

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 18th day of March, 2008 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:

Krista Dunn,	Council Chair
Pat Griffiths,	Council Member
Robbie Robertson,	Council Member
Jim Brass,	Council Member - Conducted
Jeff Dredge,	Council Member

Others who attended:

Daniel Snarr,	Mayor
Jan Wells,	Chief of Staff
Frank Nakamura,	City Attorney
Michael Wagstaff,	Executive Director, Council
Pete Fondaco,	Police Chief
Craig Burnett,	Assistant Police Chief
Doug Hill,	Public Services Director
Carol Heales,	City Recorder
Dennis Hamblin,	Community Development Director
Kim Sorensen,	Park Superintendent
Gil Rodriguez,	Fire Chief
Alisha Tippetts,	Police Officer
Citizens	

A. OPENING CEREMONIES

1. Pledge of Allegiance: Chief Fondaco
2. Mr. Brass invited the attending Boy Scouts to stand and introduce themselves, their leaders, and state what merit badges they are working on.
3. Mr. Brass welcomed Michael Wagstaff and introduced him as the new Executive Director of the City Council. Mr. Wagstaff had previously worked in the Mayor's office as the Deputy for Legislation.
4. Approval of Minutes

Mr. Dredge made a motion to approve the minutes of March 04, 2008 with corrections.

Ms. Dunn 2nd the motion.

Voice vote taken; All Ayes

4. Special Recognitions:

1. Swearing-in of Alisha Tippetts as a new Police Officer of the Murray City Police Department.

Chief Fondaco introduced Alisha Tippetts, who has joined Murray City's Police Department as a new police officer.

Swearing-in ceremony conducted by Ms. Heales.
Officer Tippetts introduced her family and fiancé.

2. Consider a Joint Resolution of the Mayor and Municipal Council of Murray City, Utah, declaring the month of March 2008, as ***Disability Awareness Month 2008***.

The Resolution was read in its entirety by Mr. Brass.

Ms. Griffiths made a motion to adopt the Resolution.
Ms. Dunn 2nd the motion.

Call vote recorded by Ms. Heales

- A Ms. Griffiths
- A Ms. Dunn
- A Mr. Dredge
- A Mr. Robertson
- A Mr. Brass

Motion passed 5-0

Mayor Snarr presented the Resolution to Kim Sorensen, Park Superintendent, stating that the City has always done its best to work with those with disabilities. For that reason, we are proud of our record of ADA compliance and the resources we provide for those in our community.

Mr. Sorensen, on behalf of the Disability Advisory Board, thanked the Mayor and the City Council for their efforts in improving the lives of those with

disabilities. In a meeting held last week, it was discussed that the Disability Advisory Board was put together in 1990, and in these past years, Murray City has done a lot to improve the lives of those with disabilities.

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

None Given

C. CONSENT AGENDA

None Scheduled

D. Public Hearing(s)

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

1. **Consider a Resolution declaring the property located at approximately 318 West Anderson Avenue, Murray City, Salt Lake County, State of Utah, as surplus.**

Staff Presentation: Frank Nakamura, City Attorney

Mr. Nakamura explained that this property has not been used for any City purpose, and the City has no need for this property. There are 2 easements against this property, one for Rocky Mountain Power, and the other the City will retain a 30' wide easement on the property.

This property does have an access issue; it is landlocked. They anticipate advertising the property for sale.

Council consideration of the above matter to follow Public Hearing.

Public Hearing Opened for Public Comments

None Given

Public Hearing Closed

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

Call vote recorded by Ms. Heales:

AYE/NAY

<u> A </u>	Ms. Griffiths
<u> A </u>	Ms. Dunn
<u> A </u>	Mr. Dredge
<u> A </u>	Mr. Robertson
<u> A </u>	Mr. Brass

Motion passed 5-0

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

1. **Consider an Ordinance amending Section 17.76.140 (H)(4) of the Murray City Municipal Code relating to flag lots.**

Staff presentation: Dennis Hamblin, Community Development Director

Mr. Hamblin stated that the current Code requires that the flag lots come off of a public street, and there is an applicant whose property comes off a private lane, and wishes to do a flag lot. The applicant has petitioned the City to amend the Code to include private lanes for the flag lots.

The Planning Commission reviewed this on February 07, 2008; it comes with a 5-1 favorable recommendation to the Council.

Mr. Brass stated that the Council had received a memorandum from the City Attorney's office on this matter.

Mr. Nakamura stated that there had been some concerns on the following issues:

1. In November 2007, the City had changed all of the private streets to public streets, and they are concerned that the language used in

this Ordinance could be construed that private streets are 'back in' in the P.U.D.'s.

2. The private street and flag lot at this location could have an access problem; the City does not control access on a private street, and who ever is building the flag lot would need to be aware that if someone chose to close a private street, they would not have access to their property.

Mark Snow, 4910 South Naylor Lane, Applicant

Mr. Snow stated that the Planning Commission had discussed the access issue, and he hopes that they can come to some agreement on this and allow the change.

Council consideration of the above matter to follow Public Hearing.

Public Hearing Opened for Public Comments

None Given

Public Hearing Closed

Ms. Dunn stated that she had the same concerns that Mr. Nakamura had mentioned. When there is a private lane, there may not be the same requirements that a public street does, and this could become problematic. At the same time, in looking at this particular property, she can see where they are coming from on this issue.

Mr. Brass stated that he had concerns over reopening the public streets issue. In the memo, they make the comment that the Council could pass this and have it only apply to private drives existing on or before a certain date.

Mr. Nakamura agreed; stating that at minimum they would like to add language for private streets that existed prior to November 13, 2007, which is the date when the City converted the private streets to public streets.

Mr. Dredge made a motion to adopt the Ordinance with the language amendment. Mr. Robertson 2nd the motion.

Ms. Griffiths stated that she has a concern over the access issue.

Ms. Dunn felt that by putting in the date and language as noted, would mitigate this problem.

Mr. Brass stated that future access would become a private property issue, or an issue between landowners.

Mr. Nakamura agreed and assumes that landowners would work out access issues prior to building, which would be the prudent to do.

Call vote recorded by Ms. Heales:

AYE/NAY

<u> A </u>	Ms. Griffiths
<u> A </u>	Ms. Dunn
<u> A </u>	Mr. Dredge
<u> A </u>	Mr. Robertson
<u> A </u>	Mr. Brass

Motion passed 5-0

E Unfinished Business

None Scheduled

F. New Business

None Scheduled

Mayor Report

Mayor Snarr stated that there had been some boundary issues with General Growth Properties at the Fashion Place Mall, as there are several parcels with different trusts that own them. There was a 60' easement that was required between the distance of the new Nordstrom's and the property where Morgan Jewelers, Applebee's and the Taco Bell are. He complemented the City Attorney's Office for working expeditiously to make this work. Nordstrom's is now underway, with the pad down and the building now under construction. Dillard's has also been worked out.

The Mayor also noted that there is a celebration underway at the High School for David Archuleta, Murray's own American Idol.

Questions of the Mayor

None

Adjournment