

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 19th day of April, 2011 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
Krista Dunn,	Council Member
Darren Stam,	Council Member
Jared Shaver,	Council Member - Conducted
Jeff Dredge,	Council Member

Others who attended:

Dan Snarr,	Mayor
Jan Wells,	Chief of Staff
Carol Heales,	City Recorder
Frank Nakamura,	City Attorney
Gil Rodriguez,	Fire Chief
Jim Hendrickson,	Shade Tree Commission
Scouts	
Citizens	

A. OPENING CEREMONIES

1. Pledge of Allegiance - Jennifer Brass
2. Consider a Joint Resolution of the Mayor and Municipal Council of Murray City, Utah, declaring Friday, April 29, 2011 as Arbor Day.

Ms. Dunn read the Resolution in its entirety.

Ms. Dunn congratulated Mr. Hendrickson for being, probably, the longest standing Board Member in the history of Murray.

Staff presentation: Jim Hendrickson, Shade Tree Commission

Mayor Snarr presented Mr. Hendrickson with the Resolution; Mayor Snarr stated that he attended a luncheon with the Forestry Association, the Division of Natural Resources, and several of the "Tree City USA" communities. They gave awards of appreciation for cities that have stepped up and continue to make the environment great for their communities. He mentioned that the longest tenured member of any board in Murray City's history was with him today-Mr. Hendrickson. He also noted that Murray had the biggest showing at the luncheon, and when they received an award, he had everyone come up to accept.

Mr. Hendrickson said that Murray City is a great place to live; he has really enjoyed working with the City, and thanked the City for giving him the opportunity to serve.

Ms. Dunn stated that the City asks volunteers to give of their time and expertise, and it is people like Mr. Hendrickson who step forward and say 'thank you for giving me the opportunity to serve', when it's the City asking for people to serve. The City appreciates the volunteers, and thanks him for his service.

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

Call vote recorded by Carol Heales.

 A Mr. Dredge
 A Mr. Stam
 A Mr. Brass
 A Mr. Shaver
 A Ms. Dunn

Motion passed 5-0

3. Approval of Minutes for March 15, 2011

Mr. Shaver made a motion to approve the minutes.
Mr. Brass seconded the motion.

Call vote taken. All Ayes.

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

Mike Todd, 4861 S. State Street

Mr. Todd stated that he is the owner of the Desert Star Playhouse at 4861 S. State Street; he is asking the city to get rid of the Hoffman Building. They have retail spaces, and every time he shows a space, that building kills the deal. He knows it is on schedule, but it isn't fast enough; if they could get rid of it tomorrow, it would be great.

Public comment closed

C. CONSENT AGENDA

None scheduled

D. PUBLIC HEARINGS

None scheduled

E. NEW BUSINESS

1.

Consider an Ordinance amending Section 2.66.030 and 2.66.040 of the Murray City Municipal Code modifying date requirements for write-in candidates and campaign financial disclosures in City elections, in order to be consistent with state law.

Staff presentation: Carol Heales, City Recorder

Ms. Heales stated that with the upcoming election this fall, the ordinances had been reviewed for necessary changes; the filing date for write-in candidates needs to be changed to match State Code, changing it from 14 to 30 days.

Another change is to better describe when campaign financial disclosures are required in the General Election. Ms. Heales thanked Mr. Nakamura and Mr. Farnsworth for their help in putting this into writing that is much more understandable. What this means is, any contributions that are received, ten days before the filing date, need to be noted in a report seven days before the filing date. She feels that this change will help the candidates this fall.

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

Call vote recorded by Carol Heales.

 A Mr. Dredge
 A Mr. Stam
 A Mr. Brass
 A Mr. Shaver
 A Ms. Dunn

Motion passed 5-0

2. **Consider a Resolution authorizing and approving the execution of a Communications Service Contract (the “Service Contract”) dated as of May 1, 2011, by and between the City, certain other cities, and the Utah Infrastructure Agency (the “UIA”).**

Staff presentation: Frank Nakamura, City Attorney

Mr. Nakamura stated that on October 26, 2010, the Council approved the Communications Service Contract with the Utah Infrastructure Agency; this provided, in part, for the collection of fees for services that UIA would provide to users. It also provided a mechanism to use the City’s franchise tax revenues for bonding.

Since that date, there have been some changes, partly due to clarify some of the language for bonding. Payson City decided not to participate, so they had to change the percentages of the maximum amount of franchise tax revenue payable by the City, as well as the City’s percentage of the shortfall; these were small percentage changes. They also needed to add the term of the agreement to be 30 years, that was not in the prior agreement; also, to change the date of the agreement, which will now be May 1, 2011 from November 1, 2010. You will also see some language changes in regards to the use of the franchise tax revenues, and that is probably because of the bonds-they are very particular in the way it is worded, for purposes of going out in the bond market.

Mr. Nakamura is asking for approval of this contract, which will supersede the contract that was approved on October 26, 2010.

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

Call vote recorded by Carol Heales.

A Mr. Dredge
 A Mr. Stam
 N Mr. Brass
 N Mr. Shaver
 A Ms. Dunn

Motion passed 3-0

F. UNFINISHED BUSINESS

None scheduled

G. MAYOR'S REPORT

Mayor Snarr said that Utopia has decided to launch a soft approach, if you will, this week. They have contracted with students from BYU Idaho who have served in a sales capacity before, who will be promoting the network, and offering several providers for consideration, including: Xmission, Veracity and InfoWest. They have a good reputation and will be focusing on those areas that have been connected previously, then moving to other areas within both Midvale and Murray where the infrastructure is already in place. He feels that they have a different story to tell this time, and they have the credentials to back it up. Hopefully, we will see them moving forward in a positive direction; if we can get up to 15,000 users, it will get us close to a break-even proposition.

As you are well aware, today Murray City received the Tree City USA award-the longest tenured city in the State of Utah-34 consecutive years, and we are going to give that award again on Friday, April 29, 2011 at the Arbor Day celebration in the amphitheater. There are some individual students who will be receiving some major recognition for their artwork at the celebration as well. He invited everyone to come out and join the celebration.

As was discussed in the Committee of the Whole meeting, they have invited any property owners in flood prone zones, to attend the meeting next Tuesday, April 26, 2011 at 7:00 p.m. at Hillcrest Junior High. It is hoped that anyone that can attend will make it to the meeting, to discuss what the City has done for mitigation and what the plans are in the course of the flooding that will most likely occur. Unless there is a very gradual temperature rise over the next six weeks, there is going to be some flooding; there is still a lot of snow up in the mountains that needs to come down. The flood plan will go out from the Mayor's Office tomorrow.

Mayor Snarr extended his congratulations and gratitude for the Public Service and Public Safety departments, working to say 'what can we do this year to make sure we don't have the same situation next year.' Our biggest concern, ironically this year, is that we may have to close down State Street; we think we can contain the water to a much greater extent, by looking at the breach

points from last year, pre sand bagging that, getting rid of the bridges so that they don't kick the water up and over into the pool area, and eventually having it work its way down the sidewalk... if we can keep it over to the south of the arboretum, we will end up having that water work its way out to State Street. The challenge there is that we will have to close down State Street if it gets deep enough, but it will protect the property owners. In his way of thinking, there is a lot less damage shutting down a street and saying 'just bear with us' for a few days, versus the flooding of basements, significant damage to property and businesses. It is not something that we have a panacea for the whole thing, there will be some collateral damage or an inconvenience created, but he looks at as being less inconveniencing to have them go around the road than deal with damages.

Mayor Snarr congratulated Dr. Hirasi, who has been selected to be the new Murray School District Superintendent. The school board feels really good about it, and are comfortable with the selection; he is well tenured in the Murray School District, and has worked there for the past several years. Mayor Snarr feels that we will have a great relationship with Dr. Hirasi, and he is a great person to work with.

Mayor Snarr and Mr. Tingey met with BMW on some issues, they are ready to hook up the Utopia network and are excited about it. They are also really excited about coming forward, in about two weeks, with their brand new plans for their new Mini dealership, and are hoping to have that open by the end of the year. They think they have a good set of plans that the City can do a review on in several days; the City has had several meetings with them to get this built.

Miller's plan has already been approved for the Honda dealership, and hopefully by the end of the month they will have a grand opening, and sometime thereafter, they will start tearing down the existing dealership.

Another exciting item is how fast they are moving forward with the Fireclay area; the economy does not dictate condominiums anymore, so you go with what you can get and then if you can go back later on and find a way to convert them, then great. Right now, it is better to have something being built than nothing being built.

H. QUESTIONS OF THE MAYOR

Ms. Dunn said that many of them had the opportunity last week, to go down to St. George for the League of Cities and Towns conference, and it was a great opportunity for elected people and staff to go down and not only learn the things that they had prepared for them, but to interact with elected officials from other areas, and learn from them the issues that are going on in their areas as well. From the Council, they are grateful for the opportunity to do that, to represent the City and go down there; it was very beneficial to all of those that were able to go.

Mayor Snarr said he appreciated them attending; he feels that those meetings, the invited speakers, have a vision for what they need to be prepared for the future and where they need to go. He was enthralled by what they had to say-it was interesting, not one member of the Provo City Council showed up; he feels that these meetings are critical. It is no different than what

Ms. Heales was saying about the need to send people, not only for certification, but to get ideas and to understand where others are coming from- what they are facing, and what their challenges are and how they are working through those challenges.

Ms. Dunn had a long conversation with the Midvale Mayor, and their thoughts as to why they are moving toward going with APD and UFA; it was really an interesting conversation and being able to hear what their city is going through is really good for them to hear.

ADJOURNMENT