

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 5th day of June, 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 - Conducted
Dave Nicponski,	Council Member

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
Bruce Turner,	Power Department
Mary Ann Kirk,	Cultural Arts
Scouts	
Citizens	

5. OPENING CEREMONIES

5.1 Pledge of Allegiance – Jared Horton, Scout

5.2 Approval of Minutes.

None Scheduled

5.3 Mr. Shaver stated that there is a tradition in Murray to have the Scouts in attendance stand and introduce themselves, their Scout Leaders and which Merit Badges they are working on. The Scouts introduced themselves.

5.4 Special Recognition

5.3.1 Presentation of Heritage Stewardship Awards

Staff presentation: Peter Steele, History Advisory Board Chair

Mr. Steele said that the Board wanted to recognize some of the City's residents who have been taking particularly good care of their historic homes and present them with the Stewardship Award. Those residents are:

Stephen and Julie West, 4948 S. Wasatch St
Jody Shumway, 4901 S. Atwood Drive
Mark Grant, 244 East 4800 South
Thomas Bernard, 205 East Vine Street

Mr. Steele thanked these residents for taking such good care of their properties and preserving part of Murray's history.

Mr. Steele said that in the past year, the Murray Museum has completed a new exhibit on the history of water access in Murray. The Board participated in consultations with the Utah Department of Transportation on the effects of the Cottonwood Street Project and approved mitigation which included documenting the effect of historic properties and completing the history of the neighborhood. The Board authorized the completion of the last portion of the City to be surveyed for historic buildings, which will give them an idea of what they have in the City in terms of historic resources. Although that is constantly changing, in the last year sixteen historic buildings have been approved for demolition.

Mr. Steele stated that the Historic Registry is now being added to the Library's website to make it more accessible and easier to find information on their historic buildings. City Staff applied for and received the State Humanities Grant, which will allow the memories of 15-20 individuals, about Murray history, to be recorded on audio tapes which can be incorporated into museum displays. City staff continues to provide museum and cemetery tours to school children from

throughout the city as well as their visitors. The Board greatly appreciates the consideration, support and the commitment that the City Council and staff has shown to preserve the history of the city through such actions as protection of historic buildings in the Historic City Center District ordinance and continued support of the City museum.

Mr. Shaver thanked the Board for the work that they do; a lot of the history of the City is contained in the citizens, in their memories, and he is grateful that we are able to record that and make it a part of the history project.

Mr. Steele asked that any of the award recipients present come up to receive their award. Those in attendance were presented the award.

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

Tim Cosgrove, Utah State House of Representatives

Mr. Cosgrove said that he had the awesome opportunity to participate with the Murray Firefighters last weekend in their training in West Valley City along with Councilmen Shaver and Stam. Every day, day in and day out, our public servants serve them and these people are not often recognized for what they go through-putting their lives on the line so that we all can be safe. Mr. Cosgrove said that he has such a great respect for these men and women and thanks them. Mr. Cosgrove added his thanks to the City and Mayor for doing such an awesome job with the Fire Department here and there is none better than the Murray City Fire Department. Challenges come and go, the downturn in the economy hurts, yet everyday they are there serving us, waiting to be called at a moment's notice putting their lives on the line.

Mr. Cosgrove stated that he had the opportunity to go through a two-story building that was full of smoke. Not being able to see his hand in front of his face, wearing the coat, oxygen tank and mask and had to find the victim in the building-rescue them and pull them out. When they filled the building full of smoke and had a fire in the basement, he and Mr. Stam had to pull the hose up the fire escape and down all the flights of stairs down to the basement to put the fire out. They were told that it was about 500 degrees in that basement and they got a little taste of what these firefighters go through but knows it doesn't even come close to what they do. These guys do an amazing job and he wanted to express his gratitude for everything that they do.

Mr. Stam had a list of all those who attended: Chief Rodriguez, Kevin Potter, Jeff Ellis, Jonathan Jastrom, Brian McNeil, Richard Carver, Joshua Schultz, Steve Ellison, Zach Carney, Patrick Gillen, Daren Whiteman and Cadet Bernson. Mr. Stam said that several of these firemen were on duty the 48 hours before and some were on their latest call and got back at 2:30 in the morning and were up again at 6:30 on their day off to take them to this training. That shows dedication and service, that they would give up their day off to come take a couple of people to train. It was an interesting experience to go through but the one thing to remember is that even though they have not had a lot of fires in Murray, it is great to have these guys there when you need them.

Mr. Shaver said that his experience was similar. They did a search and rescue, going to different stations, a fire that they put out, as well as an extrication. They were also taken into lifesaving techniques. They joined a group that showed them how they actually respond when someone is down; what they do and how quickly they get there is fascinating. They were also taken through hazmat. There are a lot of companies in the area that deal with very dangerous and toxic chemicals and they showed them what they do, talked to them about how they approach situations involving hazardous materials and it was all very informative. He extends his commendations to those who deal with these situations here in Murray and Mr. Cosgrove's comments are well taken and their work is much appreciated.

Citizen comment closed

7. CONSENT AGENDA

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

Mr. Stam made a motion to approve the confirmation.
Mr. Brass 2nd the motion.

Call vote recorded by Jennifer Kennedy.

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

Motion passed 5-0

8. **PUBLIC HEARINGS**

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

Consider an Ordinance amending Section 17.152.030 of the Murray City Municipal Code relating to conditional uses in the Manufacturing General Zone (M-G-C).

Staff presentation: Chad Wilkinson, Division Manager

Applicants: Matthew Perry and Cory Ellsworth

Mr. Wilkinson stated that this was a citizen-initiated text amendment. The applicants have a desire to establish an alcohol manufacturing business in Murray. As they reviewed the code, the property that they wish to establish their business on was not zoned for that. In fact, there was only one zone in the City that would allow for that and that is the newly adopted M-C-C-D zone. These next two items are related to each other. Mr. Wilkinson will get into further discussion on the M-C-C-D zone shortly.

As staff analyzed the request for alcohol manufacturing in the industrial zone, the Manufacturing General zone, they felt that this was an appropriate request that that could be established and go forward. They took it to the Planning Commission and the Planning Commission recommended that the Council modify the text of the Ordinance to allow for alcohol manufacturing within the Manufacturing General zone subject to a conditional use permit which would require Planning Commission review and approval. With that, they are recommending that the Council follow the recommendations of the Planning Commission and amend the Ordinance to include alcohol manufacturing as a conditional use.

Mr. Shaver asked if this is manufacturing only, not retail sales.

Mr. Wilkinson said that is correct-manufacturing only.

Public Hearing opened for public comment.

None given

Public Comment Closed

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

Call vote recorded by Jennifer Kennedy.

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

Motion passed 5-0

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

Consider an Ordinance amending Section 17.170.080 of the Murray City Municipal Code relating to permitted uses in the Murray City Center District.

Staff presentation: Chad Wilkinson, Division Manager

Mr. Wilkinson stated that this proposal is a staff-initiated text amendment related to the previous amendment. As staff analyzed where manufacturing of alcoholic beverages was allowed in the city, they found that in the recently adopted M-C-C-D zone allowed for manufacture of alcoholic beverages. When that was placed in the zoning ordinance, the intent was to allow for uses such as brew pubs and other things that would have alcohol as a secondary use to a restaurant or something similar. They didn't have that clarification in the code and felt it would be appropriate. As they were adopting a wholesale manufacturing use in the M-G-C, that they should restrict that and make sure that it is clear that the parameters that would allow for manufacture in our downtown district. The amendment is to change the code to clarify that use, manufacture of alcoholic beverages, would only be allowed in conjunction with a restaurant and limited to 5,000 square feet in size and that would also be a conditional use. With that, they are recommending approval of the amendment to the code.

Mr. Shaver asked if, as part of that conditional use, there are also some designations as to the distance requirements, such as from schools and homes.

Mr. Wilkinson said that this would be a permitted use with certain restrictions; distance requirements would apply to any type of alcohol license.

Public Hearing opened for public comment.

None given

Public Comment Closed

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

Call vote recorded by Jennifer Kennedy.

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

Motion passed 5-0

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

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

Staff presentation: Chad Wilkinson, Division Manager

Mr. Wilkinson said that this was reviewed by the City Council about a year ago. This was a change from Agricultural to R-1-8 to allow for a division of a lot from one large agricultural lot into smaller single family residential lots. As the applicant went through the process that was approved by the City Council, when it came time for a building permit to be issued, it was found that the lot was not large enough to accommodate the house that was anticipated on the lot. The applicant has come forward to amend, not only the zoning map, but eventually they will need to amend the subdivision map that was created, which will be done should the Council approve this zone change.

This zone change is for a strip of land approximately 14' wide by approximately 94' long which would include some additional property area for the previously approved zoning change and lot split. They are recommending approval of this; the Planning Commission has reviewed and approved the request.

Public Hearing opened for public comment.

None given

Public Comment Closed

Mr. Nicponski made a motion to adopt the Ordinance.

Mr. Stam 2nd the motion.

Call vote recorded by Jennifer Kennedy.

A Mr. Hales

A Mr. Nicponski

A Mr. Stam

A Mr. Brass

A Mr. Shaver

Motion passed 5-0

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

Consider an Ordinance adopting the Final 2012-2013 Fiscal Year Budgets for Murray City including the Library Fund Budget.

Staff presentation: Justin Zollinger, Finance Director.

Mr. Zollinger said that they have made a list of contingency items to the Mayor's Budget that he would like to outline:

- CDBG Fund: they received some additional monies for the Boys and Girls Club and Neighborworks; he wanted to mention that for the budget changes.
- Capital Projects Fund: they have some additional items they need to purchase in that fund.
- RDA Line Item Transfer: they need to move a few of the items between the lines.
- Library Retirement Incentive: has been outlined.
- Contingency Transfer: has been outlined.
- Police Vehicle Maintenance Fund: this needs movement and additional funding that will be moved from non-departmental and utilities.
- Laptop Replacement Budget: needs to be moved to the computer replacement line item budget.
- School District Contribution for Hillcrest
- Speed Signs: which includes the Capital Projects Fund and the General Fund.

The budget will be available in summary form and also in detail form if anyone would like to pick that up. They will also be putting it on the City website.

Mr. Shaver said that the Council has agreed to address each of these issues on June 12th, 2012 from 4:00 p.m. to 6:00 p.m. in a scheduled meeting to address these issues and include them in the budget, previous to their recommending the budget and adopting it as ordinance on the 19th of June, 2012. Any citizen that would like to participate in those meetings is welcome.

Public Hearing opened for public comment.

None given

Public Comment Closed

Mr. Stam made a motion to continue the hearing on June 19th, 2012.
Mr. Hales 2nd the motion.

Call vote recorded by Jennifer Kennedy.

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

Motion passed 5-0

Brian Shiozawa, 3177 Ft Union, Midvale, Utah

Mr. Shiozawa stated that he is a long-term resident of the area and the Republican Utah State Senate Candidate for the Murray, Midvale and Cottonwood Heights districts. He works as an emergency physician for St. Marks Hospital and sees on a daily basis the Fire and Rescue efforts and says that these people serve an invaluable service.

Mr. Shiozawa said that he educated at Stanford and medical school at the University of Washington as well as a residency here at the University of Utah. He has been at St. Marks Hospital practicing emergency medicine for over 20 years. He is obviously interested in healthcare and healthcare reform. He is also interested in taxes, education and the ever present problem with jobs in our economy. He just wanted to introduce himself to the citizens and also to learn and get feedback on what things are important to them, so that he can address those issues and hopefully be their representative and serve them this fall.

9. UNFINISHED BUSINESS

None scheduled

10. NEW BUSINESS

10.1 Consider a Resolution approving an Interlocal Cooperation Agreement between the City, Salt Lake City, South Salt Lake City, Sandy City, South Jordan City, Draper City, Bluffdale City, Lehi City, American Fork City, Vineyard Town, Orem City and Provo City to establish a Quiet Zone.

Staff presentation: Jan Wells, Chief of Staff

Ms. Wells stated that the City had the opportunity a while ago to be the lead city for the quiet zones for the TRAX lines. This agreement is to allow Lehi City to have that opportunity for the Frontrunner. It is an Interlocal agreement to join with these other cities to figure out a way to do a quiet zone for Frontrunner.

Mr. Shaver said that this was a presentation that the Council received from the UTA group on what they are trying to do. They are doing some testing, but until that time, we will still hear the whistles.

Ms. Wells said that as with the other quiet zone, it takes some time to work out. It has to go through a Federal process to be allowed and the same thing will happen with this. Because of that, it may not even be done by the time the trains are ready to go, so we will have to wait and see. One thing that UTA just announced is that the rails that go down now for the trains, usually the bell rings and then the arms go down but because of all the incidents that have occurred, they are now going to put bells on those guards and they will ring the entire time they are down. You may get a quiet zone from the trains not blowing but there will be bells on the guards.

Mr. Brass made a motion to adopt the Resolution.

Mr. Stam 2nd the motion.

Call vote recorded by Jennifer Kennedy.

 A Mr. Hales

 A Mr. Nicponski

 A Mr. Stam

 A Mr. Brass

 A Mr. Shaver

Motion passed 5-0

10.2 Consider a Resolution adopting the Murray City Strategic Plan.

Staff presentation: Jan Wells, Chief of Staff

Ms. Wells stated that this is a resolution to adopt the City's Strategic Plan. Staff has spent the past six or eight months working on a Strategic Plan. We've had the opportunity to work with the Novak group and it has been very much a joint effort of all the elected officials and staff and they are very excited about the outcome of this.

Ms. Wells added that the Mission and Vision Statements have been placed in the main hallway, as well as seven key performance areas that we will be focusing on and working on into the future which are outlined on the information in the hall. An open house was also held for the employees to let them see the plan and understand what the City will be focusing on. Ms. Wells feels that this is something that will give everyone a good sense of direction and a lot of opportunities for improvement to continue with the great city that we have. She recommends that the Council approve this resolution.

Mr. Brass said that we all got taken by surprise three years ago, when the economy died. One of the things that they wanted to look at was better ways to fund the city other than just with sales tax revenue, and how to look forward for major purchases. The City provides pretty much all of the services for the bulk of Murray and a lot of that equipment is very expensive. If we look out ten years, we can budget for it a little bit at a time. When they built the hospital, the Fire Department needed to buy a tower truck at about \$1 million. As we replace this equipment, we need to have a plan for that.

Mr. Hales made a motion to adopt the Resolution.

Mr. Nicponski 2nd the motion.

Call vote recorded by Jennifer Kennedy.

 A Mr. Hales

 A Mr. Nicponski

 A Mr. Stam

 A Mr. Brass

 A Mr. Shaver

Motion passed 5-0

11. MAYOR

11.1 Mayor's Report

Mayor Snarr commended Ben Knudsen, who had both the 7th and 8th grade competitive rugby team that was started just over a year ago. The team, sponsored by the city, won the Junior High State Rugby Championship. This was a great accomplishment for these young men and their coach, who has a great passion for rugby. The City appreciates his efforts as a citizen and the volunteer time that he spends with these young men.

The City is also bringing in a major rugby event that will be hosted by the County property, the area directly behind the County Ice Rink and will be a major world-wide tournament for rugby being held there this summer.

Plans are underway for the Fun Days celebration that will be held on the 4th of July. We love rubbing shoulders with the residents as well as celebrating the birth of our country. There will be a formal vote by the citizens as to whether the Mayor's mustache should be shaved or saved. You will be able to do thumbs up to save or thumbs down to shave and the Mayor hopes that everyone will show up and vote thumbs up.

Mayor Snarr said that Murray now has two beautiful new dealerships that are now operational. The ribbon cutting for the Mini dealership is on Thursday June 7th 2012 at 6:00 p.m. This project was not an easy one. The city had to look at the ordinance that governed how we could encourage development along State Street by moving it up closer to the Street. We had to jump through a lot of hoops, but to the credit of those who worked through that effort, we were able to keep the Mini dealership here. They love it here. They have been very successful and it is the only Mini dealership in Utah.

Mayor Snarr stated that he and Kim Sorenson spent some time with Adrian Bogart. This individual has a passion for preserving and making the Jordan River Parkway something that everyone can be proud of, by dealing with invasive species such as Russian Olives, Tamarisk and other species that cause problems along the parkway. Murray City is proud to say that of all the portions of the parkway, all the way from Saratoga Springs to the Great Salt Lake and into Davis County, we have the best portion of the parkway as far as how it is finished and how we have dealt with those species. We have about a year and a half of having our arborist and we are very fortunate to have him and the great work he has done.

The Mayor added that they just found out that the city owns about 4 ½ additional acres of land along the parkway. The problem is that this land is a disaster and has a lot of invasive species on the land. With Adrian on the job, this area is going to look as great as the rest of the parkway in no time.

Mayor Snarr said that we do have a lot of erosion issues that need to be dealt with. This is a cooperative effort between the City and the County since the County is responsible for all of the river ways and creeks in Salt Lake County and they are working with the

City to do some stabilization projects. There are some projects being done just north of the Nature Center and we are getting close to getting into cutting into some of the asphalt along the parkway, which happens when the river shifts and we have been fortunate that with the County's funding, they have stepped up to help us solve some of these things and we have been more than cooperative to keep that river within its channel and we may have to do some more mini dredging to correct some of those issues.

Mayor Snarr said that on June 27th, 2012 the new Hyundai dealership will finally be opening, and he is very excited for this to open. Larry H. Miller will also be getting approval to move the Super Car Dealership down to what used to be the LaPoint property. Once that is approved, they will demo the old structures and we will have a \$20 million new Lexus Dealership being built in Murray City.

11.2 Questions of the Mayor

None

8. ADJOURNMENT