

MURRAY
CITY COUNCIL

Council Meeting February 19, 2013



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, February 19, 2013, at the Murray City Center, 5025 South State Street, Murray, Utah.

4:45 p.m. **Committee of the Whole:** To be held in the Conference Room #107

1. Approval of Minutes

- 1.1 Council Initiative Workshop – November 20, 2012
- 1.2 Committee of the Whole – November 13, 2012
- 1.3 Committee of the Whole – January 22, 2013

2. Business Items

- 2.1 Murray City Municipal Council Handbook Discussion – Brett Hales (15 minutes)
- 2.2 Lowest Responsive Responsible Bidder Discussion – Dave Nicponski, Doug Hill, Tim Tingey and Blaine Haacke (30 minutes)
- 2.3 Information Technology Governance Committee Update – Tim Tingey (30 minutes)
- 2.4 Election Code Changes – Jennifer Kennedy (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 January 8, 2013
- 5.3 Special Recognition
 - 5.3.1 Murray City Council **Employee of the Month Detective Brad Astin** – Lieutenant Tom Martin 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 appointment of Maren Patterson to the Murray Planning and Zoning Commission in an At-Large position for a three-year term to expire January 15, 2016.
- 7.2 Consider confirmation of the Mayor's appointment of Blair Camp to the new Murray City Ethics Commission for a three-year term to expire February 19, 2016.
- 7.3 Consider confirmation of the Mayor's appointment of Jan Evans to the new Murray City Ethics Commission for a three-year term to expire February 19, 2016.
- 7.4 Consider confirmation of the Mayor's appointment of Ray Black to the new Murray City Ethics Commission for a two-year term to expire February 19, 2015.
- 7.5 Consider confirmation of the Mayor's appointment of Donnetta Mitchell to the new Murray City Ethics Commission for a one-year term to expire February 19, 2014.
- 7.6 Consider confirmation of the Mayor's appointment of Rod Horton to the new Murray City Ethics Commission for a two-year term to expire February 19, 2015.

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 (Continued from January 8, 2013):

Consider an ordinance amending Section 17.48.120 of the Murray City Municipal Code to allow for additional height and size for signs on properties adjacent to I-15 and I-215 in the General Office District (G-O). (Harmony Home Health.) (Tim Tingey 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 the City's Fiscal Year 2012 – 2013 Budget to increase the Capital Project Fund by \$475,000 as revenue from the Utah State Legislature, increase the General Fund by \$105,908 as revenue from the Utah Department of Transportation and to appropriate \$15,000 from the Fire Department 2012 Budget savings. (Justin Zollinger 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 amending the City's Fiscal Year 2012 – 2013 Budget to appropriate from General Fund Reserves \$168,800 to be used by the Utah Telecommunications Open Infrastructure Agency (UTOPIA) to help cover operational expense. (Justin Zollinger presenting.)

8.3.2 Council consideration of the above matter.

9. Unfinished Business

9.1 None scheduled.

10. New Business

10.1 Consider a resolution approving Sponsorship and Professional Development Assistance Match Grant applications to the Economic Development Corporation of Utah. (Tim Tingey presenting.)

11. Mayor

11.1 Report

11.2 Questions of the Mayor

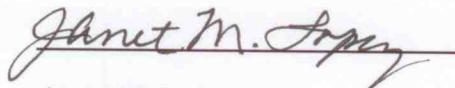
12. Adjournment

NOTICE

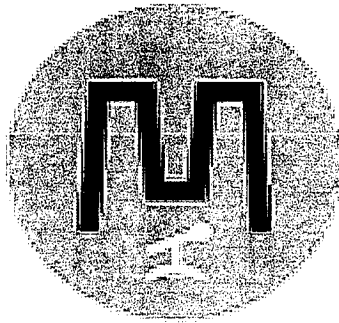
SPECIAL ACCOMMODATIONS FOR THE HEARING OR VISUALLY IMPAIRED WILL BE MADE UPON A REQUEST TO THE OFFICE OF THE MURRAY CITY RECORDER (801-264-2660). WE WOULD APPRECIATE NOTIFICATION TWO WORKING DAYS PRIOR TO THE MEETING. TDD NUMBER IS 801-270-2425 or call Relay Utah at #711.

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 Tuesday, February 12, 2013, 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, and the state noticing website at <http://pmn.utah.gov>.



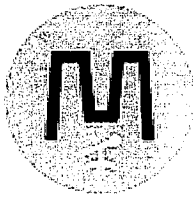
Janet M. Lopez
Council Administrator
Murray City Municipal Council



MURRAY
CITY COUNCIL

Committee of the Whole

Committee of the Whole Minutes



MURRAY
CITY COUNCIL

DRAFT

MURRAY CITY MUNICIPAL COUNCIL COUNCIL INITIATIVE WORKSHOP

A Murray City Council Initiative Workshop was held on Tuesday, November 20, 2012 in the Murray City Center, Conference Room #107, 5025 South State Street, Murray, Utah.

Members in Attendance

Jim Brass
Jared Shaver
Dave Nicponski
Darren V. Stam
Brett Hales

Council Chairman
Council Vice Chairman
Council Member
Council Member
Council Member

Members Excused

Others in Attendance

Frank Nakamura
Janet M. Lopez
Jan Wells
Justin Zollinger
Greg Bellon
Jennifer Brass
Dan Snarr

City Attorney
Council Office Administrator
Mayor's Chief of Staff
Finance
Power
Citizen
Mayor

The Council Initiative Workshop was called to order by Mr. Brass.

Discussion Item #1

Enterprise Fund Reserve Accounts- Darren Stam

This topic came up based on a conversation Mr. Stam had several months ago, with Gary at the golf course. Gary mentioned things that he wanted to do, and the money he needed for a new sprinkler system. Mr. Stam asked Gary how large the reserve fund for the golf course was. Gary replied that it was about \$200,000.

Mr. Stam said that the City is aware that the Enterprise funds are rather healthy and have reserves. If an event were to hit, would the reserves be enough, or would that come back and hit the general fund.

Mr. Stam thought it would be wise to look at what the amounts and percentages are, and possibly evaluate and update the fund.

The Mayor said that in the past, there was a case where the general fund had to loan money to the power fund. This was because the Enron debacle and UAMPS got into some contracts on buying additional power resources. The city was obligated to pay about a million and a half for several years. At the same time, the City had several projects going; such as the gas turbines, and significant upgrades.

Mr. Brass commented that even though that was a truly unusual event, it is one where you can burn through a lot of money. Mr. Nicponski asked about the differing rates. If the total budget for the golf course is x amount, then reserves ought to be a percentage of the budget.

Mr. Stam replied that the City may need to look at each Enterprise fund, and what the catastrophic event would be and how much money it would cost. The golf course would not need as high as a percentage as water, or storm water. When you look at the reserve situation at the golf course, it states that "a cash reserve fund shall be established within Murray Parkway Recreation Fund and maintained at the level of 17% of the annual gross revenues, or \$150,000." Mr. Stam doesn't think that amount will be enough for the golf course.

Mayor Snarr said his personal feeling would be to phase the sprinkler system, and not rebuild it all at once. Mr. Shaver said there is a difference between a CIP project and a reserve for a catastrophic event. We are looking at an emergency fund event versus a forecasted expenditure that the city may be able to partial it out, or have it become part of a Capitol Improvement Project, he said. There is a difference between those two areas. Mr. Shaver asked if we are considering that any catastrophic or emergency event that can happen to any one of the Enterprise funds.

Mr. Stam asked what a reserve fund is for. Isn't it to cover unexpected expenses with gaps between revenue coming in, he asked. Evaluating what the fund is for, gives you a better idea of where we want to go. Mr. Hales commented that it was for protection.

Mr. Stam said that maybe each of the Enterprise Funds should come in and explain where they are with their funds, and help us establish what should be in the code.

Mr. Shaver would also like to hear what is done outside of what the council does. Maybe, Mr. Zollinger should do some research on it as well, to see what other cities do. The size of the city shouldn't make a difference, if it is a percentage. Those cities that have their own power, storm water, sewer, and golf courses should be looked at to see what they do in

relationship to the reserves. This might give an outside perspective to give a little different view on how to do that.

Mr. Brass suggested looking at how much of the equipment is covered by insurance. If a generator is lost, it might be covered. If a sub-station transformer goes out, it probably isn't, and that is a major expense. That would be a typical catastrophic event. The other thing to keep in mind as a component of our reserves is if the earthquake comes, we are going to need every dime we have. Our sources of revenue will be out of business for quite a while. If the mall were to collapse, that is income to the City. Reserves would need to start covering operating expenditures until the normal revenue stream returns. When the City went through the Operation Shakeout, one scenario was that the mall collapses, and there goes the revenue stream. Mr. Brass said we need to look at the reserves for that also. That can't be funded but you need to keep it in mind.

Mr. Shaver said in reading a follow up after the storm Sandy, it didn't have anything to do with money. They couldn't get the parts there fast enough, and ran out of materials to replace wires, poles. People were trying to get material from all over. Maybe the council needs to look at not only reserve in capital but reserve in material; what supplies we have on the shelf. The failure rate is so low that people don't want to store supplies for several reasons. The Council needs to look at everything. What does the golf course have in reserve, and how will they plan for a catastrophic event.

Mr. Zollinger said this is about inventory and safety stock in particular, for some of the older things that require older parts that aren't currently available. Mr. Nicponski said the City should know what the insurance costs are also. Mr. Shaver said Mr. Nakamura has looked at that in detail, what the City pays, and what our deductibles are. Mr. Brass said, ironically, the city has had to use that this year. He said when we begin to talk about self-insuring, that is when the disaster will hit.

Mr. Brass said regarding safety stock that the city has inventory, and regarding the older equipment with hard to find parts, the city should have that also. The City can't stock enough hardware to build our system, but there are four good suppliers in the valley that stock our supplies. When a disaster like that hits, the shelves are cleaned out.

Mr. Shaver asked if the Council wants to look at just money, or possibly do a retreat and look at all of it. Mr. Brass said that requiring a statutory requirement is a double edge sword. Mr. Nicponski said we need to understand the insurance aspect of it all. Mr. Brass said that talking inventory may be a trap also. If you talk to an operations guy, they think they need everything. If you talk to a finance guy, they will say you don't need all of that. Mr. Shaver said the city needs to find a way to balance that. Mr. Nicponski asked if all of the Enterprise reserve funds will be covered. Mr. Stam said the general fund has a state allotted amount of 18% of revenue. Mr. Brass said that is a floating target, if your revenues go down, the reserves go down.

Mayor Snarr said you have stability in the water, sewer, storm drain system, but the revenue in the power department depends on the weather. When the Mayor was first elected, the golf course funded the acquisition of the lots along the parkway and most of the development. It was built back in 1982, before many other golf courses opened up within the valley. The golf course doesn't do what it used to do, and got upside down when the recession hit and the other golf courses lowered fees for people to get them there. The City also was taking \$120,000 a year out of the golf course fund to pay for the maintenance of the parkway but that stopped it so it would come out of the general fund. The reserves at the golf course need to be built up to take care of things, such as: replacing the pumps that pump the water from the lakes, and incrementally redoing the sprinkler system, over the next five or six years. Last year was a good year, the economy turned and the golf course made some money.

Mr. Nakamura mentioned that the City has bonds for this. As you look at these reserves, the City has contractual obligations to the different levels of service. The City can't change reserves where we are committed with bonds and obligations.

Mr. Brass adjourned the meeting.

Kellie Challburg
Office Administrator II



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, November 13, 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:

Dan Snarr	Mayor	Jan Wells	Mayor's COS
Janet M. Lopez	Council Office	Pete Fondaco	Police Chief
Frank Nakamura	City Attorney	Craig Burnett	Asst. Police Chief
Trae Stokes	City Engineer	Kim Fong	Library Director
Justin Zollinger	Finance Director	Pat O'Hara	Murray School District
Richard Judkins	Naylor Wentworth Lund	D. Wright	Murray School District
Mike Adams	McNeil Engineering	Peri Kinder	Valley Journals
Ted Didas	McNeil Engineering	Preston Kirk	George K Baum & Co.
L. Skene	Citizen	Nick Skene	Citizen

Council Member Shaver called the Committee of the Whole meeting to order at 4:30 p.m. and welcomed those in attendance. He excused Mr. Brass from the meeting.

Minutes

Mr. Shaver suggested the Council approve the two Committee of the Whole meetings together and the two Council Retreat minutes together. He asked for corrections or action on the minutes from the Committee of the Whole meetings held on September 18, 2012 and October 2, 2012. Mr. Stam moved approval on the Committee of the Whole minutes as written. Mr. Hales seconded and the motion was approved 4-0.

Mr. Shaver asked for corrections or action on the minutes from the Council Retreat meetings held on September 26, 2012 and October 8, 2012. Mr. Hales moved approval on the

Committee of the Whole minutes as written. Mr. Nicponski seconded and the motion was approved 4-0.

Mr. Shaver stated that because Preston Kirk was running late, they would start with the Audit Policy discussion.

Business Item #1:

Audit Policy – Justin Zollinger

Mr. Zollinger stated that after revising the audit policy one more time, they were able to work through some bugs and some areas that they wanted to improve. Mr. Zollinger also did some research so the City would have an idea of what other entities are doing with their audit policies.

Midvale City's audit policy is a three-year agreement with a two-year option of renewal, for a total of five years. They do not have an audit manager rotation. Taylorsville Ogden and Layton all have the same audit policies as Midvale City.

Riverton is a three-two city, but they require audit firm rotation after seven years, meaning they cannot use the same audit firm after seven years; they would have to choose another one.

Mr. Shaver verified that he understood that Riverton is a three-two city, but they rotate their firm after seven years.

Mr. Zollinger replied that he thought that was odd too. He doesn't understand why they wouldn't do five years and require the audit firm change after five years. He also stated that Riverton has asked the City for a copy of their audit policy after they are done with it. Mr. Zollinger continued saying that Logan has a three-two with no audit manager rotation.

Murray City currently has a ten year audit policy where we use the same auditors for ten years. The Finance Department's proposal is that the City does a three year with a two year option to renew. That protects the City from inflation and puts that risk on the auditors if the prices go up. If the same firm receives the bid again by being the low bid, and they are the most qualified, the City would require them to change audit managers. This way, the City can get a different set of eyes on the financial numbers.

Mr. Zollinger thinks this is a good change. Initially, in the first revision, they were going to go with five years, but he feels these new changes are positive changes.

Mr. Nakamura noted that as with any agreement the City has, it can always be terminated if we are not satisfied.

Mr. Shaver asked about the change of firm. He asked Mr. Zollinger to tell him about what his thinking process was based on the research he had done.

Mr. Zollinger replied that he likes a firm to come in and beat the firm that is currently working for the City. He likes that system and feels that it is a positive thing because then the other auditors that are bidding on the City's work know that they are going to have to come in and compete for that work. He hopes that this will ultimately hold the City's audit fee down.

Mr. Shaver confirmed that the firm change would create an environment where they would really have to compete for the bid.

Mr. Zollinger said that was correct.

Mr. Stam said that what Mr. Zollinger is saying is that the City is not requiring that the firm changes, we are requiring that it's re-bid, which could force a change, but we are requiring and audit manager change. Mr. Zollinger verified that.

Mr. Stam stated that theoretically, the City could end up with the same group for ten years.

Mr. Zollinger said that the City could have the same firm, but not the same people on the job.

Mr. Shaver commented that it could possibly be longer than that because it's a three and two.

Mr. Hales asked what it was before.

Mr. Zollinger said that it was a ten year.

Mr. Hales verified that there was no other option there other than terminating the contract for dissatisfaction. He was told that was correct.

Mr. Shaver said that part of the benefit of working with Mr. Zollinger on this was that they were able to come to some agreements on what is best for the City, such as having fresh eyes on the audit, but also to have the option to make the auditors come up with a price point that makes it profitable for the City. He feels that these are excellent things. He asked Mr. Zollinger if he would be moving forward with this and presenting it at a City Council meeting.

Mr. Zollinger said that it would be presented in one week at the November 20, 2012 City Council meeting.

Mr. Shaver asked Mr. Zollinger to present the fiscal year 2012-2013 budget amendments since they are already going out of order and he is presenting right now anyway.

Business Item #2:

Fiscal Year 2012-2013 Budget Amendment – Justin Zollinger

Mr. Zollinger said there several budget openings that need to be taken care of. Many of them are from departments that are working hard and receiving grants and grant proceeds. The City praises them and is grateful for these departments. The first opening is for the Police Department. They were awarded a grant from the Justice Assistance Grant (JAG) for \$31,090.00. The Police Department also received a grant from Victims of Crime for just over \$36,000.00.

Mr. Shaver asked Mr. Zollinger if he could have Chief Fondaco or Assistant Chief Burnett address the Victims of Crime grant. He would like some more information on what that grant is and what does that money get used for.

Chief Fondaco said that grant funds mostly salary and reimbursement. It's for the victim advocates and domestic violence detective. It partially funds the salary, training and equipment.

Mr. Nicponski asked Chief Fondaco how many victim advocates the City has.

Chief Fondaco replied that the City has two victim advocates and one detective assigned to domestic violence cases.

Mr. Zollinger continued with the budget opening for the Police Department. There is \$510,000.00 that can be used to buy additional police cars if the City chooses to go that route. The \$210,000.00 already allocated plus this \$510,000.00 is enough to purchase 24 cars in this budget year. The CIP Committee talked about whether the City should advance this one year to be able to make the purchases. Mr. Zollinger thought it would be best to bring this forward because they are ready to go if the Council likes this, and he can pull it off if they don't.

Mr. Zollinger stated that the Fire Department has been awarded two grants. One is the Emergency Medical Services for just over \$9,000.00 and the State Homeland Security Grant which is for the Battalion Chief vehicle which was on the Fire Department's CIP list. That's great to see that. It's probably going to still cost about \$15,000.00 to \$20,000.00 to equip the vehicle but the vehicle is paid for.

Mr. Hales stated that it was impressive in the CIP meeting today when Fire Chief Gil Rodriguez presented this. Mr. Hales asked him who does these grants and the reply was Mike Dykman, an employee who is still doing his other work, but also does part of the grants. Mr. Hales thinks this is awesome; it's kind of like free money.

Mr. Zollinger said that it is great and it definitely helps out the City's capital replacement. This works very well especially when the City was planning on buying this vehicle. It just fits right into what the City needs. The State Homeland Security Grant was just under \$30,000.00.

Mr. Zollinger stated that the Parks and Recreation Department was awarded more money for the Zoos, Arts, and Parks Grants. They received \$11,225.00. The City had initially budgeted for this grant, but the department was awarded more.

The Golf Course or Murray Parkway would like to purchase the greens mowers that they have been renting. The total price for the two mowers is \$53,000.00. Initially they asked what they could do to find that money. Together, Mr. Zollinger and the Golf Course worked and found room in their budget to pay for a good portion of it. They came up with \$18,000.00 and then \$9,000.00 remaining in the rental account. That left a remaining amount of \$25,600.00 that they would like to use reserves for. The Golf Course is getting healthier and their reserves are improving as of the end of fiscal year 2012. Mr. Zollinger supports the Golf Course taking this money out of reserves as long as the Council is supportive as well.

Mr. Stam asked that in the long run, wouldn't this save the City money because the Golf Course wouldn't have to rent the mowers again next year.

Mr. Zollinger responded that would be correct.

Mr. Shaver added that the mowers do have a life on them of about two years.

Mr. Zollinger did not know exactly the life on the mowers. He had heard compliments on how nice the greens at the Golf Course are. There's no oil burns because electric mowers are used and make the greens look a little nicer.

Mr. Zollinger continued with the Library budget opening. The Library had asked Mr. Zollinger about getting some additional money in their budget for their parking lot. Initially this project was supposed to be \$40,000.00, which was the information that Mr. Zollinger had recently received. He just found out that the actual cost to replace the parking lot and the Library would be \$12,568.00. The reason for that is the City Engineer, Trae Stokes, went over and looked at the Library parking lot and evaluated it. Mr. Stokes concluded that a complete rebuild of the parking lot is not necessary. There are some areas that need to be torn out, but we can take those areas out and repair the rest of it. This will cost a lot less money.

Mayor Snarr asked if they would put a slurry seal on after the bad parts have been pulled out and fixed. The reply was yes they would.

Mr. Shaver asked if the City would be doing the parking lot work of if we would hire someone. He was told we would hire someone.

Mr. Zollinger continued that he just found out that the Library was vandalized and the air conditioning units on the ground were stripped of all their copper. The Library received a bid for that of \$38,000.00. This is both good and bad news for \$200.00 worth of copper.

Mr. Shaver asked if that money would be coming out of reserves.

Mr. Zollinger replied that it would have to because he doesn't see where the Library has that money in their budget.

Mr. Shaver asked if it would go through insurance.

Mr. Nakamura responded that it could be an insurance issue and that the City will be meeting with their insurance company and see where they are at with their insurance coverage.

Mr. Shaver stated that anything at all would help with that.

Mr. Zollinger continued on with the Library's budget opening. The Library also received two grants from the Library Services and Technology Act Program. One is for \$21,500.00 and the one for \$17,411.00. That money is for e-books and computer related materials. The last item for the Library is regarding the State requiring the City to budget what our tax levy is, not what we collect.

On the City's financial statements, there is a restriction for UTOPIA Debt Service. As Mr. Zollinger talked to the City's auditors, they said they don't agree with that restriction and it shouldn't be there. What that does is free up money that the City is restricting on the financials. He continued to explain that a restriction, for example "Class C" money, gives the State the right to tell the City how we can use that money. They restrict it. The City didn't receive any money from UTOPIA to have it restricted. We are required to pay it legally, but we haven't received any proceeds that have legal restriction on it.

Mr. Shaver said it is not earmarked for a specific thing.

Mr. Zollinger answered that right now, it's earmarked on the financials, but both he and the auditors agree that it should not be restricted. This increases the City's unassigned fund balance which we will take and move over to our capital projects fund. The amount is approximately \$1,508,000.00. One thing that was talked about was to possibly use this for paying off debt service early in the general fund so then maybe the City could free up some money to build a new City Hall.

Mr. Nicponski asked for some more clarification. He wants to know why the \$1,500,000.00 is sitting here.

Mr. Zollinger responded that the money has been in the reserves, but called restricted, but it's not restricted.

Mr. Hales asked why the money was under restricted then.

Mr. Zollinger said it was restricted because the prior Finance Director thought it should be reported as restricted. Mr. Zollinger disagrees with that position.

Mr. Nicponski verified that the money would be moved into the capital projects fund. He asked where it was moving from.

Mr. Zollinger said it was moving from the general fund to the capital fund. Mr. Zollinger continued with his last item. Most cities have a 60 day availability policy on their financial statements. For whatever reason, the City has a 45 day policy. This creates a lot of journal entries at year end that are unnecessary. The City's June sales tax that comes in at the end of August is not available on the financial statements. Mr. Zollinger would like it to be a 60 day policy to make it the industry standard which will then make the City's June sales tax available at year end. That will increase the City's fund balance. In the meantime, that money is being moved over to capital projects also.

Mr. Shaver verified that this would be a one-time adjustment, it's not like the City is gaining money.

Mr. Zollinger verified that this would be a one-time adjustment. He continued by saying that this is a long budget opening and there will probably be a few more approximately each quarter. He doesn't anticipate them being as long as this one.

Mr. Zollinger added that his department just sat in on a grant writing class. The person who was giving the training was actually a grant application reviewer. He feels like the City is starting to move into that direction of applying for more grants. At first, you'll have a 10 to 15 percent success rate. Then you'll start to learn why you were denied for a grant, you'll redo and resubmit your application, then to odds of you getting the grant go up to 50 percent. If you get denied again, you get the information back, redo it again, and then the odds go up to 80 percent. It's a big rock we need to get rolling but we are working on it to try to provide extra funding for the City.

Business Item #3

Police Vehicle Lease or Purchase – Preston Kirk

Mr. Kirk started by saying that he has been involved with municipal finance for 32 years with a number of firms. He was the partner of Jim Matsumori and Dustin Matsumori that were born and raised in Murray City. Mr. Kirk has been involved in the quantitative side and they go

out and attend the meetings based on a lot of the numbers that are prepared for them. He thanked the Council for having him saying he appreciates this opportunity.

The whole concept of municipal finance and leasing and buying and bonding is not a stranger to Mr. Kirk. He's been involved for many years doing that. The advice that he's given everybody is to the extent that you have the money to buy an asset, take the money and buy the asset. You save yourself the cost of the legal fees, the consultant fees, bank fees and so forth. To the extent that you can't pay cash for something, Mr. Kirk's philosophy has been that you borrow. When you borrow, you put your best foot forward and you do it at the best rate for the shortest amount of time that you can to cut back on the interest expense. He thinks philosophically that probably resonates with a lot of the Council. Even though Mr. Kirk makes his living in bonding, his advice to anybody is if you can pay cash, more power to you. It takes a lot of strength and fortitude to do that.

What Mr. Kirk has been asked to do is look at the City's situation with the Police vehicles. He knows that the Council has probably studied this more than he has, but Mr. Kirk's goal is to present his quantitative peak at the situation and hopefully it will mesh with some of the thoughts and prior discussions that have been had.

Just by way of talking, if you had money sitting in your bank account today, you would invest that in the State Treasurer's Pool most likely and currently that's paying about three quarters of a percent interest. When Mr. Kirk was asked to present today, it was mentioned that the City is looking at up to 38 police cars and given the cost of about \$35,100.00 per police car. That would equate to about \$1,333,800.00. If you apply that interest rate that the City earns in the State Treasurer's Pool, three quarters of a percent, on \$1,333,800.00 in almost equals \$10,000.00 per year. To the extent that the City goes out and buys the police cars, you'd then foregone about \$10,000.00 of interest a year in doing so, but you've still spent the \$1,333,800.00. Mr. Kirk's understanding is that one of the alternatives that the City has been looking at is an operation lease of the same about of vehicles. That would constitute an outlay immediately upon the leasing of the vehicles when you take delivery of about \$267,000.00. That would continue for two years, and then you would have to roll over the lease. To be on par with essentially kind of the six year life, or thereabout, of the police vehicles, you'd have to enter into that lease three times to do that. So you take that \$267,000.00 a year in payments times six years and you're about \$1,600,000.00. The difference is about \$266,000.00. The difference between leasing and purchasing is about \$266,000.00, but you've foregone about \$10,000.00 a year in interest earnings off of the money or cash that you'd spend. So we can net those out. You take approximately \$260,000.00 less the \$60,000.00 and you've got about \$200,000.00 difference in payments. That's about 5.9 police cars. So roughly every year that you're involved with this lease you could probably go out and buy an additional vehicle.

One other alternative that was not presented, or may not have been readably evident, is the City is a very credit worthy borrower. If you were to go out and borrow on your own, you would be able to borrow the money at whatever rate is current existing and it would probably be on a tax exempt basis and in the neighborhood of about 3 percent given about a 5 – 6 year lease. Mr. Kirk has not given any financial institutions a call, but he knows that's about in the neighborhood of what they're seeing.

Mr. Kirk directed the Council's attention to the second page. He wants to walk them through the quantitative side of this, where Mr. Kirk has outlined and laid side-by-side these three options. There are really two sections. In the upper section, is option one in which the City purchases the vehicles. What he shows is roughly January 1, 2013, the cost of those vehicles would be \$1,333,800.00 as he described before. Six years later, there would be some residual

value based on some historical information that Mr. Kirk has. When the vehicles are about six years old there worth about \$3,000.00 a piece, times that by 38 vehicles, gives you about \$114,000.00. So when you deduct from the purchase price that \$114,000.00 the over cash outlay in terms of the amount of money going out is \$1,219,800.00 divided by 38 vehicles brings you to essentially \$32,100.00, by definition. That is \$35,100.00 less the \$3,000.00 residual value.

The second option is essentially showing what would happen if the City was to go out and enter into some kind of tax exempt lease with some kind of a financial institution where you lease to own. The City would own the vehicles and would still have to sell them at the end of the lease to get the residual value, but we've assumed that would be financed over six years at three percent. You can see that the debt service payments would be \$246,000.00. Unlike an operational lease, those lease payments would probably be due in arrears, that is at the time of closing, you wouldn't have to come up with any money. At the end of the six years, the City would still have that residual value because you own them. It would be akin to the same residual value if you were to just outright purchase them. Under this scenario, the net cash flow is \$1,363,296.00. When you divide that by 38 vehicles, you get about \$35,876.00. The difference between a cash purchase and financing it is really \$3,776.00 per vehicle.

Mr. Kirk looked at option three which is the operating lease where the City would really have to do it three times in succession to equal buying or financing the vehicles. Based on that cash flow that was discussed, the \$266,000.00 difference, that's about \$10,000.00 per year. In the lower section, Mr. Kirk takes a little bit of a different look at it. When you buy a car or vehicle, it's no mystery that the greatest amount of depreciation comes the minute you drive it off the lot and second to that is probably in the second year. As the vehicle ages, the depreciation starts lowering. To the extent that you buy a vehicle and you hang onto it and it is not wrecked or damaged and provides pretty good service, realizing that each vehicle has different life spans, you are the beneficiary of that lesser depreciation in years four, five, and six. What Mr. Kirk has done is to take a guesstimate as to what depreciation might look like. With the equipment lease, the operating lease option, the value decreases by 20 percent a year. With the other vehicles, if the City was to outright purchase or finance them, Mr. Kirk assumes about the same amount of depreciation, but it decreases over time and the financing or outright acquisition passes that benefit onto the City. That depreciation belongs to the City. If one of the objectives is to have very new vehicles and avoid any kind of maintenance problems, then the City may want to look at the operating lease. Generally with that lease the vehicles shouldn't have any trouble and would be under some kind of a warranty during that period of time. That is if the City is like Mr. Kirk, who can't afford to drive a brand new vehicle every single year just for the sake of that depreciation.

Last but not least, Mr. Kirk took and imputed the effective interest rate that is applicable on that operating lease where the City pays \$267,000.00 at 7.9 percent. Given the math and the cash flow, you can kind of back in to what the effective interest rate is. Mr. Kirk came to the conclusion that if the City's alternative use of funds are in the PTIF, Public Treasurer's Investment Fund, earning three quarters of a percent, or paying ten times more than that to enter into an operation least to acquire the vehicles, the City may want to look at some of the other alternatives. Mr. Kirk asked if the Council had any questions. He reiterated that this from a mathematical standpoint and that there could be other scenarios that could be discussed, some that could have political ramifications. One of the risks when you don't outright own the vehicle is when you renew your lease two or four years from now, who absorbs the cost of the increase in the vehicles if that occurs in the process.

Mr. Shaver asked the Police Department if we give our old vehicles to an auctioneer. He wanted to know if they pay us for what they assume the value is or do they get a value after they are sold.

Chief Fondaco answered that we do give the old vehicles to an auctioneer and we get the value after they are sold.

Mr. Shaver said so they bid it out and the City gets whatever that value is back to us after the vehicle is sold. He was told this is correct. Mr. Shaver continued with the second part of his question which is in the lease, in the two year rotation, is there a cost associated with that by moving equipment from one vehicle to the next each year or is that assumed in the cost of the vehicle in the lease renewal?

Chief Fondaco replied that is in the renewal.

Mr. Shaver continued by saying that the thing the City looks at is putting the officers in new cars every two years. Unfortunately, the City doesn't just have 38 vehicles. The City has 38 patrol officers. By doubling that 38, assuming that the City can and purchase, we have a six year time period. We do three years that says we purchase year zero, in three years we purchase the next half that means every three years, we're doing a purchase to replace all of the vehicles. By the time we get to the sixth year, you replace the first of the first three, you have three more on top of that, and then purchase the next half or another 38 puts you at 76. That gets all the vehicles replaced ever nine years. So literally by every ninth year, you would have had brand new vehicles for everyone.

Mr. Nicponski said to keep in mind that there are different uses for vehicles. A patrol vehicle is going to rack up a lot more mileage than a detective vehicle. You need to account for that. What one City does is has a policy to replace the vehicle after 100,000 miles, they just buy a new one and replace them. There are different ways to approach the replacement, but that's just one example.

Mr. Shaver stated that patrol are heavy users, approximately 25,000 miles per year. At six year, you'd be talking about 150,000 miles.

Chief Fondaco said that the trouble with the fleet is that we have 26 cars with over 100,000 miles on them right now. When the original budget came in, you have to remember there was only six cars budgeted for the Police Department. That's when they started looking at the lease; saying we could replace, for that same amount and yes it's yearly, basically replace the entire patrol fleet because we haven't had a new car for four years. This would be the first time in four years. This was basically a catch up. The figures you're looking at are for if we purchase or lease 38 cars, but like Justin just said, we can get 24 cars if we buy them.

Mayor added that there is a possibility, based on what the vehicles are sold for, to pick up another two.

Mr. Shaver said that is why he asked the question to begin with because it isn't just a straight purchase. There's some money that's going to be coming back based on whatever that value is going to be. We want to try to buy as many vehicles as possible. The 38 is a split, that gives you half, and that's why he likes that number.

The question becomes about a cash purchase. As a finance/business guy himself, Mr. Shaver likes the idea of using somebody else's money and paying a little tiny bit of interest for that. Practically since we're not looking at 10 – 15 percent, we're looking at 3 – 4 percent. He asked Mr. Kirk, since he has expertise in bonding and other things, since this is such a marvelous rate, would he recommend the purchase flat out over a payment process.

Mr. Kirk responded that he's given the Council kind of a "buffet". One of the assumptions is that the City has the money to buy the vehicles. That would be one option. You might justify that by saying, as low as interest rates are; your reinvestment rate on that money is equally low. To the extent that you're earning three quarters of a percent on that money. Why would you pay three percent to borrow it and you keep it at three quarters of a percent, wouldn't you be better off to take that money? An alternative or a variant to that Mr. Kirk thought of as he looked at the City's situation, where there are so many vehicles that are in need of replacement, might be to divide the baby and say we're willing to use half the cash. Maybe the City buys 20 cars and in a year or 18 months from now, go out and borrow enough money to maybe buy other 18 – 20 cars. You'll still have some cash on hand and you then start staggering the acquisition of these vehicles so they are not all either brand new or totally old.

Mr. Shaver stated that was what he was thinking. He asked Chief Fondaco by staggering it, it seems they will be able to get through the total number in a much quicker way by doing exactly as Mr. Kirk described. The idea is trying to get through and get new vehicles as rapidly as we possibly can without putting the City in some kind of a bind. That's seems, based on the CIP, based on how many vehicles we have that would seem to be the best option to him.

Chief Fondaco agreed with Mr. Shaver. He said that was what the Police Department was doing. Through the budget process, they were budgeting 12 – 15 cars per year. Then the recession hit and we said no cars this year, no cars next year, no cars the year after. Each 12 cars added up and that's the position we are in now. That's all this ever was; how are we going to catch up. What can we do to get these....he interjected that he believes these old vehicles are unsafe. When they get over 100,000 miles in patrol, they are unsafe. He's not saying they are going to fall apart or the officer has a problem driving them. They are getting to the point where the brakes need to be replaced more, there is more maintenance cost, and everything starts to go on them. The work Justin, the Mayor and Jan did, if we can get 24, the only problem he has is if money is advanced to him for next year this year, then what is he supposed to do next year?

Mr. Shaver said that was the whole point. For him, that is where the CIP comes in so handy. It's when they look at the money and bringing it in and saying this is what we project and this is where we plan to be. Because after 18 months or two years we do have a much more firm grasp of what that money is going to look like. That way we're not robbing from one year in order to get into the next one. That's what we want to be able to do. He thinks that in the CIP process, as it's looked at and reviewed, he feels that the City is better fitted to bring about that rotation as quickly as we possibly can.

Mr. Stam added that we can order all the cars, but it's when we have to pay it. If we could get things and end up making most of the payment of the money that you're getting back from the CIP after July 1, then it doesn't become an issue anymore. We are already half way through the year.

Chief Fondaco said that if you order these cars within the next month, you won't receive them until February or March. You're looking at least that amount of time.

Mr. Stam asked if it would be possible to do something like order half now and order half in March. Then you end up paying the bill after July 1, so then it goes into next year's money. That way you're not borrowing it.

Chief Fondaco responded that his concern is that they are splitting that same number. If they tell him to take 24 vehicles and let him order 12 now and 12 in July, he's still only replaced 24 vehicles. If he replaces the 24 vehicles now, is the Council going to give him more money for vehicles in July, in the next budget year?

Mr. Shaver said that is what they want to be able to do.

Mr. Nicponski stated he thinks that the Mayor has come up with a good plan in recommending the replacement of 24 police vehicles.

Mayor Snarr said they are going to look seriously and they could come back and have a budget opening if the sales tax dollars come in much stronger than we've projected. The Mayor has no problem sitting down one more time and looking at this. He would like to see the Police Department get caught up on their vehicle replacements. His whole life has been if you've got the dough, and you know you've got it this year and you can spend it wisely....don't bank on the future because you never know what the future will bring.

Mr. Hales stated that is what Mr. Kirk had said earlier.

Mayor Snarr continued that although the interest rate, 2.74 percent, 2.9 percent on cars now. The credit unions advertise it everywhere. It's phenomenal. Of course they're giving you .15 percent on your savings.

Mr. Nicponski added that we have certain expectations from the citizens for public safety so we budget a certain amount to the Police Department to do their job. That's where he thinks that money should come from. He's not saying that the Capital Improvement Plan is a bad thing; it's a good thing, because it puts everything in perspective. You just heard from the budget adjustments, we're taking a million and change and moving it from restricted to capital improvement projects. That's a lot of money. They you ask yourself, is that money for a New City Hall or is that money we should use for new police vehicles?

Mayor Snarr said that Justin's idea was to retire some of the debt and that will frees up the capital to go ahead.

Mr. Shaver added that the debt also has an interest rate associated with it.

Mr. Stam had another question. He asked how many of these companies offer zero interest for 36 months now. He thinks that there are a lot. He is wondering if it would be worth looking at buying 12 vehicles outright and buying 12 on a loan and paying them off after July 1st.

Mr. Hales asked Mr. Stam if he was referring to a lease or a loan. He was told he was referring to a loan.

Mr. Stam said that you would only be paying interest for six months or less then you would pay the vehicles off on July 1st. That way, you get both worlds because the amount of interest in six months wouldn't be that big.

Mr. Shaver stated that is a conversation that they need to have. He doesn't think that decision will be made this evening, but it is something, that with new information, obviously with that very prejudiced view that the Council had, Mr. Kirk bringing his expertise to the table is what they needed to hear. He thinks that this discussion is going to continue. He also realizes that they need to make a decision as expeditiously as possible.

Business Item # 4

Hillcrest Junior High School Project Update – Pat O'Hara

Mr. O'Hara started out by saying that Dr. Steven Hirase could not make it so he is standing in for him. He introduced the people who were accompanying him. They included Richard Judkins, with Naylor Wentworth Lund Architects and Ted Didas with McNeil Engineering. Mr. O'Hara reminded the Council that the discussions for the new Junior High School started a while back, leading up to this meeting. There is a lot that is going to be going on with the property for the new school and the School District wants to make sure that they have all their ducks in a row, both in terms of the statute and in terms of the Council's informational expectations. The architect that is here tonight is planning to talk about the site plan a bit. Ted Didas, the Engineer is here to discuss something of Frank's interest which is all the legalities and all the pieces of property over there. That includes 22 homes and some commercial property. They want to make sure that the Easements are handled the right way. They also want to make sure that the new Easement corridor is developed the right way. Mr. O'Hara turned the time over to Mr. Judkins.

Mr. Judkins said he wasn't sure how familiar the Council is with the project. The idea is to rebuild the school and place so they can keep the existing school open. They purchased the homes behind the school; they will abandon the right-of-way of the road hopefully within the next couple of months, and start construction of the school. It will be a two year construction process to get the new school up and going.

Mr. Shaver asked if all of the homes have been closed on. He understood that there was one or two that hadn't been done yet.

Mr. Judkins stated that all the homes have been closed, including the Daines Building. They will probably begin demolition of those homes in February to make way for the school which they will be starting construction on in the late spring. What the Council is looking at is the site plan rendition which shows that the school building will go pretty much where those homes are now, where Hillside Drive was. Hillside Drive will be redirected to the south, as you can see at the south end of the school in front of the condominiums. The north portion of Hillside Drive will remain the main access to the school. That will become the parent drop-off which they have increased by more than four times of what they currently have. That will help the drop-off situation. They do have a small parent drop-off that they've had a traffic study on and of what this Hillside closure is doing to the neighborhood. They held a public meeting last Thursday.

Members of the Council asked how that meeting went.

The Mayor and Mr. O'Hara answered that the meeting went well. Mr. O'Hara continued that he appreciated the Mayor being there. There were about 28 people that showed up. The first meeting had about 22 people show. The second meeting was actually called on account of the first meeting. On the first meeting they wanted to orient everybody with the plan. The

citizens' concerns were about the closure of Hillside Drive and what effect that would have on them. Fehr & Peers is a national engineering firm with an office in Salt Lake that specialized in traffic engineering studies and consulting services. The meeting started out like the last one, the citizens wanted to hear the findings and recommendations of the study. It took the engineers a couple of months to do that. Once the citizens could see the numbers and once they could see what the engineers are telling the school district about the traffic flows, the time spent at stop lights and intersections, what's the impedance of the commute for residents and that sort of thing, it went very well. There will be more traffic pushed down 5460 South. There will be some traffic that will likely go up on Alpine Drive. Those delay times at those stop signs will be a couple of minutes. The models that they use are pretty sophisticated models and they have been doing this a long time. It looks pretty good. Basically what the study says is the same number of parents are going to drop off their kids on the south end of the property is the same number as the parents who currently driving down Hillside Drive and dropping off at the new parking lot that was build. You're trading one location for another on those. What you get out of it is a massive treatment on the front where a lot of the cars are going to go, simply because it is going to be several lanes that will enable a lot of cars to come in off of 5300 South and drop their kids off. It will also keep buses completely out of the picture. They are going to be on that second loop on the south end.

Mr. Shaver said this is his district. He was unable to attend the meeting, but he heard from several residents who live up there. One of their major concerns was to have buses rumbling down their street. They were very pleased with what they heard at that meeting. It was different from what they had anticipated. He thanked Mr. O'Hara and Mr. Judkins for the presentation that they made at the meeting and easing the citizens' fears and concerns.

Mayor Snarr added that he felt there was one thing that the residents didn't understand or appreciate is the fact there's a light at 5460 South now and there wasn't a light before. When the new High School was built and working in conjunction with UDOT and the issue of getting the students out of the parking lot safely, they recognized that a light was critical. Although the distance between that light and the light at 5300 South was a little bit of a concern, there's still plenty of stacking capabilities for those who want to turn left. There are two left hand turn lanes because they redid the intersection at 5300 South and State Street. The Mayor thinks the idea presented by the school board is brilliant. He looks at what they have done compared to what is currently there and he feels the school board has more than addressed the safety of the students and the parents getting their kids in and out of the school in a safe manner. The plan will create less of a bottle neck and less time for them to drop their students off, because there will be multiple locations and the buses are separated.

Mr. O'Hara stated that all three of them have an interest in this. The City has the interest in traffic, the school district has the interest in student safety and traffic flow, and the parents have an interest in getting in and getting out.

Mayor Snarr said that people don't realize that if they go to State Street, the lights are going to be in favor of State Street much longer than they are for 5300 South. To go up 5460 South, hit State Street and go over and turn left, it may save you more time than going down 5300 South and waiting for the lights to change there to take you west.

Mr. Judkins continued by saying that the other thing that came up from the traffic study was looking at the pedestrian traffic on 5300 South. The recommendation they came up with was to put an overhead pedestrian signal that would come right off of the formal Hillside Drive, which will be the new main entrance.

Mr. Shaver asked if it would be a flashing sort thing that warns of a crosswalk. He was told it would be.

Mr. Nicponski asked if the crosswalk signal would be initiated by the pedestrian. He was told it would. Mr. Nicponski then verified that the pedestrian would come to the crossing, push a button and the lights would flash on and off.

Mr. Hales asked if the crossing would be similar to the crosswalk over by the IMC Hospital.

Mr. O'Hara said it was different. It would be like the one at Gardner Village. It's the HAWK System, which is different. The one by the hospital just has yellow. This one will have red.

Mr. Judkins said that what they would probably be proposing is to move the crosswalk from where it is down on the corner by the Library, and move it up. The second page of the handout, which is an updated site plan from the recommendation, has a sidewalk that runs along the east side of the old Dines property. That sidewalk runs straight into the main entrance of the building. It would give the kids a straight shot out of the building. It was actually in the afternoon that they witnessed about 101 kids using that. Not as many kids use it in the morning. They feel this change will make the crosswalk a much safer pedestrian approach. It won't cut down on all the kids jaywalking, it will certainly help.

Mayor Snarr said that the lighting system at the crosswalk doesn't necessarily mean that when the kids push the button the light will automatically turn red. It will be timed so that the traffic coming down 5300 South will not have to constantly stop every time somebody pushes the button on the light.

Mr. O'Hara added that once school is in session, the light goes dark, it's off.

Mr. Judkins reiterated that if you get one kid pushing it, you can't have someone coming behind them and immediately push it again. The light will make them wait, queue a little bit, and then let them cross.

Mr. O'Hara added that Trae Stokes, the City Engineer, is in agreement with that kind of signal. He likes those types of signals.

Mr. Judkins continued by showing the Council a preliminary landscape plan that they would ultimately review with the Planning Commission. He believes the final is a recommendation that will go through the staff. The idea is to heavily landscape between the school and residential zones. The condominiums on the south wanted to have some input on what landscaping would go up against their property, which the school has no problem complying with. Once the school is complete and the other school is torn down, they will be coming in with a revised sub-division plat that would probably include one big parcel now. Then they will come back and determine where a commercial zone would be.

Mayor Snarr asked Mr. Judkins if he knows what depth the parcel would be

Mr. Judkins answered that it would probably line up with the U-Haul property, but they would like to study that a little further with the school and see what they need for the play field.

Mr. Shaver noted that Mr. Judkins has included the Seminary building in plot. He asked if that would remain a constant.

Mr. Judkins answered that they don't have a say on that. They have been approached and they know where the school is moving. He thinks they are looking at options in the neighborhood.

Mr. Shaver said that was what he had hears also. They are trying to find another place that's closer to the entrance so the students don't have to walk so far. Particularly, based on where the school is going to be at, they are going to have a long walk.

Mr. Judkins said that there is a grate there. He would imagine they would find some other property in the neighborhood to make the Seminary location a little more convenient for the students.

Mr. Judkins continued saying the school will be a two story structure. They are increasing the size of the theater arts through some grants and he thinks the City is chipping in on that. The theater will be vastly improved from what you would see at a typical Junior High School. The stage is going to be deeper than the Murray High stage. The theater will seat about 800-825 people.

Mr. Shaver added that is just about the capacity of the school.

Mr. Hales asked how many people the current theater seats.

Mr. Judkins replied around 700. He wasn't quite sure, but he's heard that number in the past.

Mr. Shaver stated that the think he likes, being that he has a teenager who attends Hillcrest Junior High, is that there is no height increase.

Mr. Judkins said on the upper floor, all of the classrooms are down straight corridors, no stairs. The materials on the building would be similar to Murray High School. They may be concrete masonry or clay brick; it has yet to be determined by the budget. It may also be mixed with some metal panels, similar to Murray High.

Mr. Shaver asked if there would be an outside entrance directly into the auditorium.

Mr. Judkins said there would not be. There are emergency exits. The whole east side is kind of down played. It's not really a main entrance between the school and the residents there. They would like to control that through the school.

Mr. Shaver stated that when the school has concerts and things, that becomes an issue for parking, and right now it is an issue whether there is a band playing or the choir's singing. Right now, there's a mad scramble to get out of there. His concern is how people would get in and out.

Mr. Judkins said that you can exit and there is circulation to the east to the parking lot which he feels will help that. He feels the school will want to control the entry. He noted that they

are exceeding the parking count of what is required by the City. He thinks 160 stalls would be required for this and they have well over 230 parking stalls.

Mr. Shaver asked Mr. Judkins to talk about the space just to the west of the Library property now. Will that be used for parking?

Mr. Judkins responded that yes, that's additional parking but it's also additional access. It's a right-in right-out only. It's another example of them putting in multiple accesses to the property to get people in and out quickly.

Mr. Shaver noted that runs right into the abutment in the street, so it is a right turn only.

Mr. Judkins said that actually they would end up extending that abutment further so people can't cheat that like they do now.

Mr. O'Hara added that is a recommendation they have made to the City. The City Engineer is considering that and his recommendation of extending that will be sometime in the future.

Mr. Shaver said that right now they come out of that parking lot, it say's don't make a U-turn, and that's exactly what they do.

Mr. Judkins said it would be nice to make it a right-out just to help the traffic get out of there. He thinks if you make it an in only, you'd still get people cheating it and going out in the end.

Mr. Shaver asked about getting out of the school in the morning. They'll come out of that parking lot headed north and immediately try to get into that left turn lane to make either a U-turn or turn left onto the next street to try and get through there. Sometimes it just blocks everything up.

Mr. Judkins stated that the traffic pattern here, for the most part, would be coming in the old Hillside Drive and doing a U-turn in the middle of that island. That's the main drop off zone. Kids want to be dropped off where they have to walk the least. That gives a really good distance. So if the cars are already heading east then we see that only the occasional car, dropping off early, would sneak out if they were only going east off of 5300 South.

Mr. Hales said he couldn't remember what the decided to do with the gym.

Mr. O'Hara said it will be a gym and a half; basically the same thing they have now. There will be one full size gym and one that is a little smaller.

Mr. Judkins added that they are making provisions so the community can continue to use that. There are some controlled doors in there so they can't walk through the bulk of the school on the weekends or evenings. It should be nice.

Mr. O'Hara stated that the layout of the new school is going to be really nice for both community use and the kids too because the gyms, locker rooms, the hallway, etc. are being built like a symphony this time instead of what they have now, like a rat maze. Mr. O'Hara said if the Council doesn't have any more questions on the site plan, they would like to bring Ted Didas up and talk to them about the engineering.

Mr. Didas began by saying that one of the first tasks they were looking that on this is the vacation of Hillside Drive, roughly from the intersection with 5480 South straight north to 5300 South. The first step in the process from the engineering/surveying prospective will be to work with the City on the vacation and providing the legal descriptions. This is a draft of that document to vacate that section. Going hand in hand with that is there are a number of utilities either in the right-of-way or a in a number of cases back lot lined overhead utilities through the area. They have made contact with all of the utility companies at this point and discussed the necessary abandonment, demolition, and relocation in some instances. They have discussed the costs with the school district for those relocations. They have started those discussions on the associated easement vacations. He reiterated that they are working with the City on the vacation or the public right-of-way, working with the various utility companies on the vacation on a number of the easements to "clean-up" the property.

The next step would then be, if they're looking at obviously multiple parcels across the site right now, after the right-of-way section is vacated, would be to file that almost immediately with a subdivision or consolidation plat that creates a single parcel out of that. They would anticipate ending up with the vacation of the right-of-way, consolidation of lots, and vacation of as many Easements as possible. Some may be a vacation of a utility Easement and exchange for a replacement Easement if the lines need to be relocated to a different location and not simply removed and demolished. There's a little bit of mixing and matching of exactly what those solutions are. They are into that process now at this point working with the various entities to take that through to completion. They are also trying to work with the architect to make sure that these relocations are going to reflect the intended site plan.

Mr. Shaver asked if most of the utilities Mr. Didas are referring to are just sitting.

Mr. Didas responded he wouldn't say most of them. For instance, Questar is only in Hillside Drive and they can simply be pinched at either end and go away, barring what service is needed for the new school. The four big utilities that are over there are CenturyLink, UTOPIA, Comcast, and Murray Power.

Mr. Shaver added that most of the telecommunications cable would be on that side of the City. He asked if there were any water or sewer.

Mr. Didas verified that there are both water and sewer. There are actually a number of sewer lines that come through the ball fields now. There is also a trunk line for the storm sewer and comes through the ball fields now. The water is in the street. They would anticipate as there are developing the new school, there are going to be fire suppression and hydrant needs for the project. He doesn't know the answer for that now, but there will be some relocation of the water line around one side, or the other, or both around the school to provide the adequate fire protection. The sewer in the street is only serving the residences and can simply be abandoned or removed because what comes down Hillside Drive actually turns and comes out over to the trunk lines and out. We're a little bit fortunate in that respect of not having to bear the cost of relocation for that.

Mr. Shaver asked if there was timing as to how quickly this will happen.

Mr. O'Hara responded they are targeting the January meeting for the movement on the abandonment. They expect to start the demolition between the 25th and 28th of February, right at the end of February. From the 15th to the 25th of February they've given the property to Chief

Fondaco's people to blow it up, burn it up, shoot it up, whatever they want. They're going to do some SWAT training.

Chief Fondaco said it actually a nationally known explosive breaching class that is coming in. All the houses are going to be doing explosive breaching.

Mr. O'Hara added that they are planning to save about 35 of those mature five to six inch trees. They are planning to move them in order to save them.

They expect to start the demolition the end of February and start on the building sometime in March. Their goal tonight was to deliver documents and mainly to assure the Council and assure Legal Council and the City Engineering Department that they are making good headway and getting all of the legal things tied together and getting the engineering done. Their architect and engineering people are way down the road on this. The School District is in constant contact with Trae and his staff as well as Doug Hill. They will continue to do that all the way through this project. They will keep in close contact with the City agencies.

Mr. Shaver mentioned the upcoming meeting on Thursday. There are a couple of issues that will be discussed there as well as part of the School Board City Council meeting. He asked Trae Stokes if he wanted to add anything to what he saw or heard.

Mr. Stokes said that Mr. O'Hara has been keeping his department in the loop well. They received the traffic study and they reviewed it. They've seen the site plans.

Ms. Wells shared that Mary Ann Kirk and Doug Hill, who couldn't be here, wanted to make sure that it was noted on the record that they are working with the district some of the issues for the arts that the City has been talking about. Frank is working on those, along with Doug and they had some kind of specific things they were hoping to have placed in the facilities. Ms. Wells feels that they are being worked on.

Mr. Shaver asked Chief Rodriguez and Chief Fondaco if they would like to weigh in on this and how they see access or any issues either of them have seen on any of the plans.

Mr. Shaver adjourned the meeting at 5:50 p.m.

Jennifer Kennedy
City Recorder



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, January 22, 2013, in the Murray City Center, Council Chambers, 5025 South State Street, Murray Utah.

Members in Attendance:

Brett Hales
Dave Nicponski
Darren V. Stam
Jim Brass
Jared A. Shaver

Council Chair
Council Member
Council Member
Council Member
Council Member

Others in Attendance:

Dan Snarr	Mayor	Tim Tingey	ADS Director
Janet M. Lopez	Council Office	Jan Wells	Mayor's COS
Frank Nakamura	City Attorney	Doug Hill	Public Service Director
Jennifer Brass	Kellie Challburg	Nate Turner	Mike Adams
Kim Sorenson	Steve Sanderson	Chad Robertson	Josh Sturges
Dalan Briggs	Bryce Philbrick	Craig Burnett	Cathy McKittrick
Russ Kakala	Nate Pentico	Michelle Lundeen	Zachery Fountain
Pete Fondaco	Joe Tarver	Rodney Bracewell	Clint Nordin
Marc Mearer	Brina Wiseman	Chad Pascue	Deven Higgins
Rick Chapman	Vance Hanson	Janelle Erickson	Loretta Markham
Patti Garver	Trae Stokes	Mike Terry	Jennifer Kennedy

Chairman Hales called the Committee of the Whole meeting to order at 3:30 p.m. and welcomed those in attendance.

Business Item #1:

Utah Telecommunications Open Infrastructure Agency (UTOPIA), Utah Infrastructure Agency (UIA) Discussion of the New Business Plan and Request for Additional Funding – Darren Stam & Todd Marriott

Mr. Stam explained that when he agreed to chair the UTOPIA Finance Committee he had one goal in mind. That goal was to cost the City the least amount of money going forward. He commented that the current UIA plan was never to be at the revenue breakeven point until

the end of the five year period. However, after only one year, UIA had been in a position to pay its own expense and that he finds very commendable.

Mr. Stam introduced Todd Marriott, UTOPIA Chief Executive Officer, who would present the Executive Brief to the Council Members.

Mr. Marriott said that UTOPIA and UIA are owned and controlled by the member cities. UTOPIA operates as an extension of the cities, like fire or power at Murray City. He reviewed that eleven cities had come together to put infrastructure in place. They are a coalition, a collection of cities.

The key objectives of the UTOPIA/UIA “go forward” plan are:

- Generate sufficient revenues to cover any new agency debt.
- Achieve operational break-even status.
- Deploy as much critical fiber infrastructure to the cities; businesses, government entities, hospitals, schools, and residential communities as resources allow.
- Begin to contribute to debt relief of the 2008 \$185 million UTOPIA bond.

Mr. Marriott described several options raised for UTOPIA “go forward” strategies, as follows:

- Maintenance Mode
- A “Go Dark” Option;
- Network Acquisition;
- Comprehensive Wireless Deployment;
- Comprehensive Wired Deployment; and
- Stimulus Utilization

Management recommends that UTOPIA/UIA adopt the Stimulus Utilization scenario, which they are calling the “Sweet Spot” plan.

Mr. Marriott explained that the Legislative audit that was completed the previous year contained four suggestions for UTOPIA. Those include:

- Strengthening management controls;
- Adopting financial controls at required by the Uniform Fiscal Procedures Act for Cities;
- Ensure that business is always conducted consistent with the Utah Open and Public Meetings Act; and

- Provide greater agency guidance and oversight by reactivating its three standing committees.

Mr. Marriott referred to the UIA Phase I bond money of \$29 million. That funding was expected to be used by August of 2012; however, the agency is still operating on those monies. The internal issue is the need to borrow for operations. The legislature will be addressing this in the 2013 Legislative Session and management is looking for ways to curb that.

On charts in the back of the Executive Brief, Mr. Marriott noted that the subscriber growth through December indicated that actual numbers were below the planned subscribers. In spite of that, revenue growth on the chart labeled "Revenue Month by Month through December" shows a rate of \$8,000 to \$11,000 per month until it leveled off.

Mr. Shaver asked for some explanation on that chart. He did not see any months noted and wondered the time frame. Mr. Stam replied that the first month was July of 2011 and the final one was December 2012.

Mr. Marriott provided some detail on the choices for going forward. He said that they have been vigorously debating and quantitatively looking at the best way to go forward?

The Council received a brief that would give them an overview of these suggestions. One of those was to cut losses, chop off the lines, go home and not borrow any more money, not putting one more dime into this project. There are those that have that opinion.

That has been evaluated. Management has looked into it. Costs at Utopia must get down below the revenue line. We termed that as "Maintenance mode."

Some people want to sell it, and get at least 20 cents on the dollar, and in the end maybe would be some benefit from that. This is "Acquisition mode."

Some suggested that wireless is the answer, and deploying wireless technologies in combination with fiber could make it. What would happen if a different type of connectivity medium was used or combination of that, he asked? That has been evaluated.

Management also has been asked if it wouldn't be better to just build it out, get it done and be done with it. The ramifications of that have been evaluated.

Management has also evaluated things that might be strategic in nature, like a strategic public/private partnership with entities that may take different aspects of this network and use it to their benefit, with give and take, but may be strategic and beneficial enough to both entities and to the cities to work.

Management has 35 million more in funding that has been approved. Using all 35 million doing just what we have been doing. Would that 35 million get us to break even, he asked? The board and stakeholders asked UTOPIA to look at what the highest return on investment is, given what we know; not a rosy projection or blue sky opportunities.

Looking at our markets; commercial, residential, long-haul, all the different aspects of this business, UTOPIA is experiencing an increase in returns to sales. Establishing that line and looking at each of the markets; Murray, Layton, and West Valley, the "sweet spot plan" or

stimulus utilization plan, would kick about \$24 million dollars, over a period of two years, to accomplish those market strategies and those revenues. With a three year maturation of the revenues, you would see the ability to close that variance that gap of the \$225,000-250,000 dollars, where the only deficit is somewhere around \$50,000-75,000 dollars per month. The stakeholders came back and said that we need to be more efficient on operations. They wanted an evaluation. Officials from Orem came and said that if they have to tell their city staff they can no longer employ them; UTOPIA needs to look them in the face and be able to say that every line item has been vetted.

It was found that UTOPIA and UIA are operating very efficiently, even maybe too much so. After all that effort, operations are \$50,000-75,000 dollars short. It has been gone through with a fine tooth comb, looking at every possible avenue, projecting those things that could be realized.

We found 3 reasons to accomplish additional cuts:

1. The stimulus project will conclude, by law, in June of this year. That has been an additional encumbrance, in terms of operations. As that concludes, that will eliminate some of the costs from the budget.
2. How the markets are approached now enables UTOPIA to be more focused. This will allow some cuts. Just like Murray, UTOPIA has a dedicated staff that works really hard and understands the sacred nature of these tax dollars.
3. Management has taken on some contingencies for eliminating between \$45,000-60,000 a month by June of this year. Management is also working with the cities to accommodate some of the needs. With all these measures, by the end of this 2 year plan, or 3 years of revenue, UTOPIA will be able to get to a break even status. That is where we wanted to be, and where we projected in the 5 year plan. So in effect, UTOPIA is still on target.

UTOPIA still has 11 million dollars in approved funding that hasn't been spent that can be spent when there are higher than normal return on investment opportunities, acquisition opportunities, etc. UTOPIA is now working with the RUS and litigating and trying to right some of the wrongs that happened to the cities between 2005 and 2008 when RUS illegitimately pulled back funding in the Utopia project.

Given those things, we meet the first two objectives of the plan. That is to cover the debt with revenues created by the efforts; and also to get to a break even status.

The "Going dark" option made an evaluation in terms of shutting off in some form. You are financially worse off from all the obligations you have to citizens, stakeholders and investors in our community. Whether they are service providers, or others, you put yourself in a liability stance where you will be litigating for years. We have provided a legal opinion on this. The "Going dark" mode is not viable.

The "Maintenance mode" was the focus. Staff is doing things that will create some revenues. Other partners are being considered to become even leaner and get costs down below revenues. Evaluating that problem shows UTOPIA is not able to cut costs and maintain enough growth for natural attrition and operations on the network. People move, networks

change, competitive forces are involved. It will not maintain for a long enough period of time, and in effect will become a "Go dark" strategy, it just goes dark slower.

Selling the network in a short period of time, might be a good strategy, because the numbers look better. But, it would just get you to dark faster and wouldn't work. See appendix D.

Back in 2008, the refinanced \$185 million dollars took out the RUS problem, moving forward. When everything was paid off, about \$8 million dollars was left to do what needed to be done. Models were created from that point going forward.

One of the things, that nobody anticipated was that in fall of 2008, the financial crisis occurred. What Murray did, wisely, was to set a rate so you knew what you would be spending. It was based on the LIBOR, which had been stable since FDR. A swap was done to keep the interest rates artificially down. Now it has created a situation where we are 100 million dollars upside down on those swaps. Those swaps do not have to be paid off, unless we were to pay off the loan early. They will be accomplished over a period of time. But, if someone came in today, with a 50 million dollar acquisition offer, you would have to retire at least about 27 million dollars in your swap and you would have to retire part of the UIA debt. The fact is that you would not be any better than going dark. If you sold it for 20 cents on the dollar, you are not in a better situation, unless that scenario changes.

Comprehensive wireless deployment or a combination of that has been considered. Staff will entertain anybody that wants to use the network. Policies, procedures, and programs are working with wireless providers to extend and use the network to provide connectivity via their wireless machinations. People say they want a wireless deployment and a lot of municipalities across the country have tried ubiquitous wireless deployment, but it has never really worked well. The reason is because there are trees, and walls that require antennas. Many reports show that a wireless network would be more expensive than a fiber one; considering the maintenance, etc. There are wireless technologies that make a lot of sense, and staff is working with them, and will continue to do so, and work through these problems. At this point, a full wireless deployment is not a viable option.

UTOPIA has been asked to get it established at every single address, Mr. Marriott said. He personally feels that there are ways to do this; a comprehensive build would make things much better and pay off the debt quicker. This would provide a quality of life and services. He was not sure that would be a tenable position at this point.

Our study provides a look at private/public partnerships. This holds promise to work through strategic parts of the network, and staff will continue to vet those ideas.

A lot of people have said they just don't want anything to do with UTOPIA, and a decision to do nothing is still a decision. If costs can't go down, then the system may have to go dark.

Your network is in good shape, and the numbers of service providers are increasing. Revenues are growing. The models are working. By law we don't provide any of the retail services; those are done by private entities. We have to make a living on a wholesale basis, being very encumbered by laws, and also politics. I have heard people say not to sign up for UTOPIA because they are going to be gone anyway. He said one cannot find a network that

provides better connectivity at more competitive rates than Utopia today. The community needs get on board and understand.

Mr. Marriott came on board about 4 years ago after 185 million dollars was refinanced. Since that time, every dime borrowed has been paid with dollars created by internal revenue efforts. While not perfect, the models created over the last 4 years, are working. The benchmarks are being met. I realize how difficult it is, especially in difficult economic times, he said. He was asked about UTOPIA's payroll and raises the other day. In 4 years, the cities provided the ability to give a 2% cost of living raise to Utopia staff. In the next 3 years, none will be provided. In effect, over a 7 year period of time, the hard working folks, extensions of your city will only receive a 2% cost of living raise, and that has already been accomplished.

A go forward scenario that addresses "sweet spots", and return on investments is the best strategy for now. It produces what we need it to produce to get to a break even status in 3 years and address opportunities that will come over that period of time.

Lastly, UTOPIA will have invested nearly 7 million dollars by June, in terms of matching the stimulus. Those stimulus dollars have gone into the ground throughout all the communities. If you think about it in terms of a road system; there is the main corridor- I15, but then you extend off on Bangerter, and 201, and Van Winkle. Those are your middle miles. Then, you get into the last mile, with roads going into the different neighborhoods. The stimulus is like the Van Winkle, or the Bangerter, or the 201, expensive routes. Those have been put in place with the 16 million, 7 million from matching funds. Over the next year it will start generating funds. Not only that, but some of the capital commercial expenditures of the past now pay themselves off within three to five years of whenever they started. Those will start to continue to add to the bottom line at Utopia and UIA.

Mr. Marriott asked for any questions.

Mr. Shaver said he had a couple of statements. Mr. Marriott mentioned that there were 3 things heard from people, and 2 of those are not an option. Going back and saying we never should have done it, is not helpful, it is a moot point. It is the way it is today. The decisions we make or how we go forward matter, not how we change the past, he said.

Mr. Marriott mentioned that he works for the City. If one of the department heads come to me and said that they keep running out of money, I am going to ask the department head what is going on. As a matter of fact, on Thursday, Murray has a mid-year review, and every department head will come before the Council to explain what they have done, what has been spent, and what is projected. Fiscally, this Council holds fiducial responsibility and looks at the money spent very seriously. In the coming years, there could be hundreds of millions of dollars required of this city to spend; buildings, a power plant that cannot sustain itself. Coal fired electricity is sold to California, and they say they don't want it. The Council must figure out a way to do this as a city. It isn't just about UTOPIA or UIA. How do we maintain and supply the City, he said. This Council is looking at this as a whole, just as the power dept., the police dept., or any of the others. I appreciate that your employees have only received a 2% increase, and we have employees in this room that can sympathize with that very readily.

Mr. Stam added that not one person in this room voted to put Utopia in place. The responsibility was taken on when elected. Sometimes it isn't a very comfortable situation to be in.

When he took on this assignment, he had two goals:

1. Improve communication. Communication works two ways; somebody has to be able to listen. Some have formed strong opinions but the more you understand your opinion may change a little. My opinion has changed a lot over this last year, he said.
2. Research into how the company could survive. If there was no return for 20 years, that was because the old model was- a 20 year return. Really, it is a 10 year return, but the second 10 years was extra money.

Mr. Stam said he asked questions, and the lease program came about. This is where people can get on the system without having to pay \$3,000 up front. The return on investment on that lease program was just over three and a half years, which is a significant difference than 10 to 20 years. The question whether three and a half years is good enough, he offered. That is a significant improvement over what it was. It may not be enough.

Mr. Brass commented that he would like to see the numbers on that. His concern is that there is a fixed cost to install, and x number of homes are passed and have a 25% take rate. So you have a cost past four homes, and you get one, then you have the cost to hook up the one home, then you have your actual revenue. Mr. Brass worked his numbers with their numbers and that is how it worked out. He asked how you can get from 10 to 12 years down to three and costs haven't changed. He would like to see that applied to his investments, that haven't worked out real well lately.

Mr. Nicponski asked how much they are looking for.

Mr. Marriott said the "Sweet Spot" plan calls for \$24 million over the next two years, \$14 million for the first, which does not address some of the deficiencies that they have for operations. Somehow operation expenses will have to be accomplished through the cities, in addition to the \$24 million.

Mr. Nicponski asked Mr. Marriott what Murray's share would be of the \$24 million. Mr. Stam replied that it would be 12.73%. Mr. Stam also said that the \$24 million of additional bonding, is bonding that was approved a couple of years prior. The bonding has already been approved, the question is telling them to move forward with bonding that has already been approved.

Mr. Hales asked about the \$24 million already bonded. Mr. Stam said the \$29 million that had already been taken. Mr. Hales asked about the \$11 million still out there.

Mr. Marriott said that a year and a half ago, the councils approved a \$66 million go forward bond based on meeting key objectives and strategic benchmarks along the way. Of the \$29.5 million, there is still another \$35 million that has been approved and needs to go into the plan that was enacted a year and a half ago. Of that, management is requesting to go forward with \$24 million, \$14 million now and \$9+ million in the second year. Those will produce the revenues that you can see on page seven of the plan.

Mr. Hales asked about the amount that had already been bonded. Do you need authorization from the council, since it has already been approved? Mr. Marriott said, not technically. Mr. Hales asked about the \$50,000-75,000 dollars that is operational. Mr. Nicponski

asked where that number came from. Mr. Hales said you talked about being short. Mr. Marriott said that they are short \$225,000 to \$250,000 per month currently, but that would go down to a break-even point three years from now. Mr. Hales asked if that was for our city alone. Mr. Marriott replied that was the total for all 11 cities. Mr. Hales questioned if that was the number of \$50,000 to \$75,000 that he brought up earlier. Mr. Marriott replied that is what is suggested. Without any cuts, "the Sweet Spot" or the utilization of our current best return on investment strategy, will produce enough money to cover the debt, and also have \$145,000 to \$150,000 in additional revenue to go toward the deficit of the \$225,000 to \$250,000, leaving a \$50,000 to \$75,000 shortage.

Projected is the ability to accomplish that by cutting an additional \$45,000 to \$50,000 in operations, getting to \$190,000-195,000 of that \$220,000-230,000 by the three years when this plan will mature.

Mr. Nicponski commented that Murray Finance Director, Justin Zollinger had done some work on this, and he asked him to share his results.

Mr. Zollinger explained that the shortfall is \$225,000 on a monthly basis, of that percent \$40,000 is what Murray would cover on a monthly basis. That equates to \$192,000 for this fiscal year that we would cover of additional operational costs. That is for a 5 month calendar year that starts in February. Next year, would be a full year, and would be \$420,000. That is where the half a million approximately comes from. Gradually, this will decline over time. The sweet spot plan is 3 years and 6 months. Mr. Zollinger said to remember it will start around \$40,000 per month and gradually declines.

Mr. Hales asked Mr. Marriott if they are behind on salaries. He thought that operations have been struggling since October. Mr. Marriott said they weren't supposed to make it past then, but have been creative in the ability to do so. UTOPIA is meeting payroll, and costs and obligations.

Mr. Nicponski asked for Mr. Zollinger to pay attention to this. Our Mayor, and Council members made a significant adjustment couple years ago to address the budget shortfall, and 30 or so employees were let go. Subsequent to that action, Murray was able to give employees a modest pay raise last year. Mr. Nicponski said he would like to continue that and give another pay raise and make some merit adjustments this coming year. He asked Mr. Zollinger if the City funds UTOPIA, would we be able to take those actions. It is important to maintain a viable employee force, relative to merit and salary adjustments.

Mr. Zollinger replied that Murray has upward pressure on many expenses. Utah Retirement Systems is doing a 9% increase in retirement rates. Of the general fund, almost \$26 million goes to wages, salaries and benefits. That leaves approximately \$10 million of discretionary spending that includes contracts for VECC, fire and police. Our debt service will whittle that number down even more. With downward pressure on some revenues, and upward pressure on expenses, it will make that difficult without a funding mechanism.

Mr. Shaver commented that there are a couple of issues that we are facing:

1. A bond which has already been voted on and approved by the Council. That bond has already been accepted. The question is when that actually happens. We want to have a portion of the remainder that is coming and vote on that.

2. The budget shortfall of operations is a separate issue. Let us not confuse them. The legislature has said that you can only spend so much of a bond on operations. Of the \$24 million, only a portion of that can be spent on operations. That is what we are being asked to address; the make-up of the shortfall. Also, the direction of UTOPIA, and what Murray suggests they do. Out of the different scenarios: sweet spot, acquisition, maintenance, public/private; those are the things we are looking at.

Mr. Marriott agreed that this would affect Murray's ability to do things. Anytime you have a significant amount of money change in your budget, it will affect these things. Mr. Stam came to me about a year ago, and asked what would be the best option for Murray. If you look at the Go dark, or Maintenance mode, that would put Murray in a worse situation. All the scenarios and consequences must be looked at. The most prudent course of action would be to pursue the course that we undertook a year and a half ago, given that all the benchmarks are being met, and will continue to do so. Doing this will put Murray in the best situation, unless you have better suggestions.

Mr. Nicponski asked what happens to Murray if we go dark.

Mr. Stam replied that he has spent some time figuring that out. Right now, of the Utopia debt, the \$185 million, we own 12.6% of that. If we refinance, that would cost us \$23,236,000. If we continue to make payments, over the next 30 years, that is \$58,574,555. If we went dark, we would then have to assume the \$29 million debt from UIA which at 12.73%, which is \$3,691,700 for our portion. If we take over the payments, it would cost us \$7,118,750 which means adding those together, refinance would mean \$26,927,700. If we continue to make the payments, it would be \$65,693,305, which would be about one and a half million dollars a month. On top of that, we have the inequality among the cities. We have Layton, with 7% of the total assets, West Valley City has 8%, Orem has 21%, and Murray has about 60%. Murray must consider that the other cities might come back to us for an equal share of the assets that are in the ground.

Mr. Brass asked everyone to remember that a substantial amount of assets are in the ground that Murray had built with the fiber optic loop, which boosts the City's percentage. They were sold them to UTOPIA at a very favorable price.

Mr. Stam replied that that was true, and the sale was for \$1,625,093. If you look at the inequalities of the cities, and Murray were to lose a lawsuit from the other cities, that would increase the refinance amount by \$10,886,100, or just making the payment on existing loans would increase Murray's payments to \$27,730,568 on top of what we are already paying, which would be another \$1.2 million dollars. Murray put in a clause to buy back the fiber optic ring, which we would have to buy back at fair market value, which would be substantially higher. We also have the possibility of the government asking for the stimulus money back, if we were to go dark. That would make us responsible for another \$2,862,540. We also have to consider the citizens. We have 31 citizens in our city that have paid the \$2700.50 up front, will they ask for their money back? That is another \$85,250. We also have 203 businesses on Utopia and another 60 businesses on UIA. The bottom line is if you add it all up, the cost is more than double what we are paying now and possibly even more. Adding in the cost of litigation could be very significant. Mr. Stam commented that the Go dark situation is scary.

Mr. Brass commented on the two costs: monetary and human.

We, as elected officials, have the primary responsibility for the health, safety and welfare of our citizens. It is hard to make that argument on a fiber optic network, but the human cost is right here. We are required by the State Constitution to balance our budget. When the economy reversed, Murray lost 10% of its revenue, and had to cut the budget. That was extremely painful. We encouraged early retirement and lost a lot of good people. We didn't give raises, we didn't buy automobiles, and we struggled to pave roads. We pay a substantial amount of money now on this debt, he related.

One of Mr. Brass's annoyances is that the City had a finding on our audit because additional money was taken for UTOPIA that we were not aware of. That is a communication issue.

Murray is nothing without our employees, he said. There will be ramifications with the new health care law. It will drive health insurance up. A small business owner, and also uninsurable, he knows how difficult it is to get insured. That cost will be borne by everybody else, because in 2014 everybody will have to be insured. Costs are going up.

Mr. Brass said he doesn't have a problem raising property taxes to provide services for our citizens, but to raise taxes for something that only benefits 16% of the population disturbs him. Mr. Brass said he is on Utopia, and loves it, and would hate to see it go away. He thinks it is a better system, but in the end, who is your customer and what do they want. Also, how do we get more customers, he asked. That is what will pay the revenue, not building more fiber, but selling more products. More customers mean more money. I would like to see the money going toward getting more customers and not building the hole deeper.

Mr. Marriott suggested that the network may only address 20% of the population directly, in terms of subscribers, but also affects such things as first responders and the community at large. It is a much broader perspective than just the consumers that use it directly. The human cost will be significantly worse if certain decisions are made. The finance committee has vetted this through for the greatest benefit to our employees, citizens, and Murray. What we suggest today is a very well vetted proposal that has the element of bettering Murray's position. If you don't make that decision, the decision to do other may have significant negative impacts, unless we find something else.

Mr. Shaver said there will not be a decision made tonight. This is a great chance for the Council to get as much information as possible before a decision needs to be made.

Mr. Stam remarked that he not only represents the people that elected him but also the City and the employees, and gave his cell phone number. He is welcome to any other ideas and will be happy to listen. He has spent a lot of time holding their feet to the fire and is trying to take care of the City as best as he can. He said he is more than happy to hear any ideas.

Mr. Nicponski said it is their job to come up with ideas, and they will really search this issue.

Mr. Nakamura asked if there was going to be a budget amendment hearing on February 5th to publish that notice. There is a ten day requirement if there is going to be a public hearing, and four days lead time.

Ms. Wells suggested that we consider the amount for this fiscal year only and make that part of the Public Hearing. We are just getting ready to start our budget; this gives an

opportunity to look at that. There isn't a dollar figure that has been agreed upon, at this point. There are still discussions going on.

Mr. Nakamura concluded that we can't go forward with a budget amendment hearing because we are not going to meet the requirement, and we would need a dollar amount.

Mr. Hales remarked that we need to decide if this is going forward or not.

Mr. Brass said that there is a budget meeting on Thursday, there could be a discussion then. We are going to have to decide where the money is coming from. He asked if it could be put in the agenda for Thursday. The money needs to come from somewhere, and that decision could help going forward.

Mr. Nakamura said we could agenda that for the budget meeting, and he would recommend that the public hearing be on February 19th, after the budget meeting.

Mr. Hales asked if that was the consensus to move forward. Mr. Brass suggested to delve into all of the financial ramifications.

Mr. Hales thanked Mr. Marriott, and Mr. Stam for the discussion.

Business Item #2

Murray City Road School Presentation- Doug Hill

Mr. Hill addressed the process to maintain streets in the City, and some of the practices that have been put in place. He thanked his staff because they are the key individuals that keep streets in good shape. He introduced Russ Kakala, the Street and Storm Water Superintendent, Ray Mines, the Field Supervisor in the street department, and Trae Stokes, the City Engineer. They do a great job on behalf of our citizens.

If the City fails to maintain its streets, then there will be an increase in costs. There is a financial benefit for maintaining the streets. If you are willing to put small amounts of money into your streets earlier in the process, in the long term you will save money. Often people do not understand why we are maintaining one street that is in better condition than another, he said. In some cases, an investment of \$5,000 into a slurry seal, crack seal or rejuvenation process, can make that street last an additional 5 to 10 years. Some streets are past that kind of maintenance and an investment of \$200,000-300,000 must be made to maintain it. Investments into maintenance ensure that the streets last longer and save the City money over time.

Mr. Nicponski noted the \$200,000-300,000 assumption. What would the maintenance have been for that kind of street, he asked. Mr. Hill said if the City would have started 15 years prior, doing some crack sealing, slurry seals or asphalt rejuvenation, the life of that street could have extended by 20 years. An expenditure of \$15,000 over the first 15 years could get that street to last another 15 years.

Mr. Hill showed a picture of a street that was past the point of maintenance. These streets are not ignored, but they cost so much money and a portion of the budget is set aside for these kinds of streets. We don't want to set aside 100% of our budget to only fix similar streets.

Otherwise, these other streets will continue to deteriorate more rapidly and will cost the City more over time.

Mr. Shaver clarified that based on this rating scale, some of the streets would require major repair; although he would rather spend some money on maintaining. The money would go farther than by just repairing a major reconstruction. Mr. Hill said that is correct. For example, with a \$2 million dollar budget, which is roughly what we have budgeted; we want to set aside about half of that money for maintenance projects; such as crack sealing, slurry seals, overlay type projects. The remaining 50% we would set aside for rebuild projects.

Mr. Hill discussed the various type of maintenance.

1. Pothole or patch repair-These are done year round, being more difficult to do in the wintertime. The type of asphalt available in the winter is much more expensive and is a temporary patch only. It will need to be torn out and redone in the spring when the weather warms up. It is more difficult to maintain in the winter, but we do maintain. We encourage the citizens, employees to be our eyes, and if you see a large pothole or have received a complaint from a citizen, please let Mr. Hill know. We try to save them up so we can do them all at the same time. Mr. Stam asked if he would prefer the potholes to be large or small, when notified. Mr. Hill said they would like to know as soon as possible, because potholes are exacerbated with the weather conditions. Mr. Shaver asked if problems from water lines need to be repatched in the spring. Mr. Hill said they do.
2. Crack sealing- This is a rubberized sealant into the cracks to prevent moisture from getting down underneath and preventing this freeze/thaw cycle. This is one that people don't often like as much. If you can keep the surface free of cracks, then you are preserving that road from breaking apart in the wintertime. Mr. Nicponski asked if this was also called stripping. Mr. Hill replied that it is different. People often complain that the road was pretty but now it has dark lines over it and it is ugly. It might ride a little rougher. We made it better, not worse, but from their perspective, it doesn't have the smooth, uniform color, and may not be as smooth when you are driving on it. Sometimes, this is the only method we have of holding our roads together. The Mayor said but then you usually put a slurry seal on it, and it looks pretty again. Mr. Hill said they try and do this before they do a slurry seal, or overlay. It is preserving that asphalt surface from water penetration. Mr. Brass said that citizens' comment when a slurry seal is done, that wasn't done in their neighborhood. Mr. Hill explained a PCI rating, and every road in the city has been given a number from 1 to 100. The higher the number, the better condition the road is in. A new road will have the ranking of 100. As that road deteriorates over time, that number will go down. Typically, when it gets below 50, the road is in pretty poor condition. Mr. Hill showed a map with all the roads in the City, indicating the condition. When doing the budget, this map is our baseline. Our money doesn't always go towards those streets that are 30-50 because we want to have money to work on those 50-70 streets also. Crack sealing is done on those streets that haven't started to fail yet, but are not in excellent condition.
3. Rejuvenators- This is a relatively new process, used for the last two years. Sunlight dries the oils up on the road and creates quicker cracking. Rejuvenators put oils back into the street surface. It is very inexpensive to do, and we did quite a bit last summer. We are still experimenting and learning the best time is to put this down.

People don't like it very much because of the sand content. We put the sand down, and people have to drive the sand down into the oils in the road. It collects on the side of the cars and their wheel wells. It is an innate part of the process that it needs to be driven down into the street. This is becoming very popular, but it has to be done on a pretty new road in good condition. It is inexpensive, 12 cents per foot. We could do 100 roads in the city, for the price of one overlay.

4. Seal coats- This is where you put a half inch or so of oils, mixed with water, polymers, and aggregates into the street. These are nice because you can drive on them relatively soon, after they are put down. It doesn't track on to the cars, it is very inexpensive. Our strategy now is to do a lot more of these slurry seals for the price of doing one street rebuild. Contracts are done for entire neighborhoods at a time. We don't have the equipment to do this, so we contract it out.

Mr. Shaver asked if this was micro surfacing. Mr. Hill said this is basically the same thing. There are different levels: slurry seal, and micro surfacing. One is just a little higher quality and costs a little bit more. Both of these are done. Mr. Kakala said microsurfacing is done on a bigger road, like Fashion Blvd. You wouldn't want to microsurface a residential road. There are different polymers, and is a better workhorse than slurry. There are three types: In parking lots, type one is used which contains sand, type two has a small rock, and type three has a bigger rock than that. If the road is starting to rut, microsurfacing helps better than a slurry. Mr. Brass said that several areas in his district were done and he was impressed. It is done quickly, and it covered up a multitude of sins.

5. Overlay- This is what everybody wants. It is preferred to cheaper slurry. The cost jumps about 3 to 4 times over the slurry. It is a good solution for a street that has fallen in to a poor condition. It doesn't need to be rebuilt yet, but is in bad shape. If caught early, the millen overlay can be done. Murray has the paver that allows us to do these, so thank you for purchasing the equipment. This allows staff to do these overlays at a very affordable cost, because the capital investment was made up front. They also work very well where the curb and gutter is in place. When the curb and gutter has failed and needs to be replaced, you are into a complete rebuild. With a millen overlay, you can just mill out next to the curb and gutter and come back and overlay.
6. Pulverize the asphalt- This is a little cheaper than a rebuild because you can use the material already in place. You go in and pulverize the asphalt and mix it in with the road base and you don't have to haul it off, you just compact it down and it becomes a great sub base for the asphalt that goes down over the top. This is being used more and more, it is still expensive but cheaper than a complete rebuild.
7. Complete rebuild- An example of this is Stauffer lane. When utility work is done, such as water lines, storm water drains, replacing curb and gutter, then it becomes a complete reconstruction project. Also, this happens on older roads, where they didn't put road base underneath, and it was just put right on the native soils, we have to remove those native soils and bring in road base in order to have a good surface for the asphalt. Mr. Shaver asked if this is what occurred on 4800 South. Mr. Hill replied that it was.

Mr. Hill said if you can spend money in those first five areas, you can do a lot of work for the same amount of money as a reconstruction project.

The Department is always requesting new equipment through the capital improvement process. The type of equipment that we use in the street department is expensive items. A paver can cost up to \$300,000, even 10 wheelers will be up in the \$200,000 range. The 10 wheeler dumps also work as snowplows. The bobtail dumps, are a little bit smaller than the 10 wheel. The City owns graders, backhoes, loaders, a milling machine, and a tack truck, which is what, puts the oils down before you do an overlay. Other equipment includes the big paver, a couple of rollers, salters, a crack sealer, and sweepers. Some of our smaller pickup trucks are used for plows. We have a skid steer and a mini- excavator. The most expensive piece of equipment is the paver. Mr. Kakala said it would be the new milling machine that they want for about \$410,000. The Mayor asked about the cost of a grader. Mr. Kakala said they probably cost about \$300,000.

Mr. Shaver asked if Murray has the ability to purchase used equipment, such as from an auction. Mr. Hill said used equipment has been purchased in the past. Mr. Hill and Mr. Kakala said the cheapest equipment would probably be a small pick up or the mini excavator

Mr. Hill said to refer to the maps about the pavement management plan, and encouraged calls for questions.

The sidewalks and ADA ramps are considered as part of the right of way. We have an ongoing program to repair sidewalks and maintain a map just as we do the street map. A college intern was hired to walk around the city and measure every lift in the sidewalk a few years ago. Staff will go into a neighborhood and fix all the sidewalks and ramps at the same time. If you hear a comment about a sidewalk or ramp that needs to be fixed, let Mr. Hill know. They maintain a list based on those phone calls, and that helps decide where to go.

Mr. Brass said he remembered that change, and likes that the citizens don't get charged to do it. The change saved a ton of money. Mr. Hill thanked Mr. Brass for the feedback and said it is nice to hear positive feedback.

Mr. Hill said that if a citizen doesn't want to wait for the city to fix the sidewalk. They can call them, and they will remove the sidewalk at no cost, and they will have to pay for a \$10.00 permit for an inspector to go out and make sure the sidewalk gets put back correctly. They then only have to pay for the new sidewalk to be put in, and not for removing the old one. Mr. Hill said they don't like to take out curb and gutter; it can damage the road and shorten the life of the road. They also don't do driveway approaches. The driveway approach is considered the homeowners responsibility.

Mr. Brass asked about the cost of repairing sidewalks. Mr. Stokes said the cost is about \$20.00 a running foot for remove and replace. That covers a little bit of landscape repair that typically has to be done. It usually covers a little bit of the root repair and the road base that is put back in, as well as the concrete. We bid it out every couple of years.

Mr. Nicponcki asked about our exposure to these sidewalks and if we have had any lawsuits. Mr. Hill said we have had claims and they are based on a claim by claim basis. The Attorneys office evaluates those. Our governmental immunity gives us some protection.

Mr. Hill said the bulk of the money that goes towards the street comes from the gas tax. It comes through the State to the City in the form of Class C road funds. This is a 10 year look back at those funding levels. The one anomaly is the state made a mistake about 3 years before and didn't send any money one year, and sent it all to us the next year. The amount fluctuates quite a bit, and has gone down in the last 5 years. Mr. Hill didn't know if this was due to people driving less or more fuel efficient cars, or a combination. Right now, Murray receives about 1.4 million dollars for streets.

Mr. Shaver asked if any of the storm water funds is used for curb and gutter. Mr. Hill said they consider curb and gutter part of the storm drain system. This is a benefit of creating the storm water system, the utility is funding to repair curb and gutter. Mr. Kakala has a budget for that, and we will fund it out of that storm water fund.

Mr. Hill showed the historic level for funding for streets. An increase was made in 2012, after it had gone down in 2008. This was an indicator of the economy. The City was balancing the general fund with street projects. Fewer streets were done until 2012, when it bumped up a little. In 2003-2004, Murray had \$5 million set aside for road projects to the Cottonwood Street Bridge. Murray received about \$15 million in federal funds, and the project cost about \$18 million to build. We had to come up with about \$3 million of City money.

To get Federal or State funds, the City must get on the statewide transportation improvement plan (STIP). We have one project on the STIP which is 5900 South from State Street to 700 West. About five million dollars will be coming to us over the next three years. We will have to provide some matching funds for that in order to rebuild that entire street section. That will include water lines and storm drain lines.

We also received a legislative allocation of 1.2 million dollars over the next two years, to redo 5900 South from State Street to 725 East; this will also include storm drain, water lines and be a complete reconstruction. In the next three years, 5900 South will see a facelift.

The big concern that we have is East of 9th East on Vine to VanWinkel, and also 1300 East, from North to South that is falling apart. We are trying to get different funding for those two projects, and have written letters of intent to get on the State consideration list to get money for those projects. Mr. Stokes has been working on developing that information and getting it to the State. We should know in the next few months if we will receive any money. The problem is that you don't receive the money until 2019, and the roads will fall apart before then.

Mr. Shaver asked about Midvale doing slurry that included the bridge up to 1300 East. Mr. Hill said that was Cottonwood Heights and it was a chip seal.

Mr. Hill said we have a five year capital improvement plan (CIP). If you get calls from citizens, look at the CIP and we will meet with the CIP committee and prioritize these projects.

State Legislative Update-

Zachery Fountain

Mr. Fountain announced that the Legislative session is starting next Monday. Lists of bills have been handed out over the last two weeks, showing what bills have been released

publicly, as well as department head comments. The bills are coming out a bit slower this year, four more were added today.

There is some legislation that is not in the Council bill list, but will be major topics of discussion at the session:

1. Billboard issues- A particular outdoor advertising agency is working with legislators trying to run a bill that deals with electronic conversions and lighting standards. The Council has had discussions on this during the past year, particularly as it applies to a particular piece of litigation. Mr. Shaver asked if this overrides our city ordinance. Mr. Fountain wanted us to remember that all municipalities are subdivisions of the state, which is quite different than other states. We would have to comply with what the State dictates. This has been an issue when it applies to billboards. Mr. Fountain called it supernatural land use, as it applies to outdoor advertising. They have been exempt from some aspects of our land use code. The industry doesn't see local government as the proper venue for these discussions. They consider it cheaper and more efficient to go to the Legislature. Mr. Hales asked if it was likely that a bill would be created. Mr. Fountain said that it was. Murray City is working with the league to force any movement forward on outdoor advertising issues in to negotiations. In particular, post session. The league has extended an olive branch to the industry in the interim. When those discussions don't take place, it is crammed in to 45 days in the session, which isn't conducive to good public policy as it interacts with two different levels of government. This applies to County government, UDOT, and others. The strategy is to move in a direction where there would be a negotiated piece in 2014. Mr. Fountain said we may see two competing bills: an industry bill and a local government bill. Mr. Shaver asked where our local legislators stand on this issue. Mr. Fountain said that the local legislators have been great, and are very open to discussions. He has spoken with all of them, and they understand the dynamics and are approachable.
2. Fireworks- Last summer was the summer of fireworks. There was a disconnect in the State code, as to whether or not municipalities had the authority to ban fireworks in totality, or one particular way or another, or if only the Governor had the authority. Right now, Representative Dunnigan has a bill that would give municipalities the ability to regulate time, place, and manner of fireworks. The City can't do an outright ban, but can ban them in certain areas; such as Jordan River parkway or Murray Park, as it applies to fire dangers. There was discussion as to whether that should be a council discussion, but decided in terms of public notices, and tentative and fast moving situations, it would be difficult. There were areas in Southern Utah that tried to do 12 hour notices, because they had a fire burning. We had to sign an executive order last year to ban in certain areas.
3. Transportation- the City has seen the amount of money and increased costs that go into transportation. There is a proposal right now for a county gas tax option. The County could approve the amount and that could be distributed according to the B&C Road funding allocations. Those are generic discussions but some of the counties don't want to be the source of that discussion. The legislature wants to share the responsibility of raising revenue with local officials, but local officials are being skittish about it. The speaker has an issue with local governments running to the hill every time they need transportation money. The gas tax hasn't

been changed since 1997, but miles per gallon and miles driven have had an inflationary cost.

4. Gun bills- This is a result of Sandy Hook Elementary. Particularly, an open carry bill. This will affect how our officers are able to handle delicate situations. Everybody has seen the JCPenney story from Riverdale. The question is whether officers would be able to confront that individual and ascertain the situation. One bill came out today that deals with "gun-free zones." City Hall is a gun free zone, the Police Department. The NRA feels pretty emboldened in terms of their position as it relates to Utah and State Legislation. That will be very politically sensitive, in terms of 2nd amendment rights, and public safety. Mr. Shaver asked Chief Fondaco if someone could walk in to the Police department with a concealed weapon, if they had a permit. Chief Fondaco said that they are not allowed to right now. With this new bill, they might say that they can, but the Chief said they cannot. The bill is exempting the court, and City hall. They put this stuff in the bill, so they can find a middle ground and everyone can accept it. Mr. Fountain said there will be major discussion regarding guns nationally and locally.
5. Property Tax increase- Orem has proposed a property tax increase, which was sent into a referendum. The timing of the referendum made it unable to be on the November ballot. It didn't set a taxable rate for the entire year. The way the code was written, it made the city wait a year to get it on its next ballot. The League is working on that, as it applies to land use. In Layton that was overturned, but they barely met the deadline. The bill is trying to clarify that if there is a challenge after the adoption of the budget, you will have to hold the referendum or initiative vote until that November. This will compress timelines in terms of getting together ballots, vote by mail and all of those things out earlier. Mr. Fountain said he is not sure if there will be a fiscal impact. We contract with the County, so there are multiple issues across multiple jurisdictions.
6. Telecommunications Industry- Senator John Valentine has a bill that would effectively keep interlocal organizations from using bond proceeds for operations for more than three months, if you have been operational for two years. Or there would be an effective time where those bond proceeds can be used in a start-up. The maximum time for that is two years. As it applies to Utopia, and UIA, they are outside of both of those periods. Mr. Shaver asked if it would be a three month period where Utopia/UIA could use those funds, based on this bill, for operations only. Mr. Fountain said yes that is how he understands it. Senator Valentine is trying to place it with some financial practices that are nationally recognized. Mr. Stam wanted to clarify if Utopia could use it for any period of time. Mr. Fountain said that there is a phase out period.

There is another bill that was in the Daily Herald today, primarily aimed at IProvo. The discussion is about city wide assessments for a system that isn't being utilized by the entire population. Some of that was brought up today, saying that you can't do a city wide levy for a telecommunications service. Representative Grover is running that bill. Mr. Stam asked if the fee wasn't allowed because not every citizen was attached, and Mr. Fountain said it would be banned regardless if every citizen was attached. Mr. Stam said that IProvo has assessed

everybody, even though not every citizen is attached. They are saying a city wide assessment for this type of service would be null and void. Mr. Shaver asked if this was specific to telecommunications, not for example a school assessment. Mr. Fountain said with the exception of Spanish Fork, this bill would carve out specifically telecommunications.

Mr. Hales excused Mr. Niponscki.

Legislative Lobbyist Update-

Brett Hales

Mr. Hales mentioned the Legislative lobbyist, and that we will use Dave Stewart for this year. Next year, a bid will be done for this process. Mr. Shaver said he will support the Chair in this decision, and that the administration and Council will use his services together. With this time crunch, since the legislature is beginning, this would work for us in issues that affect our city. Mr. Hales asked if there were any objections.

Locally Preferred Alternative for Bus Rapid Transit- Tim Tingey

Representatives are here from UTA, presenting this environmental study update. Murray has assisted in funding this environmental study report which evaluates the locally preferred alternative route for the bus transit connection from Salt Lake Community College to the Murray City Center District. Janell Erickson is here to present from UTA. Vance Hansen is here from Stanley Consultants, Loretta Markham with Lochner Engineering, and Patti Garber with UTA. We appreciate them coming to update us. Eventually we will see a resolution to adopt the locally preferred alternative route.

Mr. Shaver asked if this was the last step that they had to meet before moving forward. Mr. Tingey said this is an important step, as well, as the engineering that would need to occur.

Ms. Erickson introduced herself, and explained that she would be giving us a preview and what they are going to ask for. We gave this presentation to the Mayor last week, but wanted to give everybody an update so that we can move forward. The purpose of this project is to provide a local and regional connection from Murray Central Trax and Frontrunner station to the planned downtown Murray City Center District and to SLCC, improve transit quality, frequency, and reliability to attract more riders. Also, to sustain the local economy by encouraging positive land use changes and improving accessibility to the existing and planned developments and to increase transit capacity for future population and student travel demand.

The preferred alternative that you see today has been refined and completed conceptual engineering, identified the area of impact, cost estimates, right of way impacts, utility protection and relocation. We have continued our coordination with the Cities, SLCC, and UDOT, and are working on the draft environmental study report, Ms. Erickson said.

The total length of the project is 4.5 miles, 1.4 miles of that would be dedicated BRT lanes on 4700 South. There will be a total of eight stations and the estimated construction cost is about \$22 million. About \$6 million more will be needed to add busses that would be dedicated to this system route.

The increase of persons on the 4700 South corridor would be about 7% on opening day in 2016, and about 10% increase in the long run.

The current existing local bus service takes about 26 minutes, because there isn't a direct route from the Murray Central Station to SLCC. If we were to make these improvements, the BRT Eastbound would be 13 minutes, and Westbound would be 11 minutes. This is attractive in the amount of time saved to the traveler. Mr. Shaver asked about the 15 minute headway. Ms. Erickson explained that this means a bus would be coming about every 15 minutes, in both directions.

The current local routes that go through the area carry about 1500 people a day. We estimate that it would go up to about 2200 a day in 2016 and 4600 a day in 2040.

There are two options for a station; both will clear environmentally so we have choices. There would be a station on Poplar. Mr. Stam asked if Poplar would be a one way street. Ms. Erickson said it would be a one way street. We have two options we are carrying forward for the frontrunner station. One would be a platform in the center of a widened Vine Street, and having the busses pull up to this station. A disadvantage is the distance from the Trax station. It is quicker to travel downtown from SLCC.

Mayor Snarr commented on the traffic at the newborn center at the hospital, and felt that the better and safer way would be to drop them off where they could access the commuter and the light rail, once they open up those gates in the spring. A portion of the opening of the dialysis center would have to be undone. They agreed that that is a real tight fit with the traffic coming in and out. Whereas, if you went to the light rail station and had that as a drop off point and circled around, it would work out great.

Ms. Erickson said this is a little cheaper option because they are modifying the park and ride area to provide a place for the busses to pick up and drop off. It is also closer to the Trax, to make that connection to frontrunner. Mr. Shaver asked if it would be a separate station. Ms. Erickson said it would probably be separate, and would add a platform area for this specifically. Mayor Snarr said this bus would go in and access this and go back. Mr. Brass commented that if a BRT load of passengers wander through the parking lot, it might be a safety issue.

Ms. Erickson pointed out the Taylorsville stops on the map also.

Mr. Shaver asked if the emphasis on this is to get students from the Murray crossing to the school and back home.

Ms. Erickson pointed out the option with the two bus lanes in the center with the station platform in the middle. The two auto lanes, a shoulder, and a potential swell area if UDOT needs to widen it in the future. The bus would pull up to the intersection, jump into the regular lanes, and make a left turn in to the community college. This is a potential future phase if there is money available. This shows what a bus bay area would look like at the college. This would eliminate about 80 to 100 parking stalls.

The next step would be to get an approval from both Murray and Taylorsville, the UTA board of trustees, and the Wasatch Front Regional Council would have to adopt the LPA. Once it is approved, we will have another public meeting for the environmental document. We have a draft of the ESR that is almost complete and ready to be reviewed by the public. We hope to be done with the study by June.

Mr. Shaver asked Ms. Lopez if it is on the on the agenda for the council meeting on February 5th. Mr. Tingey said that they are working on that with Frank's office.

Mr. Tingey thanked Chad and Trae for their efforts on this project. A resolution on this will be coming and there will be a lot of future discussions.

Mr. Stam asked what the funding mechanism is back to the City. Mr. Hill said that in the past, UTA has never asked a city to build or operate a mass transit system. According to UTA, they have no plans to change that system. Once it is built, we shouldn't have to worry about coming up with the funding. The costs that come to the City are usually with the design process. Fortunately, Taylorsville city received an appropriation from the legislature for Four million last year to pay for the design. The engineers have indicated that they thought that was enough money for design completion. There shouldn't be any money that Murray has to come up with. Mr. Hill said the question is where UTA is coming up with the money to build it and operate it. There is no funding right now for that, but UTA can't come back to the city and ask us to fund it.

Personnel Ordinance Changes

Mike Terry

Mr. Terry stated that the City employee policy handbook is in three separate sections.

1. Code 2.62, which the Council approves any changes to.
2. Public Safety Rules- Police and Fire have their own section.
3. Career Service- All employees, other than Police and Fire.

There are some changes that Mr. Terry would like to make. He drafted them and gave them to the City Attorney, Frank Nakamura. There are 20 pages in this 2.62 section. There are policies that need to be updated, but many of these should not be in the Code section, but should be in the Public Safety Rules or Career Service sections. They deal more with administration, the direction of employees, and the business of the City; instead of financial approval of budgets.

Mr. Nakamura suggested that Mr. Terry work with his office then bring the Council a draft.

For example, there are policies that talk about evaluating employees and bidding and promotions, leaves of absence, jury duty, and how we maintain our personnel files, etc. Mr. Terry wants to bring some proposed changes to this code. This would be taking some policies out of the Council's discretion and putting it in other parts of the handbook. We feel that it is better served under the direction of the Mayor and the Department heads, as opposed to having the Council make changes.

Mr. Shaver asked to clarify that Mr. Terry wanted to change the code to give the authorization to the Mayor's office to regulate those changes. Mr. Terry pointed out that there is a section on organ donor leave. He proposed that that would be deleted from the code and put it in a different section of the handbook that doesn't require Council approval. Mr. Shaver commented that these weren't really codes, more similar to policies.

Mr. Hales asked if Mr. Terry would present those. Mr. Terry replied, yes, it will be a future discussion. Mr. Nicponski stated that the Council recognizes general policy authority and to that extent those provisions that deal with general policy should remain with the Council. Mr. Nakamura said that the code did get obsolete, because they are in the process of changing different leaves of absence, tuition reimbursement programs. The City funds these programs, as well as the wages and salaries. The Council expects general policy direction in regards to salary compensation.

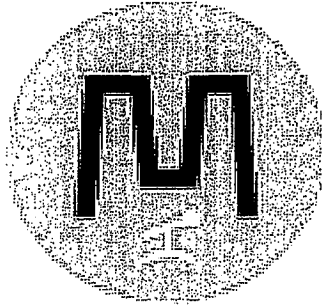
Mr. Terry commented that for example they have a policy concerning employees calling in sick. Mr. Hales said that shouldn't fall under policy, but more of procedures and day to day implementation on dealing with employees. Mr. Nicponski said it should fall under career service and safety rules and regulations.

Mr. Shaver thanked Mr. Terry, and said that sounds like that is what we need to do.

Mr. Hales asked for any announcements. Ms. Lopez reminded those about the Budget hearing on Thursday.

Mr. Hales adjourned the meeting.

Kellie Challburg
Office Administrator II



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.)

MURRAY CITY MUNICIPAL COUNCIL HANDBOOK 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 February 19, 2013

☒ 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 PROPOSED HANDBOOK ATTACHED

6. **REQUESTOR:**

Name: Brett Hales

Title: COUNCIL CHAIR

Presenter: Brett Hales

Title: COUNCIL CHAIR

Agency: Murray City Corporation

Phone: 801-882-7171

Date: February 8, 2013

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: Janet M. Lopez

Date: February 8, 2013

Mayor:

Date:

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

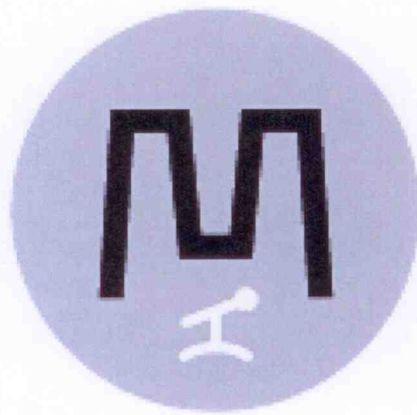
Number of pages: _____ Received by: _____ Date: _____ Time: _____

Recommendation: _____

9. **NOTES:**

DRAFT-FOR DISCUSSION PURPOSES ONLY

Murray City Municipal
Council
Handbook



MURRAY

CITY
COUNCIL

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Foreword

~~In the course of serving as a public official, you will be involved with numerous municipal issues. This Handbook provides is designed to centralize general information and guidelines on common issues related to Murray's form of government and your to Murray City ("City") Council Members ("Council Members") regarding their duties and responsibilities. role as a member of the Murray City Council.~~

~~The issues addressed are often complex and sometimes subjective. Thus tThis Handbook is intended as a guide or general reference, and is not a substitute for the advice from counsel, guidance, or opinions of City Department Heads Directors, Murray City Council ("Council") Council Staff or others with special expertise. neither is it intended to be a substitute for actual city ordinance or state code. Failure to follow the guidelines procedures provideddescribed in this Handbook shall not invalidate any action taken by the Council or be deemed a violation of any law. except as may be otherwise provided by law. Unless required by law, the Council may, at times, suspend application of certain guidelines provided in this Handbook.~~

~~The Council mayintends 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 is effective _____, 2012, 20132 and shall remain in effect unless amended otherwise by the Council. 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

~~The Murray City government is a Mayor/Council form of government under Title 10, Chapter 3b of the Utah Code and vests authority in set-up as two separate, but equal and distinct independent branches and a Justice Court. For purposes of this Handbook, the operation of the City Justice Court will not be addressed. 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 Mayor/Council Council Mayor form of government vests in authority 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 five (five (5) separate) separate districts, and its staff, Murray City Code §2.02.010 (2008).~~

Five Council Members

~~Currently, T~~there are five geographical eCouncil districts of substantially equal population in the CityMurray. 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 econsidered non-partisan.

Vacancy in Elected Office

If a Council Member vacates the position 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 officeseat, unless otherwise provided by lawstatute, 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.

The Council shall fill the position in a duly noticed Council meeting.

II. Role of the Mayor

The Mayor exercises ~~has sole~~ executive power, and executes City ordinances, applicable state and federal law and policy as established by the Council. ~~Utah Code Ann. §10-3b-202.~~

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

The Council also adopts or amends policy through ~~a ordinance or 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" City policy as determined by the Council. The Mayor then administers policy through directives to City Departments ~~and Divisions.~~

The Mayor annually reports budget appropriations, financial conditions ~~to the Council,~~ and ~~annually~~ City affairs to City 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 R~~esponsibilities and functions of the ~~Mayor, not as closely related to the City Council~~ Mayor are enumerated in Title 10, ~~e~~Chapter 3b of the Utah Code and City ordinances. ~~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 the Utah Constitution. The ~~State of Utah's~~ enabling laws ~~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
- ~~Adopting~~Consider policy resolutions
- ~~Consider~~Approving master plans, annexations, zoning changes, temporary zoning regulations and other land use matters
- ~~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 fiscal year (June 30 to July 1) the Council has the ~~responsibility~~responsibility to adopt opportunity to express priorities through the annual City Budget and Capital Improvement Plan ~~appropriations~~. A budget can be used as a planning tool to convey what ~~the City's 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 in the City's best interest. ~~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 City budget.

Process - Annual Budget Hearings and Recommendations

Typically, after the beginning of the calendar year, the Council and the Mayor meet to discuss the upcoming fiscal year budget. ~~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 Directors and others. ~~This is where~~ All or some of the Department the Department Heads Directors may be are invited be 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 law, 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 will is charged with determining consider if the Mayor's tentative budget reflects and determine 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, in whole or in part, the Mayor's ~~tentative 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 The Council will prepare the budget policy intent statements to be considered and adopted with the Budget.

~~Budget Amending: t~~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 must set the General Fund tax levy for the fiscal year may adjust tax rates and implement or adjust fees, operational transfers or other revenue sources as deemed legal and necessary. The Council also sets the tax levy for the Library Fund.

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. The independent audit must be completed and submitted to the State Auditor before December 31 of each year.

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 The Council may want to include members of the administration on a review team is traditional. These scope of the reviews may exceed reach beyond the annual financial audit and , maintaining an ability to target areas of municipal performance or services. Reviews may include an examination of speak to establishing minimum efficient and effective 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~~

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~~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 management, service or performance 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 to as ~~guide for assembling a screening committee, reviewing any retain a~~ 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 department or program ~~municipal area shall gather~~ must have 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 Council Committee of the Whole meeting.

Response from Mayor/~~Administration~~. Once a final report has been presented to the City Council, the MayorAdministration 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 DirectorsHeads or appointed career positionstheDirectors the City Engineer, City Treasurer and City Recorder and all City board and commission members are appointed by the Mayor with Advice and Consent provided by of the City Council. Upon the Mayor's presentation to the City Council of an appointmenteandidate, the Council must either approve or reject the Mayor's recommendationappointment. 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, t~~The Mayor forwards to the Council a candidate namean Council an appointment with, a resume, and references to the City Council to formally consider Advice and Consent of the appointmenteandidate.
- ~~As desired, t~~The Council may schedule an executive session to interview the candidate before Advice and Consent is considered. (All executive sessions must comply with the Utah Open and Public Meetings Act).

- ~~The executive session agenda shall reference a "the Professional Competency and Competency and character of an individual Discussion regarding [City Position Title]" (The individual~~
- ~~The Appointee's candidate~~ name shall not be disclosed until the Council Meeting where ~~formal~~ Advice and Consent shall be considered ~~by the City Council~~.
- ~~In~~Upon an executive session, with the City Attorney present, the Council may interview the ~~Appointee candidate~~.
- After the interview, Council consideration for Advice and Consent of the ~~Appointee candidate~~ will then be determined ~~formalized in a an open~~ 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 submits an appointment recommends a name along appointment 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 must comply with the Utah Open and Public Meetings Act).~~
- ~~If the Council has no concerns with the Appointee proposed candidate, the name will be placed on the consent agenda for consideration and formal Council approval.~~

~~Commission and Board Appointees candidates are invited to attend the Council Meeting where they will be recognized. The Appointee may address the Council. 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 Mayor Administration, shall create conceptual ideas or policy in which the Mayor statutorily implements. These policy directives are used by~~

both the ~~Mayor 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 ~~can will~~ be adopted by ordinance or resolution. Policy amendments will ~~be initiated through~~ ~~come by way of a Council Member presenting the idea in a CIW.~~ However, ~~A~~ a policy amendment can also be recommended by ~~a member of the~~ ~~Mayor Administration~~. Either process, garnering enough reasoning and support will formally be considered by ~~the~~ 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~~ ~~the~~ City, established under the section of Utah law governing "~~C~~ommunity ~~D~~evelopment and ~~R~~enewal ~~A~~gencies ~~Act~~", ~~Utah Code Ann, Title 17C.~~ Another similar organization is the Municipal Building Authority (~~MBA~~). ~~commonly referred to as the MBA.~~

Requests for Information

Council Members or Council Committees may request information from the ~~Mayor Administration~~. ~~Customarily this information is requested through the Mayor's Office. However, t~~ The City Attorney and the Finance Director serve both the Council and ~~Mayor Administration~~ equally. ~~, meaning~~ ~~R~~requests made of these two departments do not need to go through the ~~Mayor's Office~~. Demanding or requesting a Department ~~Head~~ ~~Director~~ 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~~ ~~customarily~~ given at the end each Council Meeting. Additionally, the Mayor has weekly sent a "Council Communications" ~~updating the Council on City matters~~ ~~detailing departmental highlights and achievements.~~

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 in deciding 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 of Order when questions of procedures arise. ~~The Executive Director has customarily served as parliamentarian. The Council may waive the rules unless otherwise required by law.~~

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, m~~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 ~~discussing debating~~ a matter, they have the floor, and are entitled to be fully ~~and fairly~~ heard. What a presenter says should be heard by all attendees of the meeting ~~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 discourtesy 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 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 generally require~~ a public hearing ~~and generally require at least not less than ten calendar days~~ notice in addition to the regular 24 hour meeting notice. Additional mailings of notice may be required.

The intent of the Open Meetings Act is to ensure that the reasoning and deliberation behind all decisions made 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 microphones during public meetings, especially when articulating the reasoning for any particular motion is important to the process of making public decisions. Whispering during the meeting, talking or texting on a mobile phone, playing games on electronic equipment, or like behavior undermines the intent of the Open and Public Meetings Act.

Meeting Agenda

Meeting agendas are prepared by Council staff and approved by the Council Chair. ~~Roughly~~ Approximately 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 Council staff or the agenda item(s) in question will be postponed until the request is satisfied. Once the final agenda is published it is ~~deemed that implied~~ all Council Members have consented to the agenda ~~as finalized~~. It is ~~in a~~ violation of state law code to discuss a topic that has not been properly noticed, unless first raised by a member of the ~~audience~~ public in an otherwise duly noticed meeting. ~~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 comments ~~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 physically present.

Voting or Abstaining

To pass or change an ordinance or resolution, or ~~affirm~~ take 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 veto~~with the Council vote on a tax levy, appropriations, ~~or ordinance, or resolution.~~ (The Mayor cannot veto all other resolutions). If the Mayor ~~disapproves veto~~esef the Council action, ~~+~~, (tax levy, appropriation or ordinance) 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 veto~~ 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~~ tax levy, appropriation or ordinance takes effect without the Mayor's signature, Utah Code Ann. §10-3b-204.

Absences

Any Council Member absent for more than six meetings and not excused by a majority of the other Council members ~~(except those absences due to illness, family matters, or due to Council or personal business)~~ shall forfeit whatever leadership position that Council member holds. Any Council Member exceeding theses 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 law 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 may will be cancelled.

Request for Council Action Process

~~Although T~~the process to request Council action differs for the Mayor and Council. ~~two branches of government, the Executive and Legislative, both sides utilize the procedure.~~ The Mayor Executive notifies the Council Legislative branch of its request for action by filling out a Council Action Request form and attaching supporting documentation. To be on a Council agenda ~~T~~the request ~~is then must be~~ processed by Council staff, ~~vetted by Council Members, and after~~ approved by the Chair, ~~and~~ placed on a Council meeting agenda to be considered by athe 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 first present the matter take it through a process. The idea is first presented to a quorum of Council Members at a Workshop CIW for vetting and refining. The refining process may take several meetings before an ordinance or resolution is ready for consideration. Alternatively, the idea-proposed legislation may be abandoned because it did not garner Council support after being heard initially.

Land use matters following review by the City's Planning and Zoning Commission must be placed on the Council agenda for action. These matters do not need to undergo any other process before they are placed on the Council meeting agenda.

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)
- Take no action with no motion or second
- 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 Mayor 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 law 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 approval ~~consideration~~ of the ~~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).~~

V. Committees

Service on Council Committees

The Council may create internal committees as it ~~sees fit~~deems necessary. The name, subject matter, the number of Council Members assigned to a committee, and the selection of committee members ~~is~~are 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 (COW) 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 ~~received~~accommodated and no formal action is taken, unless it is internal Council matters. Often presentations by the ~~Mayor 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 and Zoning 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 ~~provided~~attempted ~~by provided by the applicant~~ at a later date.

Council Initiative Workshop (CIW)

The Council Initiative Workshop (CIW) is designed to assist Council Members ~~wanting~~ desiring to campaign ~~advance~~ 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~~ blushan initial evaluation. After the first presentation, it should be decided if the initiative ~~is consistent~~fits ~~within current~~ Council ~~general~~ policy, the City's strategic plan, and therefore should be pursued. The ~~Mayor Administration~~ should be notified about any ~~idea~~ initiative prior to a presentation. This is done to formally solicit help vetting and refining any ~~idea~~ initiative. Concerns and thoughts

regarding the idea-initiative may be raised at the meeting, but a decision whether to pursue the idea-initiative 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-initiative 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 22nd (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, mutiplemultiple~~ five year outlook, which identifies and prioritizes 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 Mayor's Chief of Staff ~~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 and make recommendations to the Council. ~~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 Council Chair's leadership, the Council may organize committees of ~~its~~ Council Members or invite residents to assist the Council. ~~in performing Council duties.~~

Neighborhood Meetings

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

Redevelopment Agency (RDA)

The Council members also serve, along with the Mayor, as the governing board of the Redevelopment Agency of Murray City (RDA) and the Municipal Building Authority (MBA). Guidelines for the RDA and the MBA are provided separately. ~~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 Council 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 Council Vice Chair shall be the presiding officer in the event the Council Chair is incapacitated due to illness or is otherwise unable to attend Council Meetings, and shall sign as the Council 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 Council Chair shall vacate the office of Chair for any reason the Vice Chair shall assume the office of Chair.

In the event the Council 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 Council Chair's absence the Vice-Chair will preside. ~~Traditionally, t~~The Council Chair delegates or shares ~~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 confer any other duties or responsibilities associated with the Council Chair position.

Additional duties associated with the Council 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 and other official documents 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 Mayor~~Administration to the rest of the Council~~
- Conducts both the Committee of the Whole and Council Initiative meetings Workshops
- With the Vice Chair supervises Council staff including evaluating job performance and taking appropriate action to resolve employment issues.

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 ~~for~~ 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 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 actual or potential 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 and Chapter 2.46 of the Murray City Municipal Code, 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.~~

Code of Ethics

The Code of Ethics guidelines for Council members' conduct are provided in Appendix 9.

Ethics Commission

Under section 10-3-1311 of the Utah Code, the City's Ethics Commission will review allegations of violations by City elected officials, appointed Board Members and City employees of the Municipal Officers' and Employees' Act and Chapter 2.46 of the Murray City Municipal Code.

VIII. Role of the Council Staff

[The Council is still discussing office staff]

Council Office Staff

The current Council Office Staff is comprised of a ~~Council~~

~~Administrator~~~~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 ~~Council Administrator~~~~Executive Director~~ is appointed by a majority of the Council. The Council Chair, as the elected representative of the Council ~~guides~~~~oversees~~ Council staff.

Ancillary but related to Council Staff is the Director of the Administrative 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~~Council Administrator

~~As prescribed by City Code, the~~ ~~Executive Director~~Council Administrator ~~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 ~~Council Administrator~~ ~~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 ~~Council Administrator~~Executive Director. The Office Administrator's ~~has many responsibilities, such as~~include:

- Oversee Council Office bookkeeping
- Organize travel arrangements
- Coordinate special events
- Interface with the public
- ~~And m~~Manage 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.

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 the 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 the ~~a majority of~~ Council ~~Members~~.

- Death or serious illness of an employee or an employee's immediate family;
- Weddings of employee or employee's immediate family ~~department or division heads, or their children;~~

- Retirement of 25 year+ employee.

Mobile Telephones

A ~~cell~~mobile phone allowance ~~may 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.

Travel Policy

The Council travel policy is attached as Appendix 8

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

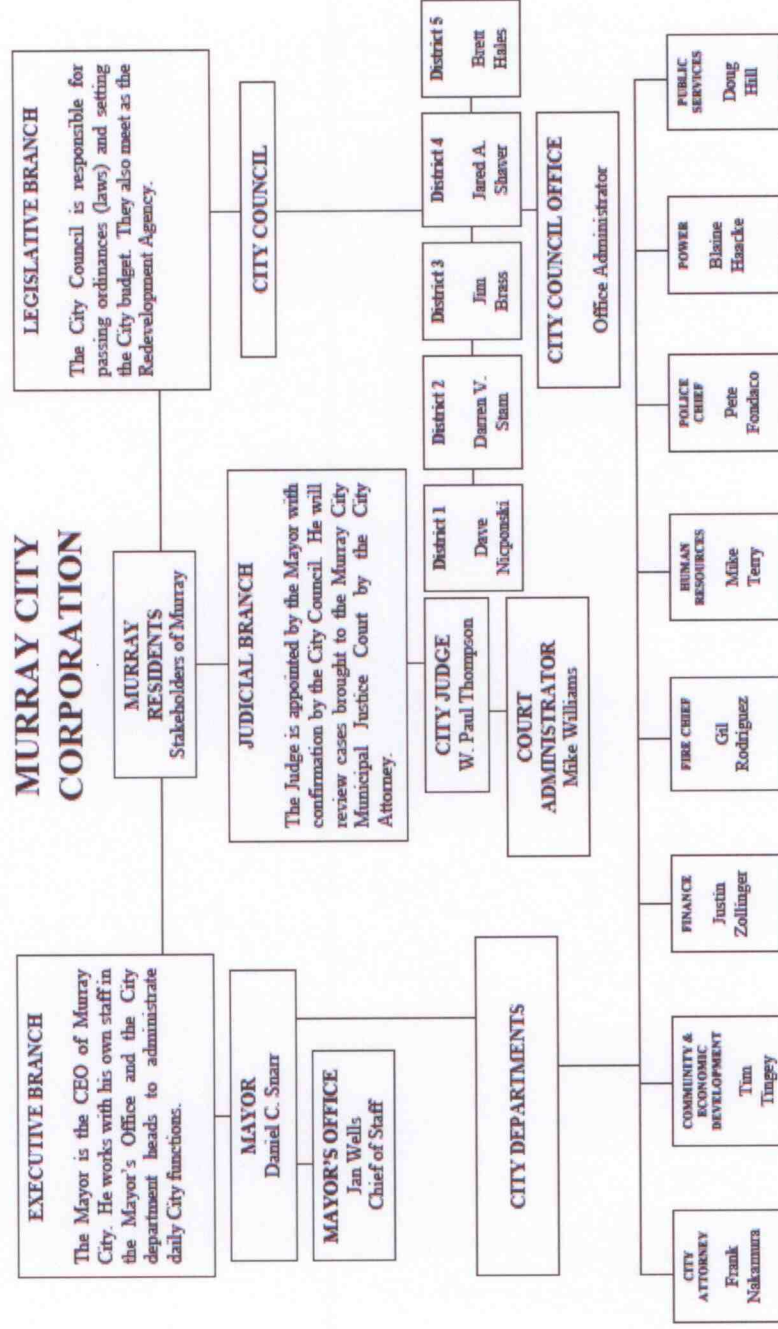
Open Meeting Requirements - Appendix 7

Council Travel Policy - Appendix 8

Code of Ethics - Appendix 9

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

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 (includes the Mayor) (RDA)
- Municipal Building Authority (includes the Mayor) (MBA)
- Board of Canvassers (includes the Mayor)
- Workshops and Retreats

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

- Murray City - School Coordinating Council

~~Committees-Boards~~ 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 ~~Ordinance~~Code. Appointments are made by the Mayor with Advice ~~and~~ & Consent ~~of~~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
 - Ethics Commission

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 ~~Directors~~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~~staff prepares 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, to the extent possible, 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. Generally, 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.
 - ~~f.g.~~ Council members may ask City staff, the sponsor or others present questions
 - h. The Council shall consider the item.
 - ~~g.i.~~ The Council shall take action on 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

Field Code Changed

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;
- Expends, 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

-
- 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.

Appendix 8

Murray City Council Travel Policy

The Council 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 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 Council following their return.

Only one City Council member may ~~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 ~~Council Chair~~Executive Director.

Travel arrangements 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 Council.

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 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 ~~theMurray~~ City may be paid for when: ~~t~~There is a cost savings to the City, ~~i~~~~t~~ is more effective for City purposes, ~~t~~The opportunity leads to other City-related experiences, ~~o~~~~t~~her Council-related responsibilities of the Council member are fulfilled, or ~~t~~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.

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 ~~dedoes~~ 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 ~~theMurray~~ 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, the Council member~~an individual must~~member must submit a receipt to the Council staff. Once the Council member no longer needs the ~~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.

APPENDIX 9

MURRAY CITY COUNCIL CODE OF CONDUCT

1. PURPOSE

- a. The public expects the highest standards of professional conduct from Murray City Council ("Council") Members ~~elected to local government~~. The purpose of this Code is to establish guidelines for the conduct of Council Members ~~Members of Council~~ ("Members") when dealing with the public, interaction between Council members and other levels of government, ~~and intra-council norms~~.

2. ETHICS AND STANDARDS OF CONDUCT LAW

- a. Standards of conduct for ~~m~~Members (as well as all City employees) is specified in Title 10, Chapter 3, Part 13 of the Utah Code, a copy of which is attached (the "State Ethics Act"), and Chapter 2.46 of the Murray City Municipal Code, a copy of which is attached (the "City Ethics Act").
- b. Sanctions for violations of the lawState Ethics Act and the City Ethics Act may include removal from office and criminal penalties.
- c. Allegations of violations of the State Ethics Act and the City Ethics Act may be reviewed by the City's Ethics Commission.

~~2.3.~~ STANDARDS OF CONDUCT

Members shall uphold the law and at all times:

- a. Seek to advance the common good of theMurray City ("City") as a whole while ~~conscientiously~~ representing the districts served;
- b. Perform the functions of office faithfully and impartially to the best of their knowledge and ability in accordance with the following core values:
 - i. **Integrity** - giving the City's interests absolute priority over private individual interests;
 - ii. **Honesty** - being truthful and transparent in all Council transactions;

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- iii. **Objectivity** - making decisions based on careful and fair analysis of the facts;
 - iv. **Accountability** - being accountable to each other and the public for the reasoning behind supporting each decision made;
 - v. **Leadership** - identifying and confronting challenges and then providing policy direction on municipal City issues.
- c. Upholding this Code means promoting the standards of behavior expected of Members and enhancing the credibility and integrity of Members in the broader communities.

3.4. COUNCIL RESPONSIBILITIES

The Council (or its designated committee) will:

- a. Review the City's ~~Ethics and Standards of Conduct~~ Ethics Act-Chapter 2.46 of the Murray City Municipal Code and State law Ethics Act-Title 10, Chapter 3, Part 13 of the Utah Code ~~code section and make amendments as necessary~~.
- b. Review, consider or take other action concerning any violation of City Ordinance and State law's Ethics and Standards of Conduct under Council purview.

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4.5. MEMBER RESPONSIBILITIES

CONDUCT TO BE OBSERVED

~~Members are agents of the public whose primary objective is to address the health, safety, welfare, and quality of life needs of residents. As such, they're entrusted with upholding and adhering to City ordinances as well as all applicable state and federal laws. As public servants, Members must observe a high standard of morality in the conduct of their official duties and faithfully fulfill the responsibilities of their offices, regardless of their personal or financial interests.~~

DEDICATED SERVICE

~~All Members should faithfully work towards developing systems and programs to address the needs of residents in the course of their duties. Members should strive to perform at a level which is reasonably expected of those who represent the public's interests.~~

RESPECT FOR DECISION-MAKING PROCESS

~~All Members recognize there is a process to implement cause broad policy change. At its core the process is a means to communicate the policies goals and ambitions of Members the Council to the administration and residents. As a standard practice, Members seeking attempting to alter or initiate policy should always include the Mayor and pertinent Department Directors Heads in meetings and discussions throughout the process. It is held that the dDecision making process is most effective if all Members participate, even if they disagree with decisions. A respect for the decision-making processes is continually fostered by full participation. Finally, Ffinal decisions in the process shall be reasoned, considered, and voted upon by Members the Council in a public meeting according to Utah law, Title 52, Chapter 04, Open and Public Meetings Act.~~

INTERPERSONAL BEHAVIOUR

Members shall treat every person, including other Members, ~~corporate~~ employees, individuals providing services on a contract for service, and the public with dignity, understanding and respect and ensure that their work environment is free from discrimination, bullying and harassment. Further, Members commit to seek ~~for~~ factual information and cease proliferation of rumors ~~or anecdotes~~, and discourage others from like communication.

CONDUCT AT MEETINGS

Members shall respect ~~the chair, their~~ colleagues, staff and members of the public present during Council meetings, other proceedings, or events. Council mMeetings shall provide an environment for transparent and healthy debate on matters requiring decision-making.

RELEASE OF ~~PRIVATE OR PROTECTED~~CONFIDENTIAL INFORMATION PROHIBITED

No Member shall disclose or release to any member of the public any private or protected ~~confidential~~ information acquired by virtue of their office, in either oral or written form, except when required by law or authorized by the ~~municipality~~ City to do so. Nor shall Members use private or protected ~~confidential~~ information for personal or private gain.

GIFTS AND BENEFITS

No Member shall show favoritism or bias toward any vendor, contractor or others doing business with the City. Members are prohibited from accepting gifts or favors from any vendor, contractor or others doing business with the ~~municipality~~ City personally, or through a family member or friend, which ~~ewould~~ tend to influence a decision. give rise to a reasonable suspicion of influence to show favor or disadvantage to any individual or organization.

~~OBLIGATIONS TO RESIDENTS~~

~~No member shall grant any special consideration, treatment, or advantage to any citizen or group of citizens beyond that which is accorded to all citizens.~~

COMMUNITY REPRESENTATION

Members shall observe a high standard of professionalism when representing the ~~City.municipality~~ and in their dealings with ~~members of the broader community.~~

5. POSITION RESPONSIBILITIES

~~CHAIR RESPONSIBILITIES~~

~~A Council Chair will be elected by members at the beginning of each year for a one year term. The Chair is expected to meet with the Mayor and staff regularly to discuss initiatives and proposed council meeting agenda items, attend scheduled meetings, and conducts meetings (except where assigned to a committee Chair, or traditional conducting rotations). In the event a committee Chair and Vice Chair are absent, the Council Chair would assume conducting duties. The Chair shall maintain a working knowledge of Robert's Rules of Order/parliamentary procedure. The Council Chair will work with the Executive Director to schedule meetings and special events, and to disseminate information to other members as needed. Representing the entire council, the Chair responds by assignment or directly to press inquiries. In a timely manner, the Chair shall address house-keeping duties, such as signing ordinances, etc. Council Chair Term Limits: A Member may serve no more than two (2) consecutive terms as chair before waiting at least one (1) term before serving again as Council Chair.~~

~~BUDGET CHAIR RESPONSIBILITIES~~

~~RDA CHAIR RESPONSIBILITIES~~

~~MUNICIPAL BUILDING CHAIR RESPONSIBILITIES~~

~~LIBRARY BOARD MEMBER~~

~~The Board Member attends all board meetings in lieu of notifying the Board President of excused absence, and is prepared to participate in meetings having reviewed materials distributed by the Library staff. As necessary, Board Members attend trustee training sessions offered by the Utah State Library Division or the Utah Library Association. As available, the Board Members should support the Library by attending events and accepting assignments from the Board President. Be knowledgeable about the Library budget and finances. Library Board Members act as a body and no one member speaks or acts for the body except as designated by the Board as a whole.~~

6.5. GOOD GOVERNANCE

Members accept that effective governance of the City is critical to ensuring that decisions are ~~taken-made~~ in the best interests

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~~of all stakeholders and to enable of the City and its residents to function as a good service provider and corporate citizen.~~

7.6. GOVERNMENT RELATIONSHIPS

Members shall recognize the importance of working constructively with other levels of government and organizations within the City, County, and State to achieve the goals of the City.

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8.7. CONFLICT OF INTEREST AVOIDANCE

Members shall strive to make decisions impartially and in the best interests of the City and recognize the importance of fully observing the requirements of the Chapter 2.46, Murray Municipal Code, Ethics and Standards of Conduct and Title 10, Chapter 3, Part 13 of the Utah Code with regard to disclosure and avoidance of conflicts of interest.

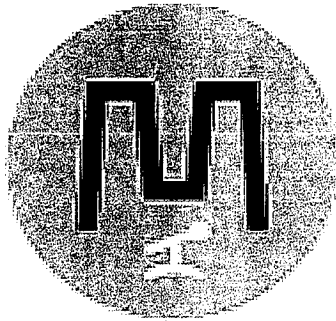
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9. COMPLIANCE WITH CODE

~~Members acknowledge the importance of the principles contained in this Code of Conduct which will be self-regulated by Members.~~

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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.)

LOWEST RESPONSIVE RESPONSIBLE BIDDER DISCUSSION

2. **KEY PERFORMANCE AREA:** (Please explain how request relates to Strategic Plan Key Performance Areas.)
Well maintained, planned and protected infrastructure and assets.

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

☐ Council Meeting OR ☒ Committee of the Whole

☒ Date requested February 19, 2013

☒ 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.)

Proposed ordinance prepared by the Attorney's Office is included.

6. **REQUESTOR:**

Name: Dave Nicponski

Title: City Council Member

Presenter: Same

Title: Same

Agency: Murray City Council

Phone: 801-913-3283

Date: February 8, 2013

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: _____

Date: _____

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

Number of pages: _____ Received by: _____ Date: _____ Time: _____

Recommendation: _____

9. **NOTES:** Doug Hill and Blaine Haacke will be present to discuss how this ordinance would affect their departments and bids.

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 3.10.370 OF THE MURRAY CITY MUNICIPAL CODE RELATING TO EVALUATING THE LOWEST RESPONSIVE RESPONSIBLE BIDDER FOR BUILDING IMPROVEMENT AND PUBLIC WORKS PROJECTS.

When the City intends to undertake, and pay for, a building improvement or public works project, the City must request bids if the estimated cost of the project exceeds an amount known as the "bid limit", as defined in Utah Code Ann. §11-39-101, et seq. If the City determines to proceed with the building improvement or public works project, then the City must enter into a contract for the completion of the building improvement or public works project with the lowest responsive responsible bidder. In order to assist in the determination of the lowest responsive responsible bidder the City may establish criteria relating to financial strength, past performance, integrity, reliability, and other factors to assess the ability of the bidder to perform fully and in good faith the contract requirements. The City wants to establish certain criteria, in addition to existing criteria, in order to encourage responsible business practices and social responsibility. A public meeting has been held concerning these additional criteria pursuant to notice provided according to law. The City Council finds that bidders who provide its employees adequate health care insurance and job training; has a policy of non discrimination; has a drug and alcohol testing program; has a policy to recruit and hire veterans; and has a safety program will provide better quality work on building improvements and public works projects. Further, the general welfare of the community is enhanced if the City encourages the programs. The City Council finds adoption of this ordinance reasonably furthers the health, safety, and general welfare of the citizens of the City by encouraging responsible business practices and in assisting the City in determining the lowest responsive and responsible bidder.

BE IT ORDAINED BY THE MURRAY CITY MUNICIPAL COUNCIL AS FOLLOWS:

Section 1. Purpose. The purpose of this Ordinance is to amend Section 3.10.370 of the Murray City Municipal Code relating to evaluating the lowest responsive responsible bidder for building improvement and public works projects.

Section 2. Amendment. Section 3.10.370 of the Murray City Municipal Code shall be amended to read as follows:

3.10.370: COST ESTIMATE FOR BUILDING IMPROVEMENTS AND PUBLIC WORKS PROJECTS:

- A. Definitions: For purposes of this section the following definitions shall apply:
1. "Bid Limit" has the same meaning as in Section 3.10.030 of the Murray City Municipal Code.
 2. "Contractor" means a person or entity who is or may be awarded a construction contract for a building improvement or a public works project.
 3. "Covered Employee" means an individual who provides on average at least thirty (30) hours per week of services directly related to a design or construction contract for a contractor or subcontractor, including but not limited to an individual in a safety sensitive position such as a design position responsible for the safety of a building improvement or public works project.
 4. "Drug and Alcohol Testing Policy" means a policy under which a contractor or subcontractor tests a covered individual to establish, maintain, or enforce a prohibition of:
 - a. The manufacture, distribution, dispensing, possession, or use of drugs or alcohol, except the medically prescribed possession and use of a drug, and
 - b. The impairment of judgment or physical abilities due to the use of drugs or alcohol.
 5. "Health Benefit Plan" means an insurance policy that provides health care coverage, including major medical expenses, or is offered as a substitute for hospital or medical expense insurance, such as a hospital confinement indemnity or limited benefit plan. A health benefit plan does not include an insurance policy that provides benefits solely for accidents, dental, income replacement, long-term care, a Medicare supplement, a specific disease, vision, or a short-term limited duration where it is offered and marketed as a supplement health insurance.
 6. "Lowest Responsive Responsible Bidder" has the same meaning as in Section 3.10.030 of the Murray City Municipal Code.
 7. "Qualified Health Insurance Coverage" means at the time a contract is entered into or renewed:

- a. A health benefit plan (not including dental coverage) and employer contribution level with a combined actuarial value at least equivalent to the combined actuarial value of the benchmark plan determined by the Children's Health Insurance Program under § 26-40-106(2)(a), Utah Code Annotated, as amended or its successor, and a contribution level of at least fifty percent (50%) of the premiums for the employee and the dependents of the employee who reside or work in the State under which:
 - 1. The employer pays at least fifty percent (50%) of the premium for the employee and the dependents of the employee; and
 - 2. For purposes of calculating actuarial equivalency under this provision, rather than benchmark plan deductibles and the benchmark plan out-of-pocket maximum based on income levels:
 - (a) The annual deductible is maximum one thousand dollars (\$1,000) per individual and three thousand dollars (\$3,000) per family; and
 - (b) The annual out-of-pocket maximum is three thousand dollars (\$3,000) per individual and nine thousand dollars (\$9,000) per family; or
- b. A federally qualified, high deductible health plan (not including dental coverage) that at a minimum has a deductible which is either:
 - 1. The lowest deductible permitted for a federally qualified, high-deductible plan; or
 - 2. A deductible that is higher than the lowest deductible permitted for a federally qualified, high-deductible plan, but includes an employer contribution to a health savings account in a dollar amount at least equal to the dollar amount difference between the lowest deductible permitted for a federally qualified, high-deductible plan and the deductible for an employer-offered federal qualified, high-deductible plan; and

- (a) Has an out-of-pocket maximum that does not exceed three (3) times the amount of the annual deductible; and
 - (b) The employer pays sixty percent (60%) of the premium for the employee and the dependents of the employee who work or reside in the State of Utah.
- 8. "Random Testing" means periodic examination of a covered employee, selected on the basis of chance, for drugs and alcohol in accordance with a drug and alcohol testing policy.
- 9. "Subcontractor" means any person or entity who may be awarded a contract with contractor or another subcontractor to provide services or labor for the construction of a building improvement or public works project. "Subcontractor" includes a trade, contractor, or specialty contractor but does not include a supplier who provides only materials, equipment, or supplies to a contractor or subcontractor.
- 10. "Veteran" means an individual who:
 - a. Has served on active duty in the armed forces of the United States for more than one hundred eighty (180) consecutive days, or
 - b. Was a member of a reserve component who served in a campaign or expedition for which a campaign medal has been authorized and who has been separated or retired under honorable conditions, or
 - c. Any individual incurring an actual service-related injury or disability in the line of duty, whether or not the person completed one hundred eighty (180) consecutive days of active duty.

AB. Cost Estimate Required: The purchasing agent, or designee, shall require any ~~e~~City ~~d~~Department intending to undertake a building improvement or public works project to prepare:

1. Plans and specifications for the building improvement or public works project; and
2. An estimate of the cost of the building improvement or public works project.

BC. When Bid Limit Exceeded: If the cost estimate required under paragraph B of this section exceeds the bid limit specified in section 3.10.030 of this chapter, the purchasing agent, or designee, shall require the building improvement or public works project to be procured according to the requirements of Utah Code Annotated section 11-39-102~~3~~, as amended and Chapter 3.10 of the Murray City Municipal Code.

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D. Determine Lowest Responsive Responsible Bidder: The procurement official shall determine the lowest responsive responsible bidder by applying, in addition to the criteria in Section 3.10.200 of the Murray City Municipal Code, a Preference System to determine whether the contractor and every subcontractor, if any, has demonstrated to the City's satisfaction that they have and will maintain:

1. An offer of qualified health insurance available to a contractor's and subcontractor's covered employees and the employees' dependents.
2. A drug and alcohol testing policy during the period of the contract that applies to all covered employees employed or hired by the contractor or any subcontractor and require covered employees to submit to random testing under the drug and alcohol testing policy;
3. A program to actively recruit and/or employ veterans;
4. A job training program, such as, by way of example and not limitation, a federal, state, and/or city recognized job training program;
5. A safety program; and
6. A formal policy of non-discrimination as required by federal, state, and local law.

E. Applying Preference System: The City's procurement official shall apply the Preference System under subsection 3.10.370(D) by making an award to the responsive and responsible bidder that qualifies for the most preferences, if the qualifying bidder's bid is equal to or less than 104% of the lowest responsive and responsible bid or within \$50,000, whichever value is less. If multiple vendors qualify for the same number of preferences, the award shall be made to the lowest responsive and responsible bid among them.

Section 3. Effective date. This Ordinance shall take effect upon first publication.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this day of , 2013.

MURRAY CITY MUNICIPAL COUNCIL

Brett A. Hales, Chair

ATTEST:

Jennifer Kennedy, City Recorder

MAYOR'S ACTION: Approved

DATED this _____ day of _____, 2012.

Daniel C. Snarr, Mayor

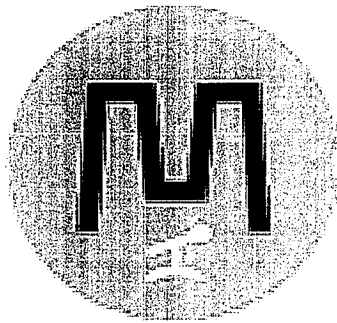
ATTEST:

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.

Jennifer Kennedy, City Recorder



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.)

Information Technology Governance Committee (ITGC) Update

2. KEY PERFORMANCE AREA: (Please explain how request relates to Strategic Plan Key Performance Areas.)
Responsive and Efficient City Services

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

☐ Council Meeting OR ☒ Committee of the Whole

☒ Date requested: February 19, 2013

☒ 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.)

Not Applicable

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

See attached memo

6. REQUESTOR:

Name: Tim Tingey

Title: Director, Administrative & Development Services

Presenter: Same

Title:

Agency:

Phone: 801-264-2680

Date: February 6, 2013

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: Tim Tingey

Date: 2/7/13

Mayor: Daniel E. Shan

Date: 2/7/13

8. COUNCIL STAFF: (For Council use only)

Number of pages: _____ Received by: _____ Date: _____ Time: _____

Recommendation: _____

9. NOTES:



MURRAY CITY CORPORATION
ADMINISTRATIVE &
DEVELOPMENT SERVICES

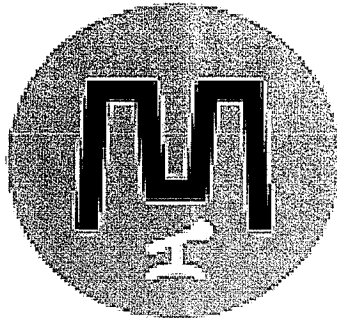
B. Tim Tingey, Director

Building Division
Community & Economic Development
Geographic Information Systems

Information Technology
Recorder Division
Treasurer Division

TO: City Council
FROM: Tim Tingey, Director, Administrative and Development Services
DATE: February 6, 2013
RE: IT Governance Committee

Administrative and Development Services Department staff will be present to provide updates and discuss issues and items considered by the IT Governance Committee. Some of the discussion points will include an update on the progress in implementing recommendations outlined in the IT Strategic Plan.



MURRAY
CITY COUNCIL

Discussion Item #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.)

Election Code Changes

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

Responsive and Efficient City Services

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

☐ Council Meeting OR ☒ Committee of the Whole

☒ Date requested: February 19, 2013

☒ 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.)

Not Applicable

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

See attached memo – documents to follow.

6. **REQUESTOR:**

Name: Tim Tingey

Presenter: Jennifer Kennedy

Agency:

Date: February 5, 2013

Title: Director of Administrative and Development Services

Title: City Recorder

Phone: (801) 264-2680

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: [Signature] Date: 2/5/13

Mayor: [Signature] Date: 2/5/13

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

Number of pages: _____ Received by: _____ Date: _____ Time: _____

Recommendation: _____

9. **NOTES:**



MURRAY CITY CORPORATION
ADMINISTRATIVE &
DEVELOPMENT SERVICES

B. Tim Tingey, Director

Building Division
Community & Economic Development
Geographic Information Systems

Information Technology
Recorder Division
Treasurer Division

TO: City Council
Mayor Snarr
Jan Wells, Chief of Staff

CC: Tim Tingey, Director of Administrative and Development Services

FROM: Jennifer Kennedy, City Recorder

DATE: February 5, 2013

SUBJECT: Election Code Changes

During the 2012 Legislative session some changes were made to the Election Code. This discussion will include changes to the way the City notices an election, the declaration of candidacy period and some general clean-up within Chapter 2.66 of the Murray City Code.

2.66.010: DEFINITIONS: For purposes of this Chapter, the following definitions apply:

A. "CANDIDATE" means:~~A~~ any person who files a declaration of candidacy for a ~~city~~ City office hereunder; or is nominated pursuant to these provisions or receives contributions or makes expenditures or consents to another person receiving contributions or making expenditures with a view to bringing about such person's nomination or election for ~~city~~ City office; or causes on their behalf, any written material or advertisements to be printed, published, broadcasted, distributed or disseminated which indicates an intention to seek ~~city~~ City office.

B. "CITY OFFICE" means:~~T~~ the ~~city~~ City ~~mayor~~ Mayor or a ~~city~~ City ~~council~~ Council member~~Member~~.

C. "CONTRIBUTIONS" means:~~M~~ monetary and nonmonetary contributions such as in-kind contributions and contributions of any property, but shall not include personal services provided without compensation by individuals volunteering their time on behalf of candidates and contributions by the candidates themselves.

D. "ELECTIONS" means:~~B~~ both primary and ~~final~~ general elections.

E. "EXPENDITURES" means:~~A~~ a purchase, payment, distribution, loan, advance, deposit, or gift of value made for the purpose of influencing the nomination or election of any candidate. (Ord. 03-20 § 2)

2.66.020: DECLARATION OF CANDIDACY; CITY GENERAL ELECTIONS:

A. On or before February 1 in a year in which there is a municipal general election, the City Recorder shall publish a notice that identifies:

1. The municipal offices to be voted on in the municipal general election; and
2. The dates for filing a declaration of candidacy for the offices.

B. The City Recorder shall publish the notice on the Utah Public Notice Website and in at least one of the following ways:

1. At the principal office of the City;
2. In a newspaper of general circulation within the City at least once a week for two successive weeks;
3. In a newspaper produced by the City;
4. On the City's website;
5. With a utility enterprise fund customer's bill.

BC. A person may become a candidate for any Ceity office if the person is a registered voter and:

1. The person has been a resident of the eCity for ~~at least three hundred sixty five (365) consecutive days~~ 12 consecutive months immediately before the date of the election; and
2. Meets the requirements of subsection C-D of this section.
3. A person living in an area annexed to the Ceity meets the residency requirement of this section if that person resided within the area annexed to the eCity ~~for at least three hundred sixty five (365) consecutive days~~ 12 consecutive months immediately before the date of the election.
4. In addition to the other requirements of this section, candidates for eCity ~~council~~ Council member seats shall be residents of the eCity Council district from which they are elected.

5. In accordance with Utah Constitution Article IV, Section 6, any mentally incompetent person, any person convicted of a felony, or any person convicted of treason or a crime against the elective franchise may not hold office in this State until the right to hold elective office is restored under Section 20A-2-101.3 or 20A-2-101.5 of the Utah Code.

ED. The filing procedures to become a candidate for a eCity office shall be as follows:

1. Each person seeking to become a candidate for a Ceity office shall file in person, with the City Recorder, a "declaration of candidacy", substantially in the form set forth in subsection C-E of this section, ~~with the Ceity Recorder~~ during regular office hours, but not later than five o'clock (5:00) P.M., between ~~July-June~~ 1 and ~~July-June~~ 15 of any odd numbered year. If June 1 falls on a Saturday, Sunday or legal holiday, the following business day shall be used. When ~~July-June~~ 15 is a Saturday ~~or~~, Sunday or legal holiday, the filing time shall be extended until five o'clock (5:00) P.M. on the following business day. Monday.
2. Any resident of the Ceity may nominate a candidate for a Ceity office by filing a "nomination petition", substantially in the form provided in subsection C-(E)(2) of this section, with the eCity Recorder during regular office hours, but not later than five o'clock (5:00) P.M., between ~~July-June~~ 1 and ~~July-June~~ 15 of any odd numbered year. If June 1 falls on Saturday, Sunday or legal holiday, the following business day shall be used. When June 15 is a Saturday, Sunday or legal holiday, the filing time shall be extended until five o' clock (5:00) P.M. to the following business day.

EE. The forms required under subsection B-D of this section shall substantially comply with the following:

1. The declaration of candidacy shall be substantially as follows:

I (print name) _____, being first sworn, say that I reside at _____ Street, Murray City, County of Salt Lake, State of Utah, Zip Code _____, Telephone Number (if any) _____; that I am a registered voter; and that I am a candidate for the office of _____ (stating the term). I will meet the legal qualifications required of candidates for this office. ~~have resided within Murray City for 365 consecutive days immediately prior to the date of the election, or I have resided in a territory which was annexed into Murray City for 365 consecutive days immediately prior to the date of the election; that I am a registered voter; and that I am a candidate for the office of for the four year term.~~ I will file all campaign financial disclosure reports as required by law and I understand that failure to do so will result in my disqualification as a candidate for this office and removal of my name from the ballot. I request that my name be printed upon the applicable official ballots.

(Signed) _____

Subscribed and sworn to (or affirmed) before me by _____ on ~~the~~ this _____ day of, 20-~~2~~-(month/day/year).

(Signed) _____

(City Recorder or Notary Public)

2. A registered voter may be nominated for municipal office by submitting a petition signed, with a holographic signature by:

a. Twenty-five (25) residents of Murray City who are at least 18 years old; or

b. Twenty percent (20%) of the residents of Murray City who are at least 18 years old.

c. The nomination petition shall be substantially as follows:

NOMINATION PETITION

The undersigned residents of Murray City being 18 years old or older nominate (name of nominee) to the office of _____ for the four year term.

d. The remainder of the petition shall contain lines and columns for the signatures of persons signing the petition and their addresses and telephone numbers.

~~DE~~. Before the ~~city-City recorder-Recorder~~ may accept any declaration of candidacy or nomination petition, the ~~city-City recorder-Recorder~~ shall:

1. Read to the prospective candidate or person filing the petition the constitutional and statutory qualification requirements for the city City office that the candidate is seeking;
~~and~~
2. Require the candidate or person filing the petition to state whether or not the candidate meets those requirements.
3. If the prospective candidate does not meet the qualification requirements for the city City office, the city City recorder Recorder may not accept the declaration of candidacy or nomination petition.
4. If it appears that the prospective candidate meets the requirements of candidacy, the city City recorder Recorder shall: ~~accept the declaration of candidacy or nomination petition.~~
 - a. inform the candidate that the candidate's name will appear on the ballot as it is written on the declaration of candidacy;
 - b. provide the candidate with a copy of the current campaign financial disclosure laws for the office the candidate is seeking and inform the candidate that failure to comply will result in the disqualification as a candidate and removal of the candidate's name from the ballot;
 - c. provide the candidate with a copy of the Statewide Electronic Voter Information Website Program and inform the candidate of the submission deadline;
 - d. provide the candidate with a copy of the pledge of fair campaign practices, as provided in Section 20A-9-206 of the Utah Code, and inform the candidate that signing the pledge is voluntary and signed pledges shall be filed with the City Recorder;
 - e. If the candidate elects to sign the pledge of fair campaign practices, the City Recorder shall accept the candidate's pledge.
5. After accepting a declaration of candidacy or nomination petition, the City recorder Recorder shall verify with the Salt Lake County clerk that each candidate is a registered voter. Any candidate who is not registered to vote is disqualified and the city City Recorder may not print the candidate's name on the ballot.

EG. As soon as possible after expiration of the period for filing a declaration of candidacy, the City Recorder shall:

1. Cause the names of the candidates as they will appear on the ballot to be published in at least two (2) successive publications of a newspaper with general circulation in the City; and

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2. Notify the lieutenant governor of the names of the candidates as they will appear on the ballot.

H. A declaration of candidacy or nomination petition filed under this section may not be amended after the expiration of the period for filing a declaration of candidacy.

F.I. A declaration of candidacy filed under this chapter is valid unless a written objection is filed with the city-City recorder-Recorder within five (5) days after the last day for filing.

1. If an objection is made, the city-City recorder-Recorder shall:
 - a. Immediately mail or personally deliver notice of the objection to the affected candidate; and
 - b. Decide any objection within forty eight (48) hours after such objection is filed.
2. If the city-City recorder-Recorder sustains the objection, the candidate may correct the problem by amending the declaration of candidacy or nomination petition within three (3) days after the objection is sustained or by filing a new declaration of candidacy or nomination petition within three (3) days after the objection is sustained.
3. a. The city-City recorder's-Recorder's decision upon objections to the form is final.
 - b. The city-City recorder's-Recorder's decision upon substantive matters is subject to review by a district court if application is made to the district court within twenty (20) days of the city-City recorder's-Recorder's decision.
 - c. The decision of the district court is final unless the Utah ~~s~~Supreme ~~e~~Court, in the exercise of its discretion, agrees to review the district court's decision.

G.J. Any person who filed a declaration of candidacy or was nominated may, any time up to twenty three (23) days before the election, withdraw the nomination by filing a written affidavit with the city-City recorder-Recorder. (Ord. 09-16 § 2: Ord. 03-20 § 2)

2.66.030: QUALIFYING AS A WRITE IN CANDIDATE:

Each person wanting to become a valid write in candidate shall file a declaration of candidacy with the city-City recorder-Recorder not later than forty five (45) days before the municipal general election in which the person intends to be a write in candidate. (Ord. 11-37)

2.66.035: PRIMARY ELECTIONS:

A. Candidates for municipal offices shall be nominated at a municipal primary election.

B. Municipal primary elections shall be held:

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1. Consistent with Section 20A-1-205.5 on the second Tuesday following the first Monday in the August before the regular municipal election and whenever possible at the same polling places as the regular municipal election.

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2. If the number of candidates for a particular municipal office does not exceed twice the number of persons needed to fill that office a primary election for that office may not be held and the candidates are considered nominated.

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2.66.040: CAMPAIGN FINANCIAL DISCLOSURE IN CITY ELECTIONS:

- A. The ~~city-City recorder-Recorder~~ shall, at the time the candidate for ~~city-City~~ office files a declaration of candidacy and again fourteen (14) days before each ~~city-City~~ general election, notify the candidate in writing of:
1. The provisions of ~~city-City~~ ordinance governing the disclosure of campaign contributions and expenditures;
 2. The dates when the candidate's campaign finance statement is required to be filed; and
 3. The penalties that apply for failure to file a timely campaign finance statement, including the provisions that require removal of the candidate's name from the ballot for failure to file the required campaign finance statement when required.
- B. 1. Each candidate for ~~city-City~~ office who is not eliminated at a ~~city-City~~ primary election shall report in writing to the ~~city-City recorder-Recorder~~ their itemized and total campaign contributions and expenditures:
- a. No later than seven (7) days before the ~~city-City~~ general election for all campaign contributions received up to ten (10) days before the ~~city-City~~ general election; and
 - b. No later than thirty (30) days after the date of the ~~city-City~~ general election for final itemized campaign contributions and expenditures.
2. Each candidate for ~~city-City~~ office who is eliminated at a ~~city-City~~ primary election shall report in writing to the ~~city-City recorder-Recorder~~ their itemized and total campaign contributions and expenditures no later than thirty (30) days after the date of the ~~C~~city primary election.
- C. All financial reports shall identify:
1. For each contribution of more than fifty dollars (\$50.00), the name of the donor of the contribution and the amount of the contribution excluding any contributions by the candidates to their own campaign; and
 2. For each expenditure, the name of the recipient and the amount of the expenditure.

D. All financial disclosure statements will be available for public inspection at the ~~city-City recorder's~~ Recorder's office.

E. Notwithstanding any provision of the Utah ~~g~~Government ~~r~~Records ~~a~~Access and ~~m~~Management ~~a~~Act, the ~~city-City recorder~~ Recorder shall make the campaign finance statement filed by a candidate available for public inspection by:

1. Posting an electronic copy or the contents of the statement on the ~~city's-City's~~ website no later than seven (7) business days after the statement is filed; and
2. Verifying that the address of the ~~city's-City's~~ website has been provided to the lieutenant governor in order to meet the requirements of section 20A-11-103(5) of the Utah eCode; or
3. Submitting a copy of the statement to the lieutenant governor for posting on the website established by the lieutenant governor under section 20A-11-103 of the Utah eCode no later than two (2) business days after the statement is filed.

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F. If a candidate fails to file a campaign finance statement before the ~~city-City~~ general election by the deadline specified in section 10-3-208(2)(a)(i)(A) of the Utah eCode, the ~~city-City recorder~~ Recorder shall inform the appropriate election official who shall:

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1. If practicable, remove the candidate's name from the ballot by blacking out the candidate's name before the ballots are delivered to voters; or
2. If removing the candidate's name from the ballot is not practicable, inform the voters by any practicable method that the candidate has been disqualified and that votes cast for the candidate will not be counted; and
3. Not count any votes for that candidate.

G. Notwithstanding subsection F of this section, a candidate who files a campaign finance statement seven (7) days before a ~~city-City~~ general election is not disqualified if:

1. The statement details accurately and completely the information required under section 10-3-208(2)(b) of the Utah eCode, except for inadvertent omissions or insignificant errors or inaccuracies; and
2. The omissions, errors, or inaccuracies are corrected in an amended report or in the next scheduled report.

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H. A campaign finance statement required under this chapter is considered filed if it is received in the ~~city-City recorder's~~ Recorder's office by five o'clock (5:00) P.M. on the date that it is due.

- I. Candidates who are eliminated at a primary election shall file, with the ~~city-City recorder~~Recorder, a signed campaign financial statement containing the information required by this section not later than thirty (30) days after the primary election. (Ord. 11-15: Ord. 09-16 § 3)

2.66.050: ELECTION JUDGES; APPOINTMENT FOR LOCAL ELECTIONS:

- A. At least fifteen (15) days before the date scheduled for any local election, the ~~city-City council~~Council shall appoint or provide for the appointment of election judges as follows:
1. If paper ballots will be used:
 - a. Three (3) registered voters from the ~~city-City~~ shall be appointed to serve as election judges for each voting precinct when the ballots will be counted after the polls close; or
 - b. Three (3) registered voters from the ~~city-City~~ shall be appointed to serve as receiving judges in each voting precinct and three (3) registered voters from the ~~city-City~~ shall be appointed to serve as counting judges in each voting precinct when ballots will be counted throughout election day;
 2. If automated tabulating equipment is used, three (3) registered voters from the ~~city-City~~ shall be appointed to serve as election judges for each voting precinct;
 3. If voting machines are used, four (4) registered voters from the ~~city-City~~ shall be appointed to serve as election judges for each voting precinct; and
 4. In addition to subsections A1, A2 and A3 of this section:
 - a. At least one registered voter from the ~~city-City~~ shall be appointed to serve as canvassing judge, if necessary; and
 - b. As many alternate judges as may be needed shall be appointed to replace appointed judges who are unable to serve.
- B. The ~~city-City council~~Council may not appoint any candidate's parent, sibling, spouse, child or in-law to serve as an election judge in the voting precinct where the candidate resides.
- C. The ~~city-City recorder~~Recorder shall:
1. Prepare and file a list containing the name, address, voting precinct, and telephone number of each person appointed as an election judge; and
 2. Make the list available in the ~~city-City recorder's~~Recorder's office for inspection, examination, and copying during business hours.

D. The ~~city-City council-Council~~ shall compensate election judges for their services. The ~~city-City council-Council~~ may not compensate their election judges at a rate higher than that paid by Salt Lake County to its election judges. (Ord. 03-20 § 2)

2.66.060: INDUCEMENTS NOT TO BECOME CANDIDATES:

- A. It is unlawful for any person to pay or reward, or promise to pay or reward, another in any manner or form for the purpose of inducing that other person to be, or to refrain from or cease from being, a candidate for ~~city-City~~ office.
- B. It is unlawful for any person to solicit any payment, promise, or reward from another for the purpose of inducing that other person to be, or to refrain from or cease from being, a candidate for ~~city-City~~ office.
- C. Any person who violates this section is guilty of a class B misdemeanor. (Ord. 03-20 § 2)

2.66.070: PENALTY FOR NONCOMPLIANCE:

Except as otherwise provided, any candidate for ~~city-City~~ office, individual or entity who fails to comply with this chapter is guilty of an infraction. (Ord. 03-20 § 2)

Adjournment

Council Meeting

6:30 p.m.
Call to Order

Opening Ceremonies:

Pledge of Allegiance

Council Minutes

DRAFT Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 8th day of January, 2013 at 6:30 p.m., for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

Roll Call consisted of the following:

Jim Brass,	Council Chair - Conducted
Brett Hales,	Council Member
Darren Stam,	Council Member
Jared Shaver,	Council Member
Dave Nicponski,	Council Member

Others who attended:

Daniel Snarr,	Mayor
Jan Wells,	Chief of Staff
Jennifer Kennedy,	City Recorder
Frank Nakamura,	City Attorney
Tim Tingey,	Administrative & Development Services Director
Justin Zollinger,	Finance Director
Doug Roberts.	Police Department
Blaine Haacke,	General Manager, Power Department
Greg Bellon,	Assistant General Manager
Susan Gregory,	Heritage Center
Eric Mille,	Heritage Center
Brittany Bremer,	History Advisory Board
Alisa Brousseau,	Arts Advisory Board
Dallas DiFrancesco,	Power Advisory Board
Scouts	
Citizens	

5. OPENING CEREMONIES

5.1 Pledge of Allegiance-Lieutenant Doug Roberts

5.2 Approval of Minutes

5.2.1 November 13, 2012
November 20, 2012
December 4, 2012

Mr. Brass asked that the minutes be taken together. No objections were noted.

Mr. Shaver made a motion to approve the minutes.
Mr. Hales 2nd the motion.

Call vote taken, all Ayes.

Mr. Brass stated that with item #2, Public Hearing for Harmony Homes, the applicant had asked that the Public Hearing be postponed. Due to the fact that it has been publicly noticed, public comment will be heard and the item continued until the next Council Meeting.

5.3 Special Recognition:

5.3.1 Consider a Joint Resolution of the Mayor and Municipal Council of Murray City, Utah commemorating Murray City Power's 100-Year Anniversary.

Staff presentation: Blain Haacke, General Manager

Mayor Snarr read the resolution in its entirety.

Mr. Shaver made a motion to adopt the Resolution.
Mr. Stam 2nd the motion.

Call vote recorded by Jennifer Kennedy.

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

Motion passed 5-0

Mr. Haacke stated that the Power Department is one of the jewels of the City. 2013 is the 100 year anniversary and the history is pretty colorful. It goes back to 1902 when Murray City was incorporated. Soon after 1902, the people in Progress Company approached the City and asked if they would like to buy their small hydro that was located near the Murray Opera House near the park. In 1904-1905 the City didn't have enough money to come up with the \$10,000.00 to do that so Progress Company kept providing service to the citizens until around 1912. That is when things got a little more heated as far as negotiations between the City and Progress Company. Up until that point, the Progress Company had built a small hydro at the base of Big Cottonwood Canyon. They had the two small hydro's that fed the 1,500 light bulbs in the City, which wasn't much of a load.

Mr. Haacke said that the Power Departments goal this next year is to have some activities that include the entire community. They will have a major entry in the parade, and they want to do some advertising in the Murray Journal about this history so that the people in the community can see some of the old time pictures and the old time line trucks that OSHA would have a heyday with today. These pioneers that started the utilities 100 years ago deserve a round of applause or at least a tip of the hat. At that point in time, in 1913, there were two Council Members and the Mayor. The Mayor was George Husher and the Council Members were Gotlieb Berger and George Watts and these were the three men who really negotiated with Progress Company to get this done.

Mr. Haacke continued, saying that they really want to get the citizens and staff involved this next year as well as the Power Board with some opportunities for service. One of the service items that were mentioned in the Resolution was the scoreboard that they would like to put up at Ken Price Ballpark. It is 36' by 13' and will be a fully electronic scoreboard that they can type in Murray versus Viewmont High School or whatever the case may be. This will be a nice scoreboard and they will do that as their gift to the community.

Mr. Haacke stated that back in 1913 the City came up with \$60,000.00 to purchase from the Progress Company. What they immediately decided to do was to build a bigger hydro at the base of Big Cottonwood Canyon. There was still nothing to do with hydro power at the Federal level, no coal fire plants, nothing was even thought of back then, there was only the small hydro's that provided service for the entire city. In June of 1912, the Council and the Mayor voted to bond for the \$60,000.00 but wanted to get a good feel for what was happening out in the community. They decided that they would hold a special election that was scheduled for July 30, 1912. They were looking for permission from the people for this \$60,000.00 of debt that they were going to go into. To do that, they put together a flyer and put more of the pros than the cons in that and called it: "The Advantages of Ownership to Murray City Utility." They were selling this to the community and distributed this flyer to everyone in the community and allowed anyone who voted in the 1911 election to vote in the 1912 special election. What they did was said it would cost \$2,700.00 per year to run this department and they

needed to put \$1,000.00 - \$1,500.00 aside for repairs and depreciation, which was a relative struggle for them to do back then. They expected the rates to be \$.05 per kilowatt hour at that time which was real expensive. Our rates today are \$.08 - \$.09 per kilowatt hour.

Mr. Haacke read from the flyer that was sent out at that time. Benefits for the men in the community: *"The cheapness of power under public ownership will do away with practically all stationary engines, steam or gasoline, and with them will go the danger from fire and explosions, dust, ashes, dirt and fumes, and the cost of management and maintenance. All job shops will upgrade by simply turning a switch. No firing up, no fumes or unhealthy gases. The moment the switch is off, the cost ends. Ice cream freezers, forges, lathes, grinders, planers, saws, clippers, shoe and leather machines, novelty shops, soda water plants, pumps, fans, printing presses, or any kind of mode of power for manufacture can be operated at far less costs than now."* For the women: *"Every housewife can have her own electric flat iron that will always be hot when the switch is on. She can operate her sewing machine, dishwasher, washing machine, churn, sweeper, and scrubbing machine by simply turning the switch. In the summertime, when it is too hot to cook the meat, bake a cake or bread; get a cup of tea or coffee, or a light meal quickly without roasting herself while doing it. In addition, this does away with all smoke, dust, dirt and gas fumes. There is no expense the moment the switch is turned off. The house can be lighted at half the cost as now and she can be sure of good steady lights all the time."*

The flyer also talks to the farmers about being able to run their grindstones and tool sharpeners, their cream separators, their churns and their feed choppers just by turning on a switch. You can get a feel of these turn of the century people and their slant on propagandizing this so that they could get the votes. Mr. Haacke continued reading from the flyer: *"The general advantages if you vote for this bond is a question back to the people: Do you want your boy or girl to stay home? Then vote for the bonds that will give them employment at home. Do you want efficient service under home management and low cost? Then vote for the bonds that will make that possible. Do you want to fit your home with all kinds of labor saving devices that will relieve the drudgery of the home at low cost and at the same time decrease your taxes? Then vote for the bonds and this will bring it about."*

Mr. Haacke said that this was just a bit of the colorful history and they would like someone from the staff or even from the University do a more comprehensive history of the Power Department. He has a folder of excerpts from different minutes from the Council meetings and they would like to consolidate those as one of their project this year so that this history can be in front of people. He has contacted Mary Ann Kirk who is going to work with the Power Department on some old pictures that hopefully will be seen in the Murray Journal. The first go-around of an advertisement that will be put in a business directory for Murray City has been distributed. In the ad the colors go from black and white to color,

and he loves the flavor of that, some of those pictures are hilarious. This is the idea of what the Council has just voted for which to help the Power Department make this an exciting year. The staff is excited, the Power Board wants to be involved and Mr. Haacke thanked everyone for their support. He said to watch for the ads in the Murray Journal and welcomes any input and ideas. The actual date of the birthday, from what they can tell, was in December when they told Progress Company to take a hike. On December 27, 1913, they said that they were no longer part of a franchise based in the company. Mr. Haacke said that he has 12 months to play with, up until Christmas to get this completed.

Mr. Brass added that Murray Power is one of the gems of this City and he has been an advocate of public power his entire career since he deals with power entities. Often communities don't appreciate or understand it. It is nice to have a utility that is answerable to the citizens and not to shareholders who live somewhere else. It is nice to have a utility where the money is reinvested into the system so that outages are rare. He said that he remembers when he was first elected there was a huge snowstorm on a Christmas Eve with major outages in the valley. Part of his district is not on Murray Power and they had outages going for five days. Within the City, it was only out for a couple of hours and that is the beauty of public power. He said we should keep them going strong!

Mr. Shaver said that with the advantages and disadvantages, both pros and cons, even today the City could create a similar document showing the benefits of having Murray Power, having it right here, controlled by us. He congratulated the Power Department and the City will celebrate with them.

Mr. Brass said that back when the International Brotherhood of Electrical Workers was formed, the fatality rate for linemen was one out of two. It is still considered one of the most dangerous jobs but back then it was really bad. The individual who formed that union died in an electrical accident. It has gotten much better and now it is extremely rare that you have a significant injury and that is a testament to the industry.

Mr. Brass recognized State Representative Tim Cosgrove who was recently re-elected and sworn in. Mr. Brass said that Representative Cosgrove has been around a long time and does a great job for Murray City.

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

None given.

Citizen comment closed

7. **CONSENT AGENDA**

Mr. Brass asked that the following be taken all together; no objections were noted. These are all appointments and reappointments to the City's different Boards and Commissions.

- 7.1 Consider confirmation of the Mayor's appointment of Alisa Brousseau to the Arts Advisory Board in an At-Large position for a three-year term to expire January 15, 2016.
- 7.2 Consider confirmation of the Mayor's reappointment of David Christensen to the Arts Advisory Board in an At-Large position for a two-year term to expire January 15, 2015.
- 7.3 Consider confirmation of the Mayor's reappointment of Shauna Hart to the Arts Advisory Board in an At-Large position for a three-year term to expire January 15, 2016.
- 7.4 Consider confirmation of the Mayor's reappointment of Stephanie Pollei to the Arts Advisory Board in an At-Large position for a two-year term to expire January 15, 2015.
- 7.5 Consider confirmation of the Mayor's reappointment of Jenny Simmons to the Arts Advisory Board in an At-Large position for a two-year term to expire January 15, 2015.

Mr. Shaver asked those members of the Arts Advisory Board who were in attendance stand and be recognized.

- 7.6 Consider confirmation of the Mayor's reappointment of Steve Barth to the Board of Appeals in an At-Large position for a three-year term to expire November 1, 2015.
- 7.7 Consider confirmation of the Mayor's appointment of Brittany Bremer to the History Advisory Board in an At-Large position to complete a vacant term, which expires August 1, 2014.
- 7.8 Consider confirmation of the Mayor's appointment of Erich Mille to the Heritage Center Advisory Board in an At-Large position to complete a vacant term, which expires February 1, 2014.
- 7.9 Consider confirmation of the Mayor's appointment of C.J. Kulp to the Murray City Center District Design Review Committee in an At-Large position to complete a vacant term, which expires January 1, 2015.
- 7.10 Consider confirmation of the Mayor's reappointment of Ned Hacker to the Murray City Center District Design Review Committee in an At-Large position for a three-year term to expire January 1, 2016.
- 7.11 Consider confirmation of the Mayor's reappointment of Jay Bollwinkel to the Murray City Center District Design Review Committee in an At-Large position for a three-year term to expire January 1, 2016.

- 7.12 Consider confirmation of the Mayor's reappointment of Ted Eyre to the Murray Parks and Recreation Advisory Board representing District 5 for a three-year term to expire January 17, 2016.
- 7.13 Consider confirmation of the Mayor's reappointment of Karen Daniels to the Murray Planning Commission representing District 2 for a three-year term to expire January 15, 2016.
- 7.14 Consider confirmation of the Mayor's reappointment of Tim Taylor to the Murray Planning Commission in an At-Large position for a three-year term to expire January 15, 2016.

Mr. Nicponski made a motion to approve the appointments.
Mr. Hales 2nd the motion.

Call vote recorded by Jennifer Kennedy.

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

Motion passed 5-0

Mayor Snarr expressed his appreciation to those in the City who have stepped up, give back and contribute to making Murray City the best city in America. He thanked everyone for their engagement and making our community a great place to live.

Mr. Brass added that these are all voluntary positions. Tonight they had fourteen and there are many more who serve on the Boards and Commissions. It is a great learning experience and if anyone is interested in serving, let the Mayor know. He also thanked all of those who are serving.

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:

A Resolution acknowledging completion of a public hearing with respect to (a) the issuance of the Series 2013 Bonds and (b) any potential economic impact that the project described herein to be financed with the proceeds of the Series 2013 Bonds may have on the private sector and approval to proceed with issuance of the 2013 Bonds.

Staff presentation: Justin Zollinger, Finance Director

Mr. Zollinger stated that is an opportunity for the citizens to comment. For example, if we are issuing a bond and are issuing it for the Recreation Center, it gives the citizens to come in and say how it is impacting them, such as: *I have a gym and it is impacting me and wanted to express my concerns*. In this situation, where they are issuing bonds to do storm water improvements, there really aren't too many private companies that are in the business of doing storm water improvements. There are construction companies, but they are not owning them. The idea here is to give the citizens a chance to express any concerns they may have.

Mr. Zollinger invited Preston Kirk to go over any items on this issue or to address the Council.

Mr. Kirk said that the City is well aware of the project at hand and this is really an opportunity for the citizens or residents of the community to voice their opinion one way or another on the projects.

Public Hearing opened for public comment.

None given.

Public Comment closed.

8.1.2 Council Consideration of the above matter

Mr. Stam made a motion to adopt the Resolution.
Mr. Shaver 2nd the motion.

Call vote recorded by Jennifer Kennedy.

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

Motion passed 5-0

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 17.48.120 of the Murray City Municipal Code to allow additional height and size for signs on properties adjacent to I-15 and I-215 in the General Office District (G-O). (Harmony Health)

Mr. Brass stated that as noted at the beginning of the meeting, this public hearing will be continued to the next Council Meeting. Harmony Home Health has asked for a continuance on this item; as it has been noticed, public comment will be taken on this item.

Mr. Nakamura said this would not be continued to the next Council Meeting, but whenever they can appropriately notice the meeting, probably a meeting in February.

Mr. Tingey stated that he would defer a lot of his comments to the next meeting. It relates to the change in the Ordinance and unless there is public comment or questions tonight, he will defer comments until that time. This is a proposal and there was a recommendation by the Planning Commission and they will talk a little bit about that at the next meeting.

Public Hearing opened for public comment.

None given

Public Comment closed.

8.2.2 Council consideration of postponing the above matter.

Mr. Shaver made a motion to postpone this item to a future date.
Mr. Hales 2nd the motion.

Call vote recorded by Jennifer Kennedy.

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

Motion passed 5-0. Public Hearing will be continued to an upcoming City Council meeting.

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 amending Section 17.144.020 of the Murray City Municipal Code relating to permitted uses in the General Office District (G-O). (U.S. Linguistics Institute)

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

Mr. Tingey stated that this was an item considered by the Planning Commission in November, 2012. In the General Office Zone, the Land Use Code classification of Special Training and Schooling (68-30) in the City Code is not included in the General Office. They feel that it is very conducive to that zoning district. Based on the application, the applicant is interested in locating a school in a General Office Zone and that has been reviewed. They are recommending approval of 68-30, which includes Special Training and Schooling. As part of the subset in that area it allows for language schools. However, there is an exemption (68-33) is one that they are asking be exempted out of that classification, and that is Barber and Beauty schools. The reason behind that is that those types of uses often, in order to make them viable, need to have a lot of students which can negatively impact a General Office Zone. Schools related to instruction of Drivers Education are also being requested to be limited to instruction only rather than the additional components to that.

The Planning Commission recommended approval and staff is recommending approval of the improvement to the Ordinance as well.

Mr. Shaver asked Mr. Nakamura how the Council should proceed with the exemptions to this Ordinance.

Mr. Tingey stated that the exemptions are already written into the language of the Ordinance.

Public Hearing opened for public comment.

Judy Keane, Woodbury Corporation

Ms. Keane stated that Woodbury Corporation is the owner of the building in which this language school wishes to relocate. They are very much in support of this change so they can also perhaps include other schools in this area. She thanked the Council for their consideration.

Public comment closed.

8.3.2 Council consideration of the above matter.

Mr. Shaver stated that this is a great opportunity for the City to include multiple areas of education in the City and to encourage those schools to come and settle and work here in Murray. Education is a powerful thing, no matter what it is; whether it is a cosmetologist or in the language arts. This is another indicator that Murray is a place where people want to come and work and be trained.

Mr. Stam added that we have a City that has a lot of higher education schools.

Mr. Stam made a motion to adopt the Ordinance.

Mr. Shaver 2nd the motion.

Call vote recorded by Jennifer Kennedy.

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

Motion passed 5-0

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 relating to land use; amends the Zoning Map for property located at 625, 635, 645, 657, 671, 675, 677, 679, 689, West 5300 South, Murray, Utah from C-N-C (Commercial Neighborhood Conditional District) to C-D-C (Commercial Development Conditional District). (Riverview Plaza.)

Staff presentation: Tim Tingey, Administrative & Development Services Director

Mr. Tingey said that this item was considered at the November 15, 2012 Planning Commission meeting. The applicant had requested this proposal, which is consistent with the General Plan adopted by the Council, because they have interest in putting in an electronic message board in the C-D-C zone. Electronic message boards are not allowed in a C-N-C zone. A C-N-C zone is fairly similar to a C-D-C zone. There are a lot of retail uses which are allowed as well as some more intensive uses in the C-D-C zone. There is a broader mix of uses allowed in the C-D-C zone.

There was a hearing held and a notice related to that sent. There were some comments and concerns by some citizens which the Planning Commission considered and recommended approval of this change. Staff is also recommending approval.

Joshua Peterson, representative of the Riverview Plaza

Mr. Peterson stated that they are trying to make this work for the tenants of the plaza and make it a better and more successful shopping center.

Mr. Shaver asked if all of the tenants will share in the use of the sign.

Mr. Peterson said that all of the tenants in the shopping center would have an access time to that sign.

Mr. Stam said that one of the concerns in that area is that there has been quite a bit of vacant property. Part of this change is help to keep that property filled so that there is not that vacancy issue. He noticed that there has been quite a bit of façade uplifting and changing to make it more attractive. One of the points that Mr. Stam has been concerned with is the size of the signs, but this zoning does not allow the size of that sign to be the size of a billboard. It is a much smaller sign with a much smaller impact on the neighbors in the community.

Mr. Peterson said that the size of the sign in both C-N-C and C-D-C is the same. It won't affect the height or square footage that is permitted by Code if he understands it correctly.

Mr. Shaver asked if the face of the sign goes east-west on 5300 South.

Mr. Peterson said that is correct and will be located in the same location as the current signs.

Public Hearing opened for public comment.

Carl Shelton, 5448 South 700 West, Murray, Utah

Mr. Shelton asked if this would be the same size as the big billboard on the corner or the sign that is more in the middle.

Mayor Snarr said that it is not the one on the corner where the 7-11 and the dry cleaner used to be.

Mr. Shelton asked if they would be adding more lights to this, making this a big, flashy area. It is already pretty lit up now and he doesn't want it to start resembling Las Vegas. Many of the people in the neighborhood are concerned about that and changing the neighborhood atmosphere.

Mr. Tingey explained that this request is for a zone change. In a C-D-C zone it allows for electronic message boards which allows the different types of signage to be flashed on but the key element to that is the process for that. First of all, the sign is limited to 300 square feet per the sign code. The second thing is that it goes through a Conditional Use Permit process. The neighborhood will be noticed when an electronic message board is proposed and if there are potential negative impacts the Planning Commission can take those into consideration related to the lighting, the amount of flashing, and things like that. There can be that public comment at that time so there will opportunity to have some input related to that. That being said, as a Conditional Use Permit, it allows for an electronic message board which is different signage than what is seen at that location now.

Mr. Shaver reiterated that this ordinance would change the zoning but does not say that they get to have the sign.

Mr. Tingey said that the use is allowed as a Conditional Use Permit, but there is still a process for that which people can come and give input for.

Mr. Shaver asked if people would be noticed that a sign is going to be put in or that there is a request for that sign and people would be able to make comment. Where would they do that?

Mr. Tingey stated that it would be with the Planning Commission meeting and it would be noticed within a 300 foot radius of the site.

Mr. Brass asked if there are standards for brightness of light on electric signs in the evening.

Mr. Tingey said that depending upon the issue, there can be some conditions placed to mitigate impacts on adjacent residential property if there is a need. The Planning Commission would determine that.

Mr. Shelton asked what the benefit to the City by changing this zoning.

Mr. Nicponski said that is the benefit is to the property owner to help them maintain a successful operation which affects the City's tax base. If that area becomes vacant it would be more blighted than with a sign.

Mayor Snarr added that it gives the City an opportunity to attract some nice retailers, enhance the neighborhood and it is good for the local shoppers. The light is not going to rotate into the neighborhoods it will stay there on 5300 South. This is going to help make that a very attractive shopping center. It has had some issues over the years and they are making a significant investment by giving it a different façade, a different look and allow the tenants to have some visibility through advertising that will help make it more profitable and successful.

Mr. Nicponski said that they are not going to change the types of businesses by changing this zoning; they are still going to have the same type of retail.

Mr. Brass said that vacant buildings are difficult for everyone, particularly those who live around them. For good or ill, they get a tremendous amount of revenue from sales tax dollars and the more revenue the City brings in that way, the less they have to raise in property taxes so it is to the benefit of everyone to have a healthy retail environment.

Mayor Snarr indicated that it is his dream to make this area so attractive that somebody will take over the dry cleaners and put in a nice landscape.

Public comment closed

8.4.2 Council consideration of the above matter.

Mr. Hales made a motion to adopt the Ordinance.
Mr. Shaver 2nd the motion.

Call vote recorded by Jennifer Kennedy.

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

Motion passed 5-0

8.5 Public Hearing #5

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

Consider an ordinance amending Sections 17.08.020, 17.68.030, 17.68.040, and 17.68.050 of the Murray City Municipal Code modifying landscaping standards for commercial, industrial and multi-family uses.

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

Mr. Tingey stated that this item had been discussed at the Committee of the Whole a couple of times before going to the Planning Commission. The original proposal included the commercial landscaping standards which the Council is considering tonight. They also had some residential standards and planter strips for residential areas. That went to the Planning Commission who gave a recommendation on that but that is not part of this Ordinance. (The single-family residential and the planter strip standards.) As Mr. Brass stated, this is for landscaping standards for commercial, industrial and multi-family uses. Mr. Tingey wanted to be clear on that because some of the materials in the minutes of the Planning Commission included their recommendation and they are separating these.

Mr. Tingey stated that this is a large Ordinance with a lot of information. There are a lot of changes because this is a very significant change in the mindset related to landscaping. They think it is a very positive change and he will highlight some of the important elements within the Ordinance.

In this Ordinance they are defining xeriscaping as part of the Ordinance. That is allowed in these commercial areas. In fact, this is something that they are hoping that a variety of business owners will move towards because of the drought issues that we have in this valley. The landscaping requirements include some elements relating to exemptions, which he will elaborate on. There is a plan required for all landscaping in commercial areas, so people that are coming in with a new proposal for a new project have to submit a plan. Plans have to include stamped plans from landscape architects if there are new buildings of 4,000 square feet or more. There are more requirements for that because when they get into larger projects they want more information provided. In addition to that, berms have not been allowed in these landscaping areas in the past, this new proposal does allow for that up to 36". Berms are allowed as part of the landscaping plan.

Mayor Snarr asked if that is from the sidewalk elevation.

Mr. Tingey responded affirmatively.

Mr. Tingey continued, saying that there are some exemptions where plans are not required at all. This would include a building permit for single-family or two-family dwellings; they have included that element in this. Building permits for interior remodeling, permits for reroofing, siding, etc., basically, for minor modifications to a site in a commercial area they are not requiring a full-fledged landscaping plan as part of that and they define that in this ordinance. In addition, Community and Economic Development staff will be reviewing the plans which must be submitted. This is a minor change from the City Forester and they have talked to the Power Department about that.

As far as the requirements, there are some significant changes related to that. The ground cover requirement has been changed to allow for an option to have a percentage of plants and other materials in there, rather than just focusing on a percentage of just grass or ground cover. That will move more towards that drought tolerant and xeriscaping that they feel is very important. In addition to that, the plans have to include a certain number of plants per lineal foot. For example, 100 lineal feet would require a certain number of plants, a certain number of trees and ground cover. The importance of this is that it clarifies the landscaping requirements, stating that this is what they have to provide. They have actually had complaints in the past that the City's landscape ordinance has not been very clear; there are percentages, but where that landscaping is located is unclear. This is very definitive as far as that is concerned. It also increases consistency between applicants during plan reviews and increases flexibility for design materials.

Parking areas are also an important part of this ordinance. On interior parking areas, all parking spaces must be within 75 feet of a landscape area. That landscape area is a parking lot island, it defines what is required and it has to be at least 162 square feet, nine feet wide, and have one tree and four shrubs as part of that. These parking areas are only for areas where there is a requirement for 50 or more spaces. If you are a small business who is only required to have ten spaces, you don't have to meet that standard because that would be onerous as far as the size of the development project. In addition to that, they feel that addressing the xeriscaping, adding the requirements for interior parking, and having the specific requirements are important elements. They have also had landscape architects review this ordinance and it is more consistent with other areas that they have seen and they gave their recommendations as part of this. The Planning Commission considered this and recommended approval and that is what he is recommending as well.

Mr. Brass said that when he served on Planning and Zoning ten years ago, the topic of drought tolerant and low water use plants came up. As they go through the dry years that the valley has been having, it is important to give options other than just grass. This is a good move forward. The other side of that is that you don't want a lot of pavement. You need permeable surfaces so that as the water soaks in, it doesn't run off, hence the Storm Water Bonds that the City just did to address run-off and control that.

Mr. Brass said that because it is in the material, they have discussed this and he wants it on the record, 17.68.060 which is the residential section of the Code is not being adopted tonight.

Mr. Tingey stated that was correct.

Mr. Shaver said that there was talk about modifications to the structure-roofing, interior, etc. If they modify the square footage, do they then fall under the new landscaping requirements? He did not see that in the material and had a question about that. If they do an addition, change the front location, change a parking lot, or change the structure. If they change the square footage from 3,500 and add onto it ending up with 4,200 square feet, do they have to get the architectural stamp and go through this process?

Mr. Tingey said it was actually conversions or new buildings that are 4,000 square feet or more, conversions to the building itself.

Mr. Shaver said that when they talk about plants, those plants would include shrubs of a specific height, trees of a specific designation. It is not just any tree, but there is a listing of approved or recommended types for the area.

Mr. Tingey stated that was correct.

Public Hearing opened for public comment.

None given.

Public comment closed.

8.5.2 Council consideration of the above matter.

Mr. Shaver made a motion to adopt the Ordinance.
Mr. Stam 2nd the motion.

Call vote recorded by Jennifer Kennedy.

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

Motion passed 5-0

9. UNFINISHED BUSINESS

9.1 None scheduled.

10. NEW BUSINESS

10.1 Consider a Resolution adopting the Murray City Council's Employee of the Month recognition program.

Staff Presentation: Council Member Brett Hales

Mr. Hales stated that this had been discussed at length and would like to bring this to the formality of a Resolution adopting the Employee of the Month and recognizing the employee. Under the program, a City department would submit the name of the employee to the Council to acknowledge for the month indicated and under Appendix A.

The employee would be recognized here in a Council Meeting, receive a \$50.00 gift card and their name would be put on a plaque and receive a certificate.

Mr. Shaver expressed his appreciation to Mr. Hales for bringing this forward. One of the things that the Council regularly recognizes is the employees and how strong they are as an advertisement for the City and the Council is grateful for all that they do and sacrifice so many times. He had a chat with a gentleman who was moving snow on his street and they spend a great many hours and time in Murray for their benefit and recognizing them is a great step forward.

Mr. Stam made a motion to adopt the Resolution.

Mr. Shaver 2nd the motion.

Call vote recorded by Jennifer Kennedy.

A Mr. Shaver

A Mr. Hales

A Mr. Nicponski

A Mr. Stam

A Mr. Brass

Motion passed 5-0

10.2 **Election of Chair and Vice Chair of the Murray City Municipal Council for the calendar year 2013.**

Mr. Brass stated that he had distributed paperwork to all the Council Members. In following Robert's Rules, he will be asking for nominations. There can be more than one nominee for each position and he will ask if there are additional nominations. If there is only one nomination, they will vote on that one and do the same for each position. He opened the floor for nominations. He added that a second to a nomination is not required but will be accepted to show support for a candidate.

Mr. Brass asked for nominations for the position of Council Chair.

Mr. Stam nominated Council Member Shaver as Council Chair.

Mr. Nicponski nominated Council Member Brett Hales as Council Chair.

Mr. Brass asked for any other nominations a second and third time. Hearing none, Mr. Brass asked the Council to complete the ballot with the name of their selection for Council Chair and pass them to the City Recorded to be tabulated.

Mr. Brass stated that as they look at changing the Council rules, they can decide to change the procedure. He is on the Central Valley Board and they just write in names and

keep going until there is a majority. The City can change the way they do this; they are choosing to use Robert's Rules tonight, but they can make their own rules for the future.

Ms. Kennedy read the results of the votes:

For the office of Council Chair for the year 2013, there were five votes cast. Three are necessary to win. Mr. Shaver received two votes and Mr. Hales received three votes.

Mr. Brass congratulated Mr. Hales on becoming the Council Chair for 2013. He added that it has been a pleasure for him to have served as the Chair for the past two years and appreciates the confidence and support given him.

Mr. Brass opened the nominations for Council Vice-Chair.

Mr. Stam nominated Jared Shaver for Council Vice-Chair.

Mr. Brass asked for any other nominations a second and third time. Hearing none, he asked for a vote by acclamation.

Mr. Nakamura suggested that the Council have a voice vote on the nomination.

Mr. Nicponski made a motion to elect Mr. Shaver as Council Vice-Chair.

Mr. Stam 2nd the motion.

Call vote recorded by Jennifer Kennedy.

 A Mr. Shaver

 A Mr. Hales

 A Mr. Nicponski

 A Mr. Stam

 A Mr. Brass

Motion passed 5-0

10.3 Election of Chair and Vice Chair of the Murray City Budget and Finance Committee for calendar year 2013.

Mr. Brass asked for nominations for the Murray City Budget and Finance Committee Chair.

Mr. Hales nominated Mr. Nicponski for the Budget and Finance Committee Chair.

Mr. Stam nominated Mr. Brass for the Budget and Finance Committee Chair.

Mr. Brass asked a second and third time for any additional nominations; hearing none, ballots were distributed.

Ms. Kennedy read the results of the votes:

For the office of Budget and Finance Committee Chair for the year 2013, there were five votes cast. Three are necessary to win. Mr. Nicponski received two votes and Mr. Brass received three votes.

Mr. Brass asked for nominations for the Murray City Budget and Finance Committee Vice-Chair.

Mr. Hales nominated Mr. Nicponski for the Budget and Finance Committee Vice-Chair.

Mr. Brass asked a second and third time for any additional nominations; hearing none, he asked for a vote by acclamation.

Mr. Hales made a motion to elect Mr. Nicponski as Budget and Finance Committee Vice-Chair.

Mr. Shaver 2nd the motion.

Call vote recorded by Jennifer Kennedy.

<u>A</u>	Mr. Shaver
<u>A</u>	Mr. Hales
<u>A</u>	Mr. Nicponski
<u>A</u>	Mr. Stam
<u>A</u>	Mr. Brass

Motion passed 5-0

Mr. Brass reiterated that as they look at modifying the Council rules, they can change the process.

11. **MAYOR**

11.1 **Mayor's Report**

Mayor Snarr stated that Chick-Fil-A is a couple of weeks behind. The landscaping will obviously not be completed until the earth thaws and they are able to get some of the products such as sod, which could be well into April. They have started part of the landscaping and will need to give the City a deposit to insure the completion of that, but everyone is excited for that and they will get that finished and hopefully open sometime in February. There were some issues with the plastering on the exterior of the building as far as the drying time and because of the cold, it has been a challenge. They have tarped and visquined the building to keep the heat inside.

Similar issues have occurred with the Lexus Dealership. They were hoping to have that finished in January and have worked very hard the last few weeks. Mayor Snarr has seen

a lot of progress but that too will open sometime in February. The landscaping has not yet been started and will need to wait until the weather is more accommodating.

Mayor Snarr said that the signage has been posted at both the north and south sides of Hillside Lane for the vacation. There will be a public hearing on that on January 22, 2013. Many of the tenants in that area are in the process of moving out. This will be a very big project, with 23 properties under demolition. It is an exciting time but also a sad time. This will be the best thing to make sure the students have a safe place to go to school. He is excited about the different drop-off points that they have created to really address the serious issues that the City has had concerns about for many years.

Mayor Snarr noted that the Medistar project is coming along quite well. There are some lights along Birkhill that are not lit. This may be because the property has been vacated and they did not want to pay to have them lit. When Medistar is operational, he is sure that area will be lit. There will be a large construction project in that area with townhomes that will be built by Henry Walker Homes. For security purposes, it will be nice to have some additional light in the area. The owners of the condominiums, of which his son is on the association, have called and asked why there is no lighting there and now he has a better explanation.

Mayor Snarr expressed his aggravation at the amount of graffiti that is going on in the City. He spoke with Kirk Soffe today and unfortunately his grandmother, Mary Jenkins Soffe, passed away last night at 97 years old. Her funeral will be held on Saturday, January 12, 2013. They have had their property tagged three times in the past few days. For whatever reason, the winter seems to bring out the taggers and he wishes that there were some way that the City could have even stiffer penalties for graffiti crimes. His own property as well as others have been tagged. They tagged the bridge six times now down on Main Street going across Big Cottonwood Creek. This is something that really bothers him. Mayor Snarr said that we have such a wonderful community and so many exciting things are going to be taking place this year, and to see people going around and destroying what others have worked hard to create, beautiful properties, build beautiful buildings, put in signage and have it tagged, this really bothers him. He doesn't know what possesses these people or how they get off doing it, but it is something that needs to be addressed. The City has spent 1,000 man-hours this last year dealing with graffiti. Hours that could have gone to enhancing the parks.

Mayor Snarr said that most people are aware of what has happened in the past couple of days in Murray. We are not immune to unfortunate situations. In the past 30 years, our Police Department has only had about ten officer-involved shooting situations. In the last three days, there have been two. He is concerned about the officers who have had to deal with these challenging circumstances. It is not a pleasant situation when they have these situations. These officers are faced with a life and death situation and have to make a quick decision. You hope they make the right decision but when someone either points a gun at you or fires at you, then the appropriate thing is to take that person out before they can take out officers or other residents in the community. Fortunately, none of them were injured in these cases. Cars were hit but officers were not nor were other individuals. The

process is that those individuals who fired their weapons are placed on administrative leave with pay, while an investigation takes place. The District Attorney's Office works with the City to do the investigation. The process can take six weeks or more and during that time the shifts are covered with overtime. You will be seeing overtime on the police budget and they are working diligently through this process. The City is confident that these officers will be cleared and returned to police duty.

Mayor Snarr stated that he is excited that the City has received about half of the new police cars and they are being prepared for use at the City shops. These vehicles are the Dodge Chargers, which the majority of the detectives already drive. They have not had many problems with these vehicles and after reviewing and accepting them, they are having the light bars and other equipment installed. They ordered 24 of these cars and look forward to having the rest arrive.

Mr. Zollinger stated that when they sell the capital assets, and it is a specific department, he thought it would be good to put that back into their fleet. If they sell 24 police cars, they would take that money to buy some additional cars that they had not planned on.

Mayor Snarr asked the Council if that was the understanding that they had. The Council said that was their understanding as well.

Mayor Snarr said that, with the Council's concurrent support he is for buying additional vehicles based upon what is received for the current vehicles in the fleet.

Mr. Zollinger said that when the money is received, a budget opening will need to be done to be able to use that money.

Mayor Snarr added that more vehicles will be arriving and be put into service in a few weeks. There will be residents who will be wondering why the City has so many new vehicles. The City has not purchased vehicles in several years and the fleet needs to be updated and upgraded as a safety issue. The City needs to be able to respond safely to incidents and when the City has many vehicles spending time in the shops and not out on the roads, as well as costing more to maintain, it is time to do that. The City is doing the best that it can and, to the credit of the Council they have worked hard to come up with a reasonable way of doing that so that the City can pay cash and keep ourselves out of debt as much as possible, with the exception of major bonds for sewer and storm drain projects and such.

The Mayor noted that Sears will be closing at the end of the month. This was a financial decision by Sears. This was only one of two stores that they own in Utah, the rest are leased and they need the money. The store location will be retro-fitted and there will be some exciting things happening with the mall that will generate much more money than with what is there.

11.2 Questions of the Mayor

Mr. Nicponski asked how the hotels are coming along.

Mayor Snarr said that they know that the Home to Suites Hilton is right on track. He had a conversation with Dave Kimball who said he would let the Mayor know where they are at with the project by the 15th. If Woodbury does not want to partner with him, he is looking at trying to go it alone, but it has become very expensive. They worked with the Marriott Group to try to look at some of the costs but unfortunately, after he had originally purchased the property, the costs of the added amenities have taken the cost up quite a bit. You look at the cost of the land and the expected revenue and it is really hard to pencil this out. They normally like to see a 6-10% return but they are below that now.

They have taken down the grandstands. The County brought in their plans and spend the money (\$645,000.00) to make enhancements. They will put in a retaining wall on part of the property where the hill comes down so that they can get in three fields which will all go north-south. That will be completed, as well as the restrooms put in, sometime before the end of June. They will also be bringing in portable bleachers. The project is costing the County more than the \$645,000.00 allows them to do, but they felt that it was the right thing to do.

Mayor Snarr said that what makes Murray City the best city in America is the individuals who step up and serve, as well as the employees and citizens who volunteer and do great service in our community.

Mayor Snarr added that so far we have had a very successful snow removal season. They have restocked the salt storage facilities and are good to go and should stay on budget for the year.

Costco had two back-to-back million dollar days which was the first time in history. There were two other stores as well, but Murray's store out performed them all.

Mr. Brass said that the City has not bought cars in quite a while and he has driven around with the police officers and they drive around and around the City and felt that in a two hour period had circled the City 87 times. They put a lot of miles on those cars and they have cars that are in the 100,000 mile range which becomes a maintenance problem. They need to have vehicles on the street to keep the citizens safe. Council Member Nicponski doggedly pursued this and with the Mayor's Office and the Finance Director, they found a way to increase the number of cars from the original number of six to 24 which is going to have a huge impact. He commends everyone for that.

Mr. Nicponski added that the Mayor really stepped up on this. Repairs and maintenance are a big cost and the City has records to show that.

Mayor Snarr recognized the Scouts in attendance.

Mr. Brass invited the Scouts to stand and introduce themselves, their leaders and which Merit Badges they are working on.

Mr. Shaver said that he was glad that Mayor Snarr had brought up the officers. They are called 'Peace Officers' and that is what is hoped they preside over, but many times they are called to put themselves in harm's way. He added that those officers are always in our thoughts as they go out into the streets and as they face some rather difficult situations. We plead for their safety and they should be told how much we care for them and are concerned for them.

Lieutenant Roberts stated that in his opinion, both of the officers involved were justified in their actions and he doesn't feel that they will have any problems.

Mayor Snarr said that the individual driving the get-away car on the Scaddy's and Family Dollar incident lives just a few doors down from the Mayor of Cottonwood Heights. They are all in shock over the whole thing.

12. ADJOURNMENT

Jennifer Kennedy, City Recorder

Special Recognition #1

Murray City Municipal Council

Request for Council Action

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

MURRAY CITY COUNCIL EMPLOYEE OF THE MONTH – FEBRUARY 2013
BRAD ASTIN – MURRAY CITY DETECTIVE

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

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

☒ Council Meeting OR ☐ Committee of the Whole

☒ Date requested February 19, 2013

☐ 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 Presentation

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.)

6. **REQUESTOR:**

Name: Janet Lopez

Title: Council Administrator

Presenter: Lt. Tom Martin

Title: Murray City Police

Agency: Murray City Corporation

Phone: 801-264-2673

Date: February 8, 2013

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:

Date:

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

Number of pages: _____ Received by: _____ Date: _____ Time: _____

Recommendation: _____

9. **NOTES:**

See attached recommendation by Lt. Tom Martin.

EMPLOYEE OF THE MONTH RECOGNITION

DEPARTMENT:

DATE:

Police

01/15/2013

NAME of person to be recognized:

Submitted by:

Detective Brad Astin

Lt. Tom Martin

DIVISION AND JOB TITLE:

Detective Division / Detective

YEARS OF SERVICE:

10

REASON FOR RECOGNITION:

Detective Astin was hired by the Murray City Police Department in November 2002. He has worked in both the patrol and detective division and has been a SWAT member for many years. He is currently assigned as a Detective working crimes against persons cases.

Detective Astin has a true desire to seek out criminals and bring them to justice. He can be counted on time and time again to go above and beyond in criminal investigations, frequently working well past normal office hours.

Recently Detective Astin was assigned as lead Detective on an armed robbery in which the suspect fired shots at a responding Murray Patrol Officer. Detective Astin took charge of the case immediately and devoted everything he had to solving this case and taking the dangerous criminals off the streets.

Detective Astin accomplished this goal within 72 hours. One suspect was taken into custody, the other was shot and killed in Salt Lake City.

Detective Astin was the lead investigator on a homicide case that occurred in December 2011. As well as conducting a stellar investigation, Detective Astin assisted the family during funeral arrangements to help them feel safe from retaliation during the proceedings. He has also remained in close contact with the victim's family since and kept them updated on court appointments and proceedings.

Detective Astin also works tirelessly in the performance of his SWAT duties. He has spent many hours training and becoming proficient in the field of explosives. This can be a very dangerous field without the proper knowledge. The Department is proud to have Detective Astin serving in this important field. These are just some examples of Detective Astin's dedication and devotion to his job. Brad is to be commended for a job well done.

COUNCIL USE:

MONTH/YEAR HONORED

Dec 19, 2013

JZ

Citizen Comments

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

Consent Agenda

Murray City Municipal Council

Request for Council Action

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1. **TITLE:** (State how it is to be listed on the agenda)
Consider confirmation of the Mayor's new appointment of **Maren Patterson** to the **Murray Planning and Zoning Commission** in an **At-Large** position while living in District 3 for a **three-year term** effective **2/19/2013** to **1/15/2016**.

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)
February 19th 2013


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

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

6. **REQUESTOR:**
Name: Tim Tingey Title: Director of Administrative & Development Services
Presenter: Dan Snarr Title: Mayor
Agency: Planning and Zoning Commission Phone: 264-2680
Date: February 7th 2013 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: February 7th 2013

Mayor:  Date: February 7th 2013

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

Number of pages: _____ Number of copies submitted: _____
Received by: _____ Date: _____ Time: _____
Recommendation: _____

9. **NOTES:**

Maren Patterson will begin serving immediately on the **Planning and Zoning Commission** for a **three-year term** effective **February 19th 2013** to **January 15th 2016** (Maren is filling the expired term of Ray Black who served well and faithfully to Term Limits as of January 15th 2013)

Maren Patterson
4852 S Wasatch St
Murray Ut
801-916-9485
makasa84@hotmail.com

As I child I moved around quite a bit. We lived all across the country from California to Ohio and Indiana. But we frequently moved back to Utah. We have now been here for over 20 years. I am the oldest child of 3 younger brothers. I was a rather bossy big sister but I think they have forgiven me since then. I have always loved being part of activities and clubs, so I was involved in various ones in high school. After graduating from Copper Hills High School I attended Utah State University from 2002-2005 and received my bachelors of science cum laude in Psychology. I have always loved school and college was no different. One of my favorite classes was my Modern Western Civilization class. It almost made me want to dual major in history, I enjoyed that class so much. That being said, I really adored everything about psychology, especially social psychology. My last year of school I met my husband, Scott. He was an art major and graduated in Photography. While I was in school I worked for the Bookstore and absolutely loved it. After graduating I worked for the University in the Development office for a year. We were sad to leave Logan and the sense of community that we adored about it.

We moved to The Avenues in Downtown Salt Lake. I taught Kindergarten for two years at the Challenger School. I fell in love with teaching and impacting those little lives. Although, those were busy and short years they had a great impact on our lives and lifestyles. When we were ready to make a more permanent move and try to put down some roots we were very drawn to Murray. It seemed like the perfect hybrid of the community of Logan and the charm and convenience of the Avenues. In many ways our initial estimations were right, but in others ways there were even more wonderful things we discovered about living here.

We live in a beautiful old Craftsman house that was built in 1923. We love living in our charming old house, although if you talked to us last week when our basement flooded, we might have said something else. We have become passionate about where we live and the neighbors we've grown close to. I think we live on the most charming street in Murray, but there could be lots of streets that want such a distinction.

I work full time taking care of my two kids. I have a four year old daughter, Olive who loves preschool and people. My son, Milo is 2 years old and he loves to climb on anything and everything. They both keep me very busy. Like I said before, I love being part of activities and have organized a few playgroups and mom groups for our friends in the area. We go to Story time and Wiggle Worms at the library every week. We use the park constantly, whether it's for sledding in the winter or the playground and pool in the summer.

For all of these reasons I am very interested in being part of the Planning Commission. I think it would be so exciting to serve my community in this way. I know that Murray is going to be changing and growing in many ways over the next few years. I am excited for what these changes hold in store for the city as a whole, but also me and my neighbors as residents. I would love to be a part of helping Murray achieve it's goals. Thank you for your consideration.



**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
Jan Lopez, Council Administrator
From: Mayor Dan Snarr
Date: February 5, 2013
RE: Ethics Commission

Last legislative session (2012), a bill was passed titled "Political Subdivision Ethics Amendments." The bill instructed cities and other entities to create an ethics commission to handle concerns that arise with employees or elected officials. There were several options for having a specific city commission, combining these commissions with other entities or having the complaints turned over to the State commission. We believe it is in the best interest of Murray City to create a municipal commission.

With that in mind, I would like to have the following members be approved to serve on the Murray City Ethics Commission:

1. Rod Horton
2. Donnetta Mitchell
3. Janice Evans
4. Blair Camp
5. Ray Black

These are outstanding members of our community who are willing to serve in this capacity. They will receive training from the City Attorney's Office as they begin their duties.

I appreciate your consideration and support.

Murray City Municipal Council

Request for Council Action

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1. **TITLE:** (State how it is to be listed on the agenda)
Consider confirmation of the Mayor's new appointment of Blair Camp to the new Murray City Ethics Commission (MCEC) in a Resident At-Large position for a three-year term effective February 19th 2013

2. **ACTION REQUESTED:** (Check all that apply)
- ☐ 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) Consent Calendar

3. **WHEN REQUESTED:** (Explain when action on this proposal is needed by and why)
February 19th 2013


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

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

6. **REQUESTOR:**
- Name: Dan Snarr and Frank Nakamura Title: Mayor and City Attorney
- Presenter: Dan Snarr Title: Mayor
- Agency: New Murray City Ethics Commission Phone: 264-2600
- Date: February 7th 2013 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: Dan Snarr Date: February 7th 2013

Mayor:  Date: February 7th 2013

8. **COUNCIL STAFF:** (For Council use only)
- Number of pages: _____ Number of copies submitted: _____
- Received by: _____ Date: _____ Time: _____
- Recommendation: _____

9. **NOTES:**

Blair Camp will begin serving immediately on the Murray City Ethics Commission (MCEC) from 2/19/2013 to 2/19/2016

D. Blair Camp

6076 River Glen Circle, Murray, Utah 84123
(801) 261-1424 * Mobile (801) 550-3895 * blaircamp@yahoo.com

LinkedIn Profile: <http://www.linkedin.com/pub/d-blair-camp/25/803/9b3>

QUALIFICATIONS

More than 33 years of progressively responsible and diverse public fire and emergency services experience, including over 16 years experience as a chief fire officer in two municipal fire departments and experience as a fire marshal in municipal, university, and hospital settings.

CURRENT POSITION

Brigham Young University, Provo, UT.

Emergency Program Manager, August 2012 - Present

Responsible for emergency planning, fire & life safety programs, and special event risk management for BYU Provo campus.

PREVIOUS PROFESSIONAL EXPERIENCE

Provo Fire & Rescue, Provo, UT.

Fire Chief, September 2007 – August 2012

Responsible for the overall management and leadership of emergency services and emergency management for Provo City.

Murray City Fire Department, Murray, UT. August 1979 – August 2005

Fire Chief, November 1999 – August 2005

Assistant Fire Chief / Murray City Fire Marshal, September 1994 – November 1999

Fire Lieutenant (title later changed to Captain), December 1984 – September 1994

Firefighter/Emergency Medical Technician, August 1979 – December 1984

University of Utah, Salt Lake City, UT. Department of Environmental Health & Safety

Senior Fire Prevention Specialist / Plans Examiner / University Hospital Fire Marshal

February 2006 – September 2007

Utah Fire & Rescue Academy, Provo, UT

Program Manager, Sept 2005 – February 2006

Current Adjunct Instructor

EDUCATION

Utah Valley University, Orem UT. **AAS, Fire Science**

Ashford University, Clinton IA. **BA, Organizational Management**

USFA - National Fire Academy, Emmitsburg, MD. **Executive Fire Officer (EFO) Graduate**

State of Utah System of Higher Education, S.L.C., UT. **Certified Public Manager**

OTHER RELEVANT EDUCATION & TRAINING

NIMS – ICS 100, 200, 300, 400, 700
University of Utah **Fire Service Leadership Academy** 2009 - 2010
NFPA **Management Institute for Fire Marshals** 1999
Western Oregon University: **Fire Prevention Organization and Management** 1999
National Fire Academy Resident Program: **Code Management: A Systems Approach** 2004;
Chemistry of Hazardous Materials 1988; **Fire Inspection Principles** 1995

PROFESSIONAL CERTIFICATIONS

FEMA

Emergency Management Professional Development Series

International Code Council

International Fire Code Certification I & II
Certified Fire Plans Examiner

Utah Fire & Rescue Academy

Firefighter I, II, & III; Apparatus Driver/Operator; Hazardous Materials Awareness & Operations; Fire Service Instructor; Fire Inspector I; Fire Officer I & II

Utah State Fire Marshal's Office

Special Deputy State Fire Marshal

Utah Police Officers Standards & Training (POST)

Special Functions Officer (SFO) 1999 Class 217

PROFESSIONAL ORGANIZATIONS & BOARDS

Former Member, Utah Fire Prevention Board August 1999 – October 2005
Past President of the Utah County Fire Chiefs Association 2009
Past President of the Utah State Fire Chiefs Association 2004
Former Chair of the Salt Lake Valley Fire Alliance 2003
Past President of the Utah Fire Marshal's Association 1998
Served as Board Member of Western Fire Chiefs Association 2000-01

MEMBERSHIPS

Utah Emergency Manager's Association
National Fire Protection Association (NFPA)
International Association of Fire Chiefs / Western Fire Chiefs Association
Utah State Fire Chiefs Association
International Code Council (ICC)
National Society of Executive Fire Officers
International Fire Marshals Association
Fire Marshals Association of Utah

PERSONAL

Enjoy golf, ATV riding, bicycling, and watching sports.
Married to Paula for 37 years; 5 children and 13 grandchildren.

Murray City Municipal Council

Request for Council Action

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1. **TITLE:** (State how it is to be listed on the agenda)
Consider confirmation of the Mayor's new appointment of **Jan Evans** to the new **Murray City Ethics Commission (MCEC)** in a Resident **At-Large** position for a **three-year** term effective February 19th 2013

2. **ACTION REQUESTED:** (Check all that apply)
- ☐ 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) Consent Calendar

3. **WHEN REQUESTED:** (Explain when action on this proposal is needed by and why)
February 19th 2013

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

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

6. **REQUESTOR:**
- Name: Dan Snarr and Frank Nakamura Title: Mayor and City Attorney
- Presenter: Dan Snarr Title: Mayor
- Agency: New Murray City Ethics Commission Phone: 264-2600
- Date: February 7th 2013 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: Dan Snarr Date: February 7th 2013

Mayor:  Date: February 7th 2013

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

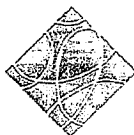
Number of pages: _____ Number of copies submitted: _____

Received by: _____ Date: _____ Time: _____

Recommendation: _____

9. **NOTES:**

Jan Evans will begin serving immediately on the **Murray City Ethics Commission (MCEC)** from **2/19/2013** to **2/19/2016**



Janice D. Evans, Ed.D


5862 Cove Creek Lane
Murray, Utah 84107
801-262-3766

Positions in Business

NCF Distributing, Murray, Utah Co-Owner	October 2012– Present
New Concept Furniture, Murray, Utah Co-Owner	October 2011– Present
Evans New Concept Furniture, Murray, Utah Sales, Public Relations, and Accounts Receivable/Payable	Oct 1988– October 2011
Take Five Drive Inn, Murray, Utah Accounts Receivable/Payable and Public Relations	October 1988– October 2009

Positions in Education

Principal Longview Elementary, Murray District, Murray, Utah	August 1998– August 2003
Director Elementary Education, Murray District, Murray, Utah	August 1986 – August 1998
Principal Horizon Elementary, Murray District, Murray, Utah	August 1984 – August 1986
First Grade Teacher Libbie Edward Elementary School, Granite District, Salt Lake City, Utah	August 1983 – August 1994
Third Grade Teacher Whittier Elementary School, Granite District, Salt Lake City, Utah	August 1982 – August 1983
Educational Consultant Harcourt Brace Javonovich Publishers Western Region Office San Francisco, California	July 1980 - August 1982
Research Fellow University of Utah	September 1979 – June 1980



Instructional Center, Staff Development
Granite School District

August 1979 – July 1980

Chapter 1/Title I Program
Granite School District & State of Utah

August 1974 – August 1989

Fourth Grade Teacher
Woodstock Elementary, Granite School District

September 1971 – June 1974

Service to Murray City

Murray Shade Tree and Beautification Commission

Fall 2003 – Present

Arbor Day Celebrations Committee Member

August 1986 – August 1998

Degrees

Ed.D University of Utah, 1979
Major – Educational Administration
Area of Specialization – Educational Law and Collective Bargaining

M.Ed University of Utah, 1974
Major – Curriculum and Instruction
Area of Specialization – Reading

B.S. University of Utah, 1971
Major – Elementary Education

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 **new appointment of Ray Black** to the new **Murray City Ethics Commission (MCEC)** in a Resident **At-Large** position for an initial **two-year** term effective February 19th 2013

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

☐ 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) Consent Calendar

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

February 19th 2013

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

N/A

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

Resume/BIO attached

6. **REQUESTOR:**

Name: Dan Snarr and Frank Nakamura

Title: Mayor and City Attorney

Presenter: Dan Snarr

Title: Mayor

Agency: New Murray City Ethics Commission

Phone: 264-2600

Date: February 7th 2013

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: Dan Snarr

Date: February 7th 2013

Mayor: 

Date: February 7th 2013

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

Number of pages:

Number of copies submitted:

Received by:

Date: Time:

Recommendation:

9. **NOTES:**

Ray Black will begin serving immediately on the **Murray City Ethics Commission (MCEC)** from 2/19/2013 to 2/19/2015

Ray Black
1010 Peaks Circle
Murray, UT 84117
801-450-2995
robertasblack@comcast.net

Curriculum Vitae

1. Personal Data

Carmon Ray Black

Birth date: October 4, 1938
Birthplace: Lovell, Wyoming
Citizenship: U.S.A.
Wife: Roberta S Black
Children: Angela, Steven, Carmen
Address: 1010 Peaks Circle, Murray, Utah, 84117

2. Education

- | | | |
|----|-----------|---|
| A. | 1957-1960 | University of Utah, Salt Lake City
PreDental |
| | 1962-1964 | University of Utah, Salt Lake City
B.S. Cum Laude in Zoology |
| B. | 1968-1972 | University of Louisville, School of Dentistry
Louisville, Kentucky, Top 5 of class, DMD |
| C. | 1990-1993 | University of Utah, Salt Lake City
MPH/HSA |
| D. | 1990-1992 | University of Utah, Salt Lake City
Completed a two-year Geriatric Dental Fellowship
(U of U School of Medicine) |

3. Professional Experience

- | | | |
|----|--------------|---|
| A. | 1964-1968 | Manager, Down Town Motel, Salt Lake City, Utah |
| B. | 1968-1969 | Warehouse employee, Chevrolet Motor Division,
Louisville, Kentucky (Part time) |
| C. | 1973-1977 | Private Dental Practice, Roosevelt, Utah |
| D. | 1977-1982 | Private Dental Practice, West Jordan, Utah |
| E. | 1984-Present | Carmon A Black Mgmt. (General Partner)
Real Estate Investments |

4. Affiliations

American Dental Association	American Academy of Gold Foil Operators
Utah Dental Association	American Academy of Dental Radiology
Salt Lake Dental Association	Phi Delta Honorary Society
Phi Sigma Honorary Society	American Society for Geriatric Dentistry

5. Other Affiliations

Who's Who Among Students in American Universities
Kentucky Colonel

6. Public Service

1977-1982	Taught Dental Hygiene at Downs Syndrome School In West Jordan and also in public schools
1990-1993	Attending, University of Utah General Practice Residency Program
2004-2013	Served on Murray City Planning Commission
2011-Present	Coordinator of church services at Willow Wood Care Center, Salt Lake City, Utah

Murray City Municipal Council

Request for Council Action

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1. **TITLE:** (State how it is to be listed on the agenda)
Consider confirmation of the Mayor's new appointment of **Donnetta Mitchell** to the new **Murray City Ethics Commission (MCEC)** in a Resident **At-Large** position for an initial **one-year** term effective February 19th 2013

2. **ACTION REQUESTED:** (Check all that apply)
- ☐ 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) Consent Calendar

3. **WHEN REQUESTED:** (Explain when action on this proposal is needed by and why)
February 19th 2013

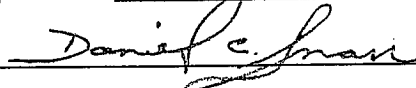
4. **FUNDING:** (Explain budget impact of proposal, including amount and source of funds.)
N/A

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

6. **REQUESTOR:**
- Name: Dan Snarr and Frank Nakamura Title: Mayor and City Attorney
- Presenter: Dan Snarr Title: Mayor
- Agency: New Murray City Ethics Commission Phone: 264-2600
- Date: February 7th 2013 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: Dan Snarr Date: February 7th 2013

Mayor:  Date: February 7th 2013

8. **COUNCIL STAFF:** (For Council use only)
- Number of pages: _____ Number of copies submitted: _____
- Received by: _____ Date: _____ Time: _____
- Recommendation: _____

9. **NOTES:**

Donnetta Mitchell will begin serving immediately on the **Murray City Ethics Commission (MCEC)** from **2/19/2013** to **2/19/2014**

Donnetta B. Mitchell
320 E. Shamrock Dr.
Murray, UT 84107
801.269.9997 home
801.201.8917 cell
donnetta.mitchell@gmail.com

January 18, 2013

Mayor Daniel Snarr
Murray City Hall
Murray, Utah 84107

Dear Mayor Snarr:

I am honored to be considered for a position on your soon-to-be created Ethics Board. I have included a brief biographical summary of my experiences while a resident of Murray.

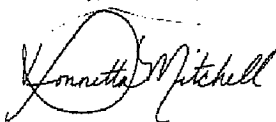
I look forward to meeting with you and others to discuss this important opportunity to serve the City.

For the last 26 years I have been a resident of Murray. Since that time, I have been active in the community. Examples of my involvement include:

- While working for AT&T in the mid-1980's I was the project manager for the construction of a Customer Service facility in Murray on College Drive. I managed that facility for over 10 years, creating jobs for over 800 people. Retired from Lucent Technologies in 1998 after 31 years.
- Member of the Murray Sympathy Orchestra from 1984 to 1990
- Member of the Murray Chamber of Commerce from 1987 – current.
- Appointed to the Arts Advisory Board by Mayor McMillan in 1987
- Board member for the Murray Chamber of Commerce 1990 – 1992. Received the Total Citizen's Award in 1992.
- Member of the Employer Support of the Guard and Reserve (ESGR) from 1989 – 2006. Received Golden Spike award for superior contributions and the Lifetime achievement award.
- Area Chairperson representing Utah, Idaho, and Montana for the Association of US West Retirees (AUSWR) 1999 – current. This association represents retirees and works to protect pensions and benefits that were earned.
- Small business owner, DocuNet (dba DoxTek) a document scanning service 2001 – 2011.
- Currently, a volunteer advocate for Wasatch Baskets & Gifts.

I enjoy living, working, and being involved in Murray and look forward to opportunities to strengthen the community through service. I can be contacted by phone at 801.201.8917 if further information is needed.

Sincerely,



Donnetta Mitchell

Murray City Municipal Council

Request for Council Action

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1. **TITLE:** (State how it is to be listed on the agenda)
Consider confirmation of the Mayor's **new appointment** of **Rod Horton** to the new **Murray City Ethics Commission** in a Resident **At-Large** position for an initial **two-year** term effective February 19th 2013

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

☐ 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) Consent Calendar

3. **WHEN REQUESTED:** (Explain when action on this proposal is needed by and why)
February 19th 2013

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

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

6. **REQUESTOR:**

Name: Dan Snarr and Frank Nakamura Title: Mayor and City Attorney

Presenter: Dan Snarr Title: Mayor

Agency: New Murray City Ethics Commission Phone: 264-2600

Date: February 7th 2013 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: Dan Snarr Date: February 7th 2013

Mayor:  Date: February 7th 2013

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

Number of pages: Number of copies submitted:

Received by: Date: Time:

Recommendation:

9. **NOTES:**

Rod Horton will begin serving immediately on the **Murray City Ethics Commission (MCEC)** from **2/19/2013** to **2/19/2015**

Rod Horton

5211 Spring Clover Drive, Murray UT * Phone: (801) 288-1131

Email: rshorton@graniteschools.org

Education:

Administrative Endorsement, *University of Utah*, SLC, 2004
MA Curriculum and Instruction, *University of Phoenix*, SLC, 2000
BA Health - major, Spanish - minor, *University of Utah*, SLC, 1994

Professional Experience:

<i>Principal Bennion Junior High</i>	July 2012 to current
<i>Principal Eisenhower Junior High</i>	July 2011 to July 2012
<i>Taylorsville & Granger High School</i>	July 2005 to June 2011

Assistant principal with duties including: master schedule, L.E.A. representative, 12th grade discipline, graduation, student registration, school accreditation, permits, SBO liaison, counseling center liaison, emergency preparedness, etc.

Granite Park Junior (Internship) September to December 2002

Hillsdale Elementary (Internship) Summer 2002

Skyline High School June 1994 to June 2005
Spanish, Swimming, and Health teacher for eleven years
Head men's and women's swim and water polo coach
Head coach for competitive club swim team of 100 + members

Honors/Awards:

Nineteen State titles as swimming and water polo coach
Nine times honored with "5A State Swim Coach of the Year"

References:

Mr. Jerry Haslam, Principal Granger High School 385-646-5320
Mr. Mitch Nerdin, Assistant Principal Hunter High School 385-646-5360
Ms. Annette Duzett, Granite District Director of Junior High 385-646-4537

Public Hearing #1

Murray City Corporation

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 19th day of February, 2013, 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 to receive public comment concerning an ordinance amendment to Section 17.48.120 of the Murray City Municipal Code to allow for additional height and size for on-premise signs on properties adjacent to I-15 and I-215 in the G-O (General Office) zoning district.

DATED this 31st day of January, 2013.

MURRAY CITY CORPORATION

City Recorder

DATE OF PUBLICATION: February 4, 2013
PH 13-06

Posted Public Notice Website
Murray Website 7 1.31.13 *[Signature]*

HARMONY HOME HEALTH, LLC - Sign Ordinance Text Amendment – G-O Zone –
Project 12-131

Ben Hathaway was the applicant present to represent this request. Chad Wilkinson reviewed the request for an ordinance text amendment to the Murray Municipal Land Use Code Chapter 17.48.120(A), and 17.48.120(C) related to signage in the General Office (G-O) Zone. The proposed amendment would allow additional height and size for signs on G-O properties located adjacent to freeways. The amendment would allow for the height of signs adjacent to I-15 and I-215 to be determined by freeway grade rather than the adjacent sidewalk grade. The amendment would also increase the allowable size of signs in the G-O zone adjacent to freeways from 50 sq. ft. to 300 sq. ft. The purpose of the G-O zone, as defined in City Code, is to provide a buffer or transition area separating commercial and industrial uses from residential areas. Increased emphasis is given to buffering commercial uses from residential uses, neighborhood compatibility and reduction of size and height of signs in the G-O zone due to proximity and impact on the adjoining residential properties. The G-O zone limits building and sign height in order to be compatible with residential zoned properties in the area. The existing sign code regulation limits signs in the G-O zone to 15 ft. maximum height measured from the sidewalk grade to the top of the sign and allows for .5 sq. ft. of sign area per lineal foot of street frontage with a maximum area of 50 sq. ft. The applicant is proposing that the height for detached signs in the G-O zone located on properties adjacent to the freeway be determined by the freeway grade and that the maximum size of freeway adjacent signs in the G-O zone be increased to 300 sq. ft. Currently, the Code allows for freeway oriented signs in Commercial Development (C-D) and General Manufacturing (M-G) zoning districts to use the adjacent freeway grade to determine the maximum height of the sign. Where properties are lower than the freeway, the signs may be much higher than the adjacent local streets. The applicant has proposed this same standard for G-O zones located adjacent to the freeway. The applicant also proposes to increase the permitted sign size from 50 sq. ft. to 300 sq. ft. for signs adjacent to the freeway in the G-O zone. It should be noted that the standards for the C-D and M-G zones do not provide for an increase in square footage for freeway adjacent signs. The maximum sign size for detached signs in the C-D and M-G zones is the same for all properties in the City, whether or not they are adjacent to the freeway. G-O zoning occurs throughout the City in areas along 4500 South, 900 East, Winchester Street and VanWinkle Expressway. Because G-O zoning occurs on other high-volume and high speed roadways in Murray, it is difficult to justify an increase in sign size based solely on freeway adjacency. While a connection may reasonably be made for an increase of sign height adjacent to a freeway because of variations of freeway height caused by overpasses, on and off ramps, etc., staff does not find the same connection with regard to sign size. If speed and volume are used to determine sign size adjacent to freeways, other G-O property owners could argue that the speed or traffic volume of Van Winkle Expressway or 4500 South justifies additional sign height or size. The sign code currently allows for attached signage in the G-O zone with 2 sq. ft. of sign area for each lineal foot of building frontage with maximum sign area determined by building size. Depending on the size of the building, attached signage may currently exceed 50 sq. ft. This additional square footage for attached signage coupled with the allowed detached signs provides adequate signage while buffering residentially zoned properties. The standards of the Code are meant to distinguish the G-O zone

from other commercial zones and to provide a transitional standard. The look and impact of signage in the G-O zone should be different than commercial and manufacturing zones because the G-O zone purpose is to be a buffer and transition zone from the residentially zoned areas. The applicant also references portions of the Murray General Plan related to land use and economic development. The plan indicates that G-O areas should ensure a pleasing environment and the existing signage allowed in G-O zones contributes to the purpose of this zoning designation. Although the economic development sections of the General Plan promote enhancing commercial activity, the existing ordinance allows for multiple signage opportunities on a site and the existing square footage enhances the goal of creating a positive environment for business activity.

Based on the above information and findings, staff recommends that the Planning Commission forward a recommendation of denial for the proposed text amendments to the Murray City Council for Municipal Code Chapter 17.48.120(A), and 17.48.120(C).

Ms. Daniels stated that this property is located in the G-O zone. She asked Mr. Wilkinson if the area is more commercially based. Mr. Wilkinson stated the Murray City General Plan calls for that zone to remain office zoning. He stated that there is a mix of C-D-C and G-O in that area. That zoning came about through a large zone change process through the City. Further to the south of that zone is residential and staff feels it is important to keep that as a transition area and protect that neighborhood.

Mr. Markham asked if an electronic sign were to be located on the property, would it have to be specific to the applicant. Mr. Wilkinson stated the G-O zone does not allow electronic message boards and any sign that is located on G-O properties need to be on-premise. The city does not permit off premise advertising for new signage.

Ben Hathaway, 60 East South Temple, stated he is the attorney for Harmony Home Health, LLC. Harmony Home Health & Hospice is an in-home health care provider who for the last decade has been headquartered at 5650 South Green Street in a one story building. He stated that the Murray City's zoning map, it seems that the purpose of the G-O zone has been obliterated by the C-D-C re-zone in the middle of Green Street. Originally it was intended to buffer the residential area from commercial uses. Every piece of property along the I-15 corridor has a free-way oriented and viewed sign with the exception of Harmony Home Health's building. Mr. Hathaway questioned if the General Plan's purpose of providing a buffer has really been met. He indicated in his opinion the answer is no, because it's been obliterated by the re-zone. He stated that Harmony Home Health, LLC desires to have a positive recommendation from the planning commission for a text change. Two things must be present for this text change to apply; the property must be adjacent to a freeway and the sign must be freeway oriented. Murray Code states it is appropriate to adopt a text change if it conforms to the General Plan. Mr. Hathaway suggested that not only does it conform to the General Plan, but it actually enhances the goals of the General Plan as it relates particularly to freeway oriented signs within the G-O zone. Visible signage would 1) strengthen the City's medical related commercial activity to the public, 2) increase business for Harmony Home Health in turn generate more revenue for the

City, 3) increase the utilization of land in Murray City, 4) make the location more desirable for the applicant to remain there, 5) it would enable a sign to preserve what remains of this buffer zone. Mr. Hathaway went on to say that staff implied a sign could be larger than 50 ft. if it were attached to the building. Therefore, if Harmony were to prop a sign on top of its building that was in excess of 50 ft. or build 2-4 more stories onto their building and have their signage on top it, it would seem to impair the buffering even more in the G-O zone than it would to just have a sign there. Mr. Hathaway suggests that the purposes of the General Plan are met and enhanced by the text change. In comparing other G-O zones in Murray to the location of the applicants, all other areas have buildings that are higher than the freeway, therefore; there is no advantage for those properties to measure from the freeway grade.

Mr. Taylor made note that buildings that currently have attached building signage would also be allowed to have free a standing sign, based on the text change the applicant is proposing. Mr. Hathaway concurred, subject to approval.

Mr. Woodbury asked Mr. Wilkinson why staff wouldn't consider making a zone change from G-O to C-D-C. Mr. Wilkinson noted again that the General Plan does call for this area to be office and not commercially zoned. There are standards (i.e. review standards, use standards) in place that provide buffering and protection of those areas that go over and above visual standards. The review was focused on what the impacts to several properties in the G-O zone would have, not just this particular property. Mr. Hathaway stated that Harmony does not want to open the door to other uses, but desires to take advantage of its adjacency to I-15.

Ms. Mackay asked why it is so important to have a sign. Mr. Hathaway deferred the question to Dennis Stong.

Dennis Stong, 5650 Green Street, stated that having a sign helps a business establish a brand and gives the business legitimacy. When someone is choosing a health care provider they feel more secure when a company provides a strong and solid feel to it. A sign helps to give out that image. All of the businesses that are in that area and have signage have a good solid client base, Harmony does not. Mr. Stong asked Mr. Wilkinson what specific properties concern him that this would apply. Mr. Wilkinson stated staff is not implying that by changing the text this will affect a specific property. What he is saying is from a consistency standpoint, they need to look at all properties, not to just a specific property. It is too hard to distinguish how one property is different from another based on solely on those characteristics.

The comment was made that if all properties in the G-O zones had a road that was elevated like I-15 is, they would all be asking for the same thing.

Mr. Hathaway stated there are no other arterial roads in Murray City that have a 65 mph speed limit which is important when you are talking about size. What Mr. Stong is requesting is that he be given the same opportunity the other businesses along Green Street have. Mr. Hathaway asked that the Planning Commission send a positive recommendation of approval to the City Council for this text change.

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

and the public comment period was closed.

Mr. Black commented that signage is beneficial, but he recently dealt with finding a facility to care for his aging mother, but that his decision was not based upon driving down the street and looking for a sign. He stated that instead he went to physicians and friends in the medical field. In his opinion, no one is going to make a decision on using their facility based on seeing a sign from the freeway.

Mr. Woodbury asked why Harmony Home Health feels their business isn't doing as well as they think it could do if they were able to put up a larger sign. He stated that as a resident of Murray, bringing businesses into the city is a great thing, but it also needs to be done within the general context of the General Plan. Mr. Woodbury asked the applicant if he has had specific clients tell them they would not do business with them because they don't have a sign. Mr. Stong responded that he owns the building and has tried to lease space, but they are unable to put a "for lease" sign on the top of the building.

Paul Evans, 5650 Green Street, is the project manager at Harmony Home Health. He has been very involved in trying to get the building leased. There have been a number of inquiries through their brokerage firm that have looked at the building. However, the lack of visibility and recognition through a sign for that location has impacted their decision to relocate there. Addressing Mr. Black's comment, he feels it is important not to minimize the name/brand recognition. Their patients come primarily from recommendations, but none-the-less their name recognition in the community is very important to them. To have their name visible in that location would help people in locating them. Possible naiveté on their part, but one of the reasons that location was picked was they saw how all of the businesses along Green Street had signs and advertisements, so it seemed like a natural assumption they would be able to erect a sign in comparability to all the other businesses. They feel it is a very reasonable request to Murray City for them to be allowed to erect a sign. He asks the commission to forward a recommendation of approval to the City Council.

Ms. Daniels asked if Harmony has been in that same location for the 16 years they have been in Murray. Mr. Evans responded indicating that their first location was on Commerce Street and they purchased the building on Green Street 6-7 years ago. Ms. Daniels asked if this is the first time they have come forward to ask for a sign. Mr. Evans stated they applied a few years ago and were not successful at that point, so they have decided to come back and try once more.

Mr. Stong made note that years ago they leased a property along the freeway in Ogden and put up a sign. That sign made a huge impact. Within 18 months they tripled their business. Their referrals come from people that have had a great experience with them in the past, but when they are competing against very well established names, it helps to have the sign recognition letting everyone know they are there, professional, legitimate and ready to serve them. They have been trying to work with Murray City for quite some time on this matter.

Mr. Taylor expressed his concern with this proposed change that neighboring properties would then have the opportunity of increasing the number of signs along

the freeway frontage for businesses that already have signs, this could be detrimental for the applicant.

Ms. Daniels made a motion to forward a recommendation of denial to the City Council for the proposed text amendments to the Murray City Council for Municipal Code Chapter 17.48.120(A), and 17.48.120(C). Mr. Taylor seconded the motion.

Call vote recorded by Mr. Wilkinson.

A _____ Jim Harland
A _____ Karen Daniels
A _____ Ray Black
A _____ Tim Taylor
N _____ Phil Markham
N _____ Vicki Mackay
N _____ Scot Woodbury

Motion passed, 4-3 in favor of denial.

CONSTRUCTION BUSINESS HOME OCCUPATION – Home occupation Zoning Text
Amendment to section 17.24 – Project # 12-118

Murray City proposes an amendment to the Home Occupation standards to remove construction businesses from the list of prohibited uses and to provide additional standards for approval of these types of home based businesses. Mr. Wilkinson stated that the Murray City zoning ordinance allows for the establishment of home occupations as accessory uses in all residential zones subject to specific standards. Among the standards, certain uses are explicitly prohibited from being established as home occupations. In 2007, the City Council added construction businesses to the list of prohibited uses based on several problems with existing home based construction businesses. Concerns included storage of materials and large equipment on residential properties, mobilization of construction crews in residential neighborhoods, noise, hours of operation and other similar complaints. The City continues to receive requests for home occupation licenses for construction businesses, contractors and "handyman" services. The City Council has received recent requests from residents to allow construction businesses to be allowed. On August 21, 2012 the City Council directed staff to reconsider the prohibition of construction businesses as home occupations and to analyze whether additional standards could be developed to protect neighboring properties. The purpose of the Home Occupation standards as stated in Chapter 17.24 is to allow for certain income producing accessory uses in residential districts that are compatible with and not detrimental to the neighborhood in which they are located. The Code identifies that certain uses are not appropriate because of their tendency "to rapidly increase beyond the limits permitted for home occupations and thereby impair the use and value of the residentially zoned area." In the past, several home based construction businesses have created neighbor concerns by storing equipment and materials on site and by mobilizing crews from their home early in the morning creating noise and parking concerns from neighbors. The home occupation standards currently limit the size and number of vehicles, number of employees, storage of materials and uses

TO: Murray City Planning Commission

FROM: Murray City Community and Economic Development Staff

DATE OF REPORT: October 25, 2012

DATE OF HEARING: November 1, 2012

PROJECT TYPE: Land Use Ordinance Text Amendment

APPLICANT: Harmony Home Health

PROJECT NUMBER: 12-131

DESCRIPTION OF REQUEST:

The applicant is proposing text amendments to the Murray Municipal Land Use Code Chapter 17.48.120(A), and 17.48.120(C) related to signage in the General Office (G-O) Zone. The proposed amendment would allow additional height and size for signs on G-O properties located adjacent to freeways. The amendment would allow for the height of signs adjacent to I-15 and I-215 to be determined by freeway grade rather than the adjacent sidewalk grade. The amendment would also increase the allowable size of signs in the G-O zone adjacent to freeways from 50 square feet to 300 square feet.

STAFF REVIEW

The purpose of the General Office zone, as defined in City Code, is to provide a buffer or transition area separating commercial and industrial uses from residential areas. Increased emphasis is given to buffering commercial uses from residential uses, neighborhood compatibility and reduction of size and height of signs in the General Office zone due to proximity and impact on the adjoining residential properties. The General Office zone limits building and sign height in order to be compatible with residential zoned properties in the area. The existing sign code regulation limits signs in the General Office zone to 15 foot maximum height measured from the sidewalk grade to the top of the sign and allows for .5 square feet of sign area per lineal foot of street frontage with a maximum area of 50 square feet.

The applicant is proposing that the height for detached signs in the G-O zone located on properties adjacent to the freeway be determined by the freeway grade and that the maximum size of freeway adjacent signs in the G-O zone be increased to 300 square feet. Currently, the Code allows for freeway oriented signs in the C-D and M-G zoning districts to use the adjacent freeway grade to determine the maximum height of the sign. Where properties are lower than the freeway, the signs may be much higher than the adjacent local streets. The

applicant has proposed this same standard for G-O zones located adjacent to the freeway.

The applicant also proposes to increase the permitted sign size from 50 square feet to 300 square feet for signs adjacent to the freeway in the G-O zone. It should be noted that the standards for the C-D and M-G zones do not provide for an increase in square footage for freeway adjacent signs. The maximum sign size for detached signs in the C-D and M-G zones is the same for all properties in the City, whether or not they are adjacent to the freeway. G-O zoning occurs throughout the City in areas along 4500 South, 900 East, Winchester Street and Vanwinkle Expressway. Because G-O zoning occurs on other high-volume and high speed roadways in Murray, it is difficult to justify an increase in sign size based solely on freeway adjacency. While a connection may reasonably be made for an increase of sign height adjacent to a freeway because of variations of freeway height caused by overpasses, on and off ramps, etc., staff does not find the same connection with regard to sign size. If speed and volume are used to determine sign size adjacent to freeways, other G-O property owners could argue that the speed or traffic volume of Van Winkle Expressway or 4500 South justifies additional sign height or size.

The sign code currently allows for attached signage in the G-O zone with 2 square feet of sign area for each lineal foot of building frontage with maximum sign area determined by building size. Depending on the size of the building, attached signage may currently exceed 50 square feet. This additional square footage for attached signage coupled with the allowed detached signs provides adequate signage while buffering residentially zoned properties. The standards of the Code are meant to distinguish the G-O zone from other commercial zones and to provide a transitional standard. The look and impact of signage in the General Office zone should be different than commercial and manufacturing zones because the G-O zone purpose is to be a buffer and transition zone from the residentially zoned areas.

The applicant also references portions of the Murray General Plan related to land use and economic development. The plan indicates that General Office areas should ensure a pleasing environment and the existing signage allowed in G-O zones contributes to the purpose of this zoning designation. Although the economic development sections of the General Plan promote enhancing commercial activity, the existing ordinance allows for multiple signage opportunities on a site and the existing square footage enhances the goal of creating a positive environment for business activity.

FINDINGS AND CONCLUSION

- i. The proposed ordinance amendments are not consistent with the purpose of the General Office zone for a buffer or transition area separating commercial uses from residential areas. Increased

emphasis is given to buffering commercial uses from residential uses, neighborhood compatibility and reduction of the size and height of signs in the General Office zone due to proximity and impact on the adjoining residential properties. The proposal is not consistent with the intent and purpose of this zoning.

- ii. The increase in height and square footage of signs does not contribute to compatibility with residential areas.
- iii. The existing sign code allows adequate signage for G-O zones, while distinguishing the zoning district as a transitional zone buffering residential properties from commercial and industrial properties.

STAFF RECOMMENDATION

Based on the above information and findings, **staff recommends that the Planning Commission forward a recommendation of denial for the proposed text amendments to the Murray City Council for Municipal Code Chapter 17.48.120(A), and 17.48.120(C).**

Application Materials

MURRAY CITY CORP.
received
10/10/12

ZONING AMENDMENT APPLICATION

Type of Application (check all that apply):

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

Subject Property Address: 5650 South Green Street

Parcel Identification (Sidwell) Number: 21-13-176-021-0000

Parcel Area: 1.25 Acres Current Use: Office

Existing Zone: G-O Proposed Zone: N/A

Applicant Name: Harmony Home Health, LLC

Mailing Address: c/o Benson L. Hathaway, Jr., 50 East South Temple, Suite 400

City, State, ZIP: Salt Lake City, UT 84111

Daytime Phone #: (801) 328-3600 Fax #: (801) 321-4893

Business Name (If applicable): Harmony Home Health & Hospice

Property Owner's Name (If different): Harmony Home Health, LLC

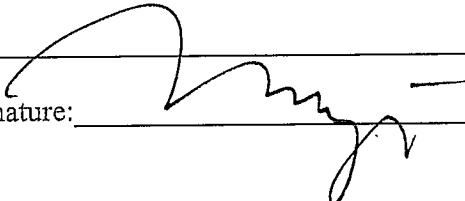
Property Owner's Mailing Address: 5650 South Green Street

City, State, Zip: Murray, UT 84123

Daytime Phone #: (801) 264-2000 Fax #: (801) 281-0775

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

Please see memorandum attached.

Authorized Signature: 

Date: 10/04/12

12-131
MURRAY CITY CORP.
received
10/10/12

KIRTON | McCONKIE

Benson L. Hathaway, Jr.
bhathaway@kmclaw.com
801.321.4835

October 9, 2012

Murray City
Community & Economic Development Department
4646 South 500 West
Murray, UT 84123-3615

**Re: *Harmony Home Health
Application for Zoning Amendment - Text Change
Planning & Zoning Commission Meeting – November 1, 2012***

To Whom It May Concern:

Enclosed is Harmony Home Health, LLC's Zoning Amendment Application with attachments. Please consider this Application for the meeting scheduled on November 1, 2012 at 6:30 p.m., or the next available date at the Commission's convenience. Call me if you have any questions or concerns. Thank you.

Very truly yours,

KIRTON McCONKIE

Benson L. Hathaway, Jr. on behalf of

Benson L. Hathaway, Jr.

BLH:wm
Enclosure
cc: Jody K. Burnett, w/encl.

4836-9615-6686.1

KIRTON | McCONKIE

MEMORANDUM

DATE: October 3, 2012
TO: Murray City Council
FROM: Harmony Home Health & Hospice
SUBJECT: Proposed Text Amendment

Factual Background

Harmony Home Health & Hospice ("Harmony") owns property located at 5650 Green Street (the "Property"). Harmony is a Murray-centered business that has had its national headquarters in Murray for over ten years.

Harmony's Property is a one-story building fronting on Green Street and adjacent to I-15. It is surrounded by larger buildings that all have signage visible from I-15. Just north of the Property is Eagle Gate College, a 3-story building with signage on top that is visible from I-15. Immediately to the south is Siegfried and Jensen, a 4-story building with significant signage on two sides of the top floor oriented toward the freeway. South of the Siegfried building is another 3-story building with Dominion Engineering sign mounted on the top floor facing the freeway. Essentially all other businesses fronting on Green Street sharing the block with Harmony have signs visible to passing traffic on I-15. Those include KFC whose sign is 220 square feet and 50' above Green Street's grade; the Piano Gallery whose sign is 150 square feet and 60' tall; Summerhays Music, 55' tall; Thomasville, 60' tall; and Richland Title.

However, because Harmony's of the Property's current zoning and inconsistencies in the Murray City Code (the "Code"), Harmony is prohibited from constructing a sign that could be viewed from I-15 to capitalize on the significant exposure that a freeway oriented sign provides, which exposure is enjoyed by every other business fronting on Green Street on Harmony's block.

Issue

Harmony desires to build a free standing pole sign which rises 45' above Green Street and which is 14'7" wide x 13'7 ³/₄" tall (204 square feet total sign area). Currently the Property is zoned General Office ("G-O"), which only allows signs that are less than fifty (50) square feet of total sign area. The Code does not contain any exceptions for G-O properties that are freeway adjacent. The Code does, however, provide that in Commercial and Manufacturing zones "properties adjacent to freeways, where the sign is freeway oriented, maximum sign height may

be determined from freeway grade.” Murray City Code 17.48160(A)(3). Harmony proposes amending the Code to allow a similar exception for properties that are zoned G-O and adjacent to the freeway. Please see Attachment 1 for proposed text.

Discussion

I. Standard for a Text Change

Unlike an application for conditional use or variance, in applying for a text change there is no need for showing a hardship and special circumstances unique to the subject property. *Cf.* Murray Code 17.15.50(B) (requirements for variance), and 71.56.60 (requirements for conditional use). Instead what is required is that the proponent demonstrates that the proposed text change “conforms to the intent of the General Plan.” *See* Text Change Application, Attachment 2.

III. The Proposed Text Change Conforms with the General Plan

Approving the proposed text change would further the goals of the General Plan. For example, the text change would (1) strengthen the City’s medical related commercial activity, (2) increase the utilization of land in Murray City, (3) increase the number of consumers of Murray City businesses, (4) preserve and protect the quality of life for viable residential neighborhoods by minimizing interference with aesthetic views, and (5) retain businesses within Murray City. *See* General Plan, p. 2-7 and 8-4, annexed hereto as Attachment 3.

Harmony’s property is the only G-O zoned property in Murray City likely to be affected by the text change. A review of the Murray City zoning plat map indicates that the only properties in Murray City zoned as G-O that are freeway adjacent, where freeway oriented signs could possibly be desired are (1) Harmony’s property; (2) the property immediately north and south of Harmony’s property along Green Street; and (3), the property adjacent to I-15 lying between Vine Street and 5300 South, where the Stevens Heneger building stands. *See* Murray City zoning plat map annexed hereto as Attachment 4. All other G-O property in Murray adjacent to the freeway borders I-215 and is elevated far above the freeway elevation. Hence, the added height language would be inapposite. The properties immediately north and south of Harmony’s property along Green Street are improved with multi-story buildings already bearing freeway oriented signs of the businesses they house. Similarly, the Stevens Heneger building is a multi-story building upon which its freeway oriented signage is already mounted. In short, the proposed text will not encourage further signage there or open the flood gates for other signs on other G-O zoned property in Murray City.

Moreover, the sign Harmony desires to erect under the new text is less visually invasive than other options currently open to Harmony under the Code as written. Under the existing Code, Harmony would not be prohibited from adding on multiple stories and affixing a sign to its building, like many of its neighbors have already done. However, the proposed sign will in fact preserve and protect the quality of life for Murray’s viable residential neighborhoods as it minimizes interference with the neighborhood’s view of Mount Olympus and the Wasatch Mountains. Ironically, under the G-O zoning ordinance as written, Harmony is not allowed to erect a sign that would only minimally affect the aesthetics of view from surrounding neighborhoods. *See* Photos annexed as Attachment 5. This inconsistent and unintended operation of the current ordinance in these circumstances, can be remedied by adding to section

17.28.1209(C), language similar to that already included in Murray City Code 17.48.160(A)(3) allowing maximum sign height to be determined from freeway grade for freeway oriented signs.

Conclusion

The proposed text changes advance the goals of the General Plan without imposing or frustrating any of its purposes. Harmony respectfully requests that the Council incorporate the proposed text change.

ATTACHMENT 1

ATTACHMENT 1

Proposed Text Change:

Harmony proposes that Murray City Code 17.48.120(C) be modified to read as follows:

Maximum sign height allowed is fifteen feet (15 feet) from sidewalk grade to the top of the sign. On property adjacent to freeways, where the sign is freeway oriented, the maximum sign height may be determined from a freeway grade.

Harmony suggests that Murray City Code 17.48.120(A) be amended to read in full:

A detached on premise sign for each developed parcel not exceeding one-half (1/2) square foot of sign area for each linear foot of street frontage, may not exceed fifty (50) square feet of total sign area. On property adjacent to freeways, where the sign is freeway oriented, a detached on premise sign may not exceed one and one-half (1 1/2) square feet of sign area for each linear foot of street frontage, provided no sign may exceed three hundred (300) square feet of total sign area.

ATTACHMENT 2

ZONING AMENDMENT APPLICATION

Type of Application (check all that apply):

☐ Zoning Map Amendment

☒ Text Amendment

☒ Complies with General Plan

☒ Yes ☐ No

Subject Property Address: 5650 South Green Street

Parcel Identification (Sidwell) Number: 21-13-176-021-0000

Parcel Area: 1.25 Acres Current Use: Office

Existing Zone: G-O Proposed Zone: N/A

Applicant Name: Harmony Home Health, LLC

Mailing Address: c/o Benson L. Hathaway, Jr., 50 East South Temple, Suite 400

City, State, ZIP: Salt Lake City, UT 84111

Daytime Phone #: (801) 328-3600 Fax #: (801) 321-4893

Business Name (If applicable): Harmony Home Health & Hospice

Property Owner's Name (If different): Harmony Home Health, LLC

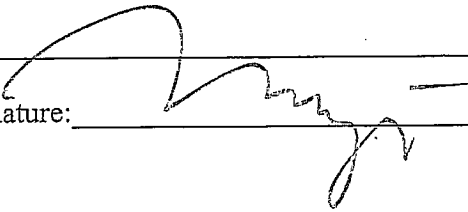
Property Owner's Mailing Address: 5650 South Green Street

City, State, Zip: Murray, UT 84123

Daytime Phone #: (801) 264-2000 Fax #: (801) 281-0775

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

Please see memorandum attached.

Authorized Signature: 

Date: 10/04/12

Property Owners Affidavit

I (we) Dennis Stong, COO of Harmony Home Health, LLC, 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.

Dennis Stong
Owner's Signature

Owner's Signature (co-owner if any)

Subscribed and sworn to before me this _____ day of _____, 20____

Notary Public

Residing in _____

My commission expires: _____

Agent Authorization

I (we), Dennis Stong, COO of Harmony Home Health, LLC, the owner(s) of the real property located at
5650 South Green Street, in Murray City, Utah, do hereby appoint

Benson L. Hathaway, Jr., as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize

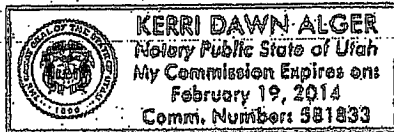
Benson L. Hathaway, Jr. to appear on my (our) behalf before any City board or commission considering this application.

Dennis Stong
Owner's Signature

Owner's Signature (co-owner if any)

On the 5th day of October, 2012, personally appeared before me

Dennis Stong the signer(s) of the above Agent Authorization who duly acknowledge to me that they executed the same.



Kerri Dawn Alger
Notary Public

Residing in Utah

My commission expires: 2-19-14

ATTACHMENT 3

2 Land Use

Introduction and Background

This chapter provides land use policy direction and guidance to decision-makers as they address future land use changes. The chapter begins with a documentation of existing land use and zoning conditions, continues with a summary analysis in relation to key issues identified during the planning process, and concludes with proposed land uses and corresponding zoning modifications which support the future land use direction.

Identified Land Use Issues

Early in the planning process, Murray residents and members of the Plan Management Committee identified several key issues related to land use. This input, in combination with a review of existing data and on-site field investigations, helped organize the land use planning direction. Some of the key issues which emerged as the result of this input are summarized below:

- There is a need to preserve, protect and enhance established residential neighborhoods;
- The future land use profile should support a better balance between various uses, i.e. residential, commercial, industrial;
- Land use modifications are necessary to create better transitions between incompatible land uses;
- Zoning changes should be made that support a comprehensive land use vision;
- Future land use decisions should maximize limited development opportunities in a community that is approaching build-out;
- Land use modifications should be made to help preserve open space, enhance neighborhood development, support pedestrian connections, and provide for a better mix of uses; and
- Land use decisions should be integrated with transportation needs in order to create a functional and balanced community.

Existing Land Use

Murray is home to a wide mix of residential, commercial and industrial areas, and numerous support services such as schools, offices, medical facilities, parks and open spaces. In an effort to verify existing land uses and to help clarify known conflict areas in the City, a limited "windshield" survey was conducted. Key parcels were visually inspected, crosschecked with aerial photographs and other mapped data, designated on field maps, and updated. To summarize, Murray City contains slightly less than 7,600 acres of land, including all roads, rail reserves and other transportation corridors. Table 2-1 provides a breakdown of the various land uses and the approximate number of acres allocated to each. Map 2-1 illustrates the distribution of existing land uses. A general summary of each land use category is provided below.

Residential

Residential uses are the primary land use in Murray City, representing more than forty percent of all land uses. The overwhelming bulk of residential uses are located in large, well-designed and stable neighborhoods. As described in more detail below, residential land uses encompass a range of densities, home types, and neighborhood patterns and conditions.

Residential Single Family – Low Density

Low-density single family homes represent the largest single land use in Murray, accounting for nearly one third of all land in the City. Most of the homes in these areas are clustered within well-defined, contiguous neighborhoods spread throughout the community. The remaining residential uses are small groupings and individual homes scattered within non-residential precincts, commercial and industrial in particular. Most low-density single-family homes are located on lots that range from 6,000 to 10,000 square feet. The majority of these homes are relatively new, although there are pockets of older, low-density homes located throughout much of the city.

Residential Single Family – Medium Density

Accounting for just over two-percent of the total land area, this group includes smaller homes located on lots 6,000 square feet or less. Scattered throughout the City, medium density single family homes encompass a range of new and old structures, and include two mobile home parks.

Residential Multiple Family – Low Density

Accounting for just over two-percent of the total land in Murray, this class encompasses more than a dozen low-density garden court projects as part of small and large planned unit developments. Nearly all of these housing types are located east of State Street, and most projects are well maintained and well-landscaped.

Residential Multiple Family – Medium Density

This group is also typified by planned unit developments, with taller walk-up structures and greater density structures most dominant. Accounting for three-percent of the total land area, medium density multi-family units are well represented in most of the residential neighborhoods. Most sites tend to be located near major roads such as Murray Boulevard, 5600 South and 700 East, and include private open space, park and recreation amenities.

Residential Multiple Family – High Density

Accounting for one-percent of the total land area, this category encompasses higher-density and taller condominium and apartment projects. In contrast to the low and medium density multiple family uses, these projects tend to have minimal open space amenities.

Table 2-1
Existing Land Use

Land Use Category	Acres	Percent of Total Acres
Residential Single Family – Low Density	2480.5	32.8
Residential Single Family – Medium Density	197.9	2.6
Residential Multiple Family – Low Density	159.5	2.1
Residential Multiple Family – Medium Density	232.5	3.1
Residential Multiple Family – High Density	76.1	1.0
Civic and Institutional	321.6	4.5
Commercial	601.5	7.9
Office	208.7	2.8
Industrial	482.6	6.4
Parks and Open Space	661.5	8.7
Cemetery	20.8	0.2
Transportation and Utility	44.4	0.6
Vacant and Agricultural	427.9	5.2
Waterway	72.0	1.0
Transportation Corridors (street and railway rights-of-way)	1581.1	20.9
TOTAL LAND AREA	7568.6	100.0

Civic and Institutional

Civic and institutional uses include schools, churches, Cottonwood Hospital, Murray City Hall, fire stations, police facilities and other public offices and facilities. Nearly five percent of Murray's land area is in institutional use, the largest single use being Cottonwood Hospital.

Commercial

Almost eight-percent of the total land in Murray is commercial. Much of the commercial development is located along State Street, at three nodes along 900 East, and along 4500 South west of Interstate 15.

State Street commercial areas provide some local services, but function mainly as regional retail shopping for people outside of the community. Some key State Street commercial uses include Fashion Place Mall, various car dealerships, and the new Costco/Eagle Point retail centers at 5300 South. The 900 East commercial nodes also focus on regional shopping needs, but also include neighborhood uses such as supermarkets and specialty stores. With the exception of Fashion Place Mall, most commercial uses are single-story structures. The scale of commercial operations range from small shops to large "big box" buildings.

Office

Accounting for nearly three-percent of the total land in the City, offices are concentrated around Interstate 15 at 5300 South. Smaller areas are found along the State Street and 900 East commercial areas, along 4500 South east of State Street, and along the south edge of Winchester Street between State Street and 900 East. The majority of office uses are smaller and lower in height, although some taller structures are also evident.

Industrial

Industrial uses account for more than six-percent of the total land. Most industrial uses are centered in a broad corridor between Interstate 15 and the TRAX rail line, with another large grouping located west of Interstate 15 between 4800 South and the north city limits. Murray's industries tend to represent a broad range of uses, including older production facilities, newer storage uses, some modern manufacturing and assembly stations, and industrial/office combinations.

The original smelters, mills and other heavy industries that typified Murray's industrial base have been replaced and/or redeveloped with service-type industries or other uses during the past several decades. Many of the original industrial sites have only been partially redeveloped, and include substantial portions of underutilized and vacant land, and dilapidated buildings.

Parks and Open Space

Representing nearly nine-percent of the total land in Murray is a well-developed system of parks and open space. Dominated by the Jordan River Parkway at the western fringe of the city and Murray Park in the center, other key park and open spaces are Mick Riley Golf Course, Murray Parkway Golf Course, numerous neighborhood and local parks, and an open, contiguous power corridor near the west edge of the city.

Cemetery

At just over 20 acres, Murray City Cemetery is a public facility. It is the only cemetery in Murray City.

Transportation and Utility

Accounting for less than one-percent of the total land area in Murray, this category includes three light rail/TRAX stations, the Murray Power generation plant, electrical substations, public maintenance facilities, and a large satellite dish/microwave tower station.

Vacant Land and Agricultural

This category accounts for nearly six-percent of land in the City. Key vacant uses include the former ASARCO Smelter site west of State Street and 5300 South (currently being redeveloped with the IHC Regional Medical Center and Costco), a large swath of land straddling the Union Pacific rail line from 4500 South north to the city limits (slated for transit-oriented redevelopment as part of the Murray North TRAX Station neighborhood), and a large piece of land adjacent to a mobile home park at 700 West and Winchester Street.

Agricultural parcels are scattered throughout the area, particularly within residential neighborhoods, and along the banks of the Jordan River, Big Cottonwood Creek and Little Cottonwood Creek. Most agricultural sites are remnants from earlier times when the area was agricultural in nature, and currently serve only marginal agricultural purposes. Nearly all include a home or home on lots ranging from less than one-half acre to nearly five acres. Many of the largest agricultural holdings are located near fertile soil areas adjacent to the Jordan River.

Waterways

The three waterways in Murray are the Jordan River, Big Cottonwood Creek and Little Cottonwood Creek. The Jordan River includes large tracts of designated open space in the southern and central reaches that form the Jordan River Parkway. In contrast, Big Cottonwood Creek and Little Cottonwood Creek are limited to narrow creek beds, and in most locations are not officially designated as open space or waterway corridors, particularly when passing through and between private properties.

Transportation Corridors

Accounting for more than one-fifth of the total land area, this category includes all public road and rail reserves within the City. Key transportation corridors include Interstate 15, Interstate 215, and the Denver and the Rio Grande/UTA TRAX line.

Existing Zoning

There are seventeen zoning classifications in place in Murray City – one agricultural, ten residential, three commercial, one industrial, an open space zone, and one hospital zone. Map 2-2 illustrates the distribution of zoning districts, and Table 2-2 lists the percentage of land covered by each zone. A short description of the general intent and uses allowed in each zone is presented in the following text.

Agricultural Zone

The purpose of the agricultural zone is to encourage and maintain agricultural uses and open spaces. This zone is intended to include activities associated with light agricultural uses, while allowing single family dwellings and parks. The minimum lot area for agricultural uses is one acre.

Residential Zones

There are ten Residential Zones, which together account for more than half of the total acreage in the city. Most of the residential zones encourage single-family dwellings on relatively large lots (6,000 to more than 20,000 square feet). However, all zones except the residential mobile home zone allow planned unit developments or dwellings groups as a conditional use. The planned unit development (PUD) zone allows for clustering of buildings and mixed use. In addition, developers can obtain density bonuses in multiple-family residential zones through a conditional use permit by meeting criteria set forth in the Murray City Zoning Ordinance for urban design/neighborhood compatibility, energy efficiency, structure design, landscaping, building materials, and parking facilities. In addition, residential uses are allowed in all zones as part of mixed use developments. Table 2-3 describes the general purpose and lot requirements for each residential zone.

Table 2-2
Existing Zoning

Zoning Category	Percent of Total Land Area
A-1 Agricultural	7.0
R-1-6 Single Family Low Density Residential	2.3
R-1-8 Single Family Low Density Residential	39.6
R-1-10 Single Family Low Density Residential	4.1
R-1-12 Single Family Low Density Residential	0.2
R-M-10 Multiple Family Medium Density Residential	4.0
R-M-15 Multiple Family Medium Density Residential	2.4
R-M-20 Multiple Family High Density Residential	0.8
R-M-25 Multiple Family High Density Residential	0.0 ¹
R-M-H Mobile Home Residential	1.3
C-N-C Commercial Neighborhood Conditional	0.7
C-D-C Commercial Development Conditional	13.5
G-O General Office	2.9
M-G-C Manufacturing General Conditional	15.1
O-S Outdoor Space	5.7
H Hospital	0.4
Total	100.00

Commercial Zones

The Commercial Development Conditional Zone (C-D-C) accommodates businesses, commercial, entertainment, and other related activities that serve the community and surrounding areas. Uses allowed in this zone are intended as part of local and regional shopping centers. Most retail, commercial, office, and entertainment uses are permitted in this zone, or are permitted as conditional uses.

¹ The R-M-25 Zone was established during the planning period, accounting for the absence of corresponding zoned land.

Table 2-3
Existing Zoning: General Description of Residential Zones

Residential Zone	Lot Size	Purpose
R-1-6	6,000 sq. ft. min.	Single-family medium density residential. Intended to provide varied housing style and character. PUD as conditional use.
R-1-8	8,000 sq. ft. min.	Single-family low density residential. Intended to encourage and promote family environment. PUD as conditional use.
R-1-10	10,000 sq. ft. min.	Single-family low density residential. Intended to encourage and promote family environment. PUD as conditional use.
R-1-12	12,000 sq. ft. min.	Single-family low density residential. Intended to encourage and promote family environment. PUD as conditional use.
R-1-14	14,000 sq. ft. min.	Single-family low density residential. Intended to encourage and promote family environment. PUD as conditional use.
R-1-20	20,000 sq. ft. min.	Single-family low density residential. Intended to encourage and promote family environment. PUD as conditional use.
R-M-10	8,000 sq. ft. min. for one unit; 11,000 sq. ft. min. for 2 units; more than 2 units at rate of 7 units per acre	Multiple-family low density residential. Intended to allow opportunity for varied housing styles and character. PUD as conditional use.
R-M-15	8,000 sq. ft. min. for one unit; 10,000 sq. ft. min. for 2 units; more than 2 units at rate of 12 units per acre	Multiple-family medium density residential. Intended to allow opportunity for varied housing styles and character. PUD as conditional use.
R-M-20	8,000 sq. ft. min. for one unit; 10,000 sq. ft. min. for 2 units; more than 2 units at 17 units per acre	Multiple-family high density residential. Intended to allow opportunity for varied housing styles and character. PUD as conditional use.
R-M-25	8,000 sq. ft. min. for one unit; 10,000 sq. ft. min. for 2 units; more than 2 units at 22 units per acre	Multiple-family high density residential. Intended to allow opportunity for varied housing styles and character. PUD as conditional use.
R-M-H	6,000 sq. ft. min. for one unit; 10 acres min. for any mobile home development	Residential mobile home zone. Intended to provide residential environment that accommodates mobile homes and is characterized by attractively landscaped mobile homes and modular units with amenities comparable to any other residential development. Intended to assure high degree of compatibility with adjacent residential development. Must be developed under one plan.

The **Commercial Neighborhood Conditional Zone (C-N-C)** is essentially a neighborhood commercial zone that allows commercial and service uses for surrounding neighborhoods, usually within a convenient walking distance. This district makes up 0.6 percent of the total land area. Permitted uses include shops for electrical supplies; hardware; variety stores; food; apparel and accessories; furniture; electronics; office equipment and supplies; eating places; book stores; sporting goods; garden supplies; banking; dry cleaning; beauty and barber services; massage therapy; locksmiths; and postal services, among others. The regulations for this zone ensure that uses fit with the surrounding neighborhood scale and character, and that facilities will meet the needs of users. Some conditional uses that can be considered in this zone include department stores, libraries, day nurseries, libraries, and gas stations.

The **General Office Zone (G-O)** is intended to allow a wide variety of office uses in an attractive environment. This zone places significant emphasis on the physical quality of facilities to ensure a pleasing environment and achieve compatibility with the surrounding neighborhood. Uses allowed in this zone include pharmacies, optical shops, professional services, business services, governmental services, and miscellaneous service organizations. Conditional uses that may be allowed in this zone include restaurants, portrait photography; nursery, primary, and secondary education uses; day nurseries; universities, colleges, junior colleges and professional school education facilities.

Industrial Zone

The **Manufacturing General Conditional Zone (M-G-C)** covers areas where light industrial applications are desired. This zone imposes regulations that ensure the safety and quality of the environment within the district and surrounding areas. Some permitted uses in this zone include food preparation, furniture manufacture, wholesale trade, repair services, and veterinarian and animal hospital services. Conditional uses include meat packing and processing; grain mills, millwork, paper product manufacture; aircraft and motor vehicle parts and accessories, transit stations and maintenance yards, power plants, waste facilities, petroleum pump stations, fairgrounds and amusement parks, and sport activities.

Open Space Zone

The **Outdoor Space Zone (O-S)** is intended to accommodate and protect open space resources for the public good and prevent encroachment from incompatible uses. Permitted uses in this zone include governmental services, sport activities, playgrounds and athletic areas, swimming areas, boat rentals and boat access sites, sport fishing sites, picnicking areas and parks. Conditional uses can include cemeteries, educational and cultural activities, amphitheaters, sports assembly, public assembly, fairgrounds, riding academies and recreation uses.

Hospital Zone

The **Hospital Zone (H)** is intended to accommodate hospitals and related medical facilities in a way that blends harmoniously with the surrounding neighborhood and uses. Special attention to site layout and design is required in order to minimize impacts on surrounding residential areas. Allowed uses include medical and other health services. Conditional uses that maybe allowed include heliport pads, communication facilities, protective functions and related activities, and day nurseries.

Land Use and Zoning Analysis

Over the years Murray has been transformed from a lightly populated agricultural settlement into a sophisticated urban community. According to the policies and visions of the day, vacant land has been slowly converted into properties occupied by homes, factories and schools. In most cases the decisions made have resulted in a harmonious community, while in others the outcome has been less positive, resulting in areas of incompatibility and conflicting land use patterns.

The need for better transitions between land uses was one of the main concerns expressed by the public and others during the early stages of this planning process. Finding ways to deal with established land use problems is one the primary goals of this Plan. As described below and detailed in Appendix B, three key relationships were investigated to help develop a rational approach for improving future land use relationships in Murray City.

Vacant Land and Under-utilized Land Analysis

Key vacant and underutilized sites were investigated to determine possible areas for future commercial redevelopment and intensification. To summarize, the most significant vacant and underutilized parcels are concentrated in commercial and industrial areas near the three TRAX stations and the Interstate freeway system. Smaller concentrations are situated near Fashion Place Mall, and within and around the Neighborhood Commercial area centered at 900 East and 5600 South.

Land Use and Zoning Conflict Analysis

There are several areas in Murray where existing zoning does not match the intended land use, and vice versa. Parcels zoned for residential uses but are occupied by non-residential uses generally indicate the presence of a non-conforming use within a residential neighborhood. There are relatively few instances of this type of conflict, the few examples tending to be located on the edges of residential neighborhoods. Areas where non-conforming uses occur have for the most part been mitigated to reduce the negative effects to adjacent residences.

A land use/zoning conflict that is of greater concern occurs where residential uses are located in areas zoned for non-residential uses. Also tending to occur at the edge of established residential neighborhoods, this pattern typifies residential precincts that have been rezoned for higher uses and are awaiting redevelopment. In these cases, the existing residential uses are placed in a "holding pattern" awaiting transformation, while investment and basic maintenance is curtailed, resulting in a deteriorated neighborhood condition. Left unchecked, the declining environment often spreads to the adjacent neighborhoods, reducing confidence in the future of their neighborhood. In some cases deteriorated neighborhood conditions lead to additional requests for zoning changes, and progressive neighborhood deterioration.

"Hot Spot" Analysis

A number of areas experiencing land use and zoning problems identified early in the planning process were investigated in detail. Encompassing individual sites, entire neighborhoods, and segments of roads and transportation nodes, these areas present particular challenges to the growth and development. Called "Hot Spots", these sites include areas such as (1) Winchester Street; (2) 900 East; (3) State Street, (4) the Fashion Place Mall/Cottonwood Hospital area; (5) the Intermountain Health Care Regional Medical Center/Costco area, (6) the Commerce Drive area, and (7) the three Murray TRAX Station sites.

Summary Analysis

Areas with poor land use relationships and transitions are of great concern to the community. Identified problem areas will require substantial change and modification in order to stabilize and improve. There is a need to coordinate and rationalize land use and zoning in a manner that meets the long-term goals of the community. Since Murray is nearly built-out, vacant land is at a premium.

The development of vacant and underutilized parcels should be encouraged and carefully considered to ensure that the long-term needs of the community are addressed as individual land use decisions are made. Zoning modifications are necessary to ensure that the long-term planning vision for Murray City is met, and that neighborhood stability is achieved.

Land Use Concept

As illustrated in Map 2-3 and described below, the Land Use Concept illustrates the future land use vision for Murray City, and highlights some of the general modifications necessary for improving existing land use relationships.

To summarize, the Land Use Concept alters existing land use profiles and current directions of growth, particularly in the commercial core of Murray City, and along the edges of existing residential neighborhoods. The concept embraces Murray as an emerging regional power, where additional economic and land use development is desired, but land resources are limited.

In order to maximize the use of limited land resources, new and concentrated commercial and mixed uses are proposed within the Commercial Core between State Street and Interstate 15, taking good advantage of nearby "critical mass" projects such as the IHC Regional Medical Center/Costco and Eagle Point shopping center. The Land Use Concept takes advantage of enviable transportation infrastructure (I-15, 1-215, TRAX, regional rail and Cottonwood Street) and the limited availability of vacant or "greenfield" land.

As the Commercial Core is redeveloped and concentrated, Murray's residential neighborhoods should be strengthened and protected. Future development should respect established neighborhoods, and avoid neighborhood fragmentation and land use incompatibility, particularly along the edges of existing residential neighborhoods.

The Planning Concept acknowledges a need to make changes and compromises, but not in an all-encompassing fashion. Change should be carefully implemented, with appropriate tools applied on a case-by-case basis. Land use transitions, architectural controls, design guidelines and mixed-use development patterns are key mechanisms for meeting this goal.

Future Land Use

Murray City's Future Land Use is illustrated in Map 2-4 and summarized in Table 2-4. This presents an idealized "snapshot" of the city at a future date, and indicates the location and extent of land use modifications necessary to achieve the Land Use Concept illustrated in Map 2-3.

As detailed in the text that follows, one land use category has been eliminated and three land use categories added to meet the Future Land Use vision of Murray City.

Eliminated Land Use Category

Vacant and Agricultural

This Murray General Plan assumes that all land will eventually be utilized for one purpose or another, thus no undesignated or vacant land is indicated. It is also assumed that agricultural uses will eventually be phased out and replaced with other land uses as the city reaches build out.

New Land Use Categories

Mixed Use

The Mixed Use category encourages and supports the development and redevelopment of Murray's Core Areas into live/work neighborhood. These neighborhoods should fit in with existing commercial, light industrial and residential uses, and take advantage of TRAX stations and transportation infrastructure.

Table 2-4
Future Land Use

Land Use Category	Acres	Percent of Total Acres	Percent Change from 2002 Existing Land Use
Residential Single Family – Low Density	2429.1	32.1	-1%
Residential Single Family – Medium Density	235.6	3.1	+19%
Residential Multiple Family – Low Density	150.3	2.0	-7%
Residential Multiple Family – Medium Density	235.7	3.1	+1%
Residential Multiple Family – High Density	91.4	1.2	+20%
Mixed Use	435.2	5.8	New Category
Residential Business	54.2	0.7	New Category
Civic and Institutional	258.4	3.4	-20%
Commercial	622.6	8.2	+4%
Office	274.1	3.6	+31%
Industrial	315.4	4.2	-35%
Medical	72.6	1.0	New Category
Parks and Open Space	711.8	9.4	+8%
Cemetery	20.8	0.3	no change
Transportation and Utility	42.7	0.6	-4%
Transportation Corridor	1558.8	20.6	-1%
Waterway	59.9	0.7	-17%
Total Area	7568.6	100.00	-

Mixed Use neighborhoods are places where the line between business and residential uses are purposely blurred. Mixed Use areas support a broad range of residential, commercial, recreational, entertainment, office, and civic uses within single buildings (vertical mix use), or within a neighborhood (horizontal mixed use). Mixed Use development patterns are encouraged as part of Transit-Oriented Development (TOD) projects and other special districts (Historic Downtown and neighborhood commercial centers, for example).

The specific configurations, densities, heights and other details of Mixed Use developments should be approved as part of the project design and approval process utilizing zoning rules, design guidelines and standards, yet to be determined

Residential Business

The Residential Business category is also a type of mixed-use category, supporting low-scale, low-intensity commercial and business operations as transitions to adjacent residential neighborhoods.

Residential Business developments should (1) be low in scale and intensity, (2) share design characteristics with nearby residential uses, (3) provide a good neighborhood "fit" and (4) exude a distinct residential character.

Where possible, existing homes should be preserved and converted as part of Residential Business developments. Where this is not possible, or where existing structures and site conditions are prohibitive, two or more lots can be consolidated to meet the intent of this land use type. The number of curb cuts

providing vehicular access to Residential Business sites should be minimized, and parking consolidated where possible.

The specific configurations, densities, heights and other details of Residential Business developments should be approved as part of the project approval process utilizing zoning rules, design guidelines and standards, yet to be determined

Medical

The proposed IHC Regional Medical Center site has been designated as a distinct land use category.

Other Future Land Use Changes

The following describes other key land use changes envisioned for Murray City. The implementation of these changes will require time, perseverance and clear vision on the part of those charged with implementing this plan.

- The residential mix will increase slightly, primarily the result of medium-density single-family infill development on vacant and agricultural land, and as part of mixed-use projects.
- Civic and community land will decrease substantially, primarily the result of reclassifying particular uses as part of other categories.
- The amount of commercial land will increase slightly, the result of infill development on vacant land, and land changes within the central core area.
- Office uses will increase, primarily along key transit ways and within the core commercial area.
- The amount of land dedicated to parks, open space and trails will increase somewhat. This is due to (1) the designation of continuous open space corridors along the Jordan River, Big and Little Cottonwood Creeks and other open space corridors; (2) official designation of all parks as a specific land use category²; and (3) the introduction of a limited number of new community and local parks (see Chapter 6 for details.)
- "Drawing a line" around existing commercial precincts to protect adjacent residential areas. New land uses at the perimeter of existing residential areas should help stabilize existing neighborhoods and support the creation of a quality residential environment.
- Creating large mixed-use districts in the city core to accommodate a range of commercial and residential uses. Mixed-use development will also support redevelopment and densification, maximize the advantage supplied by TRAX and commuter rail proximities, and help create a more diverse and responsive core district.
- Encouraging mixed-use development in the Historic Downtown area to help stabilize the unique neighborhood profile and increase 24-hour activity in the area. Land uses in adjacent residential areas should also be stabilized to support the historic nature of the area, and the Historic Residential Area east of Historic Downtown should support mixed uses.
- The civic/institutional land use profile around City Hall is maintained, with city hall remaining in its present location as a landmark institution. The former county fair grounds and southern portion of Murray Park should continue to redevelop into a site for major civic, cultural and recreational uses, with park and visitor uses such as hotels further to the south.
- The IHC Regional Medical Center site should take advantage of Little Cottonwood Creek as a usable and aesthetic parkway. Hospital buildings and service areas should be designed and sited to provide a continuous, pleasant and generous pedestrian passage through the site from the north,

south, east and west, particularly to accommodate pedestrian movement between Historic Downtown and Murray Central TRAX Station.

- **Mixed used development** should be encouraged around the IHC site and Historic Downtown to help create a more thriving city center and entertainment district, and to provide downtown housing options.
- Current efforts to transform Historic Downtown into a cultural center should continue, but not necessarily as a major source of tax revenue. The fine-grain streets, historic character, existing entertainment uses and unique State Street setting should be maintained in a effort to make Historic Downtown a unique, pedestrian-oriented cultural destination.
- **Land use changes** along Big and Little Cottonwood Creeks and the Jordan River should be implemented. The result should be an interconnected and meaningful open space system.
- Existing uses along State Street should be cleaned up and beautified.
- State Street auto dealerships should be encouraged to maintain operations at existing locations and within existing commercial boundaries.
- State Street should be enhanced to become the main connector between hospital and medical uses, auto dealerships, and Fashion Place Mall. New entertainment and office uses should be encouraged throughout the State Street area.
- State Street north of 4800 South should be redeveloped as part of the Historic Downtown mixed use neighborhood.
- Cottonwood Street should be developed with land uses that are compatible with adjacent and nearby residential, Transit-Oriented Development (TOD) and mixed-use areas. This corridor could be the site for smaller start-up business and incubator space.
- 900 East is changing, and will require additional analysis. Additional design investigations should evaluate the conversion of 900 East corridor into a parkway that links Wheeler Farm, residential and business uses with important community gateway locations.
- The corner property south of Wheeler Farm should retain a strong open space presence that supports the park.
- Winchester Street should be developed into a green parkway, linking Wheeler Farm in the east with Jordan River Parkway to the west.
- 4500 South from 700 West to State Street should be transformed into a major commercial corridor. Redevelopment should maximize the advantage of nearby freeway access points and scheduled roadway improvements.
- Transportation improvements should be focused in the central core area, west of State Street and east of I-15. Improvements to east-west running streets east of State Street should be a second priority, and should not conflict with the established character of the residential neighborhoods.

Corresponding Zoning Changes

The zoning changes required to achieve the future land uses described above are illustrated in Map 2-5.

Goals and Policies

Goal: To bring the Murray City Zoning Ordinance into conformance with the updated 2003 General Plan.

Policy: To rewrite the Murray Zoning Ordinance to achieve a more workable and current ordinance that supports the General Plan.

Implementation Measure: Modify the Official Zoning Map to reflect the zoning changes illustrated in Map 2-4 (Future Land Use) and Map 2-5 (Proposed Zoning Changes).

² At present, most, but not all, parks are classified as residential land uses.

Implementation Measure: Modify the Official Land Use Plan to reflect the changes illustrated in Map 2-4 (Future Land Use).

Implementation Measure: Rezone currently zoned Agricultural land to a more appropriate zone according to the Future Land Use Map, and transition the Agricultural Zone out.

Implementation Measure: Ensure that all public parks, utility rights-of-ways used for trails and recreational purposes, buffers, golf courses, and other open spaces are designated as open space. Rezone all open space uses accordingly.

Implementation Measure: Create a mixed-use development zone in which a mixture of residential, commercial, recreational, entertainment, office, and civic uses is encouraged and supported. Architectural and site development standards should be developed and strictly enforced. Rezone all Mixed Use Areas accordingly.

Implementation Measure: Establish new and revised commercial zoning classifications that accomplish transit-oriented development, Historic Downtown development standards, Medical campus and mixed use opportunities such as those referred to in Maps 2-4 to 2-7.

Implementation Measure: Do not allow new commercial development in transitional areas adjacent to residential neighborhoods.

Goal: To preserve and protect the quality of life for viable residential neighborhoods. (Also see Chapter 3 – Urban Design)

Policy: Establish, enhance and maintain appropriate transitions, buffers, and screens to protect residential neighborhoods from encroachment by inappropriate commercial, industrial, and other uses that have incompatible characteristics.

Implementation Measure: Identify existing residential neighborhood edges that require stabilization.

Implementation Measure: Require buffers, screens, and transitional uses in the zoning and development ordinance and develop a palette of possible treatments as examples for implementation.

Implementation Measure: Enhance the image of residential streets where necessary with street trees, pedestrian-scale lighting, and other street furnishings.

Implementation Measure: In order to retain a strong open space presence, require additional site review for development of the vacant corner property south of Wheeler Farm.

Policy: Ensure that public health and safety is addressed as the City develops and changes.

Implementation Measure: Locate sites for all necessary public facilities, including a new east-side fire station.

Goal: Stimulate redevelopment of deteriorating and threatened areas of the city.

Policy: To identify areas where redevelopment will most benefit the city and where market driven redevelopment is most appropriate.

Implementation Measure: Establish site development and design guidelines to ensure quality development that is consistent with the Murray City General Plan.

Implementation Measure: Develop partnerships for both RDA and market-driven projects to maximize the benefit to the community.

Goal: Master Plan around transit oriented development opportunities.

Policy: Continue on-going communications with Utah Transit Authority concerning the three existing TRAX stations and the development of a commuter rail station in Murray.

Implementation Measure: Define Transit Oriented Development (TOD) districts.

Implementation Measure: Coordinate with UTA and WFRC in the development of a plan for the commuter rail station.

Implementation Measure: Prepare a detailed study for the proposed commuter rail station.

8 Economic Development

The Economic Development Element evaluates the current economic activity in the City and makes recommendations for future economic development initiatives.

Existing Conditions

Revenue Sources

Murray City's 2001 budget generated revenues of \$24,069,690. The income from sales tax was by far the largest source of revenues for the City. Sales tax accounted for more than half (51.9 percent) of the general fund revenues. Property taxes also made up a substantial part of Murray's income at 13 percent (see Figure 8-1).

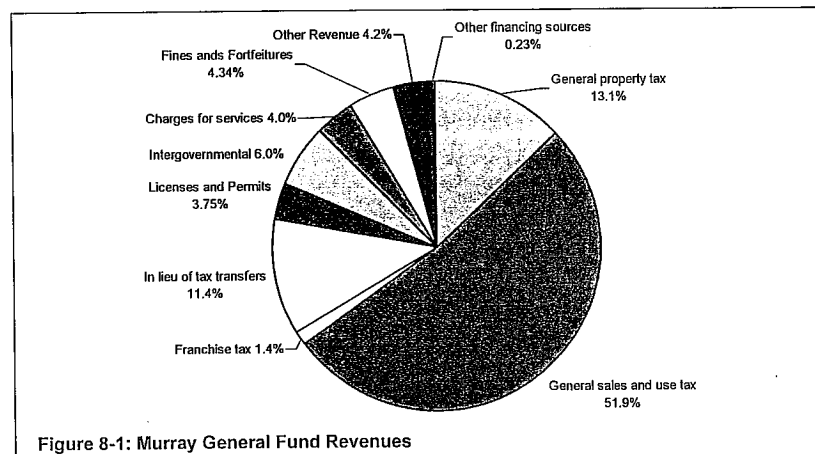


Figure 8-1: Murray General Fund Revenues

Property Tax Base

The majority of Murray's property tax revenue comes from residential property followed by retail and office property. Retail and office properties make up a total of 18.9 percent of the total market value for Murray but this greatly increases to 28.4 percent of the total taxable value. This is a result of nearly all residential property owners only being taxed on 55 percent of their property's value.

Table 8-1
Property Values and Acreage by type

	MARKET VALUE		TAXABLE VALUE		AREA	
	Amount	% of total	Amount	% of total	Acres	% of total
Residential	\$2,040,067,700	60.3%	\$1,113,994,845	50.9%	269,164	50.1%
Industrial	139,952,900	4.1%	135,570,643	6.2%	23,756	4.4%
Commercial	184,929,300	5.5%	141,874,403	6.5%	37,075	6.9%
Retail	341,418,800	10.1%	333,605,005	15.2%	32,669	6.1%
Office	296,921,320	8.8%	288,949,983	13.2%	17,859	3.3%
Warehouse	98,186,120	2.9%	96,796,601	4.4%	20,918	3.9%
Vacant Residential	21,962,310	0.6%	13,245,101	0.6%	23,282	4.3%
Vacant Commercial	41,121,650	1.2%	41,004,233	1.9%	13,059	2.4%
Vacant Industrial	20,001,200	0.6%	19,897,475	0.9%	10,396	1.9%
Other	196,678,520	5.8%	5,142,935	0.2%	88,667	16.5%
TOTAL	3,381,239,820	100.0%	2,190,081,224	100.0%	536,845	100.0%

Source: Salt Lake County Assessor's Office; Wikstrom Economic & Planning Consultants, Inc.

Murray City has a higher percentage of taxable property value from commercial and industrial properties than the average city in Salt Lake County. The taxable value of Murray's residential property represents a significantly lower percentage of the City's total taxable property value compared to the County average even though its percentage of total market value is only slightly below the average.

Table 8-2
Percentage of Total Property Value by Property Type

	% Of total value (market or taxable)	MURRAY	MIDVALE	SANDY	SOUTH SALT LAKE	TAYLORSVILLE	Average of SL County cities
Residential	% Market	60.3%	67.9%	75.8%	34.0%	77.3%	66.1%
	% Tax	50.9%	60.6%	72.2%	28.9%	75.3%	65.1%
Commercial	% Market	23.7%	18.2%	11.9%	18.4%	12.1%	11.7%
	% Tax	33.9%	28.6%	19.7%	28.1%	20.4%	18.1%
Industrial	% Market	6.9%	4.6%	2.1%	24.0%	1.0%	4.9%
	% Tax	10.4%	7.5%	3.3%	37.3%	1.7%	7.8%
Recreational, Open Space	% Market	0.3%	0.1%	0.3%	0.1%	0.3%	1.2%
	% Tax	0.0%	0.0%	0.3%	0.0%	0.1%	1.1%
Agricultural	% Market	0.0%	0.0%	0.1%	0.0%	0.2%	3.0%
	% Tax	0.0%	0.0%	0.0%	0.0%	0.0%	0.2%
Government	% Market	1.5%	3.5%	3.0%	14.0%	2.4%	3.5%
	% Tax	0.1%	0.0%	0.1%	0.0%	0.2%	0.1%
Not for profit	% Market	3.9%	3.6%	4.2%	5.8%	5.3%	4.9%
	% Tax	0.0%	0.1%	0.0%	0.1%	0.0%	0.1%
Vacant	% Market	3.3%	2.1%	2.6%	3.8%	1.5%	4.7%
	% Tax	4.7%	3.2%	4.2%	5.7%	2.3%	7.4%

Source: Salt Lake County Assessor's Office; Wikstrom Economic & Planning Consultants, Inc.

Commercial Activity

Murray City experienced continued growth in total sales at an average annual rate of 1.8 percent throughout the 1990s. Since 1999, total gross sales have declined from \$1.4 billion to \$1.3 billion. Sales are not only declining in Murray but in Salt Lake County as a whole. Salt Lake County's sales have declined 0.8 percent from 1999 to 2001 while Murray's gross sales declined over 10 percent when adjusted for inflation over the same two year time period.

Despite the recent decline in sales, Murray City still maintains a strong commercial base. Murray City's gross taxable sales per capita totaled over \$40,000 for the year 2000, more than double the County's per capita sales of \$18,250. Murray's 2001 gross taxable sales totaled over \$1.3 billion. Motor vehicle sales accounted for over 28 percent of the total followed by general merchandise retail sales and furniture sales comprising over 12 and 10 percent of total sales respectively. Figure 8-2 breaks down Murray's total taxable sales for 2001 by percentage.

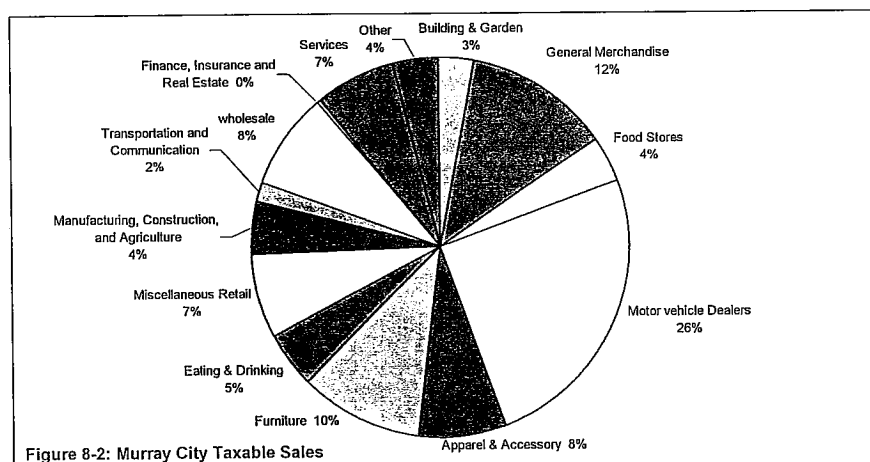


Figure 8-2: Murray City Taxable Sales

Leakage

A leakage analysis was conducted to determine the amount of consumer dollars that could be captured by Murray City that are currently being lost to businesses outside of city limits. Murray City consumers may be spending money elsewhere because certain types of establishments are unavailable to them or the existing commercial establishments in the area are not suitable in quality or quantity. The analysis allows us to see which commercial establishments are capturing consumer dollars and which ones are not. By determining which commercial categories have leakage, Murray City can assess the potential to recapture lost sales by adding new commercial establishments.

The Utah Tax Commission tracks direct sales by gross sales amount and by standard industrial classification (SIC) code. With the use of sales per capita in each category, the consumption patterns of Murray City are compared to the consumption of the average Utah consumer. The State's per capita

expenditure in each commercial classification is calculated by dividing the category's gross sales by the state's population. In theory, Murray City residents should be spending as much as the average Utah consumer. The expected (potential) Murray City gross sales for each commercial classification is calculated by multiplying the state's per capita sales in each category by the number of Murray City residents. This amount – expected sales – is then compared to the actual gross sales of the City in each category. If actual sales exceed expected sales, this particular commercial category is capturing more than what could be expected from Murray City households. Two things can be deduced from this; either Murray City residents are spending more than their Utah counterparts or non-city residents are spending their consumer dollars in the City. The latter is most likely the case. Conversely, if actual sales are less than expected sales, there is "leakage" in that category. In other words, Murray City residents are most likely spending their consumer dollars within these commercial categories outside of the City.

Murray City is capturing significant sales from other communities in most of the commercial categories. In particular, the apparel and accessory category is well represented, as well as the motor vehicle and furniture categories. Leakage is occurring in the entertainment and amusement and the hotels and lodging categories. Within the entertainment and amusement category, the motion picture theater segment shows the most leakage, losing over \$1 million in annual sales to surrounding communities. This is an opportunity that should be explored by the city.

The following table lists the leakage for the major sales categories as well as for the theater sub-category. A negative leakage number represents the amount that Murray consumers spend outside of the City. A positive number or rate over 100 percent indicates that more consumer dollars are spent in Murray than what the City's population spends. A negative number or rate below 100 percent represents fewer consumer dollars are spent.

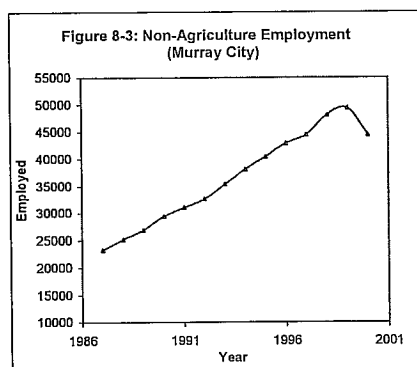
Table 8-3
Leakage Analysis of Murray Sales

Category	Per capita leakage	Total leakage	Capture rates
Building & Garden	\$602.70	\$20,885,923	194.8%
General Merchandise	3,301.56	114,412,149	344.5%
Food Stores	81.47	2,823,361	105.3%
Motor Vehicle Dealers	8,358.15	289,643,332	637.5%
Apparel & Accessory	2,524.60	87,487,443	822.5%
Furniture	3,403.65	117,950,177	696.0%
Eating Places	1,024.21	35,493,118	220.8%
Miscellaneous Retail	2,476.60	85,824,143	383.5%
Hotels & Lodging	-53.88	-1,867,285	79.3%
Personal Services	44.94	1,557,501	149.7%
Business Services	75.06	2,601,241	114.9%
Auto & Misc. Repair	1,002.13	34,727,682	281.5%
Entertainment & Amusement	-34.67	-1,201,463	89.0%
Motion Picture Theaters sub-category	-41.64	-1,443,013	3.6%
TOTAL	22,806.53	-790,337,320	341.7%

Source: Utah State Tax Commission; Wikstrom Economic & Planning Consultants, Inc.

Employment Activity

Murray has seen a steady increase in the number of people employed with a sharp decrease in only the last couple years (See Figure 8-3). From 1987 to 1999, average annual growth had been at 6.5 percent. Most of this growth is attributable to increases in the employment for the Services, Construction, and Finance, Insurance, & Real Estate (FIRE) Industries over this period. The year 2000 saw a sharp 10 percent drop in the number of employed, going from 49,400 to 44,500 according to the Department of Workforce Services. This decrease is mostly attributable to a decline of employment in the Services, Trade (wholesale and retail) and Manufacturing industries combined with declines or slow growth in all other industries.



The sectors with the largest employment base for Murray City are the Services and Trade industries. They comprise 34.6 and 24.7 percent of all Murray jobs respectively.

Table 8-4
Number of Employees by sector, 1991, 1994, 1997, 2000

year	1991	1994	1997	2000	Average annual % change 1991- 2000	Average annual % change 1997- 2001
Mining	19	35	11	6	-12.0%	-18.29%
Construction	2,434	3,049	4,350	4,744	7.7%	2.93%
Manufacturing	2,820	3,028	3,497	2,901	0.3%	-6.04%
Trans./Comm./ Public Util.	1,521	2,501	2,793	3,265	8.9%	5.34%
Trade	10,362	11,517	12,067	11,003	0.7%	-3.03%
FIRE	2,275	3,418	4,116	4,568	8.1%	3.53%
Services	10,260	12,720	15,088	15,395	4.6%	0.67%
Government	1,340	1,827	2,586	2,590	7.6%	0.05%
Total non-agricultural	31,031	38,195	44,502	44,472	4.1%	-0.02%

Source: Utah Department of Employment Security; Wikstrom Economic & Planning Consultants, Inc.

The development of a regional hospital will add substantially to these employment figures. It is estimated that the new hospital will add 4,500¹ employees over its first couple years of operation. The regional hospital is expected to begin operations in 2005 or 2006. It is also estimated that new corporate offices will employ over 750 individuals. Additional office development will also impact employment opportunities within the city.

¹ Estimates were obtained from a telephone interview with Cottonwood Hospital Administration on December 18, 2002

Economic Impact of Annexation

Murray City has a very strong commercial tax base. Compared to other cities in Salt Lake County, Murray's commercial and industrial tax base is almost twice the average. Murray's recent annexations will add 781 acres of residential land and 30 acres of commercial land to the city. This will reduce Murray's ratio of commercial taxable value to total taxable value from 34 percent to 30 percent (see Table 8-5). Note, however, that this is still substantially higher than the average for all cities in the county. One way of addressing this change is through planning for more intensified use of areas that are already established as commercial zones.

Table 8-5
Economic Comparison: Pre/Post 2002 Annexation

LAND USE	COMMERCIAL/RETAIL/OFFICE	INDUSTRIAL	RESIDENTIAL	OTHER
Current Murray City (acres)	744.9	482.6	2,359.8	3,775.4
Taxable Value	\$743,194,535	\$227,183,305	\$1,113,994,845	\$105,708,539
Taxable Value as % Total	34%	10%	51%	5%
Average Taxable Value/Acre	\$897,700	\$470,763	\$472,075	\$27,999
Annexation Area (acres)	30.2	0.0	780.9	0.0
Total After Annexation (acres)	775.1	482.6	3,140.7	3,775.4
Estimated Taxable Value After annexation	\$773,325,061	\$227,183,305	\$1,482,635,618	\$105,708,539
Taxable Value as % Total	30%	9%	57%	4%
Salt Lake County Average	18%	8%	65%	9%

Goals and Policies

Goal: To expand commercial growth within the commercial core and designated strategic areas of Murray City as illustrated in Map 8-1.

Policy: Focus retail and business expansion efforts within the commercial core and strategic areas included in Map 8-1.

Implementation Measure: Identify any underutilized or undeveloped parcels located within Murray's commercial core (estimated at 700 acres) and concentrate economic development strategies on these areas.

Goal: To increase the regional draw of Murray's economy.

Policy: Take advantage of regional transportation systems by locating major traffic-generating uses at sites served by freeways, major highways and mass transit.

Implementation Measure: Relocate lower-value businesses that are near areas with high amounts of traffic so that these areas will offer opportunities for higher value commercial use.

Goal: Promote mixed-use developments that integrate residential, office and retail uses.

Policy: Support mixed use development proposals that provide for a well-integrated mix of residential with retail and/or office.

Implementation Measure: Identify sites that are suitable for mixed-use projects; target transit station areas for transit-oriented, mixed-use design.

Goal: Advance the economic health of all of Murray City including its commercial AND residential areas.

Policy: Support existing businesses and established commercial nodes.

Policy: Enhance the quality of residential neighborhoods.

Goal: To strengthen the City's medical related commercial activity.

Policy: Foster the interest and growth of hospital and medical related services and research.

Implementation Measure: Develop a plan that focuses on attracting health-care and biomedical related businesses that will complement current and future medical related developments.

Implementation Measure: Recognize the aging demographic of Murray and assure that a broad range of medical services for the elderly is created, including residential facilities.

Goal: To increase the number of consumers of Murray's retail businesses.

Policy: Establish a plan to increase the marketability of areas with a strong retail presence.

Implementation Measure: Identify the areas within Murray that have a strong retail presence. Plans should include the redesign and renovation of each area that is determined to be in need of improvement. Also, plans should include the improvement of pedestrian access to all Murray Businesses. Areas near residential zones should be designed to be pedestrian friendly.

Goal: To increase the utilization of land in Murray City.

Policy: Combine underused properties to make parcels that are "development ready." Redevelop underused land to make it fit for commercial or industrial use.

Implementation Measures: Combine properties that are underutilized for future development. Replace older residential structures and outdated commercial buildings with commercial developments that allow for higher utilization of the land, *while maintaining important historical structures*. Identify and redevelop areas that topographically are not suitable for commercial and industrial use into high-density residential areas.

Goal: To retain existing businesses within Murray City.

Policy: Improve business expansion and retention efforts.

Implementation Measure: Identify the areas that may experience high rates of turnover and focus expansion and retention efforts on these areas and offer assistance to businesses in meeting expansion needs.

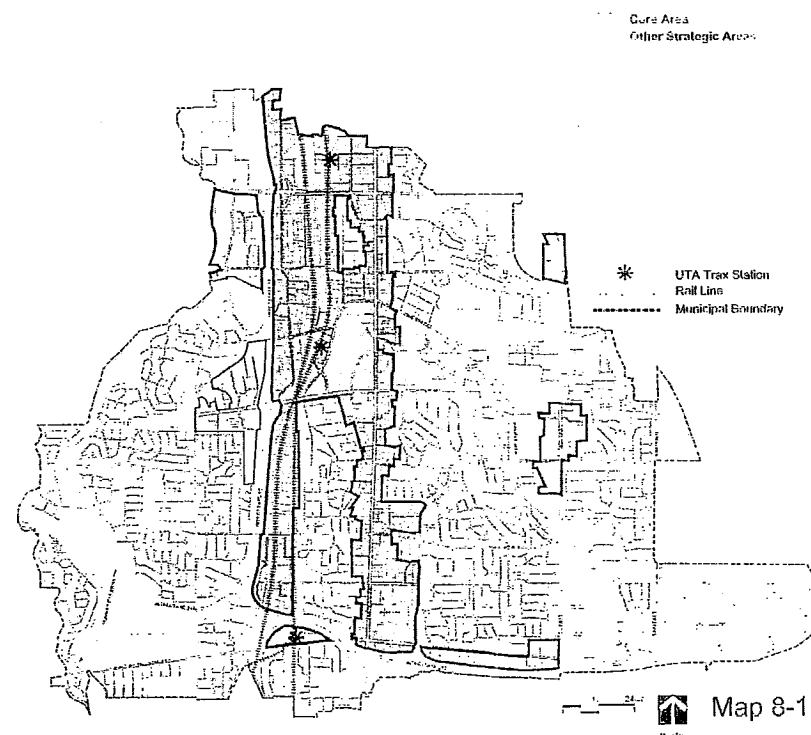
Goal: Expand the types of businesses available in Murray City.

Policy: Expand the amount of entertainment, amusement and lodging opportunities in Murray City.

Implementation Measures: Target regional theaters/cinemas for locations in Murray. Develop a facility to host performing arts productions. Recruit a full-service hotel.

Economic Development: Commercial Opportunity Areas

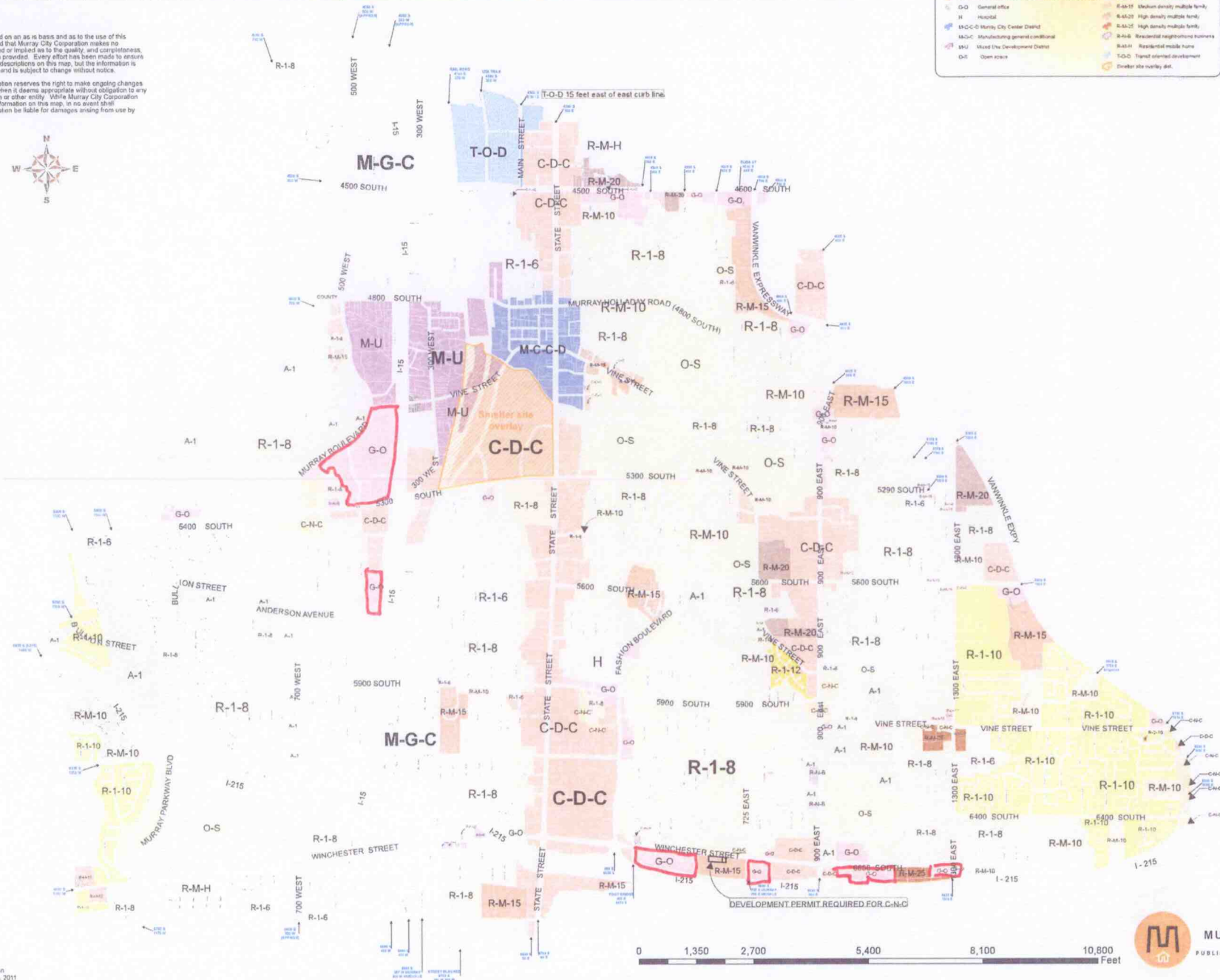
Murray City General Plan



ATTACHMENT 4

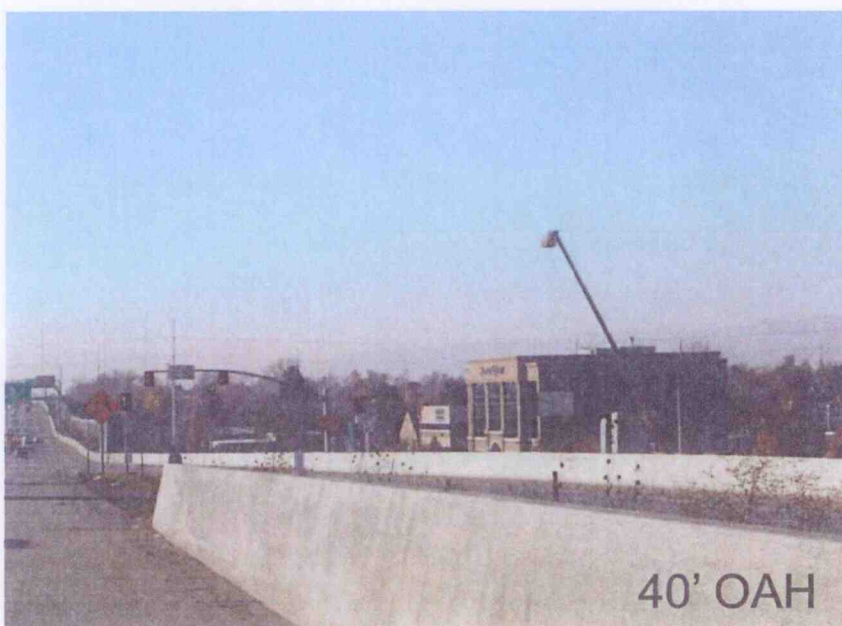
Zoning	Legend
Residential Districts	R-1 Medium density, single family
A-1 Agricultural	R-1.5 Low density, single family
C-1 Commercial development conditional	R-2 Low density, single family
C-2C Commercial development conditional	R-2.5 Medium density, single family
C-2C-2 Commercial development conditional	R-3 Low density, multiple family
G-1 General office	R-3.5 Medium density, multiple family
H-1 Hospital	R-4.5 High density, multiple family
MO-C-1 Memory Care Center District	R-5 High density, multiple family
MO-1 Manufacturing general development	R-6 Residential neighborhood business
MO-2 Mixed Use Development District	R-6.5 Residential multiple family
MO-3 Open space	T-2 Transit oriented development
	Don't use this zoning district

Murray City Corporation reserves the right to make ongoing changes to this information when it deems appropriate without obligation to any person, organization or other entity. While Murray City Corporation has reviewed the information on this map, in no event shall Murray City Corporation be liable for damages arising from use by others.



ATTACHMENT 5













P/C AGENDA MAILINGS

"AFFECTED ENTITIES"

Updated 11/1/12

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

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

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

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

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

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

MIDVALE CITY
PLANNING DEPT
655 W CENTER ST
MIDVALE UT 84047

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

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

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

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

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

JORDAN VALLEY WATER
ATTN: LORI FOX
8215 S 1300 W
WEST JORDAN UT 84088

CENTRAL UTAH WATER DIST
355 W UNIVERSITY PARKWAY
OREM UT 84058

HOLLADAY CITY
PLANNING DEPT
4580 S 2300 E
HOLLADAY UT 84117

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

SANDY CITY
PLANNING & ZONING
10000 CENTENNIAL PRKWY
SANDY UT 84070

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

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

GENERAL PLAN MAILINGS:

UTAH AGRC
STATE OFFICE BLDG #5130
SLC UT 84114

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

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

The Salt Lake Tribune
WWW.SLTFR.COM

MEDIAONE
OF UTAH
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	10/22/2012

FILE COPY

Amend

G-O sign
regulation

ACCOUNT NAME			
MURRAY CITY RECORDER,			
TELEPHONE	ADORDER# / INVOICE NUMBER		
8012642660	0000831425 /		
SCHEDULE			
Start 10/21/2012		End 10/21/2012	
CUST. REF. NO.			
G-O Zone PC 11/1			
CAPTION			
MURRAY CITY CORPORATION NOTICE OF PUBLIC HEARING NOTICE IS HEREBY GIVEN			
SIZE			
24 Lines		1.00 COLUMN	
TIMES		RATE	
4			
MISC. CHARGES		AD CHARGES	
TOTAL COST			
45.32			

MURRAY CITY CORPORATION
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 1st day of November, 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 for the purpose of receiving public comment on a Land Use ordinance text amendment to section 17.48 to amend Sign regulations in the G-O Zone.

MURRAY CITY CORPORATION
Chad Wilkinson, Manager
Community & Economic Development
831425 UPAXLP

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 1st day of November, 2012, at the hour of 6:30 p.m. of said day in the Coun 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 10/21/2012 End 10/21/2012

SIGNATURE

[Signature]

DATE

10/22/2012



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

[Signature: Virginia Craft]

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

4770 S. 5600 V.
P.O. BOX 70405
WEST VALLEY CITY, UTAH 84170
FED.TAX I.D.# 87-0217663

The Salt Lake Tribune

WWW.SLTTRIB.COM

MEDIAONE
A NEWSPAPER AGENCY COMPANY
OF UTAH

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	11/5/2012

ACCOUNT NAME			
MURRAY CITY RECORDER,			
TELEPHONE	ADORDER#	INVOICE NUMBER	
8012642660	0000834740	/	
SCHEDULE			
Start 11/04/2012		End 11/04/2012	
CUST. REF. NO.			
Sign Amend			
CAPTION			
MURRAY CITY CORPORATION NOTICE OF PUBLIC HEARING NOTICE IS HEREBY GIVEN			
SIZE			
24 Lines		1.00 COLUMN	
TIMES		RATE	
4			
MISC. CHARGES		AD CHARGES	
TOTAL COST			
45.32			

FILE COPY

text amend
sign regs
in G-O
zone

MURRAY CITY CORPORATION
NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN that
on the 15th day of November,
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 con-
duct a Public Hearing for the
purpose of receiving public
comment on a Land Use ordi-
nance text amendment to sec-
tion 17.48, to amend Sign
regulations in the G-O Zone.
MURRAY CITY CORPORATION
Chad Wilkinson, Manager
Community & Economic Devel-
opment
834740 UPAXLP

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 15th day of November, 2012, at the hour of 6:30 p.m. of said day in the Cou 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 11/04/2012 End 11/04/2012

SIGNATURE

DATE 11/5/2012

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

Virginia Craft

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

Order Confirmation for Ad #0000845667-01

Client	MURRAY CITY CORP.	Payor Customer	MURRAY CITY CORP.
Client Phone	801-264-2662	Payor Phone	801-264-2662
Account#	9001344649	Payor Account	9001344649
Address	5025 S STATE ST ROOM 113 MURRAY UT 84107 USA	Payor Address	5025 S STATE ST ROOM 113 MURRAY UT 84107
Fax		Ordered By	Acct. Exec
Email	aromanczyk@murray.utah.gov	Andrea	mfultz

Total Amount	\$57.08			
Payment Amt	\$0.00			
Amount Due	\$57.08	Tear Sheets	Proofs	Affidavits
		0	0	1
Payment Method		PO Number	PH 12-34	

Confirmation Notes:
Text: Andrea

Ad Type	Ad Size	Color
Legal Liner	1.0 X 31 Li	<NONE>

Product	Placement	Position
Salt Lake Tribune::	Legal Liner Notice - 0998	Public Meeting/Hear-ing Notices
Scheduled Date(s):	12/23/2012	
Product	Placement	Position
Deseret News::	Legal Liner Notice - 0998	Public Meeting/Hear-ing Notices
Scheduled Date(s):	12/23/2012	
Product	Placement	Position
sltrib.com::	Legal Liner Notice - 0998	Public Meeting/Hear-ing Notices
Scheduled Date(s):	12/23/2012	
Product	Placement	Position
utahlegals.com::	utahlegals.com	utahlegals.com
Scheduled Date(s):	12/23/2012	

Ad Content Proof Actual Size

Murray City Corporation NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 8th day of January, 2013, 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 to receive public comment concerning an ordinance amendment to Section 17.48.120 of the Murray City Municipal Code to allow for additional height and size for signs on properties adjacent to I-15 and I-215 in the G-O zoning district.

DATED this 17th day of December, 2012
MURRAY CITY CORPORATION
City Recorder
DATE OF PUBLICATION:
December 23, 2012
PH 12-34
845667 UPAXLP

P/C AGENDA MAILINGS
"AFFECTED ENTITIES"
Updated 11/1/12

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

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

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

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

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

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

MIDVALE CITY
PLANNING DEPT
655 W CENTER ST
MIDVALE UT 84047

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

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

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

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

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

JORDAN VALLEY WATER
ATTN: LORI FOX
8215 S 1300 W
WEST JORDAN UT 84088

CENTRAL UTAH WATER DIST
355 W UNIVERSITY PARKWAY
OREM UT 84058

HOLLADAY CITY
PLANNING DEPT
4580 S 2300 E
HOLLADAY UT 84117

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

SANDY CITY
PLANNING & ZONING
10000 CENTENNIAL PRKWY
SANDY UT 84070

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

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

GENERAL PLAN MAILINGS:

UTAH AGRC
STATE OFFICE BLDG #5130
SLC UT 84114

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

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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 #2

MURRAY CITY CORPORATION

NOTICE OF PUBLIC HEARING

Notice is hereby given that on February 19, 2013, beginning at 6:30 p.m. of said day in the Council Chambers of the 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 following proposed amendments to the City's 2012-2013 Fiscal Year Budget:

1. Increase the Capital Project Fund by \$475,000 as revenue from Utah State Legislature for the 5900 South Road Project and appropriate \$475,000 to Public Services to start the design phase on this Project.
2. Increase the General Fund by \$105,908 as revenue from the Utah Department of Transportation reimbursing the City for the amount paid to the Utah Transit Authority for utility relocation costs for the Cottonwood/Winchester Intersection Project.
3. Appropriate \$15,000 from the Fire Department fiscal year 2012 budget savings to equip the new command truck that was purchased with grant proceeds.

The purpose of the hearing is to receive public comment concerning the proposed amendments to the City's 2012-2013 Fiscal Year Budget.

Dated February 1, 2013.

PH

MURRAY CITY CORPORATION

Jennifer Kennedy, City Recorder

DATE OF PUBLICATION: February 7, 2013

Public Notice Website 7 2.4.13
Murray Website 87

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.)

Budget Opening

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

Financial Sustainability

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

☒ Council Meeting OR ☐ Committee of the Whole

☒ Date requested **2/19/2013**

☐ 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, sales tax, legislative allowance, and grants

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

Memo

6. REQUESTOR:

Name: Justin Zollinger

Title: Finance Director

Presenter: Justin Zollinger

Title: Finance Director

Agency: Murray City

Phone: 801-264-2669

Date: 2/1/2013

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: 2/1/2013

Mayor:

Date: 2/1/2013

8. COUNCIL STAFF: (For Council use only)

Number of pages: _____ Received by: _____ Date: _____ Time: _____

Recommendation: _____

9. NOTES:



Memo:

To: City Council, Administration

From: Justin Zollinger, Finance Director

Date: January 31, 2013

Subject: February 19th Budget Opening

The City was awarded by the state legislature 1.2 million for the 5900 South road project. In January, the City received \$475,000 of the 1.2 million. The Public Works department would like to budget \$475,000 to start the design on this project.

Utah Department of Transportation is reimbursing the costs for utility relocation in the amount of \$105,908. The money will reimburse the City for the amount paid to Utah Transit Authority for the Cottonwood/Winchester intersection project.

The Fire Department would like to use some of their fiscal year 2012 budget savings to equip the new command truck that was purchased with grant proceeds. The amount requested is \$15,000.

ORDINANCE NO.

AN ORDINANCE AMENDING THE CITY'S FISCAL YEAR 2012 – 2013 BUDGET

On June 19, 2012, the Murray City Municipal Council adopted the City's budget for Fiscal Year 2012 - 2013. It has been proposed that the Fiscal Year 2012 - 2013 budget be amended as follows:

1. Increase the Capital Projects Fund by \$475,000 as revenue from Utah State Legislature for the 5900 South Road Project and appropriate \$475,000 from the Capital Projects Fund to Public Services to start the design phase on this Project.
2. Increase the General Fund by \$105,908 as revenue from the Utah Department of Transportation reimbursing the City for the amount paid to the Utah Transit Authority for utility relocation costs for the Cottonwood/Winchester Intersection Project.
3. Appropriate \$15,000 from the Fire Department fiscal year 2012 budget savings to equip the new command truck that was purchased with grant proceeds.

Section 10-6-128 of the Utah Code states that the budget for the City may be amended by the Murray City Municipal Council following a duly noticed public hearing. Pursuant to proper notice, the Murray City Municipal Council held a public hearing on February 19, 2013, to consider the proposed amendments to the Fiscal Year 2012 - 2013 budget. After considering public comment, the Murray City Municipal Council wants to amend the Fiscal Year 2012 - 2013 budget.

BE IT ENACTED by the Murray City Municipal Council as follows:

Section 1. Purpose. The purpose of this Ordinance is to amend the City's Fiscal Year 2012 - 2013 budget.

Section 2. Enactment. The City's Fiscal Year 2012 - 2013 budget shall be amended as follows:

1. Increase the Capital Projects Fund by \$475,000 as revenue from Utah State Legislature for the 5900 South Road Project and appropriate

\$475,000 from the Capital Projects Fund to Public Services to start the design phase on this Project.

2. Increase the General Fund by \$105,908 as revenue from the Utah Department of Transportation reimbursing the City for the amount paid to the Utah Transit Authority for utility relocation costs for the Cottonwood/Winchester Intersection Project.
3. Appropriate \$15,000 from the Fire Department fiscal year 2012 budget savings to equip the new command truck that was purchased with grant proceeds.

Section 3. Effective Date. This Ordinance shall take effect on first publication.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this 19th day of February, 2013.

MURRAY CITY MUNICIPAL COUNCIL

Brett A. Hales, Chair

ATTEST:

Jennifer Kennedy, City Recorder

MAYOR'S ACTION: Approved

DATED this ____ day of _____, 2013.

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 _____, 2013.

Jennifer Kennedy, City Recorder

Public Hearing #3

MURRAY CITY CORPORATION

NOTICE OF PUBLIC HEARING

Notice is hereby given that on February 19, 2013, beginning at 6:30 p.m. of said day in the Council Chambers of the 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 following proposed amendment to the City's 2012-2013 Fiscal Year Budget:

Appropriate from General Fund Reserves \$168,800 to be used by the Utah Telecommunications Open Infrastructure Agency (UTOPIA) to help cover operational expense

The purpose of the hearing is to receive public comment concerning the proposed amendment to the City's 2012-2013 Fiscal Year Budget.

Dated February 1, 2013.
PH 13-08

MURRAY CITY CORPORATION

Jennifer Kennedy, City Recorder

DATE OF PUBLICATION: February 7, 2013

Public Not. Website 2.4.13
Murray Website JF

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.)

UTOPIA Budget Opening

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

Financial Sustainability

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

☒ Council Meeting OR ☐ Committee of the Whole

☒ Date requested **2/19/2013**

☐ 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.)

Sales tax

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

Memo

6. **REQUESTOR:**

Name: Justin Zollinger

Title: Finance Director

Presenter: Justin Zollinger

Title: Finance Director

Agency: Murray City

Phone: 801-264-2669

Date: 2/1/2013

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: 2/1/2013

Mayor:

Date: 2/1/2013

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

Number of pages: _____ Received by: _____ Date: _____ Time: _____

Recommendation: _____

9. **NOTES:**



Memo:

To: City Council, Administration
From: Justin Zollinger, Finance Director
Date: January 31, 2013
Subject: UTOPIA Budget Opening

UTOPIA is in need of operational support because of the proposed law change that will limits bond proceeds from being used for operations. UTOPIA is in the process of reducing operational expenses by \$43,050 per month but there is still a monthly shortfall of \$225,250 and \$2,703,000 annually (based on their calculations). The operational support requested by UTOPIA from the City is \$168,800 in fiscal year 2013.

ORDINANCE NO. ____

AN ORDINANCE AMENDING THE CITY'S FISCAL YEAR 2012 – 2013 BUDGET

On June 19, 2012, the Murray City Municipal Council adopted the City's budget for Fiscal Year 2012 - 2013. It has been proposed that the Fiscal Year 2012 - 2013 budget be amended as follows:

1. Appropriate from General Fund Reserves \$168,800 to be used by the Utah Telecommunications Open Infrastructure Agency (UTOPIA) to help cover operational expense.

Section 10-6-128 of the Utah Code states that the budget for the City may be amended by the Murray City Municipal Council following a duly noticed public hearing. Pursuant to proper notice, the Murray City Municipal Council held a public hearing on February 19, 2013, to consider the proposed amendment to the Fiscal Year 2012 - 2013 budget. After considering public comment, the Murray City Municipal Council wants to amend the Fiscal Year 2012 - 2013 budget.

BE IT ENACTED by the Murray City Municipal Council as follows:

Section 1. Purpose. The purpose of this Ordinance is to amend the City's Fiscal Year 2012 - 2013 budget.

Section 2. Enactment. The City's Fiscal Year 2012 - 2013 budget shall be amended as follows:

1. Appropriate from General Fund Reserves \$168,800 to be used by the Utah Telecommunications Open Infrastructure Agency (UTOPIA) to help cover operational expense.

Section 3. Effective Date. This Ordinance shall take effect on first publication.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this 19th day of February, 2013.

MURRAY CITY MUNICIPAL COUNCIL

Brett A. Hales, Chair

ATTEST:

Jennifer Kennedy, City Recorder

MAYOR'S ACTION: Approved

DATED this ____ day of _____, 2013.

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 _____, 2013.

Jennifer Kennedy, 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 marketing, sponsorship and professional development assistance match grant applications to the Economic Development Corporation of Utah (EDCU)

2. KEY PERFORMANCE AREA: (Please explain how request relates to Strategic Plan Key Performance Areas.)
Welcoming and Thriving Business Climate

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

☒ Council Meeting OR ☐ Committee of the Whole

☒ Date requested: February 19, 2013

☐ 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.)

Not Applicable

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

See attached memo and resolution

6. REQUESTOR:

Name: Tim Tingey

Title: Director, Administrative & Development Services

Presenter: Same

Title:

Agency:

Phone: 801-264-2680

Date: February 7, 2013

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: [Signature] Date: 2/7/13

Mayor: [Signature] Date: 2/7/13

8. COUNCIL STAFF: (For Council use only)

Number of pages: _____ Received by: _____ Date: _____ Time: _____

Recommendation: _____

9. NOTES:



MURRAY CITY CORPORATION

ADMINISTRATIVE &
DEVELOPMENT SERVICES

B. Tim Tingey, Director

Building Division
Community & Economic Development
Geographic Information Systems

Information Technology
Recorder Division
Treasurer Division

TO: City Council

FROM: Tim Tingey, Director, Administrative and Development Services

DATE: February 7, 2013

RE: Economic Development Corporation of Utah Grant Requests

The Administrative and Development Services Department is requesting Council approval to apply for three grants for economic development purposes. The grant applications are due by February 28, 2013 to Economic Development Corporation of Utah (EDCUtah) and are part of their Community Grant Match program. If awarded, the match funding from the City will likely come from the 2013 and 2014 budget years.

The grant requests are for the following:

1. **Sponsorship Match Grant**—this grant in the amount of \$1,143 is for funding to host our annual Economic Development Symposium for community partners and Murray business representatives to attend. The purpose of the event is to discuss future economic development efforts and address strategies to enhance prosperity in the community. The request is to provide catering services for the luncheon and marketing for the event. The event is expected to have between 100 and 130 attendees.
2. **Professional Development Assistance Match Grant**-- this grant in the amount of \$800 is for assistance in covering the cost of educational opportunities through attending the International Economic Development Council Annual Conference.
3. **Marketing Match Grant** – this grant in the amount of \$2,000 is for studies in our downtown area and marketing materials.

As part of the grant application, Administrative and Development Services staff must provide documentation from the governing board that these requests have been approved. Attached is a resolution for your consideration of this matter. **Administrative and Development Services Department staff recommends approval of the resolution for the grant proposals.** If you have any questions, you may contact me at (801) 264-2680.

RESOLUTION NO. _____

A RESOLUTION APPROVING SPONSORSHIP AND PROFESSIONAL
DEVELOPMENT ASSISTANCE MATCH GRANT APPLICATIONS TO THE
ECONOMIC DEVELOPMENT CORPORATION OF UTAH.

WHEREAS, the Economic Development Corporation of Utah (EDCU) allocates funds in support of specific economic development efforts; and

WHEREAS, EDCU has available a sponsorship match grant and a professional development assistance match grant that could assist the City in promoting economic development; and

WHEREAS, the City wants to apply for the match grants for economic development purposes in the City; and

WHEREAS, it is understood that as part of the grant application, the City needs to commit to providing \$1,143 for the sponsorship match grant, and providing the difference not covered by the \$800 professional development assistance match grant; and

WHEREAS, the Murray City Municipal Council believes it is in the best interest of the City to apply for the sponsorship match grant and professional development assistance match grant with the EDCU understanding that there will be a requirement for the City to match funds;

NOW, THEREFORE, BE IT RESOLVED, by the Murray City Municipal Council as follows:

1. The Mayor or his designees are hereby authorized to apply to the Economic Development Corporation of Utah for :
 - a. A sponsorship match grant in the amount of \$1,143 to fund a community-based business luncheon and forum in the City, and
 - b. A professional development assistance match grant for \$800.
 - c. A marketing match grant for \$2000.
2. It is understood that the City will commit, in the applications to match each grant by providing \$1,143 for the sponsorship match grant, and the portion of the professional development assistance match grant that is not funded.
3. The Mayor and his designees are authorized to execute any and all documents necessary to apply for the grants.

4. This Resolution shall take effect immediately upon its adoption and approval.

ADOPTED AND APPROVED this 19th day of February, 2013.

MURRAY CITY MUNICIPAL COUNCIL

Brett A. Hales, Chair

ATTEST

Jennifer Kennedy, City Recorder

Mayor's Report and Questions

Adjournment