Overnight stays at conferences or locations near Murray City may be paid for when: there is a cost savings to the City, it is more effective for City purposes, the opportunity leads to other City-related experiences, other responsibilities of the Council member are fulfilled, or the Council directs the

individual Council member to represent them at particular meetings/events/purpose.

#### Per Diem

Per Diem will be paid at the City's federally authorized rate for the City size in which the conference, convention, or meeting is located.

#### Vehicle Rental

The Council may rent a car when: Taking ground transportation is more expensive than the car rental (in such cases, the Council will car pool as much as possible to cut costs), geographical location makes getting around very difficult, City officials have an opportunity to tour projects in order to review how other cities handle similar City issues, lobby legislators, or conduct other city-related business.

#### Proper Documentation for Reimbursement

A vehicle rental receipt must be submitted if reimbursement is requested. Parking fees and tolls also will be reimbursed when receipts are presented. Special circumstances will be approved by the City Council as a whole.

#### Ground Transportation

The City provides money to cover ground transportation while traveling (e.g., taxis, buses) to and from City-related business while on a trip. The Council Chair and Staff will coordinate the ground transportation when the Council travels as a group. These funds are not to be used to travel to or from social and entertainment activities, unless City related.

#### Mileage Reimbursement

For use of personal vehicle for Council members or staff who do not receive a monthly vehicle allowance, the City will pay mileage at the maximum rate allowed by the IRS unless the mileage rate exceeds the average cost of airfare between the hours of 6 a.m. and 6 p.m. in which the most cost effective amount will be reimbursed. For use of personal vehicle for Council members or staff who do receive a monthly vehicle allowance, all travel within a fifty (50) mile radius to and from the Murray City limits shall be considered covered by any

vehicle allowance. Only miles traveled beyond the fifty (50) mile radius to and from the Murray City limits will be compensated at the rate authorized by the IRS. Mileage reimbursement is not to exceed the average cost of airfare available between the hours of 6 a.m. and 6 p.m., in which the most cost effective amount will be reimbursed.

The Council will not approve reimbursement for trips taken within a 50-mile radius of Murray City unless the Council member has obtained prior approval of the City Council.

An exception to this provision would be when attending conferences in Salt Lake City approved by the City Council. In this case, it is expected that Council members pay mileage to and from Salt Lake City, and the City will pay for parking costs incurred at the conference, if necessary.

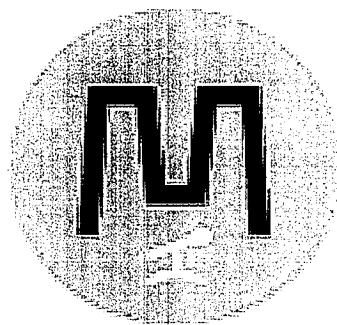
#### Reimbursement for books and tapes

The City will reimburse Council members or staff for tapes and books related to Council issues and local government responsibilities. In order to be reimbursed, an individual must submit a receipt to the Council staff. Once the Council member is through reading the materials, the materials will be housed in the Council Office for the use by others.

If a Council member returns from a conference and would like tapes and books ordered, they should request Council Staff to acquire the materials.

#### Submission of travel reimbursement forms.

The Council will follow adopted City policies regarding travel, per diem, reimbursements, etc. The reimbursement forms and receipts must be submitted within 10 days of returning from any travel.



**MURRAY**  
CITY COUNCIL

# Discussion Item #3

# Murray City Municipal Council

## Request for Council Action

**INSTRUCTIONS:** The City Council considers new business items in Council meeting. All new business items for the Council must be submitted to the Council office, Room, 112, no later than 5:00 p.m. on the Wednesday two weeks before the Council meeting in which they are to be considered. This form must accompany all such business items. If you need additional space for any item below, attach additional pages with corresponding number and label.

---

**1. TITLE:** (Similar wording will be used on the Council meeting agenda.)  
**STRATEGIC PLAN COMMITTEE MEMBERSHIP**

---

**2. KEY PERFORMANCE AREA:** (Please explain how request relates to Strategic Plan Key Performance Areas.)  
Financially Sustainable; Welcome and Thriving Business Climate; Responsive and Efficient City Services; Sub-committee on Employee Compensation; Engaged and Informed Residents; Well Maintained, Planned and Protected Infrastructure; Safe and Healthy Neighborhoods; Vibrant Parks, Recreation and Cultural Amenities.

---

**3. MEETING, DATE & ACTION:** (Check all that apply)

Council Meeting OR  Committee of the Whole

Date requested May 22, 2012 June 5, 2012

Discussion Only

Ordinance (attach copy)

Has the Attorney reviewed the attached copy?

Resolution (attach copy)

Has the Attorney reviewed the attached copy?

Public Hearing (attach copy of legal notice)

Has the Attorney reviewed the attached copy?

Appeal (explain) \_\_\_\_\_

Other (explain) \_\_\_\_\_

---

**4. FUNDING:** (Explain budget impact of proposal, including amount and source of funds.)

---

**5. RELATED DOCUMENTS:** (Attach and describe all accompanying exhibits, minutes, maps, plats, etc.)  
Committees for action plans and related tasks as identified in the Strategic Plan retreats.

---

**6. REQUESTOR:**

Name: Jim Brass

Title: Council Chair

Presenter: Jim Brass

Title: Council Chair

Agency: Murray City Council

Phone:

Date: May 10, 2012

Time:

---

**7. APPROVALS:** (If submitted by City personnel, the following signatures indicate, the proposal has been reviewed and approved by Department Director, all preparatory steps have been completed, and the item is ready for Council action)

Department Director: \_\_\_\_\_ Date: \_\_\_\_\_

Mayor: N/A Date: \_\_\_\_\_

---

**8. COUNCIL STAFF:** (For Council use only)

Number of pages: \_\_\_\_\_ Received by: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Recommendation: \_\_\_\_\_

---

**9. NOTES:**

## Committees for action plans on the Strategic Plan

April 2012

Seven Areas of Focus	Chair	Possible Participants	Initiative Priorities	Timing
Financial Sustainable CIP	Justin	Council, residents, staff Financial Advisor		
Welcome and Thriving Business Climate	Tim	Council, staff, business representative, chamber		
Responsive and Efficient City Services	Jan	“City Services Review Team” Staff, Council, residents		
Sub- Committee to Services Employee Compensation and Resource Options	Mike T.	Benefits Committee		
Engaged and Informed Residents	Zach	Staff PIO’s, community outreach, Council		
Well Maintained, Planned and Protected Infrastructure	Brett H.	CIP Committee		
Safe and Healthy Neighborhoods	Tim	Staff, Council, housing groups		
Vibrant Parks, Recreation and Cultural Amenities	Doug H.	Contingent on funding Parks Master Plan update		

Committee to coordinate Best Practice Recommendations from the Strategic Plan:

Mike Wagstaff, Chair; Jan Wells, Vice Chair, include Council, staff, others

## Financially Sustainable

**Initiative:** Diversify City revenue sources

**Desired Outcome:**

- Improved fiscal stability

Tasks	Priority	Timeline
<ul style="list-style-type: none"><li>• Investigate alternative revenue sources<ul style="list-style-type: none"><li>◦ Identify options</li><li>◦ Asses where we are</li><li>◦ Benchmark against other communities</li></ul></li></ul>		
<ul style="list-style-type: none"><li>• Evaluate fees and In Lieu of Tax transfers<ul style="list-style-type: none"><li>◦ Residential</li><li>◦ Interdepartmental</li><li>◦ Non-profits</li></ul></li></ul>		
<ul style="list-style-type: none"><li>• Review County and State policies and procedures affecting values in the City</li></ul>		
<ul style="list-style-type: none"><li>• Develop five year plan to diversify<ul style="list-style-type: none"><li>◦ Set incremental annual targets</li></ul></li></ul>		

## Welcoming and Thriving Business Climate

**Initiative:** Develop a comprehensive economic development policy and incentive plan

### **Desired Outcome:**

- Clearly defined economic development goals
- Increased development activity
- Increased and diversified tax base

Tasks	Priority	Timeline
<ul style="list-style-type: none"><li>• Evaluate existing policies<ul style="list-style-type: none"><li>◦ Benchmark with neighbors and more broadly (Out of State?)</li></ul></li></ul>		
<ul style="list-style-type: none"><li>• Collaborate with others<ul style="list-style-type: none"><li>◦ Chamber of Commerce</li><li>◦ Large Businesses</li><li>◦ Intermountain Medical Center</li><li>◦ UTOPIA</li><li>◦ Other large groups</li></ul></li></ul>		
<ul style="list-style-type: none"><li>• Establish a process and parameters regarding incentive options</li></ul>		
<ul style="list-style-type: none"><li>• Develop a marketing plan, assess opportunities, identify target markets</li></ul>		
<ul style="list-style-type: none"><li>• Draft plan with collaborative effort 5-10 years</li></ul>		

**Initiative:** Pursue aggressively the creation of a vibrant and sustainable Murray City downtown

**Desired Outcome:**

- Increased tax base
- Increased job creation

Tasks	Priority	Timeline
<ul style="list-style-type: none"><li>• Actively and aggressively market downtown<ul style="list-style-type: none"><li>○ Cooperate on extended marketing</li></ul></li></ul>		
<ul style="list-style-type: none"><li>• Pursue cluster developments</li></ul>		
<ul style="list-style-type: none"><li>• Define redevelopment agency incentive options for developers</li></ul>		
<ul style="list-style-type: none"><li>• Pursue transportation investments<ul style="list-style-type: none"><li>○ City</li><li>○ External</li></ul></li></ul>		
<ul style="list-style-type: none"><li>• Develop relationships with developers (Mayor, Council, Staff)<ul style="list-style-type: none"><li>○ Assist in developing relationships</li></ul></li></ul>		
<ul style="list-style-type: none"><li>• Actively talk to existing businesses to keep them here-retention effort</li></ul>		
<ul style="list-style-type: none"><li>• Invest in public facilities downtown</li></ul>		
<ul style="list-style-type: none"><li>• Promote establishment of Business Improvement District for downtown</li></ul>		

## **Responsive and Efficient City Services**

**Initiative:** Develop a performance management system and perform a City services review

### **Desired Outcome:**

- Improved efficiency and effectiveness of City operations
- Identified best practices and industry standards appropriate for implantation in Murray City

<b>Tasks</b>	<b>Priority</b>	<b>Timeline</b>
• Appoint a City Services Review team		
• Identify initial priorities and for studies		
• Develop a process for routinely reviewing city services		
• Identify goals of each study		
• Hire outside consultant/expert in the field		
• Conduct study		
• Identify who to involve in study (department heads, staff, customers, stakeholders)		
• Present recommendation to City Service Review Team, then full Council		

**Initiative:** Develop an internal communication plan

**Desired Outcome:**

- Clear communication between administration and staff

Tasks	Priority	Timeline
<ul style="list-style-type: none"><li>• Utilize Council-Administration meetings<ul style="list-style-type: none"><li>◦ Chief of Staff and Executive Director meet</li><li>◦ to agree on agenda items<ul style="list-style-type: none"><li>· Share agenda with Council/all</li></ul></li></ul></li></ul>		
<ul style="list-style-type: none"><li>• Continue annual employee meetings with Mayor at budget time</li></ul>		
<ul style="list-style-type: none"><li>• Survey Employees</li></ul>		
<ul style="list-style-type: none"><li>• Direct department heads to develop internal communication plans</li></ul>		

**Initiative:** Evaluate employee compensation and resource options

**Desired Outcome:**

- Successful recruitments and retention of employees
- Reward employee performance

Tasks	Priority	Timeline
<ul style="list-style-type: none"><li>• Identify employee satisfiers</li></ul>		
<ul style="list-style-type: none"><li>• Review compensation package as a whole</li></ul>		
<ul style="list-style-type: none"><li>• Compare compensation with peer jurisdictions</li></ul>		
<ul style="list-style-type: none"><li>• Determine pay and benefits philosophy</li></ul>		

## Engaged and Informed Residents

**Initiative:** Develop a comprehensive external communications plan

**Desired Outcome:**

- Clear channels of communication between the City and its residents
- Engaged and informed residents

Tasks	Priority	Timeline
• Conduct a SWOT analysis of existing communication tools between the City and residents		
• Determine communication goals		
• Interview key stakeholders		
• Define audiences		
• Identify key messages <ul style="list-style-type: none"><li>○ Develop communication strategies and associated action plans</li></ul>		

## Well Maintained, Planned and Protected Infrastructure

**Initiative:** Develop a comprehensive Capital Improvement Program

**Desired Outcome:**

- Improved maintenance of existing infrastructure
- Prioritized plan for new capital expenditures and investments

Tasks	Priority	Timeline
• Identify CIP funding source		
• Establish policy and procedure		
• Establish CIP Committee <ul style="list-style-type: none"><li>◦ Finalize Application process</li></ul>		
• Inventory assets and conditions		
• Establish inventory of projects/needs		
• Establish infrastructure schedules/policy <ul style="list-style-type: none"><li>◦ Vehicles</li><li>◦ Streets</li><li>◦ Parks and Rec</li><li>◦ IT</li></ul>		
• Implement the process		
• Get community buy-in		

## Vibrant Parks, Recreation and Cultural Amenities

**Initiative:** Develop a parks, recreation and cultural amenities master plan

### **Desired Outcome:**

- Master plan adopted by Council
- Receive citizen input in the process

Tasks	Priority	Timeline
• Issue RFP for master plan consultant		
• Conduct a city survey/input mechanism		
• Encourage public input-utilize Parks Board, recreation participants		
• Prioritize programming and space use for a 10 year plan		
• Recommend funding in the CIP		

# Adjournment

# Council Meeting

6:30 p.m.  
Call to Order

Opening Ceremonies:

Pledge of Allegiance

# Special Recognition #1

# Murray City Municipal Council

## Request for Council Action

**INSTRUCTIONS:** The City Council considers new business items in Council meeting. All new business items for the Council must be submitted to the Council office, Room, 112, no later than 5:00 p.m. on the Wednesday two weeks before the Council meeting in which they are to be considered. This form must accompany all such business items. If you need additional space for any item below, attach additional pages with corresponding number and label.

**1. TITLE:** (Similar wording will be used on the Council meeting agenda.)

PRESENTATION OF HERITAGE STEWARDSHIP AWARDS

**2. KEY PERFORMANCE AREA:** (Please explain how request relates to Strategic Plan Key Performance Areas.)

VIBRANT PARKS, RECREATION, AND CULTURAL AMENITIES

**3. MEETING, DATE & ACTION:** (Check all that apply)

Council Meeting OR  Committee of the Whole

Date requested JUNE 5, 2012

Discussion Only

Ordinance (attach copy)

Has the Attorney reviewed the attached copy? \_\_\_\_\_

Resolution (attach copy)

Has the Attorney reviewed the attached copy? \_\_\_\_\_

Public Hearing (attach copy of legal notice)

Has the Attorney reviewed the attached copy? \_\_\_\_\_

Appeal (explain) \_\_\_\_\_

Other (explain) SPECIAL RECOGNITION

**4. FUNDING:** (Explain budget impact of proposal, including amount and source of funds.)

N/A

**5. RELATED DOCUMENTS:** (Attach and describe all accompanying exhibits, minutes, maps, plats, etc.)

MEMO

**6. REQUESTOR:**

Name: DOUG HILL Title: PUBLIC SERVICES DIRECTOR

Presenter: MARY ANN KIRK Title: CULTURAL PROGRAMS MGR.

Agency: MURRAY CITY Phone: 801-270-2404

Date: MAY 21, 2012 Time: \_\_\_\_\_

**7. APPROVALS:** (If submitted by City personnel, the following signatures indicate, the proposal has been reviewed and approved by Department Director, all preparatory steps have been completed, and the item is ready for Council action)

Department Director: Doug Hill Date: 5/21/12

Mayor: Daniel C. Smarr Date: 5/23/12

**8. COUNCIL STAFF:** (For Council use only)

Number of pages: \_\_\_\_\_ Received by: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Recommendation: \_\_\_\_\_

**9. NOTES:**

February 24, 2012



# MEMO

**To:** Mayor Daniel C. Snarr  
**From:** Doug Hill, Public Services Director  
**Cc:** Jan Wells, Chief of Staff  
Mary Ann Kirk, Cultural Programs Manager  
**Date:** May 21, 2012  
**Subject:** Heritage Stewardship Awards

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As part of Historic Preservation Month in May, the Murray History Advisory Board has selected the following homes and individuals for Heritage Stewardship Awards in Murray's downtown historic residential district.

- 4948 S Wasatch Street, owners Steven and Julie West
- 4901 S Atwood Street, owner Jodi Shumway
- 244 E 4800 South, owner Mark Grant
- 205 E Vine, owner C. Thomas Barnard

I am requesting time at a City Council meeting so that these awards can be presented.

# Citizen Comments

Limited to three minutes, unless otherwise approved by the Council.

# Consent Agenda

# Murray City Municipal Council

## Request for Council Action

**INSTRUCTIONS:** The City Council considers new business items each Tuesday in Council meeting. All new business items for the Council must be submitted to the Council office, Room, 107, no later than 5:00 p.m. on the Tuesday one week before the Council meeting in which they are to be considered. This form must accompany all such business items. If you need additional space for any item below, attach additional pages.

**1. TITLE:** (State how it is to be listed on the agenda)

Consider confirmation of the Mayor's **reappointment of Preston Olsen to the Murray Board of Adjustment in an At-Large position while residing in District 2 to a second five year term effective this past April 2<sup>nd</sup> 2012 to April 2<sup>nd</sup> 2017**

**2. ACTION REQUESTED:** (Check all that apply)

Discussion Only  
 Ordinance (attach copy) Has the Attorney reviewed the attached copy?   
 Resolution (attach copy) Has the Attorney reviewed the attached copy?   
 Public Hearing (attach copy of legal notice) Has the Attorney reviewed the attached copy?   
 Appeal (explain) \_\_\_\_\_  
 Other (explain) Consent Calendar

**3. WHEN REQUESTED:** (Explain when action on this proposal is needed by and why)

May 22<sup>nd</sup> 2012  
June 5

**4. FUNDING:** (Explain budget impact of proposal, including amount and source of funds.)

None

**5. RELATED DOCUMENTS:** (Describe all minutes, exhibits, maps, plats, etc., accompanying this proposal and whether or not each is attached)

Resume attached

**6. REQUESTOR:**

Name: Ray Christensen Title: Sr. Planner  
Presenter: Dan Snarr Title: Mayor  
Agency: COMM-ED Division Phone: 270-2422  
Date: May 9<sup>th</sup> 2012 Time: \_\_\_\_\_

**7. APPROVALS:** (If submitted by city personnel, the following signatures are required, and indicate (1) each has reviewed and approved the proposal, (2) all preparatory steps have been completed, and (3) the item is ready for Council action)

Head of Department: Tim Tingey Date: May 9<sup>th</sup> 2012

Mayor: Daniel C. Snarr Date: May 9<sup>th</sup> 2012

**8. COUNCIL STAFF:** (For Council use only)

Number of pages \_\_\_\_\_ Number of copies submitted \_\_\_\_\_  
Received by: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Recommendation: \_\_\_\_\_

**9. NOTES:**

Preston Olsen will continue serving on the Board of Adjustment effective **April 2<sup>nd</sup> 2012** through **April 2<sup>nd</sup> 2017**

# Ballard Spahr



**Preston F. Olsen**  
*Associate*

OLSEN.P@BALLARDSPAHR.COM  
TEL 801.531.3077  
FAX 801.531.3001  
SALT LAKE CITY

---

**PRACTICE AREAS**

Public Finance, Housing, Transactional Finance

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**BACKGROUND & EXPERIENCE**

Preston Olsen is an associate in the Public Finance Department and a member of the Housing and Transactional Finance Groups. His practice is concentrated in the area of single-family and multifamily housing finance.

**Representative Matters**

- Represents the Utah Housing Corporation as bond counsel for its single-family and multifamily housing finance programs
- Represents Barclays Capital Inc. as underwriter's counsel for its single-family housing finance program in Idaho
- Represents the State Charter School Finance Authority in Utah as bond counsel
- Represents AIG Retirement Services, Inc., in its multifamily housing bond program and

- securitization program
- Works with Freddie Mac on several of its tax-exempt bond securitizations
- Represents Idaho Housing and Finance Association as bond counsel for its GARVEE bond program

---

**EDUCATION**

University of Chicago Law School (J.D. 2003)

Brigham Young University (B.A. 2000)

**Languages**

Portuguese

**ADMISSIONS**

New York 2003

Utah 2006

# Public Hearing #1

# Murray City Corporation

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 5<sup>th</sup> day of June, 2012, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will hold and conduct a Public Hearing on and pertaining to the consideration of a zoning ordinance amendment allowing distilling/manufacturing of alcoholic beverages as a use in the M-G-C (Manufacturing General) zone and classifying said use as a conditional use.

The purpose of this public hearing is to receive public comment concerning the proposed zoning ordinance amendment as described above.

DATED this 22<sup>nd</sup> day of May, 2012.

MURRAY CITY CORPORATION

  
\_\_\_\_\_  
Jennifer Kennedy  
City Recorder

DATE OF PUBLICATION: May 25, 2012  
PH 12-11

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTION 17.152.030 OF THE MURRAY CITY MUNICIPAL CODE RELATING TO CONDITIONAL USES IN THE MANUFACTURING GENERAL ZONE (M-G-C). (Cory Ellsworth & Matthew Perry.)

BE IT ENACTED BY THE MURRAY CITY MUNICIPAL COUNCIL:

*Section 1. Purpose.* The purpose of this ordinance is to amend Section 17.152.030 of the Murray City Municipal Code relating to conditional uses in the Manufacturing General Zone.

*Section 2. Amendment to Section 17.152.030 of the Murray City Municipal Code.* Section 17.152.030 of the Murray City Municipal Code shall be amended to read as follows:

**17.152.030: CONDITIONAL USES:**

The following uses and structures are permitted in the M-G zone only after a conditional use permit has been approved by the planning commission and subject to the terms and conditions thereof:

Use No. Use Classification

...

2181	Malt liquors and extracts (including beer and near beer).
2182	Malt, barley, rye, wheat, and corn byproducts. (Includes whiskey, Bourbon, rye, scotch and corn liquors.)
2183	Wine, brandy, and brandy spirits.
2184	Distilling, rectifying, and blending liquors, except brandy.

...

*Section 3. Effective Date.* This Ordinance shall take effect upon the first publication and filing of copy thereof in the office of the City Recorder of Murray City, Utah.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on  
this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

MURRAY CITY MUNICIPAL COUNCIL

---

James A. Brass, Chair

ATTEST:

---

City Recorder

Transmitted to the Office of the Mayor of Murray City on this \_\_\_\_\_ day of  
\_\_\_\_\_, 2012.

MAYOR'S ACTION:

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

---

Daniel C. Snarr, Mayor

ATTEST:

---

City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance was published according to law on the \_\_\_\_\_  
day of \_\_\_\_\_, 2012.

---

4. Comply with the requirements of the City Engineer, including the following:
  - A. Meet City lot split subdivision standards.
  - B. Provide a lot split plat with standard easements and signature blocks for recording at Salt Lake County.
  - C. Provide utility, drainage and grading plans.
  - D. Repair or replace any damaged sidewalk or curb and gutter on 5300 South street frontage.
5. Comply with applicable subdivision and flag lot zoning regulations.
6. The applicant shall provide a scaled drawing to show the new drive access, the existing dwelling and new dwelling location on the lots and removal of the stair at the east side of the house. The rear lot line behind the existing dwelling and garage shall meet required rear yard setback.
7. The driveway on the east side of the house shall be a minimum 20 ft. wide. The installation of the 20 ft. wide driveway will require the removal of the concrete stair at the east side of the house and the door will need to be closed off to meet building code requirements.

Mr. Buchert seconded the motion.

Call vote recorded by Chad Wilkinson.

A Jim Harland  
A Karen Daniels  
A Phil Markham  
A Martin Buchert  
A Ray Black

Motion passed, 5-0.

The meeting was opened for Public Hearing the following items:

LAND USE ORDINANCE TEXT AMENDMENT – Allow Manufacturing Alcoholic Beverages as a Conditional Use in the M-G-C Zone (Applicants: Matthew Perry & Cory Ellsworth) – Project #12-29

Cory Ellsworth was the applicant present to represent this request. Joshua Beach reviewed the request for an ordinance text amendment to add land use 2181, 2182, 2183, and 2184 alcoholic beverage distilling/manufacturing as a conditional use in the M-G-C zoning district. The zoning ordinance currently does not allow for alcohol distilling/manufacturing in the M-G-C zone. The Murray City Standard Land Use Code does include a category of land uses under the headings of "2180: Beverage" related to the distilling/manufacturing of alcoholic beverages. Under the heading 2180, there are a number of land use codes (2181, 2182, 2183, and 2184) that deal with the distilling/manufacturing of alcoholic beverages. The applicant has requested to include this category as a conditional use in order to provide alcoholic beverage

Planning Commission Meeting

March 15, 2012

Page 8

distilling/manufacturing opportunities in the city of Murray. Since the use is not allowed in the M-G-C zoning district, the City is unable to issue a business license. Mr. Beach explained that it is unclear why alcoholic beverage distilling/manufacturing was not included as an allowed or conditional use in the M-G-C zone when the code was originally adopted other than the obvious concerns related to health, safety, and welfare of residents located near an alcohol distilling/manufacturing facility. In addition, requiring a conditional use permit review by the Planning Commission will provide additional scrutiny of individual business operations. With the change to the request recommended by staff, the amendment is consistent with the Goals and Policies of "Chapter 8: Economic Development" of the General Plan. Specific goals and policies contained in Chapter 8 that are addressed by the proposed amendment include:

- Goal: To attract new businesses to Murray City
- Goal: Expand the types of businesses available in Murray City

Mr. Markham made mention that the language on land use 2180 except brandy, in 2183 it states; wine, brandy and brandy spirits, 2184 states; distilling and rectifying and blending liquors except brandy. Mr. Buchert stated that it may be due to the carbohydrates source where one uses grain and the other uses fruit inputs. Mr. Beach did not have a definitive answer for that question.

Cory Ellsworth, 4350 South 500 West, stated that distilling is more of a long term goal. They will not be distilling anytime soon and that process would most likely take place in a different city. Upon the approval of this Ordinance Text Amendment they plan on bringing in the alcohol, diluting, labeling, bottling and distributing to the DABC.

The meeting was opened for public comment. No comments were made by the public.

Ms. Daniels made a motion to forward a recommendation of approval to the City Council for the requested ordinance text amendment. The amendment would provide the ability of businesses that fall under land use codes 2181, 2182, 2183 and 2184 the opportunity to obtain a Conditional Use Permit and to locate their business in the city of Murray. Mr. Black seconded the motion.

Call vote recorded by Chad Wilkinson.

A        Jim Harland  
A        Karen Daniels  
A        Phil Markham  
A        Martin Buchert  
A        Ray Black

Motion passed, 5-0.

TO: Murray City Planning Commission  
FROM: Murray City Community & Economic Development Staff

DATE OF REPORT: March 9, 2012

DATE OF HEARING: March 15, 2012

PROJECT NAME: Alcoholic Beverage Distillery Amendment

PROJECT NUMBER: 12-29

PROJECT TYPE: Ordinance Text Amendment

APPLICANT: Matthew Perry & Cory Ellsworth

ZONE: M-G-C

**I. REQUEST:**

The applicant is requesting an ordinance text amendment to add land use 2181, 2182, 2183, and 2184 alcoholic beverage distilling/manufacturing as a conditional use in the M-G-C zoning district.

**II. DISCUSSION**

The zoning ordinance currently does not allow for alcohol distilling/manufacturing in the M-G-C zone. The Murray City Standard Land Use Code does include a category of land uses under the headings of "2180: Beverage" related to the distilling/manufacturing of alcoholic beverages. Under the heading 2180, there are a number of land use codes (2181, 2182, 2183, and 2184 that deal with the distilling/manufacturing of alcoholic beverages. **(See the attached Page 17 from the Standard Land Use Code)**. The applicant has requested to include this category as a conditional use in order to provide alcoholic beverage distilling/manufacturing opportunities in the city of Murray. Since the use is not allowed in the M-G-C zoning district, the City is unable to issue a business license.

It is unclear why alcoholic beverage distilling/manufacturing was not included as an allowed or conditional use in the M-G-C zone when the code was originally adopted other than the obvious concerns related to health, safety, and welfare of residents located near an alcohol distilling/manufacturing facility.

In addition, requiring a conditional use permit review by the Planning Commission will provide additional scrutiny of individual business operations.

With the change to the request recommended by staff, the amendment is consistent with the Goals and Policies of "Chapter 8: Economic Development" of the General Plan. Specific goals and policies contained in Chapter 8 that are addressed by the proposed amendment include:

- Goal: To attract new businesses to Murray City
- Goal: Expand the types of businesses available in Murray City

### **III. FINDINGS AND CONCLUSION**

- i. The proposed amendment is consistent with the policies of the Economic Development Chapter of the General Plan.
- ii. Allowing alcoholic beverage distilling/manufacturing in the M-G-C zone will provide expansion opportunities for existing businesses in the City.
- iii. Allowing for alcoholic beverage distilling/manufacturing on site will protect the health, safety, and welfare of Murray residents.

### **IV. STAFF RECOMMENDATION**

Based on the above findings, staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the requested amendment to zoning ordinance. The amendment would provide the ability of businesses that fall under land use codes 2181, 2182, 2183, and 2184 the opportunity to obtain a conditional use permit and to locate their business in the city of Murray.

#12-29

## ZONING AMENDMENT APPLICATION

Type of Application (check all that apply):

- Zoning Map Amendment
- Text Amendment
- Complies with General Plan
- Yes  No

Subject Property Address: 4370 South 500 West N/A

Parcel Identification (Sidwell) Number: 21011510460000 N/A

Parcel Area: .82 acre Current Use: Warehouse

Existing Zone: M-G-C Proposed Zone: M-G-C

Applicant Name: Matthew Perry & Cory Ellsworth

Mailing Address: 4350 S. 500 West

City, State, ZIP: Murray, UT 84123

Daytime Phone #: 801-548-7477 Fax #: 801-261-0463

Business Name (If applicable): Twisted Spirits LLC.

Property Owner's Name (If different): D.F.G. Enterprises

Property Owner's Mailing Address: 4370 S. 500 W.

City, State, Zip: Murray UT 84123

Daytime Phone #: 801-288-1114 Fax #: 801-288-9991

Describe your reasons for a zone change (use additional page if necessary):

We would like to add standard use  
code 2184 to the M-G-C Zone.

Authorized Signature: Matthew Perry Date: 2/22/12

Matt@twistedspirits.com  
cory@twistedspirits.com

4770 S. 5600 W.  
P.O. BOX 704005  
WEST VALLEY CITY, UTAH 84170  
FED.TAX I.D.# 87-0217663

The Salt Lake Tribune

WWW.SLTrib.com

MEDIA ONE  
A NEWSPAPER AGENCY COMPANY  
WWW.MEDIAONEUTAH.COM

Deseret News  
WWW.DESERETNEWS.COM

PROOF OF PUBLICATION

CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER	DATE
MURRAY CITY RECORDER, 5025 S STATE, ROOM 113 MURRAY, UT 84107	9001341938	3/5/2012

FILE COPY

ACCOUNT NAME	
MURRAY CITY RECORDER,	
TELEPHONE	ADORDER# / INVOICE NUMBER
8012642660	0000772434 /
SCHEDULE	
Start 03/04/2012	End 03/04/2012
CUST. REF. NO.	
MGC/MCCD PC	
CAPTION	
PUBLIC NOTICE MURRAY CITY CORPORATION NOTICE OF PUBLIC HEARINGS NOTICE	
SIZE	
37 Lines	1.00 COLUMN
TIMES	RATE
4	
MTSC CHARGES	AD CHARGES
TOTAL COST	
67.16	

PUBLIC NOTICE  
MURRAY CITY CORPORATION  
NOTICE OF PUBLIC HEARINGS  
NOTICE IS HEREBY GIVEN that  
on the 15th day of March,  
2012, at the hour of 6:30  
p.m. of said day in the  
Council Chambers of Murray City  
Center, 5025 South State  
Street, Murray, Utah, the  
Murray City Planning Commis-  
sion will hold and conduct  
"Public Hearings on and per-  
taining to the consideration  
of a land use ordinance text  
amendment to add Land Use  
Codes #2181, 2182, 2183  
& 2184, manufacture of alco-  
holic beverages to the  
Manufacturing (M-G-C) Zon-  
ing District and a land use  
ordinance amendment to  
clarify manufacture of alco-  
holic beverages in the Mur-  
ray City Center District  
(MCCD). The purpose of this  
public hearing is to receive  
public comment concerning  
the proposed land use ordi-  
nance text amendments as  
described above.  
MURRAY CITY CORPORATION  
Chad Wilkinson, Manager  
Community & Economic Devel-  
opment  
772434 UPAKLP

AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF  
PUBLIC NOTICE MURRAY CITY CORPORATION NOTICE OF PUBLIC HEARINGS NOTICE IS HEREBY GIVEN that on the 15th day of March, 2012,  
at the hour of 6:30 p.m. of said day FOR MURRAY CITY RECORDER, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE  
OF UTAH, AGENT FOR THE SALT LAKE TRIBUNE AND DESERET NEWS, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL  
CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON  
UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINATELY.

PUBLISHED ON

Start 03/04/2012

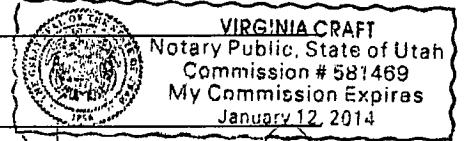
End 03/04/2012

SIGNATURE



DATE

3/5/2012



THIS IS NOT A STATEMENT BUT A "PROOF OF PUBLICATION"  
PLEASE PAY FROM BILLING STATEMENT



**P/C AGENDA MAILINGS**  
"AFFECTED ENTITIES"  
Updated 5/16/11

TAYLORSVILLE CITY  
PLANNING & ZONING DEPT  
2600 W TAYLORSVILLE BLVD  
TAYLORSVILLE UT 84118

MURRAY SCHOOL DIST  
ATTN: PAT O'HARA  
147 E 5065 S  
MURRAY UT 84107

GRANITE SCHOOL DIST  
ATTN: KIETH BRADSHAW  
2500 S STATE ST  
SALT LAKE CITY UT 84115

COTTONWOOD IMPRVMT  
ATTN: LONN RASMUSSEN  
8620 S HIGHLAND DR  
SANDY UT 84093

HOLLADAY CITY  
PLANNING DEPT  
4580 S 2300 E  
HOLLADAY UT 84117

UTOPIA  
Attn: TOM MARRIOTT  
2175 S REDWOOD RD  
WEST VALLEY CITY UT 84119

**GENERAL PLAN MAILINGS:**  
(in addition to above)

WASATCH FRONT REG CNCL  
PLANNING DEPT  
295 N JIMMY DOOLITTLE RD  
SLC UT 84116

UDOT - REGION 2  
ATTN: MARK VELASQUEZ  
2010 S 2760 W  
SLC UT 84104

WEST JORDAN CITY  
PLANNING DIVISION  
8000 S 1700 W  
WEST JORDAN UT 84088

MIDVALE CITY  
PLANNING DEPT  
655 W CENTER ST  
MIDVALE UT 84047

UTAH POWER & LIGHT  
ATTN: KIM FELICE  
12840 PONY EXPRESS ROAD  
DRAPER UT 84020

JORDAN VALLEY WATER  
ATTN: LORI FOX  
8125 S 1300 W  
WEST JORDAN UT 84084

COTTONWOOD HEIGHTS CITY  
ATTN: PLANNING & ZONING  
1265 E FT UNION BLVD #250  
CTNWD HEIGHTS UT 84047

UTOPIA  
Attn: JARED PANTIER  
2175 S REDWOOD RD  
WEST VALLEY UT 84119

UTAH AGRC  
STATE OFFICE BLDG #5130  
SLC UT 84114

UTAH TRANSIT AUTHORITY  
ATTN: PLANNING DEPT  
PO BOX 30810  
SLC UT 84130-0810

CHAMBER OF COMMERCE  
ATTN: SCOTT BAKER  
5250 S COMMERCE DR #180  
MURRAY UT 84107

SALT LAKE COUNTY  
PLANNING DEPT  
2001 S STATE ST  
SLC UT 84190

QUESTAR GAS  
ATTN: KIM BLAIR  
P O BOX 45360  
SLC UT 84145-0360

CENTRAL UTAH WATER DIST  
355 W UNIVERSITY PARKWAY  
OREM UT 84058

SANDY CITY  
PLANNING & ZONING  
10000 CENTENNIAL PRKwy  
SANDY UT 84070

GOVERNORS OFFICE OF PLANNING  
& BUDGET  
ATTN: RICHARD ELLIS, DIR  
STATE CAPITOL, E210  
SLC UT 84114-2210

# Public Hearing #2

# Murray City Corporation

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 5<sup>th</sup> day of June, 2012, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will hold and conduct a Public Hearing on and pertaining to the consideration of a zoning ordinance amendment clarifying that alcoholic beverage distilling/manufacturing be permitted use in the MCCD (Murray City Center District) only in conjunction with a restaurant 5,000 square feet or smaller.

The purpose of this public hearing is to receive public comment concerning the proposed zoning ordinance amendment as described above.

DATED this 22<sup>nd</sup> day of May, 2012.

MURRAY CITY CORPORATION



Jennifer Kennedy  
City Recorder

DATE OF PUBLICATION: May 25, 2012  
PH 12-12

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTION 17.170.080 OF THE MURRAY CITY MUNICIPAL CODE RELATING TO PERMITTED USES IN THE MURRAY CITY CENTER DISTRICT (MCCD). (Murray City Community Development Division.)

BE IT ENACTED BY THE MURRAY CITY MUNICIPAL COUNCIL:

*Section 1. Purpose.* The purpose of this ordinance is to amend Section 17.170.080 of the Murray City Municipal Code relating to permitted uses in the Murray City Center District.

*Section 2. Amendment to Section 17.170.080 of the Murray City Municipal Code.* Section 17.170.080 of the Murray City Municipal Code shall be amended to read as follows:

**17.170.080: USES:**

...

B. The following uses are permitted in the Murray City Center District (MCCD):

<u>Use No.</u>	<u>Use Classification</u>
----------------	---------------------------

...

2180	Beverages (only in conjunction with a restaurant, 5,000 square feet or smaller).
------	--

...

*Section 3. Effective Date.* This Ordinance shall take effect upon the first publication and filing of copy thereof in the office of the City Recorder of Murray City, Utah.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this day of , 2012.

MURRAY CITY MUNICIPAL COUNCIL

---

James A. Brass, Chair

ATTEST:

---

City Recorder

Transmitted to the Office of the Mayor of Murray City on this \_\_\_\_\_ day of  
\_\_\_\_\_, 2012.

MAYOR'S ACTION:

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

---

Daniel C. Snarr, Mayor

ATTEST:

---

City Recorder

#### CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance was published according to law on the \_\_\_\_\_  
day of \_\_\_\_\_, 2012.

---

LAND USE ORDINANCE TEXT AMENDMENT – Clarify Manufacture of Alcoholic Beverages in the MCCD Zone (Applicant: Murray City Corp) – Project #12-31

Murray City Corporation is the applicant requesting a Land Use Text Amendment to the Murray City Center District (MCCD). Joshua Beach reviewed the request for the Ordinance Text Amendment. This amendment will clarify the land use 2180 (beverage) and will restrict the land uses under code 2180 to be allowed only in conjunction with a restaurant and limit to 5,000 square feet or less. The land use 2180 (beverage) will be a permitted use in the MCCD with a land use code 2180: Beverages (only in conjunction with a restaurant, 5,000 sq. ft. or smaller). The zoning ordinance currently allows for the manufacturing of various types of alcoholic beverages including beer, whiskey, bourbon, rye, scotch, brandy, wine, etc. It also allows for bottling or canning of soft drinks, and other non-alcoholic products. After receiving a text amendment to add these uses to the M-G-C (manufacturing zone), staff reviewed the land use code and determined that this use would be better suited for the manufacturing zone except for when it is in conjunction with a restaurant. The original intent was to allow uses such as microbreweries in conjunction with a restaurant. Based on the above findings, staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the requested text amendment. The amendment would clarify that alcoholic beverage distilling/manufacturing obtain a conditional use permit in the MCCD and that the use only be allowed in conjunction with a restaurant and limit the size of the use to 5,000 square feet or smaller.

Mr. Markham commended Staff for appropriate timing in taking care of issues such as this.

For the record, Mr. Harland wanted to properly designate both text amendments as public hearings.

The meeting was opened for public comment. No comments were made by the public.

Ms. Daniels made a motion to send a recommendation of approval to the City Council for the requested text amendment. The amendment would clarify that alcoholic beverage distilling/manufacturing is a permitted use in the MCCD and that the use only be allowed in conjunction with a restaurant and limit the size of the use to 5,000 square feet or smaller. Mr. Markham seconded the motion.

Call vote recorded by Chad Wilkinson.

A Jim Harland  
A Karen Daniels  
A Phil Markham  
A Martin Buchert  
A Ray Black

Motion passed, 5-0.

**TO:** Murray City Planning Commission

**FROM:** Murray City Community & Economic Development Staff

**DATE OF REPORT:** March 9, 2012

**DATE OF HEARING:** March 15, 2012

**PROJECT NAME:** Manufacture of Alcoholic Beverages in M-C-C-D

**PROJECT NUMBER:** 12-31

**PROJECT TYPE:** Ordinance Text Amendment

**APPLICANT:** Murray City Corporation

**I. REQUEST:**

Murray City Corporation is requesting a zoning text amendment to the Murray City Center District (MCCD) area. This amendment will clarify the land use 2180 (beverage) and will restrict the land uses under code 2180 to be allowed only in conjunction with a restaurant and limit to 5,000 square feet or less. The land use 2180 (Beverage) will be a permitted use in the MCCD with a land use code 2180: Beverages (only in conjunction with a restaurant, 5,000 sq. ft. or smaller).

**II. DISCUSSION**

The zoning ordinance currently allows for the manufacturing of various types of alcoholic beverages including beer, whiskey, bourbon, rye, scotch, brandy, wine, etc. It also allows for bottling or canning of soft drinks, and other non-alcoholic products. (See the attached Page 17 from the Standard Land Use Code). After receiving a text amendment to add these uses to the M-G-C (Manufacturing zone), staff reviewed the land use code and determined that this use would be better suited for the Manufacturing zone except for when it is in conjunction with a restaurant. The original intent was to allow uses such as microbreweries in conjunction with a restaurant.

#### **IV. FINDINGS AND CONCLUSION**

- i. The proposed amendment is consistent with the policies of the Economic Development Chapter of the General Plan.
- ii. Allowing for alcoholic beverage manufacturing only in conjunction with a restaurant and limiting the size of the use to 5,000 sq. ft. will provide opportunities for these types of business within the city and will protect the health, safety, and welfare of Murray residents.

#### **V. STAFF RECOMMENDATION**

Based on the above findings, staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the requested text amendment. The amendment would clarify that alcoholic beverage distilling/manufacturing obtain a conditional use permit in the MCCD and that the use only be allowed in conjunction with a restaurant and limit the size of the use to 5,000 sq. ft. or smaller.

4770 S. 5600 W.  
P.O. BOX 704005  
WEST VALLEY CITY, UTAH 84170  
FED.TAX I.D.# 87-0217663

The Salt Lake Tribune

WWW.SLTrib.com

MEDIA ONE  
OF UTAH  
A NEWSPAPER AGENCY COMPANY  
WWW.MEDIAONEUTAH.COM

Deseret News  
WWW.DESERETNEWS.COM

PROOF OF PUBLICATION

CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER	DATE
MURRAY CITY RECORDER, 5025 S STATE, ROOM 113 MURRAY, UT 84107	9001341938	3/5/2012

FILE COPY

ACCOUNT NAME	
MURRAY CITY RECORDER,	
TELEPHONE	ADORDER# / INVOICE NUMBER
8012642660	0000772434 /
SCHEDULE	
Start 03/04/2012	End 03/04/2012
CUST. REF. NO.	
MGC/MCCD PC	
CAPTION	
PUBLIC NOTICE MURRAY CITY CORPORATION NOTICE OF PUBLIC HEARINGS NOTICE	
SIZE	
37 Lines	1.00 COLUMN
TIMES	RATE
4	
MISC. CHARGES	AD CHARGES
TOTAL COST	
67.16	

PUBLIC NOTICE  
MURRAY CITY CORPORATION NOTICE OF PUBLIC HEARINGS NOTICE IS HEREBY GIVEN that on the 15th day of March, 2012, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Planning Commission will hold and conduct Public Hearings on and pertaining to the consideration of a land-use ordinance text amendment to add Land Use Codes #2181, 2182, 2183 & 2184, manufacture of alcoholic beverages to the Manufacturing (M-G-C) Zoning District and a land use ordinance amendment to clarify manufacture of alcoholic beverages in the Murray City Center District (MCCD). The purpose of this public hearing is to receive public comment concerning the proposed land use ordinance text amendments as described above.  
MURRAY CITY CORPORATION  
Chad Wilkinson, Manager  
Community & Economic Development

AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF PUBLIC NOTICE MURRAY CITY CORPORATION NOTICE OF PUBLIC HEARINGS NOTICE IS HEREBY GIVEN that on the 15th day of March, 2012, at the hour of 6:30 p.m. of said day FOR MURRAY CITY RECORDER, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH, AGENT FOR THE SALT LAKE TRIBUNE AND DESERET NEWS, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINATELY.

PUBLISHED ON

Start 03/04/2012

End 03/04/2012

SIGNATURE

*Chad Wilkinson*

VIRGINIA CRAFT Notary Public, State of Utah Commission # 581469 My Commission Expires January 12, 2014
--

DATE

3/5/2012

THIS IS NOT A STATEMENT BUT A "PROOF OF PUBLICATION"  
PLEASE PAY FROM BILLING STATEMENT

**P/C AGENDA MAILINGS**  
“AFFECTED ENTITIES”  
Updated 5/16/11

TAYLORSVILLE CITY  
PLANNING & ZONING DEPT  
2600 W TAYLORSVILLE BLVD  
TAYLORSVILLE UT 84118

MURRAY SCHOOL DIST  
ATTN: PAT O'HARA  
147 E 5065 S  
MURRAY UT 84107

GRANITE SCHOOL DIST  
ATTN: KIETH BRADSHAW  
2500 S STATE ST  
SALT LAKE CITY UT 84115

COTTONWOOD IMPRVMT  
ATTN: LONN RASMUSSEN  
8620 S HIGHLAND DR  
SANDY UT 84093

HOLLADAY CITY  
PLANNING DEPT  
4580 S 2300 E  
HOLLADAY UT 84117

UTOPIA  
Attn: TOM MARRIOTT  
2175 S REDWOOD RD  
WEST VALLEY CITY UT 84119

**GENERAL PLAN MAILINGS:**  
(in addition to above)

WASATCH FRONT REG CNCL  
PLANNING DEPT  
295 N JIMMY DOOLITTLE RD  
SLC UT 84116

UDOT - REGION 2  
ATTN: MARK VELASQUEZ  
2010 S 2760 W  
SLC UT 84104

WEST JORDAN CITY  
PLANNING DIVISION  
8000 S 1700 W  
WEST JORDAN UT 84088

MIDVALE CITY  
PLANNING DEPT  
655 W CENTER ST  
MIDVALE UT 84047

UTAH POWER & LIGHT  
ATTN: KIM FELICE  
12840 PONY EXPRESS ROAD  
DRAPER UT 84020

JORDAN VALLEY WATER  
ATTN: LORI FOX  
8125 S 1300 W  
WEST JORDAN UT 84084

COTTONWOOD HEIGHTS CITY  
ATTN: PLANNING & ZONING  
1265 E FT UNION BLVD #250  
CTNWD HEIGHTS UT 84047

UTOPIA  
Attn: JARED PANTIER  
2175 S REDWOOD RD  
WEST VALLEY UT 84119

UTAH AGRC  
STATE OFFICE BLDG #5130  
SLC UT 84114

UTAH TRANSIT AUTHORITY  
ATTN: PLANNING DEPT  
PO BOX 30810  
SLC UT 84130-0810

CHAMBER OF COMMERCE  
ATTN: SCOTT BAKER  
5250 S COMMERCE DR #180  
MURRAY UT 84107

SALT LAKE COUNTY  
PLANNING DEPT  
2001 S STATE ST  
SLC UT 84190

QUESTAR GAS  
ATTN: KIM BLAIR  
P O BOX 45360  
SLC UT 84145-0360

CENTRAL UTAH WATER DIST  
355 W UNIVERSITY PARKWAY  
OREM UT 84058

SANDY CITY  
PLANNING & ZONING  
10000 CENTENNIAL PRKwy  
SANDY UT 84070

GOVERNORS OFFICE OF PLANNING  
& BUDGET  
ATTN: RICHARD ELLIS, DIR  
STATE CAPITOL, E210  
SLC UT 84114-2210

# Public Hearing #3

# Murray City Corporation

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 5<sup>th</sup> day of June, 2012, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will hold and conduct a hearing on and pertaining to rezoning property located at approximately 5668 and 5636 South Bullion Street, Murray, Utah.

The purpose of this hearing is to receive public comment concerning rezoning the property from A-1 (Agricultural) zoning district to R-1-8 (Single Family Low Density Residential) zoning district.

DATED this 22<sup>nd</sup> day of May, 2012.

MURRAY CITY CORPORATION



*Jennifer Kennedy*  
City Recorder

DATE OF PUBLICATION: May 25, 2012  
PH 12-13

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE RELATING TO LAND USE; AMENDS THE ZONING MAP FOR PROPERTY LOCATED AT 5668 AND 5636 SOUTH BULLION STREET, MURRAY CITY, UTAH FROM A-1 (AGRICULTURAL DISTRICT) TO R-1-8 (SINGLE-FAMILY LOW DENSITY RESIDENTIAL DISTRICT).

BE IT ENACTED BY THE MURRAY CITY MUNICIPAL COUNCIL AS FOLLOWS:

WHEREAS, the owner of the real property located at approximately 5668 and 5636 South Bullion Street, Murray, Utah, has requested a proposed amendment to the zoning map to designate the property in a R-1-8 zone district; and

WHEREAS, it appearing that said matter has been given full and complete consideration by the Murray City Planning and Zoning Commission; and

WHEREAS, it appearing to be in the best interest of Murray City and the inhabitants thereof that the proposed amendment of the zoning map be approved.

NOW, THEREFORE, BE IT ENACTED:

*Section 1.* That the Zoning Map and the zone district designation be amended for the following described property located at approximately 5668 and 5636 South Bullion Street, Murray, Salt Lake County, Utah from the A-1 (Agricultural) zone district to the R-1-8 (Single-Family Low Density Residential) zone district:

Parcel No. 21-14-176-015  
5668 South Bullion Street

BEGINNING AT A POINT LOCATED NORTH 67 DEGREES 49 MINUTES 56 SECONDS WEST, 3105.355 FEET FROM THE EAST QUARTER CORNER OF SECTION 12, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENSE NORTH 83 DEGREES 19 MINUTES WEST, 93.92 FEET; THENSE SOUTH 0 DEGREES 26 MINUTES WEST, 94.51 FEET; THENSE SOUTH 83 DEGREES 44 MINUTES EAST, 36.19 FEET; THENSE SOUTH 0 DEGREES 26 MINUTES WEST, 29.51 FEET; THENSE SOUTH 83 DEGREES 44 MINUTES EAST, 58.809 FEET; THENSE NORTH 0 DEGREES 06 MINUTES WEST, 123.6 FEET TO THE POINT OF BEGINNING.

5636 South Bullion Street (Portion)

BEGINNING AT A POINT LOCATED 1090.28 FEET NORTH 00°12'39" WEST ALONG THE SECTION LINE, 2864.91 FEET WEST; 35 FEET SOUTH 0°06'00 EAST AND 93.92 FEET NORTH 83°21'56" WEST FROM THE EAST QUARTER CORNER OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 83°21'56" WEST 14.08 FEET; THENCE SOUTH 0°06'00" WEST 94.51 FEET; TO THE POINT OF BEGINNING.

*Section 2.* This Ordinance shall take effect upon the first publication and filing of copy thereof in the office of the City Recorder of Murray City, Utah.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

MURRAY CITY MUNICIPAL COUNCIL

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James A. Brass, Chair

ATTEST:

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City Recorder

Transmitted to the Office of the Mayor of Murray City on this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

MAYOR'S ACTION: Approved

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

---

Daniel C. Snarr, Mayor

ATTEST:

---

City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance was published according to law on the \_\_\_\_\_  
day of \_\_\_\_\_, 2012.

---

City Recorder

TONY REZAC – 5668 & 5636 South Bullion Street – Project #12-42

This portion of the meeting is a public hearing.

Tony Rezac and Brock Rezac were the applicants present to represent this request. Chad Wilkinson reviewed the location and request for Tony Rezac requesting a zoning map amendment from an A-1 (agricultural) zone to R-1-8 (residential) zone for a portion of the property addressed 5668 & 5636 South Bullion Street. The proposed zone map amendment is consistent with the Murray General Plan for a change to residential single family low density. The West Bullion Street Lot Split subdivision was recorded in 2011, but the applicant stated the lot was not large enough for the dwelling planned for the lot. The applicant is now requesting this zone map amendment to increase the size of the building lot by 1,330 sq. ft. After the zone map change is completed, an amended subdivision plat will need to be approved by Murray City Officials and recorded at Salt Lake County Recorder's office prior to application and approval of a building permit for a dwelling on the lot. The purpose of the General Plan is to provide overall goal and policy guidance related to planning issues in the community. The plan provides for flexibility in the implementation of the goals and policies depending on individual situations and characteristics of a particular site. Based on the above findings, staff recommends that the Planning Commission forward a recommendation of approval to the Murray City Council for the requested zone change from A-1 to R-1-8 because it is consistent with the Murray City General Plan.

Tony Rezac, 5668 South Bullion Street, stated that the lot was laid out to the property size and the surveyor inadvertently miscalculated by a 15 foot depth and therefore, this additional process is necessary.

Ms. Daniels asked about the strip of property to the north of the subject property. Mr. Rezac responded that there is a pump house located in this area and this strip of property is the drive access to the pump house.

Mr. Buchert asked if this zone map amendment will require re-platting of the subdivision and be consolidated. Mr. Rezac responded in the affirmative. Mr. Rezac stated that the property has already been re-platted at the county. Mr. Wilkinson indicated that an amendment to the plat will be required which is done administratively, but that the property has already been deeded over correctly.

No comments were made by the public for this agenda item.

Mr. Taylor made a motion to send a positive recommendation to the City Council for a zone map amendment for the property addressed 5668 & 5636 South Bullion Street from A-1 (agricultural) to R-1-8 (residential single family) because it is consistent with the city's general plan. Seconded by Ms. Daniels.

Call vote recorded by Chad Wilkinson.

A Tim Taylor  
A Karen Daniels

Planning Commission Meeting

April 19, 2012

Page 5

A        Martin Buchert

A        Vicki Mackay

A        Ray Black

A        Jim Harland

Motion passed, 6-0.

Meeting adjourned.

---

Chad Wilkinson, Manager  
Community & Economic Development

**TO: Murray City Planning Commission**  
**FROM: Murray City Community & Economic Development Staff**

**DATE OF REPORT: April 13, 2012**

**DATE OF HEARING: April 19, 2012**

**PROJECT NAME: Tony Rezac**

**PROJECT NUMBER: 12-42**

**PROJECT TYPE: Zoning Change Amendment**

**APPLICANT: Tony Rezac**

**PROPERTY ADDRESS: 5668 South Bullion Street**

**SIDWELL #: 21-14-176-015**

**ZONE: A-1**

**PROPERTY SIZE: .03 Acre**

**I. REQUEST:**

Tony Rezac is requesting a zoning map amendment from an A-1 (agricultural) zone to R-1-8 (residential) zone for a portion of the property addressed 5668 South Bullion Street.

**II. BACKGROUND AND ANALYSIS**

Background:

The proposed zone change from an A-1 (agricultural) zone to a R-1-8 (residential) zone is consistent with the Murray General Plan for a change to residential single family low density. The West Bullion Street Lot Split subdivision was recorded in 2011, but the applicant stated the lot was not large enough for the dwelling planned for the lot. The applicant is now requesting this zone map amendment to increase the size of the building lot by 1,330 sq. ft. (See the attached plan). After the zone map change is completed, an amended subdivision plat will need to be approved by Murray City Officials and recorded at Salt Lake County Recorder's office prior to application and approval of a building permit for a dwelling on the lot.

### Site Location/Detail

The subject parcel is located at the west side of Bullion Street within the A-1 zone district.

### Surrounding Land Use & Zoning

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Residential	R-1-8
South	Residential	A-1 and R-1-8
East	Power Line Corridor	A-1
West	Residential	R-1-8

### Allowed Land Uses

#### Existing:

Various permitted uses are allowed in the A-1 zone such as dwellings and accessory uses, field crops, orchards and vineyards, cattle, horses, chickens, rabbits, apiaries, aviaries, pasture and rangeland, and other agriculture uses. Other uses allowed by Conditional Use Permit include uses such as churches, schools, public parks, libraries and farm variety animals (commercial).

#### Proposed:

Various permitted uses are allowed in the R-1-8 zone such as dwellings and accessory uses, garages, carports and other uses for private recreation and gardening. Other uses allowed by Conditional Use Permit include uses such as churches, schools, public parks, and libraries.

## **III. PUBLIC INPUT**

A mailing was sent on April 4, 2012 to the surrounding property owners in the area. As of the date of this report there has not been any public comment.

## **IV. GENERAL PLAN ANALYSIS**

The purpose of the General Plan is to provide overall goal and policy guidance related to planning issues in the community. The plan provides for flexibility in the implementation of the goals and policies depending on individual situations and characteristics of a particular site. Chapter 2 of the Murray City General Plan identifies the goals and objectives for land

use in the community. The plan also identifies future land use as depicted in Map 2-4.

## **V. FINDINGS**

### **A. Is there need for change in the General Plan and the proposed zoning at the subject location for the neighborhood or community?**

The applicant's request for the proposed zone change to R-1-8 is consistent with the General Plan for residential single family low density use at the subject location.

### **B. If approved, how would the range of uses allowed by the Zoning Ordinance blend with surrounding uses?**

The uses allowed in the R-1-8 zone for residential uses are types of uses selected to be compatible with the surrounding neighborhood and residential uses.

### **C. What utilities, public services, and facilities are available at the proposed location? What are or will be the probable effects the variety of uses may have on such services?**

The subject area is located in a developed part of the City and is served by all utilities, public services and facilities. The uses allowed will have little effects on utilities and services provided.

## **VI. CONCLUSION**

- i.** The General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances.
- ii.** The requested change has been carefully considered based on characteristics of the site and surrounding area and policies of the General Plan.
- iii.** The request is consistent with the general plan for future land use map amendments which shows the property transitioning from agricultural to residential single family low density.

## VII. STAFF RECOMMENDATION

Based on the above findings, staff recommends that the Planning Commission forward a recommendation of approval to the Murray City Council for the requested zone change from A-1 to R-1-8 because it is consistent with the Murray General Plan.



# 5668 S. Bullion St.



MURRAY  
COMMUNITY AND  
ECONOMIC  
DEVELOPMENT



BEGINNING AT A POINT NORTH 67°13' WEST 3118.87 FEET FROM THE EAST QUARTER CORNER OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 83°19' WEST 491.90 FEET; THENCE SOUTH 0°26' WEST 306.5 FEET; THENCE SOUTH 83°44' EAST 494.4 FEET; THENCE NORTH 0°06' WEST 302.2 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT:

AS-SURVEYED LEGAL DESCRIPTION

BEGINNING AT A POINT 1090.28 FEET NORTH 00°12'39" WEST ALONG THE SECTION LINE AND 2864.91 FEET WEST FROM THE EAST QUARTER CORNER OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 83°21'56" WEST 493.01 FEET; THENCE SOUTH 0°26'00" WEST 186.60 FEET; THENCE SOUTH 83°44'00" EAST 494.40 FEET; THENCE NORTH 0°06'00" WEST 183.60 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT,  
TO BE KNOWN HEREAFTER AS 5636 SOUTH BULLION STREET:

BEGINNING AT A POINT LOCATED 1090.28 FEET NORTH 00°12'39" WEST ALONG THE SECTION LINE, 2864.91 FEET WEST AND 35 FEET SOUTH 0°06'00 EAST FROM THE EAST QUARTER CORNER OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 83°21'56" WEST 93.92 FEET; THENCE SOUTH 0°06'00" WEST 94.51 FEET; THENCE SOUTH 83°44'00" EAST 36.19 FEET; THENCE SOUTH 0°26'00" WEST 29.51 FEET; THENCE SOUTH 83°44'00" EAST 58.10 FEET; THENCE NORTH 00°06'00" WEST 123.46 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THE FOLLOWING DESCRIBED TRACT OF LAND:

*Rezone  
Parcel*

BEGINNING AT A POINT LOCATED 1090.28 FEET NORTH 00°12'39" WEST ALONG THE SECTION LINE, 2864.91 FEET WEST; 35 FEET SOUTH 0°06'00 EAST AND 93.92 FEET NORTH 83°21'56" WEST FROM THE EAST QUARTER CORNER OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 83°21'56" WEST 14.08 FEET; THENCE SOUTH 0°06'00" WEST 94.51 FEET; THENCE SOUTH 83°44'00" EAST 14.08 FEET; THENCE NORTH 0°06'00" EAST 94.51 FEET; TO THE POINT OF BEGINNING.

THE OVERALL BOUNDARY OF 5636 SOUTH BULLION STREET IS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED 1090.28 FEET NORTH 00°12'39" WEST ALONG THE SECTION LINE, 2864.91 FEET WEST AND 35 FEET SOUTH 0°06'00 EAST FROM THE EAST QUARTER CORNER OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 83°21'56" WEST 108.00 FEET; THENCE SOUTH 0°06'00" WEST 94.51 FEET; THENCE SOUTH 83°44'00" EAST 50.27 FEET; THENCE SOUTH 0°26'00" WEST 29.51 FEET; THENCE SOUTH 83°44'00" EAST 58.10 FEET; THENCE NORTH 00°06'00" WEST 123.46 FEET TO THE POINT OF BEGINNING.

NOTES:

1: ALL LOTS WILL BE SUBJECT TO ANY AND ALL APPLICABLE ZONING REGULATIONS FOR RESIDENTIAL LOTS, INCLUDING SET BACK LIMITS AND MINIMUM LOT SIZE.

2: DOCUMENTS USED IN THE PREPARATION OF THIS SURVEY INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING:

A) WARRANTY DEED RECORDED AS ENTRY NUMBER 7592111 BOOK 8347 PAGE 3830 ON FILE IN THE SALT LAKE COUNTY RECORDER'S OFFICE

B) WARRANTY DEED RECORDED AS ENTRY NUMBER 3110598 BOOK 4675

S 00°26'00" W 186.60'

→

		N 83°21'56" W 493.01'	
		N 83°21'56" W 108.00'	
		N 83°21'56" W 93.92'	
		S 00.06.00" W 94.51'	
S 00.06.00" W 94.51'	S 00.06.00" W 94.51'	N 00.06.00" W 123.46'	S 83°44'00" E 29.57'
S 83°44'00" E 14.08'	S 83°44'00" E 36.19'	N 00.06.00" W 183.60'	S 83°44'00" E 58.10'
S 83°44'00" E 494.39'			

1/2-42

## ZONING AMENDMENT APPLICATION

Type of Application (check all that apply):

Zoning Map Amendment  
 Text Amendment  
 Complies with General Plan  
     Yes  No

Subject Property Address: 5668 So Bullion ST. MURRAY, UT 84123

Parcel Identification (Sidwell) Number: 21-14-176-015-0000

Parcel Area: \_\_\_\_\_ Current Use: A-1

Existing Zone: A1 Proposed Zone: PART TO R18

Applicant Name: Anton P Rezac

Mailing Address: 5668 So Bullion ST

City, State, ZIP: MURRAY, UT 84123 Earl Rezac

Daytime Phone #: 801-264-3154 Fax #: — 573-0207

Business Name (If applicable): \_\_\_\_\_

Property Owner's Name (If different): \_\_\_\_\_

Property Owner's Mailing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Daytime Phone #: \_\_\_\_\_ Fax #: \_\_\_\_\_

Describe your reasons for a zone change (use additional page if necessary):

BUILD A NEW HOME

Authorized Signature: Anton P Rezac Date: 3-28-12

## Property Owners Affidavit

I (we) Anton P. Reyer, being first duly sworn, depose and say that I (we) am (are) the current owner of the property involved in this application: that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge.

Anton P. Reyer

Owner's Signature

Owner's Signature (co-owner if any)

Subscribed and sworn to before me this 28th day of March, 20 12.

Sherrie L. Willden  
Notary Public  
Residing in Salt Lake County  
My commission expires: 1-13-2014

  
**SHERRIE L. WILLDEN**  
Notary Public State of Utah  
My Commission Expires on:  
January 13, 2014  
Comm. Number: 581273

### Agent Authorization

I (we), \_\_\_\_\_, the owner(s) of the real property located at \_\_\_\_\_, in Murray City, Utah, do hereby appoint \_\_\_\_\_, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize \_\_\_\_\_ to appear on my (our) behalf before any City board or commission considering this application.

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Owner's Signature (co-owner if any)

On the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, personally appeared before me \_\_\_\_\_ the signer(s) of the above *Agent Authorization* who duly acknowledge to me that they executed the same.

\_\_\_\_\_  
Notary Public  
Residing in \_\_\_\_\_  
My commission expires: \_\_\_\_\_



MURRAY CITY CORPORATION  
COMMUNITY & ECONOMIC DEVELOPMENT

Daniel C. Snarr, Mayor

Tim Tingey, Director

801-270-2420 FAX 801-270-2414

April 4, 2012

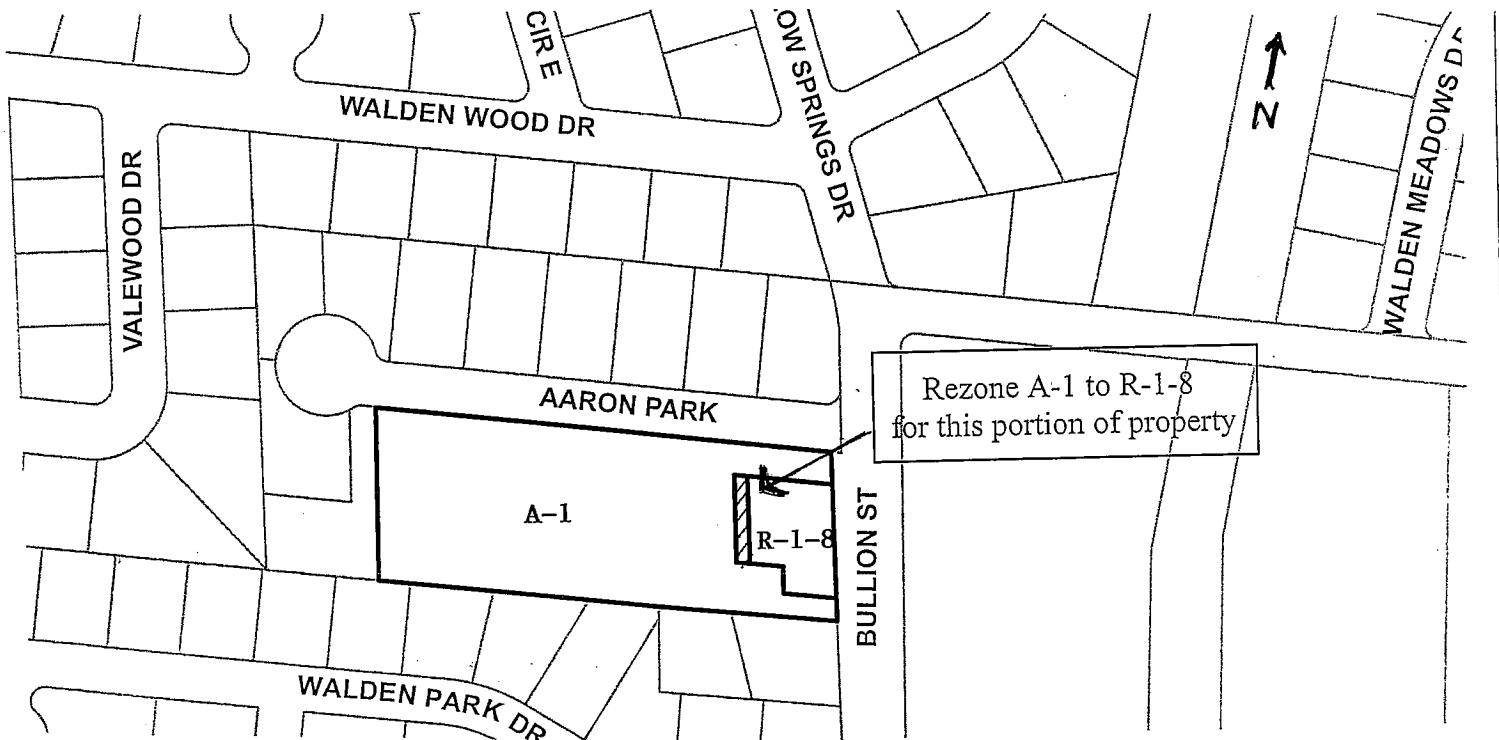
**NOTICE OF PUBLIC HEARING**

This notice is to inform you of a Planning Commission Hearing scheduled for Thursday, April 19, 2012, at 6:30 p.m., in the Murray City Municipal Council Chambers, 5025 South State Street.

Tony Rezac is requesting a Murray Zone Map Amendment from A-1 (agricultural) to R-1-8 (single family residential low density) at the property addressed 5636 & 5668 South Bullion Street. (See the attached property map). This notice is being sent to you since you own property within the near vicinity. Comments at the meeting will be limited to 3 minutes per person per item. A spokesman who has been asked by a group to summarize their concerns will be allowed 5 minutes to speak. Comments which cannot be made within these limits should be submitted in writing to the Community & Economic Development Department at least one day prior to the day of the meeting.

If you have questions or comments concerning this proposal, please call Ray Christensen with the Murray Community Development office, at 801-270-2420, or e-mail to [rchristensen@murray.utah.gov](mailto:rchristensen@murray.utah.gov).

SPECIAL ACCOMMODATIONS FOR THE HEARING OR VISUALLY IMPAIRED WILL BE MADE UPON A REQUEST TO THE OFFICE OF THE MURRAY CITY RECORDER (264-2660). WE WOULD APPRECIATE NOTIFICATION TWO WORKING DAYS PRIOR TO THE MEETING. TDD NUMBER IS 801-270-2425 OR CALL RELAY UTAH AT #711.



4770 S. 5600 W.  
P.O. BOX 704005  
WEST VALLEY CITY, UTAH 84170  
FED.TAX I.D.# 87-0217663

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A NEWSPAPER AGENCY COMPANY  
WWW.MEDIAONEUTAH.COM

Deseret News  
WWW.DESERETNEWS.COM

PROOF OF PUBLICATION

CUSTOMER'S COPY

CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER	DATE
MURRAY CITY RECORDER, 5025 S STATE, ROOM 113 MURRAY, UT 84107	9001341938	4/9/2012

FILE COPY

ACCOUNT NAME	
MURRAY CITY RECORDER,	
TELEPHONE	ADORDER# / INVOICE NUMBER
8012642660	0000782201 /
SCHEDULE	
Start 04/08/2012	End 04/08/2012
CUST. REF. NO	
PC 041912	
CAPTION	
MURRAY CITY CORPORATION NOTICE OF PUBLIC HEARING NOTICE IS HEREBY GIVEN	
SIZE	
30 Lines	1.00 COLUMN
TIMES	RATE
4	
MISC. CHARGES	AD CHARGES
TOTAL COST	
55.40	

MURRAY CITY CORPORATION  
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 19TH day of April, 2012, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Planning Commission will hold and conduct a Public Hearing on and pertaining to Zoning Map Amendment from an A-1 (agricultural) zone to R-1-B (single family residential) zone for the properties located at 5668 & 5636 S Bullion St, in Murray City, Salt Lake County, State of Utah. The purpose of this public hearing is to receive public comment concerning the above application.

MURRAY CITY CORPORATION  
Chad Wilkinson, Manager  
Community Development Division

782201 UPAXL

AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF MURRAY CITY CORPORATION NOTICE OF PUBLIC HEARING NOTICE IS HEREBY GIVEN that on the 19TH day of April, 2012, at the hour of 6:30 p.m. of said day in the Council FOR MURRAY CITY RECORDER, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH, AGENT FOR THE SALT LAKE TRIBUNE AND DESERET NEWS, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINATELY.

PUBLISHED ON

Start 04/08/2012

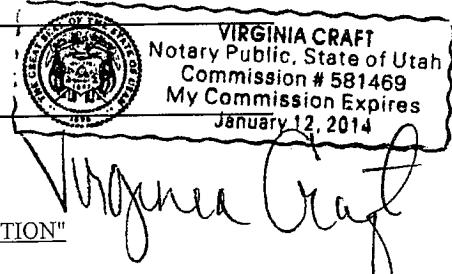
End 04/08/2012

SIGNATURE

*Angela M. Murray*

DATE

4/9/2012



THIS IS NOT A STATEMENT BUT A "PROOF OF PUBLICATION"  
PLEASE PAY FROM BILLING STATEMENT

Rezac Rezone P/c 4/19/12  
s A.E.

	ANDERSON, PHILIP E & 1112 W WALDEN PARK DR MURRAY UT 84123	B G REAL ESTATE SERVICES LLC 107 HIGHLAND NEWPORT BEACH CA 92663
BATEMAN, KENT W & 5668 S 1090 W MURRAY UT 84123	BAUER, KIRBY A & VAL LYNN 5667 S 1090 W MURRAY UT 84123	BENNION, CHAD E 5700 S BULLION ST MURRAY UT 84123
CHARLESWORTH, GLADE & PO BOX 57291 MURRAY UT 84157	CHASE, WARD A & 1041 W WALDEN PARK DR MURRAY UT 84123	COLEMAN, RICHARD H & 1122 W VALEWOOD DR MURRAY UT 84123
COURTNEY, NEAL S & 1026 W AARON PARK CIR MURRAY UT 84123	CUNDICK, ROGER W & 1091 W WALDEN WOOD DR MURRAY UT 84123	DEAN, CATHERINE V 3586 E HEUGHS CANYON CIR HOLLADAY UT 84121
DIAZ, ARTHUR P & 1047 W WALDEN WOOD DR MURRAY UT 84123	FARMER, KATIE L & 1088 W WALDEN PARK DR MURRAY UT 84123	FILLMORE, JAMES B; TR 5619 S VALEWOOD DR MURRAY UT 84123
FROST, JACK E 5674 S BULLION ST MURRAY UT 84123	HANSGEN, BRYAN D & 5627 S VALEWOOD DR MURRAY UT 84123	HARRIS, JONATHAN A 5675 S 1090 W MURRAY UT 84123
HILL, JAY L & 1068 W AARON PARK CIR MURRAY UT 84123	JAMES, ERIC E & 1073 W AARON PARK CIR MURRAY UT 84123	JAMESON, AUBREY R & 1049 W WALDEN PARK DR MURRAY UT 84123
JENSEN, GORDON M & BARBARA A 1065 W WALDEN PARK DR MURRAY UT 84123	JOHNSON, DENNIS L & 5587 S VALEWOOD DR MURRAY UT 84123	KETCHAM, CARL C 1077 W AARON PARK CIR MURRAY UT 84123
KITCHEN, MARY E 1075 W WALDEN PARK DR MURRAY UT 84123	KOUGIOULIS, JOSEPH D & 1104 W WALDEN PARK DR MURRAY UT 84123	LITTLE JOE S PRINTING INC 7152 S TREASURE RIDGE CIR COTTONWOOD HTS UT 84121

LOPEZ, DARRELL G & 998 W BULLION ST MURRAY UT 84123	MANIS, CINDY A & 1081 W WALDEN WOOD DR MURRAY UT 84123	MARTIN, THOMAS 1055 W WALDEN WOOD DR MURRAY UT 84123
MCELROY, DANIELLE L & 1058 W AARON PARK CIR MURRAY UT 84123	MCGEE, CINDI F 5595 S WALDEN WOOD DR MURRAY UT 84123	MCMULLIN HOMES INC 1098 E SOUTHUNION AVE MIDVALE UT 84047
MECHAM, WILLIAM 1102 W WALDEN PARK DR MURRAY UT 84123	MILLER, JOHN S & 1064 W AARON PARK CIR MURRAY UT 84123	MILLOM, MARGARET 1072 W AARON PARK CIR MURRAY UT 84123
MOYES, GORDON R & 1063 W WALDEN WOOD DR MURRAY UT 84123	NELSON, CHRISTOPHER A & 1034 W AARON PARK CIR MURRAY UT 84123	OKI, JEANNE M; TR 1052 W AARON PARK CIR MURRAY UT 84123
OLIVER, ALEX A 1054 W WALDEN PARK DR MURRAY UT 84123	POULSEN, AARON G & 1064 W WALDEN PARK DR MURRAY UT 84123	REZAC, ANTON P & 5668 S BULLION ST MURRAY UT 84123
REZAC, BROCK 5662 S 1090 W MURRAY UT 84123	REZAC, EARL J & MICHELLE T 5662 S 1090 W MURRAY UT 84123	RIET, THOMAS E & 1069 W WALDEN PARK DR MURRAY UT 84123
RYAN, JOHN C & KATHRYN M; 1076 W WALDEN PARK DR MURRAY UT 84123	SCHEID, KEVIN & 5605 S HOLLOW SPRINGS DR MURRAY UT 84123	SIMMONS, CHAD M & 1073 W WALDEN WOOD DR MURRAY UT 84123
STEADMAN, GLEN J & LORI L (JT) 1039 W WALDEN WOOD DR MURRAY UT 84123	STOMNESS, GUYNELL 1081 W WALDEN PARK DR MURRAY UT 84123	STRANG, GARY R 1082 W WALDEN PARK DR MURRAY UT 84123
SUNDLOFF, THOMAS K & 5597 S VALEWOOD DR MURRAY UT 84123	SWENSON, ROBERT R & IRENE G; 1070 W WALDEN PARK DR MURRAY UT 84123	UTAH POWER & LIGHT CO 825 NE MULTNOMAH ST #1900 PORTLAND OR 97232
VARNEY, ERIK G & 1042 W AARON PARK CIR MURRAY UT 84123	VIETTI, BARTLEY J & 2338 S COUNTRY CLUB CIR SALT LAKE CITY UT 84109	WHITE, ROBERT E & 5609 S VALEWOOD DR MURRAY UT 84123

**P/C AGENDA MAILINGS**  
“AFFECTED ENTITIES”  
Updated 5/16/11

TAYLORSVILLE CITY  
PLANNING & ZONING DEPT  
2600 W TAYLORSVILLE BLVD  
TAYLORSVILLE UT 84118

MURRAY SCHOOL DIST  
ATTN: PAT O'HARA  
147 E 5065 S  
MURRAY UT 84107

GRANITE SCHOOL DIST  
ATTN: KIETH BRADSHAW  
2500 S STATE ST  
SALT LAKE CITY UT 84115

COTTONWOOD IMPRVMT  
ATTN: LONN RASMUSSEN  
8620 S HIGHLAND DR  
SANDY UT 84093

HOLLADAY CITY  
PLANNING DEPT  
4580 S 2300 E  
HOLLADAY UT 84117

UTOPIA  
Attn: TOM MARRIOTT  
2175 S REDWOOD RD  
WEST VALLEY CITY UT 84119

**GENERAL PLAN MAILINGS:**  
(in addition to above)

WASATCH FRONT REG CNCL  
PLANNING DEPT  
295 N JIMMY DOOLITTLE RD  
SLC UT 84116

UDOT - REGION 2  
ATTN: MARK VELASQUEZ  
2010 S 2760 W  
SLC UT 84104

WEST JORDAN CITY  
PLANNING DIVISION  
8000 S 1700 W  
WEST JORDAN UT 84088

MIDVALE CITY  
PLANNING DEPT  
655 W CENTER ST  
MIDVALE UT 84047

UTAH POWER & LIGHT  
ATTN: KIM FELICE  
12840 PONY EXPRESS ROAD  
DRAPER UT 84020

JORDAN VALLEY WATER  
ATTN: LORI FOX  
8125 S 1300 W  
WEST JORDAN UT 84084

COTTONWOOD HEIGHTS CITY  
ATTN: PLANNING & ZONING  
1265 E FT UNION BLVD #250  
CTNWD HEIGHTS UT 84047

UTOPIA  
Attn: JARED PANTIER  
2175 S REDWOOD RD  
WEST VALLEY UT 84119

UTAH AGRC  
STATE OFFICE BLDG #5130  
SLC UT 84114

UTAH TRANSIT AUTHORITY  
ATTN: PLANNING DEPT  
PO BOX 30810  
SLC UT 84130-0810

CHAMBER OF COMMERCE  
ATTN: SCOTT BAKER  
5250 S COMMERCE DR #180  
MURRAY UT 84107

SALT LAKE COUNTY  
PLANNING DEPT  
2001 S STATE ST  
SLC UT 84190

QUESTAR GAS  
ATTN: KIM BLAIR  
P O BOX 45360  
SLC UT 84145-0360

CENTRAL UTAH WATER DIST  
355 W UNIVERSITY PARKWAY  
OREM UT 84058

SANDY CITY  
PLANNING & ZONING  
10000 CENTENNIAL PRKwy  
SANDY UT 84070

GOVERNORS OFFICE OF PLANNING  
& BUDGET  
ATTN: RICHARD ELLIS, DIR  
STATE CAPITOL, E210  
SLC UT 84114-2210





# 5668 S. Bullion St.



MURRAY  
COMMUNITY AND  
ECONOMIC  
DEVELOPMENT



**RULES OF THE MURRAY CITY MUNICIPAL COUNCIL  
MURRAY CITY CORPORATION**

**IV. AGENDA**

J. Public Hearings. This section will be used for all public hearings. The presiding officer shall conduct the public hearing in the following manner:

1. Introduction. The presiding officer informs those attending of the procedure and order of business for the hearing.
2. Staff presentation. City staff briefly summarizes the request that prompted the public hearing. This presentation shall not exceed five minutes.
3. Sponsor presentation. If desired, the sponsor of the request may also make a presentation. This presentation shall not exceed fifteen minutes.
4. Public Comment. The presiding officer asks for public comment on the matter before the Council. Comments are limited three minutes, unless otherwise approved by a majority vote of Council members, and each speaker shall be allowed to speak only once, unless otherwise approved by a majority of Council members. Speakers are requested to:
  - (a) Complete the appropriate form.
  - (b) Wait to be recognized before speaking.
  - (c) Come to the microphone.
  - (d) Be brief and to the point.
  - (e) Not restate points made by other speakers
  - (f) Address questions through the presiding officer.
  - (g) Confine remarks to the topic, avoiding personalities.

After all citizens who wish to comment have spoken, Council members may ask additional questions of participants before the presiding officer closes the hearing.

5. Sponsor summation/response. Following citizen comment and questions by the Council, the sponsor shall be given the opportunity to give a fifteen minute summation and/or response prior to closing of the public hearing.
6. Closing the hearing. If there is no further public comment, questions by Council members, or final response by the sponsor, the presiding officer declares the hearing closed. The Council shall conclude the public hearing ten minutes in advance of subsequently scheduled public hearing. The Council may, by majority vote, extend a public hearing past the starting time of a subsequent public hearing.
7. Consideration of item. At the close of the public hearing, the Council shall consider the item as a special order

# Public Hearing #4

# Murray City Municipal Council

## Request for Council Action

**INSTRUCTIONS:** The City Council considers new business items in Council meeting. All new business items for the Council must be submitted to the Council office, Room, 112, no later than 5:00 p.m. on the Wednesday two weeks before the Council meeting in which they are to be considered. This form must accompany all such business items. If you need additional space for any item below, attach additional pages with corresponding number and label.

**1. TITLE:** (Similar wording will be used on the Council meeting agenda.)

CONSIDER AN ORDINANCE ADOPTING THE FINAL 2012 – 2013 FISCAL YEAR  
BUDGETS FOR MURRAY CITY INCLUDING THE LIBRARY FUND BUDGET

**2. KEY PERFORMANCE AREA:** (Please explain how request relates to Strategic Plan Key Performance Areas.)  
FINANCIALLY SUSTAINABLE

**3. MEETING, DATE & ACTION:** (Check all that apply)

Council Meeting OR  Committee of the Whole

Date requested June 5, 2012

Discussion Only

Ordinance (attach copy)

Has the Attorney reviewed the attached copy? Yes

Resolution (attach copy)

Has the Attorney reviewed the attached copy? \_\_\_\_\_

Public Hearing (attach copy of legal notice)

Has the Attorney reviewed the attached copy? \_\_\_\_\_

Appeal (explain) \_\_\_\_\_

Other (explain) \_\_\_\_\_

**4. FUNDING:** (Explain budget impact of proposal, including amount and source of funds.)

As detailed in the budget documents.

**5. RELATED DOCUMENTS:** (Attach and describe all accompanying exhibits, minutes, maps, plats, etc.)

Resolution attached

**6. REQUESTOR:**

Name: Justin Zollinger

Title: Finance Director

Presenter: Justin Zollinger

Title: Finance Director

Agency:

Phone: 801-264-2669

Date: June 1, 2012

Time:

**7. APPROVALS:** (If submitted by City personnel, the following signatures indicate, the proposal has been reviewed and approved by Department Director, all preparatory steps have been completed, and the item is ready for Council action)

Department Director:

Date: 6/1/12

Mayor: N/A

Date:

**8. COUNCIL STAFF:** (For Council use only)

Number of pages: \_\_\_\_\_ Received by: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Recommendation: \_\_\_\_\_

**9. NOTES:**

February 24, 2012

**MURRAY CITY CORPORATION**

**NOTICE OF PUBLIC HEARING ON THE CITY'S TENTATIVE BUDGET,  
AS AMENDED,**

**FOR FISCAL YEAR 2012 - 2013**

NOTICE IS HEREBY GIVEN that on the 5<sup>th</sup> day of June, 2012, at the hour of 6:30 p.m., in the City Council Chambers of the Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will hold a Public Hearing on the City's Tentative Budget, as amended, for fiscal year 2012 - 2013. Said budget includes:

- a. Compensation and Benefits for elected officials, and City employees;
- b. General Fund;
- c. Municipal Building Authority;
- d. Library Fund;
- e. Capital Projects Fund;
- f. Water Fund;
- g. Waste Water Fund;
- h. Power Fund;
- i. Murray Parkway Recreation Fund;
- j. Telecommunications Fund;
- k. Solid Waste Management Fund;
- l. Storm Water Fund;
- m. Central Garage Fund;
- n. Retained Risk Reserve Fund;
- o. Redevelopment Agency Fund;
- p. Community Development Block Grant Fund;
- q. Cemetery Perpetual Care Fund.

All interested persons in attendance shall be given an opportunity to be heard, for or against, the estimates of revenue and expenditures or any item thereof in the City's Tentative Budget, as amended, of any fund.

A copy of the City's Tentative Budget, as amended, may be reviewed by interested persons in the Finance Director's Office, Room 117, Murray City Center, 5025 South State Street, Murray, Utah, from 8:00 a.m. to 5:00 p.m. starting May 25, 2012.

DATED this 22<sup>th</sup> day of May, 2012.

MURRAY CITY CORPORATION

  
\_\_\_\_\_  
Jennifer Kennedy  
City Recorder

DATE OF PUBLICATION: May 25, 2012

Fund	Department	FY 11 Actual	FY 12 Budget	FY 13 Budget
General Fund	Legislative	332,224	368,601	375,270
	Court	1,562,740	1,562,354	1,518,265
	Executive	456,365	463,714	478,075
	Finance	5,698,525	6,883,876	5,058,567
	MIS	1,149,722	1,145,035	0
	City Attorney	546,476	594,317	448,272
	Police	9,694,926	9,830,223	10,071,267
	Fire	6,541,875	6,958,795	6,659,094
	Public Works	5,068,520	4,989,221	3,880,149
	Parks & Recreation	6,065,996	5,826,501	5,431,457
	Community Planning	585,645	584,520	0
	Administrative & Development Services	0	0	4,794,408
		37,703,014	39,207,157	38,714,824
Library Fund	Library	1,428,468	1,586,030	1,624,500
Municipal Building Authority	Municipal Building Authority	1,000	1,000	1,000
Capital Projects Fund	Finance	0	0	116,250
	City Attorney	0	0	2,500
	Police	0	0	518,600
	Fire	0	0	248,920
	Public Works	0	0	946,000
	Parks & Recreation	0	0	842,358
	Administrative & Development Services	0	0	157,000
	General Governmental	1,700,077	0	0
		1,700,077	0	2,831,628
Water Fund	Water Utility	5,591,609	5,620,222	5,828,505
Waste Water Fund	Waste Water Utility	3,077,187	4,878,884	4,592,392
Power Fund	Power Utility	34,857,284	35,195,059	36,190,000
Parkway Recreation Fund	Parkway Recreation Fund	1,636,201	1,588,886	1,625,000
Telecommunications Fund	Telecommunications	0	0	36,000
Solid Waste Fund	Solid Waste Utility	942,255	1,054,317	1,028,087
Storm Water Fund	Storm Water Utility	1,830,096	1,581,270	2,223,632
Central Garage Fund	Central Garage	360,324	339,341	367,500
Retained Risk Reserve Fund	Retained Risk Reserve Fund	610,804	685,000	1,016,086
Redevelopment Agency	Redevelopment Agency	1,459,853	2,016,103	3,491,832
Community Development & Block Grant Fund	Community Development	148,046	356,920	175,613
Cemetery Perpetual Care Fund	Cemetery Perpetual Care	60,000	60,000	41,873
	Grand Total	91,406,218	94,170,189	99,788,472

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ADOPTING THE FINAL 2012 - 2013 FISCAL YEAR BUDGETS FOR MURRAY CITY INCLUDING THE LIBRARY FUND BUDGET.

PREAMBLE

Section 10-6-118 of Utah Code, as amended, requires adoption of the City's budgets before June 22<sup>nd</sup> of each year. Said budgets have been open for public inspection since May 25<sup>th</sup>, 2012. Notice of public hearing for the consideration of the adoption of the budgets was published in the Salt Lake Tribune and the Deseret News. Said public hearing was held on June 5<sup>th</sup> and June 19<sup>th</sup>, 2012, and public comment was received. The Murray City Municipal Council wants to adopt its Final Budgets.

The Murray City Municipal Council adopts, as revenue to the General Fund, a tax levy that is less than or equal to the certified tax rate. Since the tax levy does not exceed the certified tax rate, under UTAH CODE ANN. Title 59, Chapter 2, no Truth-In-Taxation hearing is required.

BE IT ENACTED by the Murray City Municipal Council as follows:

*Section 1. Purpose.*

The purpose of this Ordinance is to adopt the Final 2012 - 2013 Fiscal Year budgets of the City including the Library Fund budget.

*Section 2. Enactment.*

A. The Final Budgets for Fiscal Year 2012 - 2013 are hereby adopted and shall consist of the following:

General Fund	\$38,714,824
Library	1,624,500
Capital Projects	2,831,628
Water	5,828,505
Waste Water	4,592,392
Power	36,190,000
Parkway Recreation	1,625,000
Telecommunications Fund	36,000
Solid Waste	1,028,087
Storm Water	2,223,632
Central Garage	367,500

Retained Risk Reserve Fund	1,016,086
Community Development Block Grant	175,613
Cemetery Perpetual Care Fund	41,873

B. The Final Budgets also include, in an addendum, allocations to non-profit entities under Section 10-8-2 of the Utah Code.

*Section 3. Special Revenue Funds.*

The budgets of the Municipal Building Authority and the Redevelopment Agency are as follows:

Municipal Building Authority	\$ 1,000
Redevelopment Agency	3,491,832

The budgets of the Municipal Building Authority and Redevelopment Agency are special revenue funds. The Municipal Building Authority Board and the Redevelopment Agency Board shall, in separate actions, adopt their final budgets.

*Section 4. Compliance with UTAH CODE ANN. Title 59, Chapter 2.* Since the budgets include a tax levy that is less than or equal to the certified tax rate, no Truth in Taxation hearing is required under UTAH CODE ANN. Title 59, Chapter 2.

*Section 5. Adjustments.*

A. The Budgets are subject to adjustments, if any, that need to be made when the Murray City Municipal Council adopts the tax levies based on the certified tax rate.

B. The Director of Finance is hereby authorized to make adjustments to the budgets to reflect the actual certified tax levies provided to the City at a later date.

*Section 6. Transfer of Unencumbered or Unexpended Appropriated Funds.* The Director of Finance is authorized to make such transfer of any unencumbered or unexpended appropriated funds pertaining to the 2011 - 2012 Fiscal Year budget at the close of the 2011 - 2012 Fiscal Year in conformity with the provisions of UTAH CODE ANN. Section 10-6-124, as amended.

*Section 7. Effective Date.* This Ordinance shall take effect on July 1, 2012.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on  
this day of June, 2012.

## MURRAY CITY MUNICIPAL COUNCIL

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James A. Brass, Chair

ATTEST:

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Jennifer Kennedy,  
City Recorder

#### **MAYOR'S ACTION: Approved**

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2012

---

Daniel C. Snarr, Mayor

**ATTEST:**

---

Jennifer Kennedy,  
City Recorder

## CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance or a summary hereof was published according to law on the \_\_\_\_\_ day of \_\_\_\_\_, 2012.

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## City Recorder

# **New Business**

## **Item #1**

# Murray City Municipal Council

## Request for Council Action

**INSTRUCTIONS:** The City Council considers new business items in Council meeting. All new business items for the Council must be submitted to the Council office, Room, 112, no later than 5:00 p.m. on the Wednesday two weeks before the Council meeting in which they are to be considered. This form must accompany all such business items. If you need additional space for any item below, attach additional pages with corresponding number and label.

**1. TITLE:** (Similar wording will be used on the Council meeting agenda.)

RESOLUTION APPROVING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY, SALT LAKE CITY, SOUTH SALT LAKE CITY, SANDY CITY, SOUTH JORDAN CITY, DRAPER CITY, BLUFFDALE CITY, LEHI CITY, AMERICAN FORK CITY, VINEYARD TOWN, OREM CITY AND PROVO CITY TO ESTABLISH A QUIET ZONE

**2. KEY PERFORMANCE AREA:** (Please explain how request relates to Strategic Plan Key Performance Areas.)

**3. MEETING, DATE & ACTION:** (Check all that apply)

Council Meeting OR  Committee of the Whole

Date requested June 5, 2012

Discussion Only

Ordinance (attach copy)

Has the Attorney reviewed the attached copy?

Resolution (attach copy)

Has the Attorney reviewed the attached copy?

Public Hearing (attach copy of legal notice)

Has the Attorney reviewed the attached copy?

Appeal (explain) \_\_\_\_\_

Other (explain) \_\_\_\_\_

**4. FUNDING:** (Explain budget impact of proposal, including amount and source of funds.)

None

**5. RELATED DOCUMENTS:** (Attach and describe all accompanying exhibits, minutes, maps, plats, etc.)

Memo, Agreement and Proposed Resolution

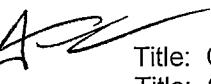
**6. REQUESTOR:**

Name: Frank Nakamura

Presenter: Frank Nakamura

Agency: City Attorney

Date: 05/22/2012

 Title: City Attorney

Title: City Attorney

Phone: 801-264-2640

Time: 12:10

**7. APPROVALS:** (If submitted by City personnel, the following signatures indicate, the proposal has been reviewed and approved by Department Director, all preparatory steps have been completed, and the item is ready for Council action)

Department Director: \_\_\_\_\_ Date: \_\_\_\_\_

Mayor: \_\_\_\_\_ Date: \_\_\_\_\_

**8. COUNCIL STAFF:** (For Council use only)

Number of pages: \_\_\_\_\_ Received by: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Recommendation: \_\_\_\_\_

**9. NOTES:**



MURRAY CITY CORPORATION  
CITY ATTORNEY'S OFFICE

801-264-2640 FAX 801-264-2641

## MEMORANDUM

**TO:** Murray City Municipal Council

**FROM:** Frank M. Nakamura, City Attorney 

**DATE:** May 21, 2012

**RE:** Resolution approving an Interlocal Agreement establishing a Quiet Zone along the Commuter Rail South line

---

We are submitting a proposed resolution approving an Interlocal Agreement with Salt Lake City, South Salt Lake City, Sandy City, South Jordan City, Draper City, Bluffdale City, Lehi City, American Fork City, Vineyard Town, Orem City and Provo City establishing a "Quiet Zone" along the Commuter Rail South line.

Under the proposed agreement, the City is designating Lehi City, with assistance from UTA, to act on the City's behalf as the lead public authority in preparing a Notice of Intent ("NOI") and Notice of Establishment ("NOE") for the Quiet Zone and providing all necessary information to Lehi City and UTA to complete the notices, pursuant to the Federal Railroad Administration Regulations for "public authority designation" of a Quiet Zone.

If you have any questions, please feel free to contact us. Thank you.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION APPROVING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY, SALT LAKE CITY, SOUTH SALT LAKE CITY, SANDY CITY, SOUTH JORDAN CITY, DRAPER CITY, BLUFFDALE CITY, LEHI CITY, AMERICAN FORK CITY, VINEYARD TOWN, OREM CITY AND PROVO CITY TO ESTABLISH A QUIET ZONE.

WHEREAS, Title 11, Chapter 13 of the Utah Code authorizes public agencies to enter into agreements for joint or cooperative action in conducting any activity each is authorized to undertake; and

WHEREAS, the City and Salt Lake City, South Salt Lake City, Sandy City, South Jordan City, Draper City, Bluffdale City, Lehi City, American Fork City, Vineyard Town, Orem City and Provo City, (collectively referred to as the "Cities") want to enter into an agreement establishing a "Quiet Zone" along the Commuter Rail South line extending from Salt Lake City to Provo City to create a corridor in which trains will not be required to routinely sound locomotive and other vehicle horns as they approach and pass through grade crossings located within the "Quiet Zone"; and

WHEREAS, entering into an interlocal agreement for said purpose is in the best interest of the City;

NOW, THEREFORE, BE IT RESOLVED by the Murray City Municipal Council as follows:

1. It hereby approves the Interlocal Cooperation Agreement between the City, and Salt Lake City, South Salt Lake City, Sandy City, South Jordan City, Draper City, Bluffdale City, Lehi City, American Fork City, Vineyard Town, Orem City and Provo City, in substantially the form attached, establishing a Quiet Zone along the Commuter Rail South.

2. The Mayor and the City Recorder are hereby authorized to execute the Agreement for and in behalf of the City.

3. The Agreement shall be effective upon execution.

PASSED AND APPROVED this 5<sup>th</sup> day of June, 2012.

MURRAY CITY MUNICIPAL COUNCIL

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James A. Brass, Chair

ATTEST:

---

Jennifer Kennedy  
City Recorder

## AGREEMENT REGARDING ESTABLISHMENT OF QUIET ZONE

This AGREEMENT REGARDING ESTABLISHMENT OF QUIET ZONE ("Agreement") is made and entered into as of the \_\_\_\_ day of \_\_\_\_ 2012, by and between UTAH TRANSIT AUTHORITY, a public transit district organized under Title 17B, Chapter 2a, Part 8, Utah Code Annotated 1953, as amended ("UTA"), and LEHI CITY, a Utah municipal corporation organized under Title 10, Utah Code Annotated 1953, as amended ("Lehi").

### RECITALS

WHEREAS, UTA is presently constructing, and will own and operate, a commuter rail line extending from Salt Lake City to Provo City ("Commuter Rail South"); and

WHEREAS, the Commuter Rail South corridor passes through the respective jurisdictions of Salt Lake City, City of South Salt Lake, Murray City, ~~Midvale City~~, Sandy City, South Jordan City, Draper City, Bluffdale City, American Fork City, Vineyard ~~CityTown~~, Orem City, and Provo City (each, with the exception of Lehi, hereinafter a "City" and, together, the "Cities"); and

WHEREAS, Lehi and each City owns or maintains one or more roadways crossing the corridor at grade, or contains within its boundaries private at-grade crossings; and

WHEREAS, Lehi and the Cities desire to establish a Quiet Zone (the "Quiet Zone") from Salt Lake City to Provo City; and

WHEREAS, the purpose of the Quiet Zone is to create a corridor in which trains will not be required to routinely sound locomotive horns as they approach grade crossings located within the Quiet Zone; and

WHEREAS, UTA is willing to assist Lehi and the Cities in establishing a Quiet Zone by installing certain required safety measures at grade crossings and providing certain technical assistance with respect to preparing and pursuing a Quiet Zone Application~~designation~~; and

WHEREAS, pursuant to Federal Railroad Administration ("FRA") regulations for "public authority designation," UTA and Lehi anticipate that the Cities will, by written agreement, delegate authority to the Cities have, in writing, delegated authority to and agreed that Lehi act on their behalf as the lead public authority in preparing a Notice of Intent ("NOI"), and Notice of Establishment ("NOE"), for the Quiet Zone; and

WHEREAS, UTA and Lehi desire to coordinate their respective efforts and to work together to establish the Quiet Zone.

### AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties do hereby agree as follows:

1. Proposed Quiet Zone. UTA, Lehi and the Cities and Lehi understand that pursuant to FRA regulations, and with the construction of sufficient grade crossing protection improvements, communities are able to establish FRA-recognized quiet zones. In such quiet zones, neither freight nor passenger trains are required to routinely sound train horns as they approach grade crossings (as they otherwise would be obligated to do).

Under FRA regulations, only municipalities (or other entities with jurisdiction over roadways) are allowed to designate and continue the Quiet Zone. In conjunction with the planned commencement of the Commuter Rail North-South project, Lehi and the Cities have expressed a desire to designate a Quiet Zone through the entire project alignment. UTA, Lehi and the Cities believe it is in their collective best interest, and in the best interest of the community at large, that grade crossing protection improvements be installed in a manner that will enhance the safety of the Commuter Rail South project. Under FRA regulations, the Cities may appoint and authorize one representative to designate a multi-jurisdictional quiet zone. Subject to the provisions of this Agreement, Lehi is willing to act as the lead public authority in establishing the Quiet Zone. The Cities will, have by written agreement substantially in the form of Exhibit A, delegated authority to and authorized Lehi to prepare the NOI and NOE on their behalf as set forth in Exhibit A attached hereto and by this reference made a part hereof.

UTA hereby agrees to assist Lehi in preparing the filings necessary to establish the Quiet Zone. UTA further agrees to install certain grade crossing protection improvements at each crossing (as described in this Agreement). These will be paid for as part of UTA's budget for the Commuter Rail South project. In order to establish the proposed Quiet Zone, Lehi, acting on behalf of itself and the Cities, will need to demonstrate that the crossings within the corridor (after UTA has installed the planned grade crossing protection improvements) collectively calculate to a Quiet Zone Risk Index (as defined in 49 C.F.R. §222.9) that is below the Risk Index With Horns (as defined in 49 C.F.R. §222.9). Based on UTA's projected calculations, the installation of the planned grade crossing protection improvements by UTA appear to be sufficient to qualify under FRA regulations. However, the final calculation will require additional grade crossing data which Lehi will obtain from the Cities have committed to provide to Lehi. The purpose of this Agreement is to coordinate the efforts of UTA and Lehi in establishing the Quiet Zone.

2. Description of Quiet Zone. Table 1 lists the grade crossing locations within the proposed Quiet Zone, and the average daily traffic (to the extent currently known by UTA) at each crossing.

TABLE 1 -COMMUTER RAIL AT-GRADE CROSSING TRAFFIC VOLUMES

City	AAR Crossing No.	Street Name	ADT
Provo	807067P	Draper Lane	253
Provo	806927E	820 North	8425
Provo	N/A	Private Crossing	N/A
Provo	806932B	1680 North	250
Provo	806933H	2800 West	3051

Form

<u>Orem</u>	<u>806934P</u>	<u>2000 South</u>	<u>3000</u>
<u>Orem</u>	<u>254906J</u>	<u>800 South</u>	<u>170</u>
<u>Orem</u>	<u>254905C</u>	<u>400 South</u>	<u>5050</u>
<u>Vineyard</u>	<u>254902G</u>	<u>1600 North</u>	<u>3943</u>
<u>Vineyard</u>	<u>254903N</u>	<u>400 North</u>	<u>0</u>
<u>American Fork</u>	<u>254900T</u>	<u>1500 South</u>	<u>2440</u>
<u>American Fork</u>	<u>254898U</u>	<u>1100 South</u>	<u>1080</u>
<u>American Fork</u>	<u>254897M</u>	<u>100 East</u>	<u>1080</u>
<u>American Fork</u>	<u>254896F</u>	<u>100 West</u>	<u>838</u>
<u>American Fork</u>	<u>254895Y</u>	<u>Storrs Avenue</u>	<u>2064</u>
<u>American Fork</u>	<u>254894S</u>	<u>200 South</u>	<u>3278</u>
<u>Lehi</u>	<u>254891W</u>	<u>Center Street</u>	<u>3000</u>
<u>Lehi</u>	<u>254886A</u>	<u>200 South</u>	<u>2000</u>
<u>Lehi</u>	<u>254884L</u>	<u>Main Street</u>	<u>17000</u>
<u>Lehi</u>	<u>254882X</u>	<u>500 West</u>	<u>5870</u>
<u>Lehi</u>	<u>254881R</u>	<u>900 North</u>	<u>1919</u>
<u>Lehi</u>	<u>254879P</u>	<u>1500 North</u>	<u>4700</u>
<u>Bluffdale</u>	<u>254876U</u>	<u>1300 West</u>	<u>20</u>
<u>Draper</u>	<u>921199K</u>	<u>Canal Service Road</u>	<u>1</u>
<u>Draper</u>	<u>921198D</u>	<u>Private Crossing (Jensen Farm)</u>	<u>6</u>
<u>South Jordan</u>	<u>906693E</u>	<u>Jordan Gateway</u>	<u>10504</u>
<u>South Jordan/Sandy</u>	<u>254345X</u>	<u>10000 South</u>	<u>10500</u>
<u>Sandy</u>	<u>254346E</u>	<u>9400 South</u>	<u>1949</u>
<u>Murray</u>	<u>254762G</u>	<u>5900 South</u>	<u>10610</u>
<u>Murray</u>	<u>254772M</u>	<u>Vine Street</u>	<u>7540</u>
<u>Murray</u>	<u>254773U</u>	<u>4800 South</u>	<u>9410</u>
<u>Murray</u>	<u>254774B</u>	<u>4500 South Frontage Road</u>	<u>1951</u>
<u>South Salt Lake</u>	<u>N/A</u>	<u>Roper Yard Private Crossing</u>	<u>N/A</u>
<u>South Salt Lake</u>	<u>N/A</u>	<u>Roper Yard Private Crossing</u>	<u>N/A</u>
<u>Salt Lake City</u>	<u>254790K</u>	<u>1700 South</u>	<u>10300</u>
<u>Salt Lake City</u>	<u>254630W</u>	<u>900 South</u>	<u>3583</u>
<u>Salt Lake City</u>	<u>254659U</u>	<u>800 South</u>	<u>9470</u>

3. Minimum Grade Crossing Improvements for Quiet Zone. UTA agrees, at its sole expense, to cause the following improvements to be installed or maintained (if currently existing) at each crossing identified in Table 1:

3.1 With respect to each public crossing within the proposed Quiet Zone,

UTA will cause the installation of active warning devices comprising both flashing lights and gates in accordance with applicable standards. The warning devices will be equipped with power-out indicators. Constant warning time circuitry will also be implemented unless existing conditions would prevent the proper operation of the constant warning time circuitry. UTA shall cause these automatic warning devices to be equipped with at least one bell to provide an audible warning to pedestrians.

3.2 With respect to each private crossing within the proposed Quiet Zone, UTA will cause the installation of cross-bucks and "STOP" signs (in accordance with the MUTCD) on both approaches. UTA will cause to be conducted a diagnostic team review of each private crossing with public access, industrial use or commercial use. UTA will include all FRA-required parties in the diagnostic review. UTA will incorporate grade crossing improvements in accordance with the recommendations made by the diagnostic team.

3.3 With respect to each public and private crossing within the proposed Quiet Zone, UTA will cause the installation of an advanced warning sign (in accordance with the MUTCD) that advises motorists that train horns are *not* sounded at the crossing.

4. Grade Crossing Protection Improvements Required by Surveillance Meeting.

UTA has conducted an inspection of each crossing identified in Table 1. The ~~inspection~~Inspection of public crossings was conducted jointly with the Utah Department of Transportation ("UDOT"), the state agency responsible for ~~grade crossing safety at public grade crossings~~. As a result of the joint inspection, UDOT has made recommendations to upgrade certain public crossings. UTA has agreed to implement those recommendations. In addition to the minimum grade crossing protection improvements identified in Section 3 of this Agreement, UTA agrees, at its sole expense, to install UDOT's recommended upgrades as part of Commuter Rail South construction.

5. Additional Grade Crossing Protection Improvements. UTA will assist Lehi in verifying that the planned improvements are sufficient to reduce the Quiet Zone Risk Index to a level at or below the Risk Index With Horns. To the extent that the calculated Risk Index With Horns requires additional grade crossing protection improvements above those listed in Sections 3 and 4, UTA shall install such additional improvements as necessary to qualify for a quiet zone.

6. Grade Crossing Inventory Forms. Complete, current and accurate grade crossing inventory forms must be filed with the FRA for all crossings (public, private and pedestrian) within the proposed Quiet Zone. The grade crossing inventory forms will also be required in order to calculate the Risk Index With Horns, and in order for Lehi to issue the NOI and NOE. UTA has agreed to perform the initial traffic count studies required by the grade crossing inventory forms and to provide the resulting data to the Cities. By separate written agreement, each City ~~has~~will agreed to complete these forms for the crossings within its municipal boundaries, and to submit these forms to Lehi. ~~UTA and Lehi anticipate that~~ The Cities have ~~will~~ agreed, throughout the duration of the Quiet Zone established under this Agreement, to update the grade crossing inventory forms within 90 days of the completion of changes to crossings (to reflect the current conditions at each crossing). Lehi will be responsible for

collecting and coordinating its own grade crossing inventory forms and those from the Cities. UTA will assist Lehi in incorporating data into the Quiet Zone Risk Index.

7. Notice of IntentOI. Subject to receiving the required information described in Exhibit "B" attached hereto, Lehi agrees to provide, by certified mail, return receipt requested, an NOI to UDOT (as the state agency responsible for highway and road safety, and also as the state agency responsible for grade crossing safety) and to all railroads operating over the public highway-rail grade crossings within the proposed Quiet Zone including, but not limited to, the Union Pacific Railroad. The purpose of the NOI is to solicit comments and recommendations from UDOT and the railroads. UTA agrees to assist Lehi in the preparation of technical information necessary for the NOI. The NOI shall be prepared and delivered according to all requirements of 49 C.F.R. §222.43(b). The required contents of the NOI are described in Exhibit "B" to this Agreement.

8. Review of Comments to NOI. Lehi agrees to compile any comments received from UDOT and the railroads in response to the NOI, and to review such comments with UTA and the Cities. UTA and Lehi will mutually determine the appropriate manner in which to respond to such comments. Nothing provided in this provision shall require UTA to construct improvements in excess of those required in Sections 3, 4 and 5 of this Agreement.

9. Notice of EstablishmentOE. Subject to Lehi receiving executed agreements from the Cities and UTA and the Cities performing their obligations under their respective agreements with Lehi, Lehi shall provide an NOE to: (a) all railroads operating over the public highway-rail grade crossings within the proposed Quiet Zone including, but not limited to, the Union Pacific Railroad; (b) each City (as the highway, traffic control or law enforcement authorities having jurisdiction over vehicular traffic at grade crossings within the proposed Quiet Zone); (c) the land owners having control over any private crossings within the proposed Quiet Zone; (d) UDOT (as the state agency responsible for highway and road safety and the state agency responsible for grade crossing safety); and (e) the FRA Associate Administrator. The purpose of the NOE is to formally advise affected parties that the Quiet Zone is being established. The NOE shall be prepared and delivered according to all requirements of 49 C.F.R. §222.43(d). UTA agrees to assist Lehi in the preparation of technical information necessary for the NOE. Lehi will be responsible to obtain from the Cities the grade crossing inventory forms reflecting the information required by 49 C.F.R. §222.43(d)(v) and 49 C.F.R. §222.43(d)(vi). The contents of the NOE are described in Exhibit "C" to this Agreement.

10. Maintenance of Grade Crossing Protection Improvements. Upon completion of construction, UTA shall be solely responsible for maintaining any grade crossing protection improvements located within the UTA-owned right of way, including flashing lights, gates, cross-bucks, signage and circuitry associated with the grade crossings. Union Pacific Railroad shall be solely responsible for maintaining any grade crossing protection improvements located within the Union Pacific Railroad-owned right of way, including flashing lights, gates, cross-bucks, signage and circuitry associated with the grade crossings. Lehi and the Cities will maintain safety features located outside of the UTA-owned and Union Pacific Railroad-owned right of way located within their jurisdictional boundaries, including raised medians, pavement markings, and signs within the highway right of way.

11. Maintaining Quiet Zone Status. With respect to the individual grade crossings located within their respective boundaries, Lehi and the Cities will be responsible for updating and authenticating grade crossing inventory forms every 2.5 to 3 years and for affirming the conditions for grade crossing protection improvements to the FRA. Upon request, UTA agrees to assist the Cities by providing train traffic information and otherwise cooperating with the Cities in the filing of periodic updates with the FRA.

IN WITNESS WHEREOF, the parties have each executed this Agreement Regarding Establishment of Rail Quiet Zone as of the date first set forth above.

[signature blocks]

**LEHI CITY**

By: \_\_\_\_\_

Bert Wilson, Mayor

**ATTEST AND COUNTERSIGN:**

By: \_\_\_\_\_

City Recorder

**APPROVED AS TO FORM AND LEGALITY:**

City Attorney

**UTAH TRANSIT AUTHORITY**

By: \_\_\_\_\_

Michael A. Allegra, General Manager

By: \_\_\_\_\_

W. Steven Meyer, Chief Capital Development Officer

**APPROVED AS TO FORM AND LEGALITY:**

UTA Legal Counsel

## EXHIBIT "A" AGREEMENT

This AGREEMENT ("Agreement") is made and entered into as of the \_\_\_\_ day of \_\_\_\_, 2012, by and among the Utah Transit Authority, a Utah public transit district ("UTA"), and the following Utah municipal corporations: LEHI CITY ("Lehi"), SALT LAKE CITY ("Salt Lake"), CITY OF SOUTH SALT LAKE ("South Salt Lake"), MURRAY CITY ("Murray"), MIDVALE CITY ("Midvale"), SANDY CITY ("Sandy"), SOUTH JORDAN CITY ("South Jordan"), DRAPER CITY ("Draper"), BLUFFDALE CITY ("Bluffdale"), AMERICAN FORK CITY ("American Fork"), VINEYARD ~~CITY~~ Town ("Vineyard"), OREM CITY ("Orem") and PROVO CITY ("Provo"), which cities, except Lehi, shall hereinafter be collectively referred to as the "Cities."

### RECITALS

A. The Utah Transit Authority ("UTA") is presently constructing and will own and operate a commuter rail line extending from Salt Lake to Provo ("Commuter Rail South Project"), a portion of which will pass through Lehi and each of the Cities.

B. Lehi and the Cities desire to establish a Quiet Zone consistent with the provisions of 49 CFR Part 222 ("Quiet Zone") and the Cities desire to hereby authorize and delegate to Lehi authority to take such actions as are necessary to establish a Quiet Zone as required by law.

C. Lehi and the Cities each own or maintain one or more public roadways crossing the railroad corridor, or contain at least one private crossing of the railroad corridor within their municipal boundaries, and desire to provide that trains using the corridor will not be required to routinely sound locomotive horns as they approach the crossings.

D. Lehi is willing to act as the delegated authority for itself and the Cities under the Federal Railroad Administrative ("FRA") Regulations for the purpose of collecting information from the Cities and preparing a Notice of Intent ("NOI") and a Notice of Establishment ("NOE") for the Quiet Zone, all in accordance with the provisions as set forth in this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Lehi and the Cities hereby agree as follows:

### AGREEMENT

1. The Cities each hereby authorize, delegate to and designate Lehi to take the following actions on their respective behalfs.:

a. To receive from the Cities certain grade crossing inventory forms that provide traffic volume and other information regarding those streets or private crossings located within each of the Cities that cross the railroad corridor. The Cities shall obtain the initial traffic count information from UTA. The Cities shall be responsible for additional information called for by the grade crossing inventory forms. Each of the Cities hereby

agrees to take all actions that are necessary to ensure that the complete, current and accurate grade crossing inventory forms are filed with Lehi in a timely manner in order to allow preparation of the NOI and the NOE and to make any filings required by law.

b. It is expressly understood and acknowledged that complete, current and accurate grade crossing inventory forms must be provided by each of the Cities to Lehi for all crossings (public, private and pedestrian) within the proposed Quiet Zone. Each of the Cities hereby agrees, throughout the duration of the Quiet Zone to be established by the FRA to update the grade crossing inventory forms within 90 days of the completion of changes to crossings to reflect the current conditions at each crossing within their respective boundaries.

c. The Cities each agree to appoint a representative to act on their ~~respective~~ behalfs as their liaison and contact person with Lehi's representative, Gary Uresk at 1555 South 800 West, Lehi City, Utah 84087, (801) 292-4421, to confer with and provide any required information needed by Lehi in conjunction with establishing the Quiet Zone and updating any required information.

d. Lehi and the Cities understand that UTA has agreed to install ~~the~~ grade crossing protection improvements at each crossing ~~as described in Exhibit A attached hereto and by this reference made a part hereof~~, that are necessary to establish the proposed Quiet Zone.

e. Upon completion of construction of any grade crossing improvements within the boundaries of any of the Cities, UTA shall be solely responsible for maintaining the improvements located within the UTA owned right-of-way, including flashing lights, gates, cross bucks, signage and circuitry associated with grade crossings. Union Pacific Railroad shall be solely responsible for maintaining any grade crossing protection improvements located within the Union Pacific Railroad-owned right of way including flashing lights, gates, cross-bucks, signage and circuitry associated with the grade crossings. Each of the Cities will be solely responsible to maintain safety features located within their respective boundaries outside of the UTA and Union Pacific Railroad-owned right-of-way, including raised medians, pavement markings and signs within highway right-of-ways.

2. Lehi hereby agrees to take the following actions on behalf of itself and the Cities:

a. To enter into a written agreement with UTA pursuant to which UTA will agree to assist Lehi and the Cities in establishing the Quiet Zone and further agree to install certain required safety measures at grade crossings and to provide technical assistance with respect to establishing a Quiet Zone and filing an application therefor.

b. To receive and forward grade crossing inventory forms from each of the Cities as part of establishing the Quiet Zone in accordance with 49 CFR Part 222. Lehi ~~either already has, or will in the future~~, with UTA's assistance, prepare and provide an NOI to UDOT as the State agency responsible for highway and road safety, and as the State agency responsible for grade crossing safety, to all railroads operating over the public

highway rail grade crossings within the proposed Quiet Zone, including but not limited to, the Union Pacific Railroad. Lehi and the Cities will cooperate as necessary to enable Lehi to prepare and deliver the NOI according to the requirements of 49 CFR Section 222.43(bB).

c. Lehi will compile any comments received from UDOT and the railroads in response to the NOI and will review such comments with UTA and the Cities.

d. Subject to UTA and all of the Cities performing their obligations under any agreements with Lehi, Lehi will provide an NOE to all railroads operating over the public highway rail grade crossings within the proposed Quiet Zone, to each of the Cities, to land owners having control over any private crossings within the proposed Quiet Zone and to UDOT as the State agency responsible for highway and road safety and grade crossing safety and the FRA Associate Administrator. The purpose of the NOE will be to formally advise affected parties that the Quiet Zone is being established.

e. Each of the Cities hereby agrees to indemnify and hold Lehi, its officers, employees, representatives, attorneys and agents harmless from any and all claims, damages, expenses and costs, including attorneys' fees, which may be incurred by the Cities, or any of them, or their representatives in connection with or arising out of Lehi's actions in performing its responsibilities hereunder as the delegated public authority attempting to establish the Quiet Zone. The Cities shall have the right to terminate their delegation of authority to Lehi at any time upon giving written notice to Lehi, in which case Lehi shall be released from any further obligation or responsibilities to pursue establishment of the Quiet Zone and any other obligations under the terms of this Agreement.

f. The Cities acknowledge and understand that Lehi will incur some expenses in connection with acting on behalf of the Cities in seeking to establish the Quiet Zone and in coordinating with UTA. Accordingly, each of the Cities hereby agrees to pay \$400 to Lehi to pay a portion of the legal fees and administrative expenses that will be incurred by Lehi in performing its responsibilities under the terms of this Agreement.

3. This Agreement may be executed in multiple counterparts, each of which shall constitute an original, but all of which taken together shall constitute one single agreement.

4. This Agreement does not supersede or amend that certain Interlocal Agreement Regarding Fixed Guideway Systems Within Railroad Corridors, dated as of February 13, 2004 by and between UTA, Lehi, and the Cities.

5. Interlocal Agreement Provisions.

a. Duration, Termination. Unless otherwise terminated, the duration of this Agreement shall commence on the date of execution, and shall continue for a period of \_\_\_\_\_ years.

b. No Separate Legal Entity. No separate legal entity is created by this Agreement.

Field

Field

Field

c. Division of Property. The parties will not jointly acquire or hold any real property under this Agreement.

Field

d. Filing. As provided in Utah Code Ann. § 11-13-209, this Agreement shall take effect after execution upon filing with the keeper of the records of each of the public agencies which are parties hereto.

**IN WITNESS WHEREOF**, the parties hereto have each executed this Agreement by and through their respective, duly authorized representatives as of the day and year first above written.

[signature blocks]

## **EXHIBIT B**

### Required Contents of Notice of Intent to Create Quiet Zone

1. An accurate, complete and current list of each public highway-rail grade crossing, private crossing and pedestrian crossing within the proposed Quiet Zone. Crossings will be identified by both the U.S. DOT Crossing Inventory Number and the street or highway name.
2. A statement of the time period within which the restrictions would be in effect on the routine sounding of train horns (i.e., 24 hours or from 10 p.m. to 7 a.m.).
3. A brief explanation of the tentative plans for implementing safety improvements within the proposed Quiet Zone. The list of improvement plans will be provided to Lehi by UTA and are based on the results of UTA inspections and surveillance reviews of public crossings with UDOT.
4. The name, title and contact information of the person who will act as the point of contact during the Quiet Zone establishment process.
5. A list of the names and addresses of each party that will receive a copy of the NOI.

## EXHIBIT C

### Required Contents of Notice of Establishment of Create Quiet Zone

1. A list of each public highway-rail grade crossing, private crossing, and pedestrian crossing within the proposed Quiet Zone, identified by both U.S. DOT National Highway-Rail Grade Crossing Inventory Number and street or highway name.
2. A specific reference to the regulatory provision that provides the basis for quiet zone establishment, citing as appropriate, §§ 222.39(a)(1), 222.39(a)(2)(i), 222.39(a)(2)(ii), 222.39(a)(3), 222.39(b), 222.41(a)(1)(i), 222.41(a)(1)(ii), 222.41(a)(1)(iii), 222.41(a)(1)(iv), 222.41(b)(1)(i), 222.41(b)(1)(ii), 222.41(b)(1)(iii), or 222.41(b)(1)(iv).
3. If a diagnostic team review was required under § 222.25 (private crossings) the NOE will include a statement affirming that the state agency responsible for grade crossing safety (UDOT) and all affected railroads were provided an opportunity to participate in the diagnostic team review. The NOE shall also include a list of recommendations made by the diagnostic team.
4. A statement of the time period within which restrictions on the routine sounding of the locomotive horn will be imposed (i.e., 24 hours or from 10 p.m. until 7 a.m.).
5. An accurate and complete grade crossing inventory form for each public highway-rail grade crossing, private crossing, and pedestrian crossing within the quiet zone that reflects the conditions existing at the crossing before any new Supplemental Safety Measures ("SSMs") or Alternative Safety Measures ("ASMs") were implemented. Each of the Cities will be responsible for preparing and authenticating the grade crossing inventory forms for the crossings within their boundaries.
6. An accurate, complete and current grade crossing inventory form for each public highway-rail grade crossing, private crossing, and pedestrian crossing within the quiet zone that reflects SSMs and ASMs in place upon establishment of the quiet zone. SSMs and ASMs that cannot be fully described on the Inventory Form shall be separately described. Each individual city will be responsible for preparing and authenticating the grade crossing inventory forms for the crossings within their boundaries.
7. A statement affirming that an NOI was sent out as required by 49 CFR §222.43(b).
8. A statement affirming that either 60 days has passed since the mailing of the NOI or, if 60 days has not passed, a statement affirming that comments or no comment statements have been received from all parties entitled to receive the NOI.
9. The name and title of the person responsible for monitoring compliance with the requirements of this part and the manner in which that person can be contacted.
10. A list of the names and addresses of each party that is receiving a copy of the NOE.

4.11. A statement signed by the mayor of each City, in which the mayor will certify that the information submitted by the public authority is accurate and complete to the best of his/her knowledge and belief.

# **New Business**

## **Item #2**

# Murray City Municipal Council

## Request for Council Action

**INSTRUCTIONS:** The City Council considers new business items in Council meeting. All new business items for the Council must be submitted to the Council office, Room, 112, no later than 5:00 p.m. on the Wednesday two weeks before the Council meeting in which they are to be considered. This form must accompany all such business items. If you need additional space for any item below, attach additional pages with corresponding number and label.

**1. TITLE:** (Similar wording will be used on the Council meeting agenda.)

CONSIDER A RESOLUTION ADOPTING THE MURRAY CITY STRATEGIC PLAN

**2. KEY PERFORMANCE AREA:** (Please explain how request relates to Strategic Plan Key Performance Areas.)  
It relates to all Key Performance Areas

**3. MEETING, DATE & ACTION:** (Check all that apply)

Council Meeting OR  Committee of the Whole

Date requested **JUNE 5<sup>th</sup> 2012**

Discussion Only

Ordinance (attach copy)

Has the Attorney reviewed the attached copy?

Resolution (attach copy)

Has the Attorney reviewed the attached copy? **YES**

Public Hearing (attach copy of legal notice)

Has the Attorney reviewed the attached copy?

Appeal (explain) \_\_\_\_\_

Other (explain) \_\_\_\_\_

**4. FUNDING:** (Explain budget impact of proposal, including amount and source of funds.)

**5. RELATED DOCUMENTS:** (Attach and describe all accompanying exhibits, minutes, maps, plats, etc.)

Memo and Resolution

**6. REQUESTOR:**

Name: Daniel C Snarr

Title: Mayor

Presenter: Jan Wells

Title: Chief of Staff

Agency: Murray City Corporation

Phone: 801-264-2621

Date: May 23<sup>rd</sup> 2012

Time: \_\_\_\_\_

**7. APPROVALS:** (If submitted by City personnel, the following signatures indicate, the proposal has been reviewed and approved by Department Director, all preparatory steps have been completed, and the item is ready for Council action)

Department Director: Daniel C Snarr

Date: May 23<sup>rd</sup> 2012

Mayor:



Date: May 23<sup>rd</sup> 2012

**8. COUNCIL STAFF:** (For Council use only)

Number of pages: \_\_\_\_\_ Received by: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Recommendation: \_\_\_\_\_

**9. NOTES:**

February 24, 2012



**MURRAY CITY CORPORATION  
OFFICE OF THE MAYOR**

Daniel C. Snarr, Mayor

Jan Wells, Chief of Staff

801-264-2600 FAX 801-264-2608

# MEMO

To: Murray City Council  
From: Jan Wells, Chief of Staff  
Date: May 23, 2012  
RE: Strategic Plan Adoption

It has been an important joint effort to create a Strategic Plan for the City. We have participated in this work as staff with elected officials and all contributed to the Vision, Mission and Values. Our seven Key Performance Areas are identified and include a list of initiatives to help us accomplish greater success in each.

We have given the employees an opportunity to see the plan at our open house on May 21<sup>st</sup> that resulted from their input in the survey that was part of the process. They are important to implementing the initiatives with us as we continue with the plan into the future.

Novak Consulting was a good partner in the process of development of our plan and we appreciated the work they did. We are now looking forward to the adopting of the plan. It has been a wonderful exercise to have us all focused on the same vision and direction. As we continue to move ahead we will involve Council, staff, residents, employees and specialists in various committees through the coming years.

Thank you for your consideration of the request to adopt the Strategic Plan.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION ADOPTING THE MURRAY CITY STRATEGIC PLAN

WHEREAS, the City Council members, the City Council staff, the Mayor, the Mayor's staff and the City Department Directors engaged in a strategic planning process facilitated by the Novak Consulting Group, an independent consultant; and

WHEREAS, as a result of the strategic planning process, a draft of the Murray City Strategic Plan ("Strategic Plan") was developed; and

WHEREAS, the elements of the Strategic Plan include a vision, mission, values, key performance areas, and strategic initiatives for the City; and

WHEREAS, the City wants to use the Strategic Plan to guide the City in its decision-making and future planning; and

WHEREAS, the City wants to formally adopt the Strategic Plan thereby acknowledging that decisions made by the City shall, to the extent possible, be consistent with the Strategic Plan.

NOW, THEREFORE, BE IT RESOLVED by the Murray City Municipal Council, as follows:

1. It hereby adopts the Murray City Strategic Plan in substantially the form attached hereto as Appendix "A".
2. The City shall use and rely upon the Murray City Strategic Plan to guide its decision-making and future planning.
3. A copy of the Murray City Strategic Plan shall be available for public inspection in the City Recorder's Office.
4. This Resolution shall be effective immediately upon passage.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council, this 5th day of June, 2012.

MURRAY CITY MUNICIPAL COUNCIL

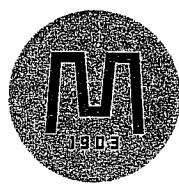
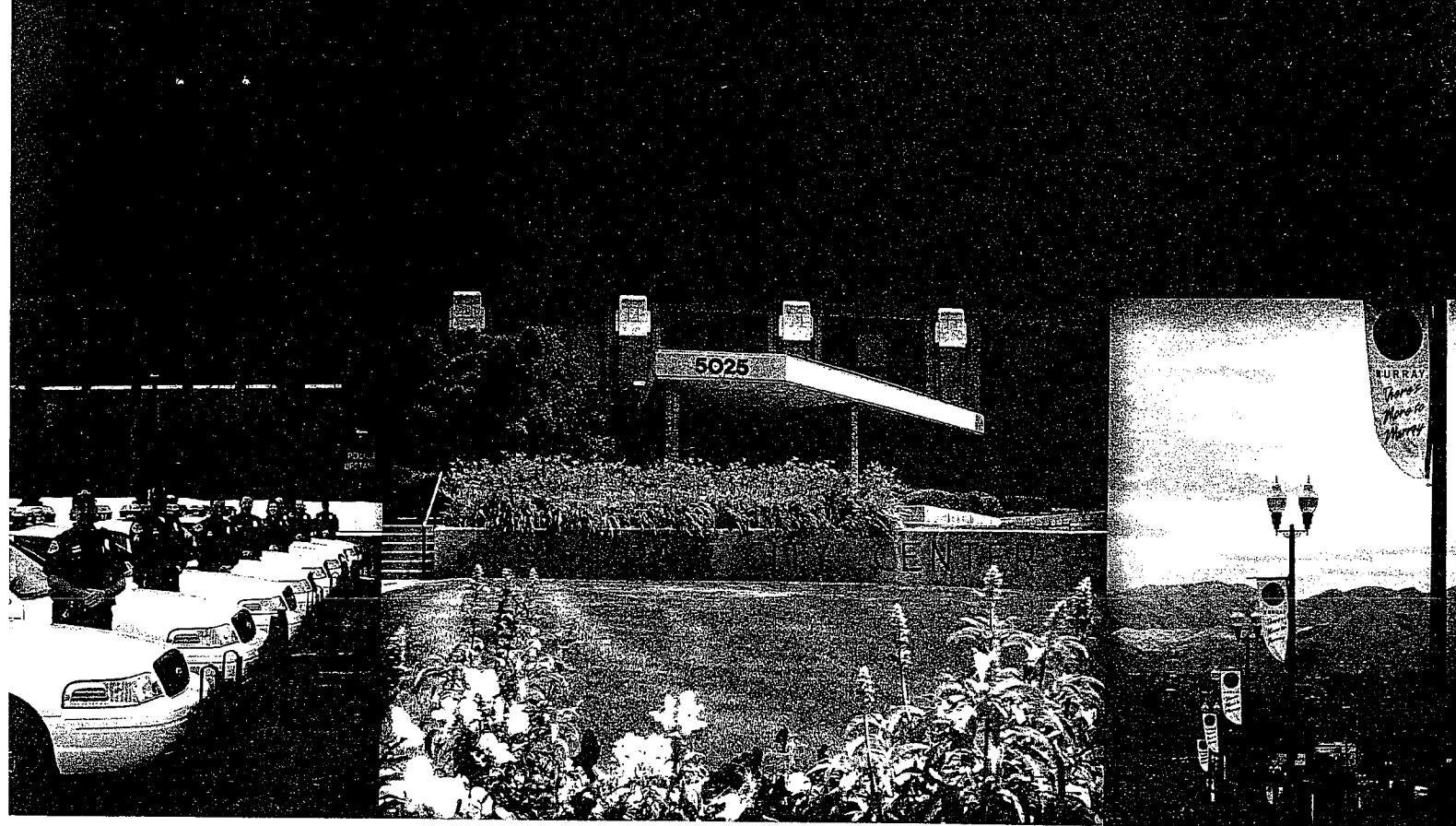
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James A Brass, Chair

ATTEST:

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Jennifer Kennedy, City Recorder



MURRAY

# *Murray City, Utah*

## STRATEGIC PLAN SUMMARY

# *Murray City Strategic Plan*

## *Vision*

Murray City is a progressive, vibrant, independent and self-sustaining community that balances the needs of its businesses and protects an ever-changing resident population. We capitalize on our strengths, including our central location and infrastructure, to attract quality businesses and jobs. Our quality of life is enriched through the availability of thriving and diverse neighborhoods, healthcare services, community recreation and educational opportunities. We encourage public participation and foster inclusiveness for our citizens in moving the City forward.



## **MURRAY**

## *Mission*

Murray City promotes a high quality of life by providing superior governmental services in a professional, friendly, innovative and proactive manner.

## *Values*

Murray City employees and elected officials serve our community in an environment grounded in core values that guide our daily actions. We aspire to work in an environment that is defined by a sense of **camaraderie** with our colleagues. We know that we are **accountable** for our resources, decisions, actions and deeds, and we recognize that good governance requires that we act with the utmost **integrity**. We **collaborate** to provide services and are **responsive** to those we serve.

*This document is a summary of Murray City's strategic plan with its Mission, Vision, Values, Key Performance Areas and Strategic Initiatives as agreed to by the Mayor and Council on January 30-31, 2012. Read more about the strategic planning process on the last page of this document.*

## *Key Performance Areas and Strategic Initiatives*

### *Financially Sustainable*

Murray City is well equipped to meet its short and long term financial obligations with the annual adoption of a balanced budget, the implementation of a multi-year capital improvement program, and the diversification of revenue streams in response to changing economic trends.

- Diversify City revenue sources

### *Welcoming and Thriving Business Climate*

Murray City maintains an aesthetically pleasing, efficient, progressive and business-friendly environment through investments in transportation, technology and infrastructure that support quality businesses and jobs in the community. Murray city is home to unique, destination-oriented, sustainable commercial development.

- Develop a comprehensive economic development policy and incentive plan
- Pursue aggressively the creation of a vibrant and sustainable Murray City downtown

### *Responsive and Efficient City Services*

Murray City ensures the delivery of high quality public services by maintaining an effective, efficient and well trained workforce, regularly investing in technology, equipment and other resources, and communicating with residents and business owners regularly to understand how responsiveness may be enhanced to meet the needs of residents and property owners.

- Develop a performance management system and perform a City services review
- Develop an internal communications plan
- Evaluate employee compensation and resource options

### *Engaged and Informed Residents*

Murray City provides its residents the opportunity to be knowledgeable, informed and aware of local issues. Our residents take ownership in improving the community and serve as active partners and participants.

- Develop a comprehensive external communications plan

### *Safe and Healthy Neighborhoods with Varied Housing Opportunities*

Murray City is comprised of safe, healthy and attractive neighborhoods that reflect socioeconomic diversity, promote walkability (e.g. complete streets), offer a variety of housing options and foster a strong sense of community.

### *Well Maintained, Planned and Protected Infrastructure and Assets*

Murray City provides for timely maintenance, repair and replacement of our assets. The City makes regular contributions to a capital improvement fund to meet existing infrastructure needs and plan for and accommodate future growth.

- Develop a comprehensive Capital Improvement Program

### *Vibrant Parks, Recreation, and Cultural Amenities*

Murray City provides a variety of active and passive cultural and recreational opportunities in well maintained parks, facilities and public spaces for the personal enrichment of residents and visitors.

- Develop a parks, recreation and cultural amenities master plan

The Mayor and City Council of Murray City embarked on strategic planning process in the fall of 2011. Strategic Planning answers three questions:

- » What do we know to be true?
- » What do we hope will be true in the future?
- » What must go well in order to make it so?

A Murray City Steering Committee of elected officials and staff worked with The Novak Consulting Group on this five-month process to answer the three strategic planning questions. The Novak Consulting Group conducted an environmental scan which included collecting data from federal, state, and local sources, focus groups, a community and employee survey, and interviews with key stakeholders.

The environmental scan answered the question of what do we know to be true and represents the current environment and a look into what the future will be based on past trends. To answer the second question, the Mayor, all City Council members, and department heads participated in a two day retreat focused on developing Murray City's vision, mission, values, and key performance areas. A second retreat finalized these elements and the group developed work plans around the vision to answer the third question. The key performance areas and strategic initiatives, in conjunction with work plans, lay the work for the City Council and Administration for the next two years to move closer to achieving the vision.

This document is a summary of this strategic plan with the strategic planning framework – Murray City's vision, mission, values, key performance areas, and strategic initiatives.

# **Mayor's Report and Questions**

# Adjournment