

# Murray City Municipal Council Chambers Murray City, Utah

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**T**he Municipal Council of Murray City, Utah, met on Tuesday, the 6<sup>th</sup> day of December, 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 - Conducted
Krista Dunn,	Council Member
Darren Stam,	Council Member
Jared Shaver,	Council Member
Jeff Dredge,	Council Member

Others who attended:

Dan Snarr,	Mayor
Jan Wells,	Chief of Staff
Jennifer Kennedy,	City Recorder
Frank Nakamura,	City Attorney
Craig Burnett,	Assistant Police Chief
Tim Tingey,	Administrative & Developmental Services
Gil Rodriguez,	Fire Chief
Kevin Potter,	Deputy Fire Chief
Pat Wilson,	Finance Director
Doug Hill,	Public Services Director
Chad Wilkinson,	Division Manager
Susan Dewey,	Associate Planner
Citizens	

**3. OPENING CEREMONIES**

3.1 Pledge of Allegiance - Fire Chief Gil Rodriguez

3.2 Approval of Minutes:

3.2.1 November 01, 2011

Call vote taken, all Ayes.

3.3 Special Recognitions:

None scheduled.

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

David Farmer, 1787 E. Vine Street, Murray, Utah

Mr. Farmer asked if it would be possible to pave Vine Street. He stated that you can drive a truck from the car wash to State Street and follow it up with a call to your dentist to get your fillings replaced. It is in really bad shape-he appreciates the new fire station and medical support they put down there, but that is a very rough section.

Mr. Hill said that the city does have funds to pave Vine Street and 5900 South from 725 East up around those 'S' curves; they had hoped to have done it this past Fall, but the water line project in that area took longer than anticipated and as a result they didn't dare put down asphalt in the cold weather. The plan is, as soon as the weather warms up in the Spring-in April or May-that road, at least from the 'S' curves down to 725 East will be over-laid.

Mayor Snarr added that this is very, very expensive; they are looking for some state funding to help with the project.

**Public comment closed**

**4. CONSENT AGENDA**

None scheduled.

**5. PUBLIC HEARINGS**

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

**5.1 Consider an Ordinance amending Section 16.15.090 of the Murray City Municipal Code relating to the requirement that all newly created single-family lots abut a public street.**

Staff presentation: Tim Tingey, Administrative Development Services Director.

Mr. Tingey said that this issue is a difficult one, something that has been on-going for a number of months; the application that was submitted by the Nielson family-they have indicated that they have interest in developing beyond the lot that they have and to create two to four lots that are accessed by a private street, and they want the ordinance changed to accomplish that.

It is a difficult issue-there are a lot of things that have to be considered related to this. The City has communicated to them that the current requirement for an infield street if you are going to do an infield development. This is a proposal that has been brought forward by the Nielson family, but one of the biggest issues related to this is that this ordinance change does not just affect one proposal-it affects the entire city. It is a public policy issue, it is an issue that has ramifications; not just for one property, but a number of properties and that is why staff has had concerns about this, and has prompted the recommendations in the past.

Back in 2006, there was a citizen task force that was assembled by the City Council to address a number of issues. These included the design elements for Planned Unit Developments, building height in single-family areas and the task force also reviewed the public-private street issue for the City. They met nine times, there were nine citizens, there was a citizen put on this committee that represented each one of the council districts, as well as architects, developers and others that participated in that process. They did not deliberate only on public and private streets in the nine meetings, they talked about a lot of different things, but one of the issues was the public and private streets issue and they came forward with a recommendation after the deliberations, that was brought forward to the Planning Commission and ultimately to the City Council, and that recommendation was to eliminate private streets for other than flag lots in single-family home developments. That task force spent a lot of time and a lot of effort in that process.

It also prompted and was part of the new Single-Family Infield Ordinance that we now have; and what that ordinance that was adopted in 2007 did was, it said that there were situations similar to the Nielson's property-and many others out there- where there is property in a standard subdivision, with all the subdivision requirements, and it wouldn't fit for this infield properties. Basically, what it did was narrowed the public street down; instead of a 50' wide public street that included curb, gutter, sidewalk and planter strip, it narrowed it down to a 30' paved access and eliminated the sidewalk, as long as there was

a pedestrian connection. That ordinance was created to address these types of developments and that was adopted by the City Council. As part of the background, the city has met with the Nielson's on numerous occasions, they have interest in developing with a private street; they had a home that was in the back where there was an easement that was granted, that was recognized by the city, back to a home that was actually taken down many years ago, and they had argued that because of that easement, we should allow for access.

There are two main issues here: one is that this is a single-family home and their interested in developing more than that and that home went away and all non-conformity was eliminated at that point. We also spoke to them about the requirement of building a public street, and there have been numerous discussions about that; there are situations that are not ideal on their property for that, and they had several options: one was to develop a public street, or to come forward to you and have you consider a change in the ordinance. One of the things that he communicated to them was that they should probably look at differentiating their proposal in some way, rather than just reversing what the committee studied for so long about, and what you considered. They have done that in their proposal, but once again, it isn't just their proposal that this affects, it's affects a number of properties.

These are some of the issues; they have brought this forward and basically, we have concerns because it affects other properties. The Planning Commission considered this in two separate meetings, there was a lot of public input, and they recommended denial of this request and that is what they are bringing forward to you.

So that you understand the impacts of other property owners, a slide presentation will be shown.

Chad Wilkinson, Division Manager

Mr. Wilkinson stated that he had been asked to analyze the number of properties and the locations which could potentially be impacted by the proposed ordinance change. The way they looked at the lots or properties that could be impacted is that they used the proposed language proposed in the ordinance by the applicant; they used that as the criteria, looking at properties less than 1.5 acres in size, that have limited access to a public road, have an existing private lane or drive that was provided or has access to at least one residential unit, that existed before the current requirement in that section of code, and that had structures in place that establish right-of-way to the rest of the property.

When they first went to the Planning Commission with this, they didn't look at the properties that were currently zoned A-1; the A-1 zoning in the General Plan is proposed to be phased out and replaced with Single-Family. In the particular map shown, they have included a number of those A-1 lots that they felt met those criteria. The number that the found, using a GIS search, in the case of A-1, they used the lowest density residential zone and they are 112 and made sure that those lots would be divisible at some

point.

Mr. Wilkinson showed the slides, explaining the areas and lots, and saying that the purpose of these exhibits is not to say that there is a certain appropriate number that is impacted or not, but to say that they have identified more properties that would potentially be impacted by this proposal.

As they analyzed this potential ordinance change, they identified about 58 properties; they also took into account the properties that immediately surround. Although there are properties that are potentially developable using this ordinance, there are also properties that would be impacted. He showed one property that has ten properties that directly touch the boundaries of the property. There are a number of properties like this that would be impacted by an ordinance change. This is not to say that they are looking at a certain number or threshold of properties that would be impacted, just to say that there are a number of properties citywide that would be impacted.

Mr. Tingey summed up their recommendation: once again, their issue is not about one specific proposal; it is the impact on the community and looking at this as a policy issue that has ramifications not just for one property. They do not have an interest in trying to block development for the Nielson's or other proposals, but they feel that the standards that are in place are important and they were put in not just because a staff person thought it would be a good idea-it was studied significantly. This is a public policy issue and they feel that this policy is sound right now, it is a good public policy, there are options for the Nielson's to develop with a 30' right-of-way, and although it may not be idea, it may require some variances which has occurred with other developments, even in the past year, so there are other options.

In closing, Mr. Tingey stated that they feel that other options are available, and their concerns relate to a few main issues related to this policy. One is that the committee looked at it, evaluated it, code that was adopted-the Single-Family Infield Ordinance-allows a reduction in the standards which can facilitate infield development. They are concerned with rights of future property owners to have a right to public access; these private streets almost always prompt citizens to request the City to take over the private streets, and it is a fact that within the past four months, he has sat down with a number of citizens requesting that in a neighborhood, and it is a concern. In addition, those that may own these properties, maybe not now but in the future, the impact of having a private street and having to take their trash containers hundreds of feet to get it to a public right-of-way, having to maintain that infrastructure if water lines break, having to maintain the properties, these are all issues that the City has complaints on, where people say 'we pay taxes, why don't we get the same services?' They complain about the fact that they are responsible for maintaining their streets. These are all issues of concern to the City. Also, costs of maintaining the infrastructure and the public safety issues are of concern; a private street and having enforcement on certain issues from a public safety and policing standpoint-it is a different issue and there are limitations on private streets for what the police and code enforcement can do. The Fire Department has expressed

some concern that the private streets are maintained adequately; if they are not, there can be a problem for getting fire engines down into these streets, as well as if they are blocked for some reason, the city has no control over that.

For these reasons and issues, the Planning Commission recommended denial, and Administrative and Developmental Services Department is recommending denial. However, they feel that this is sound policy; if the Council does not feel that way, and wants to go in a different direction, it is their prerogative and they are willing to reevaluate the policy. What has been proposed tonight, if the Council does want to go in that direction, would really need to be reevaluated and the Planning Commission would need to give input per state laws; they are willing to look at that but they feel that there are some really important elements to this public policy that prompt their recommendations.

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

Jimmy Nielsen, Sandy, Utah: Sponsor

Mr. Nielsen stated that he grew up here in Murray; the property is owned by his parents. It is an 'L' shaped property with very limited frontage on 5300 South and it is immediately adjacent to the Murray Amphitheater parking lot. He showed a Power Point presentation of the property, saying there is currently a private lane which provided access the homes. One side of that lane borders a retaining wall that drops off into the parking lot, and there is a slope on the other side; as you round the corner, there is significant topography to deal with-slopes on both sides of the road.

Where his aunts home stood, is where they are proposing building two homes; the houses would not really be visible from the park, nor from any neighbors. Due to the topography of the land, their development area is limited; there is a lot of green on the property and they would like to keep as much as they can. In the 1940's, his aunt and uncle purchased the land and built a home at the back of the property-intentionally wanted to be off of 5300 South. In 1974, his aunt gave a portion of the property to his father and he was granted permission to build a house on this lot, and an easement was defined by the the City along the east edge of the property for access into the rest of the property- which is over an acre of property. The location of that house, and the limit to access back into the property was done in cooperation with Murray City in 1974-1975.

What they are proposing is: he and his brother would like to build houses on the property; it is a beautiful place, they are attached to the community, and their parents are getting old and they don't want to take care of it anymore. They would love to build on the land- he is a licensed architect, it would be his dream to design and build his own house on this beautiful plot and his brother feels the same way. They are proposing two houses to be accessed off of 5300 South by a 20' wide private lane with a fire code approved turn-around between the two houses and an operational area for the fire truck; they have also indicated that a new fire hydrant would need to be placed on the site. The exact location of that could be coordinated with the fire department. The question is: why a private

lane? The public standard is 30', and even that is a reduction over the 50' that is typically required; it is 30' minimum, which is a hard number and does not fit this site. They can provide reasonable access, but the 30' just does not work.

Mr. Nielsen continued with the Power Point presentation, stating that with the retaining wall, a 30' width, with curb and gutter, and another retaining wall which would be required on the other side of the road, would leave about four feet of grass in front of his parents house, essentially walking out the front door onto a strip of grass and then the road. A public road requires that parking be allowed, so technically, a car could park right in front of the front door. When it said that a 30' road would work on this property, he has to disagree-a 30' road does not fit on the property, nor is it necessary.

The 20' width that they are proposing is adequate for vehicular traffic in two directions; it leaves a side yard from his parent's house on the east side, and would probably eliminate the need for a retaining wall at that portion because the slope would not have as much grade to make up. That is one reason that the 30' minimum does not work; the public standard cannot be changed-they have met with the City Council and staff to investigate the altering or finding a new standard, and the answer has been that the city is not comfortable with anything less than 30', so a variance to that is not an option. A 20' private lane can safely serve a limited number of houses, and they are not proposing that the changes made a few years ago, when the public road requirement was made, be completely be abolished; they are proposing that the city allow a private lane in very limited circumstances. They are not proposing that anyone in any property would be eligible for a private lane.

Mr. Nielson presented a diagram to show that the biggest fire truck that Murray owns, which is a 95' mid-mount truck, can safely navigate that road-turn around and go back up again. If they build houses there, they want the fire truck to be able to get there and respond to an emergency; they want this to be safe, and a 20' wide road will accomplish that. There are some privacy issues on this site, the immediate proximity to Murray Park is nice-it is wonderful to go for a walk in the park, but at the same time, there are privacy concerns; a public road allows parking on both sides of the road, actually reducing the emergency drive isle to less than 20' and could impede emergency access into the site. A private lane, as proposed, would be posted as a fire lane and kept clear. Mr. Nielson showed an image that was taken on the 4<sup>th</sup> of July, three hours before the fireworks, and 5300 South was completely lined up with cars, which is something that happens on a regular basis whenever there is anything going on in the amphitheater, and you can see that the next place for those cars to park would be down this dead end street, which they feel would be dangerous.

There are other benefits to defining a 20' right-of-way: first, it meets the International Fire Code; second, it is a more sustainable approach for small sites-it reduces storm water load because it is narrower, it allows for local infiltration of storm water runoff without a curb and gutter, it reduces the urban heat island effect-which is the effect that all the pavement and concrete in the city absorbs heat over time and releases it back into the city, creating a warmer area than what you find out in the country side; it would actually

reduce traffic speed, which would be ideal for this small development and they would be able to retain more of the native vegetation, especially the garden that his parents have maintained for many years. These would apply wherever a 20' lane would be allowed. It is an appropriate option for small infill sites that are permanently landlocked without potential for growth, which is what they have; they do not have the potential to grow this property in any way. It is surrounded by the park and a 25' hill on the other side that is very steep; there is no way that this area is growing and they are very limited in development potential.

They need an amendment because the public standard can't be modified and an amendment is the only way to get anything less than 30' for access into the property. The wording of the proposed amendment is intended to be restrictive, as he mentioned before, as restrictive as possible, limiting it to a few unique properties that could take advantage of a lane such as this. This is not intended to be a complete reversal of the status quo, rather a slight adjustment to allow for sensitive development for unique circumstances.

They proposed an amendment and wrote text; since then, other others and methods of mitigating the City's concerns have come up, but these were the first criteria that came up:

1. Property must be less than 1.5 acres in size and have limited access to a public road. To give an idea of how limited their access is, only 8.2% of their property fronts 5300 South.
2. Property must have had an existing private lane that provides or did provide access to at least one residential unit before the current requirement.
3. Have existing structures in place, previously approved by the City that establish right-of-way to the rest of the property. This is important; that deals with the sequence of development of the property; essentially, it would be required that the property had a house at the back first, then a house was placed on the front under City approval that inherently limited that access. If a property was developed in that way, and the City approved that access, they feel that access should be used. These criteria would eliminate many of the properties that Mr. Wilkinson identified.
4. That are immediately adjacent to a public park or gathering space. If that was added to the amendment, he believes that it would limit it to this single property alone. The reason for that piece of text is that there are privacy concerns related to living next to the park.

There are more points to the amendment, which he will not go through in its entirety; it was intended to speak to the technical merits of the private lane-they would like the private lane to be built to the city standards; they don't want the fire truck to fall through the pavement as it is driving down to the houses. Murray City would be exempt from all services. They would like the turn-around to be considered separately from the lane, to



allow for more friendly set-backs, and Mr. Tingey had mentioned the infill ordinance and they would like to take advantage of those set-backs because it is a good thing; it is just that the access that is provided-they need to modify the access that this allows.

In researching for this presentation and for the amendment, they looked at other cities surrounding Murray and there are currently others who allow for a private lane in some form; not to say that they allow anyone to do whatever they want to, they don't; they all impose limitations on the use of private lanes, and they assume that Murray would want to do the same.

They understand that the main concern is over city services-residents of private lanes come back and ask for city services; aside from the limitations based on the property characteristics that they have included in the amendment, they believe that limiting the scope of the private lane could help. Mitigate that concern over city services, if the length and the number of homes were limited on the private lane, it would be more easily identifiable as a private lane, people would know that they are living on a private lane; he feels that part of the problem is that people move in and don't know that it is a private lane that they are moving onto. If you limit the length of a private lane, a person is able to wheel their garbage cans up to the public road; they are able to clear the snow, pay for the repairs and it is not an overbearing financial burden. Those are some of the considerations. He has made a note that for example, in St. George's City Ordinances, they have limited the length of the lane to 600' and eight homes; West Jordan will allow up to ten homes on a private lane. The private lane that they are proposing would require less than 400' of length; the limited scope would allow people to wheel their garbage cans out and clear their own snow. Private lanes of a limited scope are more easily identifiable as private lanes.

Measures could also be put in place to make sure that residents are not only made aware that they are living on a private lane, but that services will not be provided to that private lane, such as a statement on the subdivision plat that absolutely no services will be provided. They have found language similar to that in the ordinance of Holladay City and in Cottonwood Heights; Salt Lake City ordinances have an extensive section on what would have to be done to a private lane in order for the city to adopt it into a public service. Murray could include something like that- the city's requirements if a private lane was to be adopted and public services provided.

Finally, he would propose that under the street sign for the lane, there would be an actual physical plaque that says: "notice to residents of this lane, City services will not be provided." In conclusion, he feels that all of the concerns that Mr. Tingey mentioned can be mitigated and can be worked around and they are willing to do that. All they want is to provide reasonable access into this property so that they can develop it and live in this place where they grew up and on the land that they love. They feel that this 20' lane could apply to other properties very well, and give property owners the ability to develop property that would not otherwise be developed, which would be a benefit to the city as well.

The key elements to their proposal are:

1. A 20' right-of-way be allowed;
2. An alternate turn-around be allowed, as is currently allowed in the in-fill subdivision set-backs;
3. That the City allow them to build on this land.

Robert Hunsaker, 5333 Knollcrest Drive, Murray

Mr. Hunsaker is a neighbor and character witness to Mr. Nielson, and said that if the City is interested in building up a community of responsible people, this would be the ideal group to have; they are ideal citizens. Sometimes things are not passed or not allowed because they are detrimental to our society, but this is not the case here. If they are allowed to build, they will add to this community and you will be proud to have them here. He urges the Council to adopt this.

Chad Wooley, 347 East 5300 South, Murray

Mr. Wooley stated that he lives just down the road from this property, and although he hasn't been in front of the Council, he has been in front of the Planning & Zoning about 100 times with his property; they have been trying to work out some way to work out their issues and feels that they finally have worked out something in their circumstances. He feels that the City has been great to work with.

He is also an attorney, and has looked at the legal issues surrounding this and would encourage the Council to look at this hard; you can limit this amendment as small as you want to to a point where it only allows them to do it- and from what he has looked at, a private lane, many of the communities feel that they are valuable in some ways. He knows that the staff recommended against it back in the day, but he feels that there are times when it is a good thing and whole-heartedly agrees with Mr. Hunsaker about the character of these people. He would love to have them as neighbors.

He urges the Council to approve this and added that if the Council cannot take this on face value, the way that they have presented it, look at it as an opportunity to strengthen its community.

Marta Nielson, 5495 South Walden Meadows Drive, Murray

Ms. Nielson disclosed that she would be one of the people who lives on this property, if the change were to happen.

Ms. Nielson said that there are not a lot of open spaces in Murray for big developments to go in; most of the land that is available to be developed now are these small in-fill subdivisions, and it is important to recognize that there isn't always one solution that will work for every site. She feels that this is our opportunity to go back and provide a way for some of these properties to be developed in a way that makes sense. Not all

properties are the same and a 30' road doesn't always work; they want Murray to be a good place, they want people to come and live in Murray. She feels that this is very important-to be able to provide opportunities for people to not only utilize their property rights, but to be able to add to the community and make it a better place. She hopes that the Council will seriously consider this option.

**Public comment closed.**

Council consideration of the above matter.

Mr. Shaver stated that when this issue was first brought to his attention, he visited with the Nielson family on the site, just to see for himself what it was like, as well as the other property issue that will come before the Council this evening. He wanted to see what it was like, what was involved, to be able to make that decision.

He said that this was the first time he had actually read through this amendment, had it explained as it would be, and because of that he does have some concerns; he feels that he needs the time to address them and would like to seriously consider it, look at and see what the ramifications would be.

Ms. Dunn said that she, Mr. Dredge, and Mr. Brass were very involved with the task force on this issue and she thinks that what they came up and what they adopted as a city was very good for the city. However, anytime you make policy or put a law into place, you always find out that there are some unintended consequences or that it negatively impacts something that you really don't want to impact; you find these things quite often. You find grey areas all the time; if everything was black and white, this job would be so easy. Through the years, as they have looked at this, this law has served them very well; they've been able to prevent some things from happening that would have negatively impacted the city, but again, when this issue first came up-her first thought was 'absolutely not, we've already been there.' Then, trying to remain open-minded, she went down and looked at the property; she feels that this is actually a very good project. But again, it doesn't fit within our current law, so it is a dilemma for them because they do not want to negatively impact people, negatively impact people who own property who would like to do something with that property that benefits themselves and their families, but they also don't want to negatively impact the city.

As was mentioned earlier, they have a whole bunch of places in this city that could be impacted by this. Revisiting it could cause a problem in some places where they are trying to solve a problem in this place; because of that-because Murray cannot grow out anymore, they are surrounded by other municipalities and the County, where they can't go anywhere else. If people want to live in Murray, they have to go where there is existing land, and this is one of those spots. While she likes the project, she does not like the amendment because it doesn't take care of all of the city's needs.

Ms. Dunn feels that they should consider looking at this further and directing the staff,

the Planning Commission and the City Council to get involved with this, to schedule some meetings to study this and to see if there is some kind of way to amend this ordinance without negatively impacting the city, but allowing people to use their properties mostly in the way they would like to. She thinks that there are some possibilities-either exploring the private lane issue or looking at allowing two homes on a flag lot; there are some different things that could be considered that maybe would work well in our community, considering we have about 58 of these smaller lots in our City. This is worth looking at because this is going to come up more and more; let's just re-study it. Not that they don't appreciate what that group did, she certainly does, but she thinks that sometimes you have to adjust things to fit where your community is today.

Mr. Stam said that although he was not on the Council at the time, he was asked to serve on that committee and he did spend all those hours in those meetings, and they had some very heated discussions at times over what it should or should not do or be. Going into that, he had a very strong opinion and loved the idea of private lanes; he thought that if he had the money or place or ability, he would have one in a heartbeat. But he came out of there, thoroughly convinced against them and several people that were in that task force were people who lived in a PUD and wanted to know why they couldn't have city services, even though they knew that going into buying the property. It was a difficult decision going through it all and they debated on road widths and all different kinds of things. He agree with what has been said, he hates to negatively impact a single person and yet, they have to look at the ramifications for everyone, which makes it a lot more difficult situation to look at.

They did spend a lot of hours going through this, trying to come up with the best recommendation that they could come up with for the City Council and the interesting thing is that they took almost every recommendation because this was not a group of elected officials, it was a group of citizens looking at what they wanted their community to become. He does agree with what is being said-if there was a way for them to come up with a solution that would resolve....he liked the idea of the two-home flag lots....but if he had to go with the way it stands right now, it would be very difficult for him.

Mr. Dredge agreed with what the others have said so far; they have all been here long enough to realize that when they craft an ordinance, those unintended consequences always happen and he believes this project has merit and these other properties that they perhaps weren't considering when they were looking at the private lanes are very small properties. In order to avoid more unintended consequences, he will agree that they should look for a way to make this happen in the least impactful way possible. He believes that in order to be fair to those who are making the application, they ought to expedite that process.

Mr. Nakamura said that his concern, in listening to this, is that we do not draft ordinances or make land use decisions for a particular project. He knows that there have been references to a project or certain property owners, and that is not what is going to happen. We have to make land use decisions away from whatever project-good or bad- or the property owner. We do not narrowly craft an ordinance just to meet the needs of a

particular property owner. We can narrowly craft ordinances that we know will have general applicability and they are prepared to do that, but he wants to make sure that we are not giving the impression, or on the record, that we are going to do an ordinance just because we want to deal with a specific project or property owner.

Mr. Shaver said that for him, that is the issue; if there is a property, then you also have to look at if there is one, are there two, or ten, or more; how do we deal with that going forward? He would not like to make a decision based on that; how do we craft something that can possibly meet their (the Nielson's) and also serve the city in the future. That is what he would like them to do as a Council-get input on the legal ramifications, about the zoning, about the planning, all of that and then craft an ordinance that would best serve the city. If it meets this particular need, then we are in good shape.

Mr. Brass said that this is in his district, and he is also the one that called for the task force that was created to look at PUD's and the way they determine the size of lots. At the time, a term that he didn't like and still doesn't, is 'monster homes.' When they changed the General Plan, updating the Master Plan for the city, one of the things that they looked at was PUD's; as has been said, the laws of unintended consequences-when they crafted the PUD ordinance, they didn't take into account people buying existing lots with homes on them, tearing them down and cramming as many homes as they can onto a piece of property. That created major issues in his district. only a few blocks from his house; they felt like they had to address this issue as to how many homes can you cram into a piece of property and still maintain the lifestyle they have come to enjoy here in Murray.

Mr. Brass feels that in doing that, they may have overlooked many of the A-1 zoned lots that they have; his feeling is that after 15, some council will come back and say that we need to address this issue. He is also a firm believer that you never ever look at the project in a zone change; the reason for that is that many times, that project doesn't show up. He thinks that this project is a reason to go and revisit our road standard; we will see this again and it got him to thinking- he has agonized over this, lost sleep over this, it goes against everything he has ever done, but he keeps coming around to the same thing. He feels that this should be revisited; he doesn't know that the ordinance solution that the Nielson's have proposed tonight is the way to go, but as a City, he would like them to direct staff to look at that part of the ordinance again as far as lanes go on this type of property and see what they can come up with.

As was stated, they were inundated with planned unit developments, large ones, coming to them and wanting their streets plowed, we want our garbage collected, we want all this done, and you physically can't get plow trucks or garbage trucks in there and it is impossible for us. You also have a problem with private lanes-they get built and they are built to a very minimum standard and then they deteriorate and the new owners want the city to come in and pave them. If they revisit this, he would look at minimum road construction standards, as far as road base depth, etc., look at how they approach this to see if they can do this and not end up with those problems again. For him, this project has forced him to look at the overall zone and say maybe we ought to take a look at

properties like this.

Ms. Dunn said that maybe in the end, again because they are not just looking at this property, they can't guarantee that the Nielson's are going to get exactly what they want in this; what she is asking for when she makes this motion, is that they look at a way to really look at this 58 or so properties across Murray City, and see if there is a way to re-craft or amend this ordinance to allow people to do a little bit more without negatively impacting the city. It may end up that is not exactly what the Nielson's want, but it is pretty close or whatever; she doesn't want to give them false hope that they will get everything that they have asked for. Most of them, in looking at the amendment that was put before them, probably would not agree to all of the things in there.

Mr. Stam said that being on that task force, one of the main concerns was the amount of homes being crammed into a small amount of property; it wasn't a large piece of property that was adding two homes with a lot of space, so when you look at that, and look at the road widths and the ideas that came out of that, he really doesn't know that the task force at that time addressed two additional homes on a large property-it addressed more the high density, high compact areas, and how much space was required to access them or what was going to happen with city services. He feels that it is a good idea to look at it again.

Ms. Dunn added that this is not an issue of not liking what that group came up with-they absolutely liked what they came up with, but again, they see things along the way and sometimes you have to tweak things.

Mr. Brass said that they are in the process of creating a strategic plan for the city to go forward; as part of that, they did an environmental assessment where they surveyed the city. We are an aging city where the majority of the population is 55 and older and that is not great for keeping a city alive, but we need to provide housing options for those coming back into the city, and we are going to be seeing this more and more. Housing options for Murray is something that they need to build too.

Ms. Dunn made a motion to rather than considering this amendment at this time, that they direct the staff, Council and Planning Commission to agenda, in the very near future, some discussions and meetings to visit this issue and look at amending the ordinance in a different way so that they may address these smaller than 2 acre properties across the City.

Mr. Dredge 2<sup>nd</sup> the motion.

Mr. Nakamura stated that staff could maybe take a first stab at this.

Ms. Dunn said that she is not limiting what they can do and absolutely encourages them to go at it as soon as possible and look at options; but that they schedule some Committee of the Whole meetings where the Planning Commission can.....

Mr. Nakamura said that maybe they are not prepared to give some essential points that

need to be addressed.

Ms. Dunn said that at the very minimum, she would like to address revisiting the private lane issue, the possibility of allowing more than one home on a flag lot.....

Mr. Brass added construction standards for the lane, and looking at property density of a lot less than two acres. As stated in the Strategic Plan, they are yielding to staff's expertise.

Ms. Dunn said that she includes all of the above in her motion, and her motion now stands.

Mr. Dredge he continues his 2<sup>nd</sup> of the motion, including all of those items.

Mr. Nakamura stated that essentially this matter is being postponed until such time that they can take a look and see if they can provide some amendments to that.

Call vote recorded by Jennifer Kennedy.

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

Motion to postpone passed 5-0

(A five minute break was taken at this time)

Staff and sponsor presentations and public comment prior to Council action on the following

matter:

**5.2 Consider an Ordinance relating to zoning: amends the Zoning Map for property located at approximately 5786 South Erekson Lane, 5785 South Erekson Lane, and 760 East Vine Street, Murray City, Utah, From A-1 (Agricultural) and R-M-10 (Residential Multi-Family) to R-1-8 (Residential Single-Family).**

Staff presentation: Chad Wilkinson, Division Manager, Community & Economic Development.

Mr. Wilkinson said that the existing zoning of these properties are A-1 and R-M-10, and is mostly undeveloped land. R-1-8 is a single-family zoning district with an 8,000' minimum lot size. The General Plan for this area calls for single-family residential zoning; in looking at the General Plan, A-1 or Agricultural zoning, the policies of the General Plan really call for the zoning to be phased out over time, to be replaced with single-family zoning. This particular amendment request complies with that General Plan policy; it would amend the properties from agricultural zoning to an R-1-8 zoning, allowing for an 8,000 square foot lot minimum lot size.

Staff has recommended approval to the Planning Commission; the Planning Commission looked at their findings and also passed on recommendation of approval of this to the City Council. The General Plan calls for flexibility and implementation of the policies based on individual circumstances; they have carefully considered this, and the Planning Commission has also considered this request and looked at the characteristics of the site and the surrounding area, the applicable policies of the General Plan in relation to this amendment. The proposed R-1-8 zoning is consistent with the General Plan Future Land Use map, allowing a single-family low density designation and the goals and policies of the General Plan call for the replacement of the agricultural zoning over time with single-family residential zoning, which is consistent with this amendment. They are passing along the recommendation of the Planning Commission which was recommending approval of this request.

**Public Hearing opened for public comment.**

Chris Gambroulis, Ivory Development, 978 Woodoak Lane, Murray -Sponsor

Mr. Gambroulis stated that he has been before the Planning Commission several times over the past couple of years on a few projects that were failed in the community off of Vine Street and worked hard to bring those up and clean those up; in one case, they completed the entire infrastructure and in another simply built them out. They work closely with the Planning Commission to craft some language that would make that possible. They appreciate the Planning Commission's recommendation from last month recommending that this be rezoned into the R-1-8.

On October 3, 2011, they held a neighborhood meeting; they wanted to do this prior to



the Planning Commission hearing so that they could meet with the neighbors and had 20 or 30 residents attend and they showed a plan of how the project would lay out and what they were going to do. They said very early and candidly that the 'cat was out of the bag' and that they had purchased this ground. In going back and looking at the title to this property, they found lawsuits pertaining to the access or Erikson dating back to the 1920's, but all of that got cleared up at the closing. Mr. Baker did not want to sell the property, he was very upset at having to sell it, but they have been working with him since about 2006, trying to buy it from him, so they are very familiar with the property and what was going on there.

Ivory Development is the owner on record of this property now. They went to the Developmental Review Committee and met with the Fire Department and Building Officials on this and looked at the zone map amendments along with the ways that this property could lay out; they talked to them about things like extending Erikson through different areas. There is a parcel in the middle that will be retained by Mr. Baker, who will own a parcel that will go all the way to the creek. What will end up happening is that there will be three discreet properties here, and there will be no access from the east to the west through Mr. Baker's property; he will maintain his homes, his barns and his pond.

The General Plan does call for the phasing out of the A-1 plan, which is not just consistent with what is in the General Plan, but what is in the area; there are two other access points in the area besides Erikson Lane onto Vine Street. There is another home with some access onto Vine, which they are proposing to block off to limit the access onto Vine Street.

One thing that did come up, both at the neighborhood meeting and the Planning and Zoning Commission meeting, was the history on this property; what they do know is that they now own a property with a General Plan designation calling for single-family detached; they did not buy this to farm it, they did not buy this to put horses on it, they are a home builder and intend to develop the property and build homes that are consistent with the surrounding neighborhood and hopefully add value to the surrounding neighborhood. Alluding to what previous owners committed to, or what those conversations were, they are going to do their very best to meet the expectations of the surrounding neighbors have, to the extent that it works within their plans. They are not, or cannot be beholden to conversations that took place ten years ago with parties that do not own property anymore or perhaps did not have the right to make those commitments.

They do have access from an existing public street in two locations and they are preparing the engineering to bring forth a 14 lot subdivision in the area. They would like to get the entire property zoned R-1-8 so that they can bring it through all at the same time simultaneously.

Mr. Shaver asked, based on what Mr. Gambroulis showed as the access to the property, how would access be obtained to the back portion behind Mr. Baker's property?

Mr. Gambroulis stated that there is a public street-Sunny Flowers- that provides access. Mr. Bradley has put a gate across that road at the end, but his agreement with Mr. Baker is that gate will be turned and moved on a 90 degree angle. That gate will face to the east and that public street will go through to the south. Ivory Development has been assigned this agreement.

Tim Simonsen, 657 Walnut Brook Drive, Murray

Mr. Simonsen was asked by his neighbors to be the spokesperson tonight; this property has been brought before the Planning Commission and City Council for decades. He has been there for most of three of those decades and has seen owners come and go, plans and developments come and go. During the Bradley subdivision process, they mentioned many concerns that they had, and were asked to wait until the remainder of the property was developed to address those issues and that time has seemed to come.

He wanted the Ivory Company to know that, in general, they are not against them or the subdivision-they welcome new neighbors; they would ask the Council and the Ivory Company to consider a couple of points that they feel are quite critical and have to do with the health and safety and the finishing of the Walnut Brook area. It seems that area has been piecemealed together with numerous subdivisions, other developers who have gone broke in the past, and others have come in individually and tried to finish that off. It will be nice to have this finished off in a professional manner. He also wanted to make one note of clarification: in the previous agenda item there were 58 parcels of property affected by private lanes, make that 59 now; their plan, as proposed to them, does have three flag lots that do not have frontage on a city street.

What they would like to do with Ivory, if they could, is sit down with them; they have approximately 500' of frontage along vine street and there are two curb cuts that exist along that frontage and they would like to see if they would consider bringing the access off of Vine Street into the subdivision because Erektion was not designed nor built, nor can it be expanded to include the minimum road issues that Mr. Brass brought up on the private lane issues. They would hope and expect that all construction access would come off of Vine Street and not be directed through the subdivisions; he is not trying to get on Mr. Bradley's case, but the construction of his home was a total mess-trees were broken down, the pavement is wasted, etc. They would ask that sidewalk extensions be built that connect the sidewalks on Vine Street that adjoin the subdivision and that sidewalks be built on Sunny Flowers Lane; there is a gap between the home at 5737 South Erektion and the R-1-8 property to the south, and there is no sidewalk on Vine Street.

This hasn't been brought up, and he doesn't know if anyone else has this issue, but he would hope that they would bring in some new water lines because the pressure is so bad. The current angled access from Vine Street onto Erektion Lane is a blind corner right

now, and the solid masonry fence that was built at that home does not allow you to see to get in or out at that corner, and is very dangerous. They would like to see them doing the same thing as in the Forest Creek subdivision, where there is one access and a crash gate down at the end. They look forward to working with the Ivory's and the Council in making this a safe, enjoyable subdivision for all.

Mr. Brass noted that they look at the zone change and not the project. They will not be involved with the site plan review on this; he understands where Mr. Simonsen is going but he can tell them that staff gets very picky about roads and sidewalks. As far as tonight goes, they only look at the zone change; you never know what is going to happen-the economy could drive off a cliff tomorrow and Ivory gives up the land and someone else comes in and things change. There was a property on 5400 South that was rezoned to be a bank, it is not a bank, it is actually Mountain Medical Imaging. You never know what you are going to get when you make a zone; they only look at what is appropriate for the area. As you make your comments, please keep that in mind.

George Pappas, 5759 Ridge Creek Road, Murray

Mr. Pappas said that there have been two things said that apply here tonight: Mr. Wilkinson said that this is consistent with the General Plan, and Mr. Brass said that Murray needs housing options. This is consistent with that, and he encourages the Council to approve the request; this will really help Murray City.

Linda Secrist, 628 E Walnut Brook, Murray

Ms. Secrist said that she knows that Ivory has made several attempts and has spoken to her personally as well as to the group; from day one, she appreciated the fact that they did this. Their number one concern from day one has been the access-there is one issue that she would like them to think about: they have Ivory, the owner of record, doing all of the rezoning and she finds it ironic that they are rezoning the entire piece but saying that there will be three little developments because Baker is in the process of buying it back. She finds it ironic that they are rezoning all of that property and yet Baker is buying it back, which means that in the future, whoever has that property has the opportunity to have it rezoned-because you are doing that right now.

If that is the case, keep in mind that those three developments should not be modge-podged; they should be connected by a road and it should not impact 88 families with hundreds of people, for the desire of one developer-which they all agree they like, but they want the City to take into consideration that should be developed together as a separate, new non modge-podged Murray development. They would appreciate the protection for the 88 families there in respect to that.

Nathan Nichols, 675 East 5640 South, Murray, Utah

Mr. Nichols said that his concern is in the increase of traffic-not just during construction but also after, with the two lanes of access that currently exist into what could be that neighborhood. He is concerned as to how that will impact his neighborhood, his children, his neighbors children and is extremely concerned about an increase in traffic that could be detrimental to what is taking place in his neighborhood.

Robin Simonsen, 657 Walnut Brook Drive, Murray, Utah

Ms. Simonsen concurred with what has been said here, adding that driving out on Erikson Lane, it is very difficult to see because of the big fence, but on the left is another problem-a huge power pole that causes a huge blind spot. Just today, because a home is being renovated right now, there was a construction truck parked and she could not get by. This is a typical problem with even just one home being worked on. The safety issue is a big concern and you need to understand that this is a scary spot right now.

Mr. Brass said that they could urge, as the sight plans are reviewed, the departments to look at that to keep those access issues in mind. He is familiar with that power pole and the access issues with this area.

Amber Grow, 651 East 5640 South, Murray, Utah

Ms. Grow said that she understands they want to use Erikson, and there is one more access which is her street-5640 South-but coming out of that area is also an issue; people come down the hill at 5600 South and with trucks parked along there it makes it difficult to see. To her, it would be much safer for them to have their own access.

Leon Miller, 5822 Longfellow Way, Murray, Utah

Mr. Miller stated that the little piece of ground behind his place is landlocked. If they are only building two houses, building a bridge across there will be pretty expensive. He would also like to know where the utilities will be coming from-he said that they will not be coming through his lot, and he is the only lot there. These are things that they really need to think about.

Spencer Peterson, 693 East Walnut Brook Drive, Murray, Utah

Mr. Peterson said that he is also very concerned with the traffic; he is on the corner and he gets the traffic from both lanes coming in there. He said that he had heard rumors that Ivory was planning on developing 22 houses back there, not 14; he is curious as to where that rumor is coming from or if the plans included 22 houses. He believes that it is back more by the Bradley property and would like to know if they are planning on packing in more houses.

Mr. Shaver said that is a good question, but would be one for the review of the plans; when those plans are actually adopted, it would be a place for him to go and find out

what they are reviewing. This is something that is outside of this meeting.

Mr. Wilkinson said that just for clarification, they will have a separate process that will involve reviewing the subdivision plan; it will go back to a public meeting, the Planning Commission will review that and have a chance to look at all these issues related to the streets, traffic, and other issues brought up here tonight. The neighbors will have an opportunity to comment on those and make suggestions. The subdivision will be a different meeting-what they are looking at tonight is a zone change, and they will review the other issues at a later time.

Mr. Shaver asked if each of the citizens who live in that area will receive a notice of when they are going to do the review.

Mr. Wilkinson said that yes, they will send out a public notice and the citizens will have another opportunity to come in. Once they receive that notice, they are welcome to come in to the office and the staff will walk them through those plans.

Mr. Shaver recommended that the citizens do this; he knows that there are a lot of comments based on the streets, the utilities, etc., and for them, they encourage them to go and review all of the information and make those comments. We have the opportunity to comment and to question, but there is a specific time and place to do that in, and it will be made available to the citizens to do that.

Gary Rallison. 5846 Royalton Drive, Murray, Utah

Mr. Rallison feels that this a great plan; he has a building on 5800 South and it has been hit about four times, going right into the building. The engineers came out and helped him design it and there is no problem if it makes the community better, keeps the taxes lower, and it helps; he is happy to see it.

Mark Harding, 5652 South 675 East, Murray, Utah

Mr. Harding said that the street that is going to go into that street, there are about a half dozen people here tonight that did not receive a notice to go to any of the meetings to talk about this rezoning. It is not just the people that live within 100 yards, it affects that entire neighborhood and everyone in that community should have been notified, not just a select few.

Mr. Shaver stated he will follow up on this.

Linda Slick, 5641 South 675 East, Murray, Utah

Ms. Slick said that she was out of town and received a call from her sister who live at the end of the street; her sister asked if she had received a notice, which she did not, and she was given a date when the hearing was held. Her sister received a notice, but she did not. Her sister made copies and handed them out to people; the only thing that Ms. Slick saw

was an 8" x 10" paper that was posted to a stop sign at 575 East 5600 South, which was the only thing that had been put up for them to see.

Mr. Tingey said that the noticing requirements, per state code, which is what is sent out from the city offices, is a 500' radius from the property. That notice was sent out, plus some signage on the property, which occurred; that is the requirement. The City won't send out beyond that 500' because it becomes too costly and we meet the state standard requirements.

Mr. Gambroulis stated that they recognize that this is not the end of the process, only the beginning and they are willing to engage with the neighbors; that is why they called their own neighborhood meetings, they weren't asked to do that; they showed the plans and ideas of what they are proposing there, and they are willing to work with the neighbors and sit down with them. He especially appreciated Mr. Simonsen's comments and tone of working together, and they are really willing to do that. He appreciates the time spent on considering this tonight and would appreciate it if the Council approves the application tonight.

**Public comment closed.**

Council consideration of the above matter.

Ms. Dunn stated that this is her neighborhood, these are her neighbors and she is very aware of the problems; Vine Street has always been an issue there, as well as the width of Walnut Brook and Erikson Lane. But again, this process is about the zone. She feels for the plight there because she sees everything that they are saying, but this is about the zone. All of you have made comments and you fully realize that homes are going to go here and it is going to be rezoned; it's one of those things where you move next to an empty lot and we have said for almost 20 years 'we enjoy our view out of our dining room window right now, because we know it's going to be gone someday.'

She has spoken with many of the residents on the phone or in person and hopefully she has put across where the Council comes from; they are assigned by law, to address only the zone change. With that, she doesn't think that most of the residents are against a rezone, but rather they have a problem with the site plan process and she would highly suggest that they stay very involved as that process takes place. That is where the residents will make a difference in what ends up there; in this process, Ms. Dunn respects their vigilance in staying involved because that is what will help them in the long run.

Mr. Shaver addressed the same thing, explaining that when the zoning says A-1, it means agricultural; you are not an agricultural area. One of the things that they are trying to do is to get a lot of these areas of different type zones as they go throughout the city. Mr. Brass made mention to the fact that the city has a plan for the city. This area has a multi-residence zoning in this neighborhood-this means apartment complexes; he doesn't feel

that they would be in favor of that either. They are trying, the best they possibly can, in these still small areas, to fix that zoning-that is what their idea is. Again, he wanted to echo what Ms. Dunn said and plead with the residence not to let this go by; if people are on vacation, make sure that someone can speak for you. If you don't live within that 500' radius, make sure someone is here-you are a community; you are all involved in this. If you know someone lives outside this area and they want to be involved, call them and let them know when and where the meetings are. The Council looks for the input from all of the residents.

Mr. Brass pointed out that the website-www.murray.utah.gov- posts all of the agendas for these meetings, and encouraged everyone to check that site for the information; that way, if the notice is not received, you will still know what is happening. Residents may also contact the Council office and be included on the general email list that goes out.

Mr. Stam added that this general email listing not only includes the Council agendas, but all of the other boards and commission agendas as well.

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

Call vote recorded by Jennifer Kennedy.

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

Motion passed 5-0

Mr. Brass allowed Mr. Taylor of the Planning Commission, a moment for a citizen comment.

Tim Taylor, 5101 Lucky Clover Lane, Murray, Utah

Mr. Taylor expressed his appreciation to Mr. Dredge for his service on the Council over the past several terms. Being on the Planning Commission, Mr. Taylor said that he understands the sacrifice that all of them make being on the Council, and wanted to express his appreciation.

Mr. Taylor said that Mr. Dredge is a great leader as well as a great husband and

father and is a great asset to this community.

Mr. Dredge added that Mr. Taylor was responsible in helping to get Mr. Tingey here.

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

**5.3 Acknowledge the holding of a Public Hearing to receive input with respect to (A) the issuance of the Series 2011 Bonds, and (B) any potential economic impact that the project described herein to be financed with the proceeds of the Series 2011 Bonds may have on the private sector.**

Staff presentation: Doug Hill, Public Services Director.

Mr. Hill stated that as discussed over the past couple of years at budget time, the City has need of sewer improvements, particularly along State Street from Fashion Place Mall down to 5600 South; in addition to that project, there are several other projects that we need to improve the infrastructure and relocate sewer lines and so forth. The city needs about \$2.6 million to do this; they approached the State of Utah, which has a waste water loan program and asked them if they would loan the city the money- \$2.6 million at a low interest rate of 2.5%, which is lower than they would typically would get in the bond market.

This is a great opportunity for the city to be approved for this project, which they were. Mr. Hill gave recognition to Dustin Matsumori, the city's financial advisor, for helping them through this process and getting this loan.

One of the requirements that State has is that the city hold a public hearing on this loan; they are interested in anybody that wants to make comments about this to do so. In particular, they would like to know how people feel about the city borrowing the money and they would like to know if there is any economic impact on their properties or in the private sector. That is the purpose of this public hearing, only to take public comment and then they will forward those comments and verification that the public hearing was held to the State and then they will be able to close on the loan. Their plan is they will close that loan early in 2012; many of the projects are already under design and so they hope to start construction on these projects as soon as the weather permits next year.

**Public Hearing opened for public comment.**

None given.

**Public comment closed.**



Council consideration of the above matter.

Mr. Shaver made a motion to acknowledge the Public Hearing.  
Mr. Stam 2<sup>nd</sup> the motion.

Call vote recorded by Jennifer Kennedy.

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

Motion passed 5-0

**7. UNFINISHED BUSINESS**

None scheduled

**8. NEW BUSINESS**

**8.1 Consider a Resolution approving an Interlocal Agreement between the City and Unified Fire Authority for the payment to the City for Hazardous Materials Response Operations Services.**

Staff presentation: Fire Chief Gil Rodriguez.

Chief Rodriguez explained that the County is obligated to pay for certain services and one of those is Hazmat response; Salt Lake County pays the money to Unified Fire Authority and we provide the service and with this agreement, they will pay us that portion of the money directly. This has worked out with all of the Metro agencies who, together, provide hazardous materials response.

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

Call vote recorded by Jennifer Kennedy.

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

Motion passed 5-0

## 9. **MAYOR**

### 9.1 **Mayor's Report**

Mayor Snarr thanked the Council for how well the meeting went and keeping the citizens on task tonight.

The power crews and arborists have spent a substantial amount of time helping out Bountiful City and Kaysville with the recovery work that needed to take place with the significant storm events that happened last week. He appreciates the opportunity that we have to help other municipal power agencies when catastrophic events occur. There may be a time when they will need to come help us and this is a great relationship with these other cities. We do have an Interlocal Agreement with other power agencies to help out whenever there is a catastrophic even such as this. It is a good way to solve problems in a timely manner, which is something that doesn't always happen in government.

There is a new display in the City Museum about the history of water in the City and encourages everyone to go and see it.

Mayor Snarr congratulated Mr. Haacke for being elected to the Board of Directors on the Intermountain Power Agency; he was unanimously approved today and we are lucky that we have a voice there again. Mr. Haacke will do an excellent job there; in talking to those who are currently serving on the board, they are thrilled to have him on-board as he is a voice of reason and thoroughly investigates and understands things. The City is going through some real delicate issues regarding that power project and that contract is over with in 2027, with the bonds being paid off a few years before; we had a chance to make some big money from this but they are probably going to look at retrofitting the plant and finding some other source to heat the water and turn the turbines.

Mayor Snarr said that a project that has been of interest to him is watching that property on Fireclay; there have been some delays-notices that had to take place for environmental reasons, but Mr. Knowlton started on that project eight days ago and Mayor Snarr has

never seen so much equipment on such a small site. They have cleaned that site off and are in the process of taking out the few remaining trees on the side of the project. They felt bad asking some of the ‘tenants’ who were camping along the river, to vacate the property, but they willingly left the encampment. The Mayor has been very impressed at how fast this project has moved forward and hopefully in the next while that land will be under development, which will be exciting. That area is really going to blossom with all of the new development.

Mayor Snarr commented on the Christmas Tree Lighting, which had a phenomenal turnout this year as every year.

## **9.2 Questions of the Mayor**

Mr. Brass added that he had received a phone call from the City of Bountiful and they were very complimentary and were very grateful for all of the support they received from all over the County.

## **10. ADJOURNMENT**