

# Murray City Municipal Council Chambers Murray City, Utah

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**T**he Municipal Council of Murray City, Utah, met on Tuesday, the 21<sup>st</sup> day of August, 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 - Excused
Dave Nicponski,	Council Member - Conducted

Others who attended:

Daniel Snarr,	Mayor
Jan Wells,	Chief of Staff
Jennifer Kennedy,	City Recorder
Frank Nakamura,	City Attorney
Pete Fondaco,	Police Chief
Tim Tingey,	Administrative & Developmental Services
Gil Rodriguez,	Fire Chief
Justin Zollinger,	Finance Director
Michael Williams,	Murray City Justice Court
Scouts	
Citizens	

## 5. OPENING CEREMONIES

5.1 Pledge of Allegiance – Scout from Troop #1487

5.2 Mr. Nicponski 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.

5.3 Approval of Minutes.

None scheduled.

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

Ronald Fowlks, 6800 Jefferson Street, Murray, Utah

Mr. Fowlks lives at the end of Jefferson Street and would like to see the street opened up into Midvale. This is a concern that he would like to put to the Council, and knows that there may be opposition to it but he has spoken to a lot of people that are in favor of it, both for safety and convenience reasons. With all of the construction on State Street and 6400 South, it has been a real hassle at times for them to get out of that little corner that they are in.

Mr. Fowlks is an owner and retired member of Allied Fence Company, which has been doing business in Murray for years. He is very concerned about getting this street opened up. He was very disappointed when they closed it in the first place some 30 years ago. There are ways to control the traffic there, such as putting in an all-way stop sign at Lester and Jefferson which would stop the traffic at the middle point. He hopes that the Council will consider this.

**Citizen comment closed**

**7. CONSENT AGENDA**

**7.1 Consider approval of the Mayor's appointment of Lew Wood to the Murray Power Advisory Board in At-Large position for a three year term to expire June 01, 2015.**

Mr. Hales made a motion to approve the confirmation.  
Mr. Brass 2<sup>nd</sup> the motion.

Mr. Stam expressed his concern that one of the items in the Strategic Plan is to have informed, engaged citizens, which means that there are several

citizens. Mr. Stam asked if there were others who have not had the opportunity who may want to have it. He understands and appreciates that Mr. Wood has served for 17 years, which is a long time and it gives Mr. Wood a lot of experience and expertise that can help. The ordinance was changed to allow reappointments but Mr. Stam would have liked to have a little more time to verify if someone else wanted to be a part of the Power Advisory Board. If this had come back to Mr. Stam in a month or so, he would have been happier to approve this. Mr. Stam said that this was in no way meant to offend, but he would deny this motion.

Call vote recorded by Jennifer Kennedy.

  N   Mr. Stam  
  A   Mr. Brass  
  A   Mr. Hales  
  A   Mr. Nicponski

Motion passed 3-1

**8. PUBLIC HEARINGS**

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

**Consider a Resolution appropriating funds to State & Vine, LLC pursuant to Section 10-8-2 of the Utah Code.**

Staff presentation: Tim Tingey, Administrative & Development Services Director

Mr. Tingey said that this item relates to the Downtown Benefit Cost Study that has been conducted, as well as a development agreement that the city is looking at entering into between the City and State & Vine, LLC for development of a hotel and retail facility on the corner of State and Vine Streets. The hotel will be a minimum of 100 rooms and 7000 square feet of commercial space. The City's involvement would be in the form of participation in some public improvements relating to the site including relocation of power lines, acquisition of some right-of-way area to allow for additional space for ingress/egress for the public and enhancements to the right-of-way along the site which would include access elements relating to the development.

Based upon this, if the City is going to move forward and utilize funding for these types of improvements, it is important per State Code that an independent study occurs and it needs to analyze the net value received by the City as part of participation with this agreement. Among other things, the purpose of this report is to evaluate the need for public participation in the downtown project which will create and intensely

revitalization, promote health, safety, prosperity, moral well-being, peace, order, comfort, and convenience of the inhabitants of the community. That is quoting directly from the State Code on the requirements of having an independent study conducted.

Mr. Tingey said that Zions provided that independent study. They were hired to evaluate this proposal, evaluate the economic benefits related to what it states in State Code and they outlined a number of direct and indirect economic benefits. This type of development and the use of public funds to assist with public improvements associated with this development would increase real property tax revenues, land and buildings. It would increase personal property tax revenues, increase sales tax revenue, transient room tax revenue and increase municipal energy franchise tax revenues. Indirect benefits, as outlined in the study are: patrons of the hotel would likely shop and eat in Murray, eat in restaurants and take advantage of entertainment options. Employees of the hotel, as well as office and retail employees located within the hotel, would make additional purchases in the city and there could be complimentary developments such as restaurants which could occur near the hotel site.

Mr. Tingey introduced Alex Buxton of Zions Bank and Susie Becker, who did the primary work in the study. They are in attendance and can answer any questions. Based on this study and the direct and indirect benefits, staff is recommending approval of an attached Resolution approving the public investment and entering into this agreement with State & Vine LLC.

**Public Hearing opened for public comment.**

None given.

**Public Comment Closed**

8.1.2 Council Consideration of the above matter.

Mr. Brass made a motion to adopt the Ordinance.  
Mr. Stam 2<sup>nd</sup> the motion.

Call vote recorded by Jennifer Kennedy.

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

Motion passed 4-0

**9. UNFINISHED BUSINESS**

None scheduled.

**10. NEW BUSINESS**

**10.1 Consider a Resolution authorizing the execution of an Interlocal Cooperation Agreement between the Salt Lake County Sheriff's Office and Murray City for prisoner transportation to and from the Murray City Municipal Justice Court.**

Staff presentation: Michael Williams, Murray City Justice Court

Mr. Williams stated that in May, the Legislature made some amendments to some bills saying that we had to enter into an agreement with either a jail or constable agency in order to transport people from the jail to the court. Currently, we transport about 1,700 people per year from the jail to our court. We had a 'Gentlemen's Agreement' contract with the Salt Lake County Constable's Office since the court opened. The jail offers the same service, which they would like to enter an agreement with, for safety and security reasons. It would offer a better transport flow. They are better able to know what the person is in jail for, over and above what our charges are and what we can find out at times. There are times when we get someone transported from the jail that we really don't want in our court. It is far too much of a security risk.

Mr. Williams contacted the County Jail and spoke with Lt. Kirkwright, who put him in contact with the County. Mr. Farnsworth of the Murray City Attorney's Office drew up this plan and has been in contact with the County. The jail has been out to review the court to see what we have, and Mr. Williams feels that this Interlocal Agreement would be in the best interest of the court and of the City.

Mr. Nicponski asked Mr. Williams to elaborate on the comment he made regarding there being some people we don't want in our court.

Mr. Williams explained that there are some people who get arrested who may have been arrested, not only on our warrant, but may be in jail for attempted murder or other things far and above our charges of DUI or domestic violence. The jail will tell people if someone is going to court whereas Murray has put a blanket on it and will not let people know if someone is going on a transport. Since the jail does let people know and we are on what is called an 'exchange network' with the court system, it is no longer a secret who will be transported to court. It is not in our interest to have someone who is a gang member who may have attempted murder charges pending be transported to our court. We do not have the security that the District Court has. We have two bailiffs and the police who will send additional people up for security, but that is a hit or miss situation.

Mr. Nicponski asked if the transport agent stays at the site or if they drop the prisoner off and then come back to pick them up.

Mr. Williams stated that because of the numbers that they have, they have a full van every morning and afternoon, the agents will stay. Their original plan was to drop off the prisoners and then return, but as the court is able to get them in and out within an hour, the jail will wait for them.

Mr. Nicponski asked if these are certified deputies who will be staying and transporting the prisoners.

Mr. Williams said that is correct. These are Salt Lake County deputies, whereas the Constable's Office hires people who are working towards their certification.

Mr. Stam made a motion to adopt the Ordinance.  
Mr. Hales 2<sup>nd</sup> the motion.

Call vote recorded by Jennifer Kennedy.

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

Motion passed 4-0

## 11. **MAYOR**

### 11.1 **Mayor's Report**

Mayor Snarr said that Jefferson Street should really be looked at. This would create a better traffic flow, as Mr. Fowlks stated. People are constantly complaining about the delays on State Street and he feels that this is no different than the changes made to connect Main Street to Cottonwood Street. If you go down there you will see where the fence is at Jefferson and it is not a major deal to make that road work again.

Mayor Snarr reminded everyone of Larry Millers grand-opening on August 27, 2012 at the Honda Dealership. It will open at 11:30 to grab a bite to eat and the program will begin at 1:30. They are very excited about this opening; the reason it was delayed was because they needed to coordinate with Honda of North America to get their representatives in.

Mayor Snarr met today with the remediation company who is doing the environmental remediation on the New Concept Furniture building. They said if they stayed late tonight they would finish tonight, otherwise it would be finished tomorrow morning. The asbestos and other contaminants will be removed and then it is just a matter of time for them to draw the permit for the demolition. There have been some issues with costs which have escalated because Marriot has specific requirements on how they want the new Residence Inn to be built and they are working to find some additional financing for the project. They are still working with the school district on getting the ingresses and egresses to match for the new school entrances and for the Marriot. He wants this to be right. Mayor Snarr has met with the Engineering Department to get this project to work for the safety of the residents, students, parents and visitors.

Mayor Snarr said that the carwash is officially closed as of today. The trees will be gone next week and the city will soon have a beautiful new Chick-Fil-A. It is expected that the restaurant will be built in the next four months or so.

Mayor Snarr spoke extensively with Richard Tranter of the Murray School District and the Mayor is really worried about making sure everything is done correctly so that they can vacate the road in a timely manner. Mr. Tranter assured him that they are going to go forward full steam ahead to make sure the work is done. Mr. Stokes of the Murray Engineering Department said that they have given them a check-list of all the things that need to be taken care of and hopefully sometime in January or February, the new school will be under construction with the demolitions of what is there.

Mayor Snarr added that Main Street is now open over the Big Cottonwood Creek. They had to repaint it. Mayor Snarr said he will be writing an article next week about how much it is costing us to address the graffiti problem here in Murray. It is hundreds of man-hours per month now and this really bothers him. We need to find a way to get the citizens to become more vigilant in watching for this. Graffiti is not representative of the city in which we live.

Mayor Snarr said that the best fireworks in the history of Murray were on Saturday night at the World Series. This display blew away the city's 4<sup>th</sup> of July fireworks. It is exciting that we are able to host this and he thanked those involved including Mr. Stam, Mr. Hales, Mr. Sorenson, the city departments and all others who are involved in this for doing such a wonderful job. The fact that they were asked to host this again speaks highly of the venue that we offer as well as the warmth and welcome that they receive from the host families and our employees. The governor will be at the game tomorrow night to throw out the first ball at 8:00.

Mr. Stam announced that at this time, Murray is ahead and hopefully can keep the lead. He also said that through special arrangements, there would be another fireworks display on Friday night after the last game.

Mayor Snarr said that the city did receive a very good deal. Many cities had purchased fireworks, but because of the ban from Coalville to other areas, they were unable to use them and wanted to unload them prior to next season.

Mayor Snarr is excited about all the changes and progress that the city is making and his hat is off to all of those who work with him. Novasource is a great company to work with and this is an exciting development which will really start the downtown revitalization of that critical corridor in our city.

Mr. Stam added that the World Series has been so impressed with Murray that they are talking about offering the City another one, which is unheard of. It has been taxing on the volunteers this time and it was a little harder this time to get volunteers to sign on, but it is very unusual for them to consider offering the city this opportunity.

Mayor Snarr asked Jason to stand up, saying that the city has worked hard to develop areas and bring back those areas that have been significantly challenged. Jason has been coming to many of the meetings and the Mayor has taken him around the city to see what is happening in Murray. The Mayor feels that Jason now has a better understanding of different issues such as traffic impact at the hotel site versus what is already there and other issues. The Mayor's personal opinion is that the height was something that they were concerned with, but it is absolutely beautiful and will value back to that area. The hospital is very excited about this project. They were contemplating doing one of their own but decided they needed the land resources for other development and are going to be very supportive of both hotels. Mayor Snarr thanked Jason for taking the time to come to these meetings.

## **11.2 Questions of the Mayor**

None.

## **12. ADJOURNMENT**