

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 20th day of March, 2012 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
Brett Hales,	Council Member
Darren Stam,	Council Member
Jared Shaver,	Council Member
Dave Nicponski,	Council Member - Conducted

Others who attended:

Dan Snarr,	Mayor
Jan Wells,	Chief of Staff
Jennifer Kennedy,	City Recorder
Frank Nakamura,	City Attorney
Pete Fondaco,	Police Chief
Craig Burnett,	Assistant Police Chief
Tim Tingey,	Administrative & Developmental Services
Doug Hill,	Public Services Director
Gil Rodriguez,	Fire Chief
Justin Zollinger,	Finance Director
Dan Barr,	Library Director
Chad Wilkinson,	Division Manager
Dustin Matsumori,	George K. Baum and Associates
Scouts	
Citizens	

5. OPENING CEREMONIES

5.1 Pledge of Allegiance – Girl Scout Troop #2267

5.2 Approval of Minutes for February 7, 2012 and February 21, 2012.

Call vote taken, all ayes.

5.3 Special Recognition

None scheduled

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

Bill Finch, 1055 Chevy Chase Drive, Murray Utah

Mr. Finch said that he is still concerned over the zoning of the annexed area; the County Attorney had told him that there is nothing that he can do about it and that Murray City can do what they want to do, so there is a dead end there. Mr. Finch said that Mr. Shurtliff, the State Attorney has promised to look into this and Mr. Finch also has one person up on the hill that researches laws and laws that have gone to court. He has also piqued the interest, up on the hill, of two senators and three House members and he is still very concerned about Murray City honoring properties that were zoned for light commercial, professional and office use and he would like the City to really think about this because it will be coming up at the next Council meeting.

Mr. Finch added that he appreciates Murray City-it is a well-run city; he investigated the city prior to annexing into the city and he feels it has been very well managed and Mayor Snarr and the Council have done an excellent job. He is just very concerned that the city should honor the zoning that they worked hard on for 20 years.

Citizen comment closed

7. CONSENT AGENDA

7.1 None scheduled

8. **PUBLIC HEARINGS**

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

- 8.1 Consider an Ordinance adjusting Murray City Municipal Council District Boundaries.

Staff presentation: Jennifer Kennedy, City Recorder

Ms. Kennedy stated that Utah Code requires that within six months of the Legislature finishing their redistricting, the City is required to finish theirs. We look at our five Council Districts and make sure that the population is distributed evenly among all of them with a 4% variance.

Ms. Kennedy also stated that on February 21, 2012, the Committee of the Whole met and discussed some suggestions, and as you can see from the proposal, this will make the population more equal throughout the Council Districts. The changes that are being proposed are: transfer 1,287 people from District #1 to District #3; 662 people from District #4 to District #5; and 30 people from District #3 to District #4 to get rid of that little finger of area. These are minimal changes that will help to distribute the population equally throughout the districts and are asking for recommendation of this proposal.

Public hearing opened for public comment.

None given.

Public comment continued to April 3, 2012.

Council consideration of the above matter:

Mr. Nicponski asked if this will be approved after the 14 days, on April 3, 2012.
Ms. Kennedy said that yes that is the process.

Mr. Brass made a motion to continue the public hearing to April 3, 2012.
Mr. Shaver 2nd the motion.

Call vote recorded by Jennifer Kennedy.

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

Motion passed 5-0

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

8.2 Consider an Ordinance adjusting Murray City School Board District Boundaries.

Staff presentation: Jennifer Kennedy, City Recorder

Ms. Kennedy stated that the Utah Code states that whenever a school district is contained entirely within a municipal boundary, it is the municipality's responsibility to divide that school district into equal precincts. As with the process for redistricting, they look at all of the five districts; on February 21, 2012, the Committee of the Whole met and came up with the proposal before the Council. The school district was a little bit tricky because in order to keep the voting precincts without splitting-which would have increased the costs for elections for the school district-they ended up shifting things around. The voter precincts remain the same, and it is recommended that this proposal be approved.

Ms. Kennedy showed the precincts, by color, in her presentation, adding that the Granite School District boundaries that fall within the Murray annexed areas cannot be included in the Council redistricting.

Public hearing opened for public comment.

Bruce Cutler, 6051 Mohican Circle, Murray, Utah

Mr. Cutler asked if this impacts any of the current school board members or change their districts.

Mr. Brass explained that it changes all of the districts because but not the members if they continue to reside in that district.

A concern was also noted on how this would change the Murray Library Board, and it was asked if those currently serving on the Library Board would remain until their time is up, or if that would need to be changed as well if they end up not being in the same district that they were in before.

Mr. Shaver said that he thought they would remain until the end of their term and then be reappointed based on the districts.

Mr. Nakamura added that this would take effect, if voted for, after the April 3, 2012 meeting.

Public comment continued to April 3, 2012.

Council consideration of the above matter:

Mr. Shaver made a motion to continue the public hearing until April 3, 2012.
Mr. Stam 2nd the motion.

Call vote recorded by Jennifer Kennedy.

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

Motion passed 5-0

9. **UNFINISHED BUSINESS**

None scheduled

10. NEW BUSINESS

- 10.1 Consider a resolution approving an Interlocal Cooperation Agreement between Murray City, Bluffdale City, Sandy City, South Jordan City, South Salt Lake City, West Jordan City and West Valley City ratifying the formation and operation of the Metro Fire Agency.

Staff presentation: Jan Wells, Chief of Staff

Ms. Wells stated that in June of 2009, the Metro Fire Agency was formed and it was established to help the cities work together, to create an economy of scale as far as purchasing, training and capabilities; for example, here in Murray, our firefighters are the swift water rescue specialists and they provide that service to the other metro cities, others are the hazmat or bomb specialists. We have used this entity to share services and to have our resources go a little farther; it has been very successful.

The original agreements that were put into place in 2009, for whatever reason, were not all the same; they had also agreed that every three years, they would bring this agreement back to discuss and make sure that everyone was in sync and readopt the resolution. The Board of Trustees has reviewed this and has recommended that there is one document with technical adjustments, and removing Midvale City as they have joined UFA.

Mr. Shaver asked for clarification: it is his understanding that instead of having multiple agreements, they have a singular document. He asked if it would still be ratified every three years.

Ms. Wells said that yes-they want the cities to have the opportunity to have discussions, if there are questions on what is going on with it, and just so that they can keep it fresh. It is one of the things that you worry about when you create an entity like this-that you don't have an opportunity to review and to keep track of what is going on with it.

Mr. Nicponski: this valley-wide emergency operation that is going to be conducted in April-is this an example of participating agencies that will all be participating in that?

Ms. Wells stated that this doesn't really coincide with that, other than the fact that we participate and that is the "Great Utah Shakeout" where the entire state will be participating.

Mr. Shaver asked if there is a budget for this agreement.

Ms. Wells said that there is not-we share time and knowledge.

Mr. Stam asked if the city has an agreement with UFA, since they are not listed in this.

Ms. Wells stated that there is an automatic aid agreement with the fire alliance that all of

the cities belong to; that is a service agreement meaning that we back-fill and help each other out. This one is a little more specific to training and to purchasing-the economy of scale.

It was asked if training would include a facility at some point.

Ms. Wells said that there had been some discussion on this, and this group would really like to have that come to pass; they have looked into some grant opportunities and there could come a time when they may ask for some sort of contribution to help with something like that. Sandy City has some property that they have offered to use for a training tower, but they have not been able to find the other resources yet.

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

Call vote recorded by Jennifer Kennedy.

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

Motion passed 5-0

10.2 Consider a Resolution approving the “Murray City Capital Improvement Program Policy”.

Staff presentation: Justin Zollinger, Finance Director

Mr. Zollinger stated that this was presented at the last Committee of the Whole, and is here to answer any questions in regards to the policy.

Mr. Stam said that in light of the last meeting, where they had several of these Capital Improvement projects presented to them, and in looking at page 3, third paragraph, it says: “*Capital Equipment; equipment such as vehicles, furniture, technical instruments, etc. which have a life expectancy of more than one year, and a value of over \$2,500. Equipment with a value less than \$2,500 is operating equipment.*” He is wondering if this is a line that they may want to revisit in light of all the things that are there, or does 10% of the list automatically go away and those departments need to reevaluate their requests. Is this something we need to look at adjusting, or is it something we should just adopt and have the departments reevaluate their submittal.

Mr. Zollinger said that he would call those others maintenance, rather than new purchase, but that is his perspective. In speaking for a few people, he doesn’t want to put words in other people’s mouth.

Mr. Shaver said that part of the thing they want with the CIP is, even when they spoke with the Novak group, they put the numbers in place and we are identifying those numbers. If we can say that this is what we can define at this point, or as we move through that process, or as the CIP committee meets, they may want to come back and say that this needs to be adjusted based on what they are saying. For right now, it is going to be tough to just set some standard that is going to stick forever; he feels that they need to be able to say-here is what we are going to do, let's work it for a year or two and then say eh...and then adjust it.

Mr. Zollinger said that just with inflation, the numbers are going to have to be changed over time.

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

Call vote recorded by Jennifer Kennedy.

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

Motion passed 5-0

11. MAYOR

11.1 Mayor's Report

Mayor Snarr said that Angela Price, from the Community Development office, asked the Mayor to read a proclamation for the Fair Housing Month that is this month. Mayor Snarr read the proclamation and declared April as Fair Housing Month.

“Whereas title 8 of the Civil Housing Act, which guarantees fair housing for all residents in the United States, was signed into law in April, 1968, and whereas April is nationally recognized as Fair Housing Month, and a time to reflect on and reaffirm our national commitment to the ideal that fair housing opportunities are available to everyone in the United States without regard to race, color, religion, national origin, sex, family status, disability and whereas this year’s theme “Fair Housing: Live Free without Discrimination” indicates a collaborative effort of HUD and it’s housing partners in realizing increased housing opportunities for every individual, and whereas, the State of Utah, which passed its own Fair Housing Act in 1989 recognizing and affirming that all persons in the State of Utah are free to purchase, rent, finance and insure their homes without regard to their race, color, religion, national origin, sex, family status, disability or source of income, and whereas Murray City welcomes this opportunity to reaffirm our

commitment to the principle of fair housing for all and are committed to all efforts that address discrimination in our community, support all programs that will educate the public concerning their rights to equal housing opportunities and to assure every person their right to live free of the fear of housing discrimination.”

Mayor Snarr said that he had a great meeting in discussing the appropriateness of when and how he should address public hearings. He feels much more comfortable now of where they are coming from, what is appropriate and the times when it is appropriate for him to speak, and he wanted to let them know that he felt the meeting was very productive. He does not want to make anyone feel uncomfortable-obviously in public hearings, some of us are made uncomfortable with comments that are made and he knows that he is an invited guest at these meetings and appreciates that he is allowed to be there. Sometimes he has some pertinent information that he would like to share and he would appreciate being allowed to do that. He also appreciated Mr. Shaver telling him that he would have been allowed more time if he had spoken during the Council discussion time rather than the citizen comment time, and that wouldn't have put anyone else saying that the Mayor was getting special privileges or what not. He is there because he wants to share some information to help them in their decision making process, and in the RDA for instance, if they think he can raise his hand-he does not want to do something to make the Council feel uncomfortable. At the same time, he thinks there is information that when he is out there driving around or attending seminars and being involved in other situations where he receives what he considers some substantial enlightenment on a particular issue, what is the Council's comfort level on that? He understands public hearings, and will abide by that because it is good that they have that sort of decorum...but recently they have had some pretty interesting items come before the council and they have stepped up to make difficult decisions towards progress...if the Council would tell him what their comfort is as far as his speaking during meetings such as the RDA, he would appreciate it.

Mr. Nicponski said that he respects all that the Mayor does for the City-he does a lot and there is a lot that people are not aware of; he welcomes the Mayor's input at any time and feels that it is valuable-obviously when it is appropriate-and gives him a wide berth.

Mr. Stam stated that he has always believed in the old Indian tradition that the older people are the wise people and the Mayor has the experience behind him that the Council doesn't all have.

Mr. Brass says that as a member of the RDA, the Mayor's opinions are pertinent.

Mayor Snarr said that the Council has a tough job to do; he gets a lot of calls from citizens and businesses and is willing to help out when he can.

Mr. Nicponski said that the Mayor's ability to remain calm and sometimes passive in spite of some of the most derogatory language he has heard addressed to a public official has always impressed him. He feels that they, as a Council, could do a better job in protecting each other-there should be more decorum in this room so that language

doesn't happen; it needs to be polite conversation, public discourse, without the rancor and the animosity that tends to exhibit sometimes, and he will pledge that he will do that when he hears such language, he will curtail it as quickly as he possibly can. It is very difficult to sit there sometimes and listen to it, and he knows that they are required to do so and he is happy to do so, but the Mayor's ability to take it, even when it tends to be very vindictive, he says 'thank you' for that. Inside or outside of this meeting, he believes that the comments are always appropriate and appreciated.

11.2 Questions of the Mayor

None given.

12. ADJOURNMENT