

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 19th day of November, 2013 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:

Brett Hales,	Council Chair
Jim Brass,	Council Member
Darren Stam,	Council Member - Excused
Jared Shaver,	Council Member
Dave Nicponski,	Council Member – Conducted

Others who attended:

Daniel Snarr,	Mayor
Jan Wells,	Chief of Staff
Jennifer Kennedy,	City Recorder
Frank Nakamura,	City Attorney
Tim Tingey,	Administrative and /Development Services Director
Doug Hill,	Public Services Director
Gil Rodriguez,	Fire Chief
Justin Zollinger,	Finance Director
Brenda Moore,	Controller
Paul Adams,	Fire Department
Daren Wightman,	Fire Department
Mike Dykman,	Fire Department
Kevin Potter,	Fire Department
Jon Harris,	Fire Department
Steve Roberson,	Fire Department
Amy Goller,	Parks and Recreation Department
Cari Barrios,	Treasurer Division
Terry Taylor,	Treasurer Division
Jennifer Heaps,	Treasurer Division
Citizens	

5. Opening Ceremonies

5.1 Pledge of Allegiance – Josh Siwik

5.2 Approval of Minutes

5.2.1 October 1, 2013

Mr. Shaver made a motion to approve the minutes

Mr. Hales seconded the motion

Voice vote taken, all “ayes.”

Mr. Nicponski noted that Darren Stam, Council Member, was excused from the meeting.

5.3 Special Recognition

5.3.1 Murray City Council Employee of the Month, Firefighter and Paramedic, Paul Adams.

Staff presentation: Gil Rodriguez, Fire Chief

Chief Rodriguez stated that for the Employee of the Month for the Fire Department they would like to recognize Paul Adams, Firefighter/Paramedic. He invited Mr. Adams to join him at the podium.

Chief Rodriguez said that they are honoring Mr. Adams for a lot of the work he has done with the Cadets. Mr. Adams has been an employee for Murray City as a Firefighter/Paramedic for 13 years. Chief Rodriguez stated he was Mr. Adams training officer when he was first hired. Mr. Adams is a great guy. He has one of the nicest demeanors you will ever see. Chief Rodriguez reflected on a time years ago when Mr. Adams was having difficulty with a fire hydrant and he sent him home with a nut and bolt so he could practice “righty tighty, lefty loosey.”

Chief Rodriguez stated that Mr. Adams is a great asset to the Fire Department. He is a great face for what a firefighter is. He is as nice of guy as you can meet. Chief Rodriguez reiterated that Mr. Adams does a great job with the Cadets. He then invited Mike Dykman, Battalion Chief, to speak about the work Mr. Adams has done with the Cadets.

The Cadet program was started in 1996 and it has really evolved because of people like Mr. Adams.

Mr. Dykman said that when Chief Rodriguez had asked him to consider

some people in the Department for Employee of the Month, it was a really hard decision because there are a lot of great people in the Fire Department. However, Mr. Adams is very deserving of being Employee of the Month and a big part of it is the Cadets as Chief Rodriguez mentioned.

Mr. Adams works with the Cadets. These are kids that are 16-21 years of age. What Mr. Adams does is equivalent to herding cats because these kids require a lot of attention. The biggest thing is that Mr. Adams schedules all of the Cadets time to work on shift and he does it with regard for their home, school, and social life.

With that being said, the Fire Department only expects the kids to work four hours per pay period; four hours every two weeks. Mr. Dykman noted that there are kids that work many more hours than that and a big part of the reason they do it is because Mr. Adams makes sure they have a good experience.

Not only does Mr. Adams schedule the Cadets, he has taken responsibility for training and making sure they have a good experience in the Fire Department and that they get a good feel for what it is like to be a firefighter and a good citizen.

Mr. Dykman spoke to Mr. Adams saying that he is very deserving. Everything Chief Rodriguez said about Mr. Adams is true. Mr. Dykman stated it is an honor to have Mr. Adams work with and for him. Chief Rodriguez put Mr. Dykman in charge of the Cadet program but nothing would get done without team work and without good team players. Mr. Adams is absolutely a great team player. Mr. Dykman congratulated Mr. Adams.

Mr. Hales stated that the City Council would like to recognize him. He stated that the Employee of the Month program was started about a year ago. He presented Mr. Adams with a \$50.00 gift card to the Fashion Place Mall, a certificate, and noted his name has been placed on the plaque at the back of the Council Chambers. Mr. Hales asked Mr. Adams to introduce his family.

Mr. Adams thanked the Council and Mayor and members of the Fire Department. He stated that he could not do what he does without the support he receives. Every single one of the firefighters helps the Cadets. Mr. Adams feels that all he does is facilitate the Cadets so they can spend their time working with these men and women so they can improve and become better people. He introduced his family.

- 5.3.2 Consider a Joint Resolution of the Mayor and Municipal Council of Murray City, Utah expressing gratitude and appreciation to Tim Tingey

for his contributions to Murray City.

Staff presentation: Dave Nicponski, City Council Member
Brett Hales, City Council Member

Mr. Nicponski read the Resolution in its entirety.

Mr. Brass made a motion to adopt the Resolution
Mr. Shaver seconded the motion

Call vote recorded by Jennifer Kennedy

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

Motion passed 4-0

Mr. Hales stated that Mr. Nicponski commented to him that they should do this. From then on, there was no question and it went through. Mr. Hales does not know how often this has happened but the Council wanted to recognize Mr. Tingey for all he has done.

Mr. Tingey thanked his staff and recognized the members of Administrative and Development Services. He stated he is grateful to be part of the Murray City team both in the department and the City as a whole. He expressed his appreciation for the Mayor and City Council.

Some of Mr. Tingey's staff presented him with a gift and expressed their appreciation to him for all the work he has done.

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

No comments given.

7. **Consent Agenda**

7.1 None scheduled.

8. **Public Hearings**

Mr. Nicponski said he was asked, and it was approved, to hear Public Hearing # 4 first because some of the students that are here for this Public Hearing have other obligations this evening.

8.4 Public Hearing #4

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

Consider a Resolution donating One Thousand Dollars (\$1,000.00) from the General Fund to Murray School District for the Murray High School Debate Team.

Staff presentation: Jared Shaver, City Council member

Mr. Shaver said he believes very strongly that the heart and soul of Murray is going to continue to beat with our youth. Many times they excel in so many different ways but they do not really get recognized in public. They do in the school, such as a straight 'A' student gets recognized by the school, but we would not bring them before the Council for that.

It has been Mr. Shaver's pleasure and privilege in the last couple of months to actually participate with the Speech and Debate Team as they have gone to tournaments. They coursed him into becoming a judge which was fun.

Mr. Shaver stated that our City Council has the opportunity to really recognize them. They represent Murray everywhere they go. They travel throughout the state and will continue to do so throughout the year. Some of them even have desires to travel nationally and they will represent Murray in everything that they do. They are very proud of that fact and they love that they go to Murray High School. The team has a great teacher, Ms. Gamangasso, who Mr. Shaver asked to stand and address the Council.

Ms. Gamangasso said that before speech and debate she was terrified of public speaking. Her knees would shake and her voice falter; it was terrible. She would do anything possible to avoid it.

Speech and debate has opened her horizons so much more. She can now stand in front of an audience and speak very eloquently. She has been open to all social events and has learned about the world.

Before speech and debate Ms. Gamangasso never considered what was going on in the Middle East or Syria. She never thought about the health care or criminal justice system. Speech and debate has opened her eyes to all of these things and forced her to research and learn about them. Speech and debate has made her a more knowledgeable person overall and has helped her in her studies.

Ms. Gamangasso said that speech and debate prepares people to be more knowledgeable and better speakers. She uses speech and debate every single day. When she goes to work, she has to speak to people and speech and debate has made this more comfortable. Every single day she uses this and applies it her life.

The Murray Speech and Debate Team have been very successful. For the past consecutive six year they have sent kids to the national tournaments. Last year they sent five kids to Philadelphia and one kid to a tournament in Alabama.

Ms. Gamangasso continued saying as of now they are a pretty successful team. However, if they were given this money, it would help them so much more because then they could invest in more technology like laptops and tablets which would make them a more competitive team at tournaments. They do have laptops at their school but they cannot take them with them. They will be able to make their team more successful and better represent Murray if they have these resources.

Public Hearing open for public comment.

No public comments given.

Public comment closed.

8.4.2 Council consideration of the above matter.

Mr. Hales made a motion to adopt the Resolution
Mr. Brass seconded the motion

Call vote recorded by Jennifer Kennedy

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

Motion passed 4-0

8.1 Public Hearing #1

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

Consider an Ordinance amending Sections 17.64.030 and 17.64.090 of the

Murray City Municipal Code relating to fence height regulations.

Staff Presentation: Tim Tingey, Administrative and Development Services Director.

Mr. Tingey stated that this item had gone before the Planning Commission and they made this recommendation. It was prompted by the International Building Code which made modifications in 2012 to increase the fence height from 6' to 7' for those who are required to get building permits for fences. Because of this, the City wanted to take a look at its zoning regulations and somewhat bring them into compliance with the International Building Code regarding this issue.

Mr. Tingey continued saying they are proposing to change the zoning ordinance to allow for, rather than a 6' high and non-residential fencing regulations, 7' high fence. That would make the maximum fence height 7' rather than 6' in height. Then on exceptions to the ordinance related to residential fence heights, the City has some reservations about going with the 7' high fence in a backyard or side yard because 7' is quite high and there may be some issues related to concerns with esthetics, shading or other issues like that. The City felt it should be limited to specific circumstances. In the ordinance that was given to the Council it allows for, in side and rear yards of residential and nonresidential properties, a 7' fence to be allowed. Parcels of properties that are ½ acre in size may erect a fence to a height not exceeding 7'. This is also for properties adjacent to a collector or arterial.

In addition to that they have added wording for properties that are adjacent to light rail. There are some specific standards that have been included regarding the commuter rail wording as well.

The Planning Commission recommended approval and staff is also recommending approval of these changes to the zoning ordinance related to fence height.

Public Hearing open for public comment.

No public comments given.

Public comment closed.

8.1.2 Council consideration of the above matter.

Mr. Brass made a motion to adopt the Ordinance

Mr. Shaver seconded the motion

Call vote recorded by Jennifer Kennedy

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

Motion passed 4-0

8.2 Public Hearing #2

- 8.2.1 Staff and sponsor presentations and public comment will be given prior to Council action on the following matter:

Consider an Ordinance amending Section 17.116.080 of the Murray City Municipal Code relating to the maximum building height in the Multiple-Family Low Density Residential District (R-M-10).

Staff Presentation: Tim Tingey, Administrative and Development Services Director.

Mr. Tingey stated this was prompted by an application from an individual that wanted to build a structure in the R-M-10 zoning district. For some reason, in the City's Zoning Ordinance we have a number of R-M, Residential Medium Family, areas and none of them have this height standard at 30'. In fact, in the City's Single-Family Residential area we have the maximum height at 35'. In those Medium Family areas, a maximum height of 40' is allowed. Staff is recommending allowing the change to go up to 35' in height for this R-M-10 zone. Planning Commission also recommended approval.

Mr. Shaver asked if this change is limited to any type of structure.

Mr. Tingey responded it is for structures that are allowed under the Ordinance. In this area, there are multiple uses that would include Single-Family Residential or Multi-Family Residential as well as the other uses.

Public Hearing open for public comment.

No public comments given.

Public comment closed.

- 8.2.2 Council consideration of the above matter.

Mr. Shaver made a motion to adopt the Ordinance
Mr. Hales seconded the motion

Call vote recorded by Jennifer Kennedy

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

Motion passed 4-0

8.3 Public Hearing #3

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

Consider an Ordinance amending Chapter 17.42 of the Murray City Municipal Code relating to tobacco and electronic cigarette retailers.

Staff Presentation: Tim Tingey, Administrative and Development Services Director.

Mr. Tingey said that as the Council is aware, back in June 2013 the City Council adopted an Ordinance for a moratorium on electronic cigarette businesses and retailers in Murray City. Staff has had a chance to go back and look at this and they have worked with the Attorney's office.

State Code has adopted some wording and language related to electronic cigarettes. What they have done is included electronic cigarettes under the definition of tobacco retailers. This Ordinance that the City is looking at tonight puts the City consistent with the State Code related to this.

Mr. Tingey continued saying the City would have the same definition under State Code which includes tobacco retailers; electronic cigarette components are part of that. They are defined in State Code so staff has included that definition. It also provides regulations on tobacco or electronic retailers. Those regulations define retailers as those that sell tobacco or electronic cigarette products for more than 35% of the total annual gross receipts; food and beverage products, excluding gasoline sales, as less than 45% of the total annual receipts; and that the establishment is not licensed as a pharmacy under State Code.

That is the State Code definition which staff has included as part of this Ordinance. Electronic cigarettes are included in the tobacco retailer

section of the City's Code. The only difference between us and the State Code is we have included electronic cigarette retailers similar to what the City adopted as part of the Tobacco Retailer Ordinance which limits the number to one retailer per 10,000 residents; based on the population of our City.

The Planning Commission has seen this and recommended approval. Staff is recommending approval of this Ordinance change as well.

Mr. Shaver clarified that this does not change or alter the distance between schools, etc. That part remains the same. All that is different for our Code is how many retailers the City will allow, one per 10,000 citizens.

Mr. Tingey replied that was correct. He continued saying that in defining electronic cigarettes as part of the tobacco retailers, all of those distance requirements apply to those types of retailers which would include distance. They have to be 1,000 feet from playgrounds, youth centers, recreation centers, arcades, parks, and libraries. They also have to be 500 feet away from another tobacco or electronic cigarette retailer.

Mr. Nicponski clarified that we can have one retailer per 10,000 residents which means we can have four in our City. He asked about existing smoke shops.

Mr. Tingey explained that they are legal non-conforming. They would be allowed to stay in the City unless they move or go out of business for a certain time period. They would still be in place.

Mr. Shaver commented that he remembered a business that was going to open and sell electronic cigarettes. He asked if there was any "grandma" in this or does this just start today and there can only be four in the City.

Mr. Tingey stated that was correct. At this point, these limitations would apply to any new business that applies for a license.

Mr. Nicponski asked if existing smoke shops are allowed to sell electronic cigarettes. That would make more than four within the city selling electronic cigarettes.

Mr. Tingey said there would be more than four because there would be some legal non-conforming businesses out there.

Mr. Nicponski clarified that is because of the existing smoke shops.

Mr. Tingey stated that was correct and this Ordinance will apply to new businesses that want to come into the community.

Public Hearing open for public comment.

No public comments given.

Public comment closed.

8.3.2 Council consideration of the above matter.

Mr. Shaver made a motion to adopt the Ordinance
Mr. Brass seconded the motion

Call vote recorded by Jennifer Kennedy

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

Motion passed 4-0

8.5 Public Hearing #5

8.5.1 Staff and sponsor presentations and public comment will be given prior to Council action on the following matter:

Consider a Resolution waiving golf cart fees valued at approximately Five Hundred Sixty Dollars (\$560.00) for the Glenae Turley Trust Fund.

Staff presentation, Gil Rodriguez, Fire Chief

Chief Rodriguez stated that as the Council knows one of their Firefighter/Paramedics has been going through some cancer issues and she is going to be forced to take an early medical retirement. One of the firefighters had an idea to have a golf day for her. Chief Rodriguez had doubts about it being pulled off but in about a week, that firefighter pulled it off and got about 50 players. He is asking the City if they would waive the golf cart fees. Chief Rodriguez reiterated he was amazed they were able to pull this off because it has been so cold. The department wanted to send her away with something a little more substantial.

Public Hearing open for public comment.

No public comments given.

Public comment closed.

8.5.2 Council consideration of the above matter.

Mr. Brass asked if they were still collecting money and was told they were. He asked the members of the Fire Department that were in attendance to get the Council the information for the Trust Fund. Mr. Brass expressed his appreciation for Ms. Turley as they go way back and he knows her quite well.

Mr. Shaver said that one of the things that the Council likes, particularly about the public services group, is how well they support each other and how much they really care for each other. It is evident in what they do. He expressed his thanks to them.

Chief Rodriguez said that Ms. Turley is scheduled to retire the first part of December. Everything has been happening fast. The Fire Department is wishing and hoping for the best.

Mr. Nicponski stated he is glad the Fire Department has given them this opportunity. It is the Murray spirit that the Council likes to see. He thinks this is outstanding.

Mr. Brass made a motion to adopt the Resolution
Mr. Hales seconded the motion

Call vote recorded by Jennifer Kennedy

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

Motion passed 4-0

9. Unfinished Business

9.1 None scheduled.

10. New Business

10.1 Consider a Resolution approving an Interlocal Agreement between the City and the State of Utah, Utah Humanities Council, and the Utah Division of Arts and Museums for a grant to install Murray Museum listening stations.

Staff presentation: Doug Hill, Public Services Director

Mr. Hill stated that last year the City received a historic grant to do oral interviews for approximately 15 of the City's longtime residents. Over the past year, those oral interviews were conducted and completed. Staff would like to put those oral interviews into listening stations in the museum so as people go around and see the different parts of the museum they can push a button and portions of these oral interviews will tell the history of Murray City from a very personal perspective.

The City has received a grant for \$2,000 to install these listening stations in the museum. Because this grant is with the State of Utah it does require an agreement and the City Council must authorize it.

Mr. Nicponski stated that those devices are wonderful.

Mr. Hales made a motion to approve the Resolution
Mr. Brass seconded the motion

Call vote recorded by Jennifer Kennedy

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

Motion passed 4-0

- 10.2 Consider a Resolution approving an Interlocal Agreement between the City and Salt Lake County for receipt by the City of Tier II "Zoo, Arts, and Parks" Funds.

Staff presentation: Doug Hill, Public Services Director

Mr. Hill stated that most of the Council is aware that approximately 20 years ago the citizens of Salt Lake County authorized a 1/10 of 1% sales tax that goes towards the Zoo, Arts, and Parks fund that is administered by Salt Lake County. The City applies for these funds annually to help fund our arts programs. The City has been receiving these funds for many years and they go towards offsetting some of the costs that the City has in providing cultural facilities to our residents.

This year, the City received a grant from Salt Lake County for a little over \$67,000; about 20% of the total arts budget of \$350,000. This is a substantial donation that helps fund these programs. Mr. Hill reiterated that because it is an Interlocal Agreement with the County it does require approval from the Council.

Mr. Nicponski verified that money will go into their General Fund and is distributed accordingly.

Mr. Hill replied that was correct.

Mr. Nicponski told Mr. Hill that they do a great job working with the County on this.

Mr. Shaver made a motion to approve the Resolution
Mr. Hales seconded the motion

Call vote recorded by Jennifer Kennedy

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

Motion passed 4-0

- 10.3 Consider a Resolution acknowledging completion and receipt of the independent audit for Fiscal Year 2012-2013 and order that notice be published pursuant to Section 10-6-152 of the Utah Code.

Staff presentation: Justin Zollinger, Finance Director

Mr. Zollinger stated they went over the financial statements in great detail. They will be on the website tomorrow so that anyone who wants to go look at the information and numbers will be able to.

Mr. Zollinger continued saying that the City is in a good financial place. Our position improved in the City because of our decision makers, leaders and employees. It does not mean that we do not have challenges. For those that are handing the baton, they can do that knowing they have done a great job.

Mr. Hales told Mr. Zollinger that he is amazing. Mr. Zollinger and his staff have done a phenomenal job and it is neat to see how much they love this. They do a great job and the Council really appreciates that.

Mr. Brass made a motion to approve the Resolution
Mr. Shaver seconded the motion

Call vote recorded by Jennifer Kennedy

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

Motion passed 4-0

- 10.4 Consider an Ordinance enacting Section 3.04.015 of the Murray City Municipal Code relating to Governmental Accounting Standards

Staff presentation: Justin Zollinger, Finance Director

Mr. Zollinger stated that in February 2009 the Government Accounting Standards Board issued Statement 54 which asks that we adopt, in City Ordinance, a policy on how we report our fund balance. It talks about non-spendable, restricted, committed, unassigned, and assigned. This Ordinance it just complying with that standard and bringing us into compliance with that.

Mr. Hales made a motion to adopt the Ordinance
Mr. Shaver seconded the motion

Call vote recorded by Jennifer Kennedy

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

Motion passed 4-0

- 10.5 Consider a Resolution adopting the Regular Meeting Schedule of the Murray City Municipal Council for calendar year 2014.

Staff presentation: Brett Hales, Councilmember

Mr. Hales stated the Council has recommended a regular meeting schedule; the first and third Tuesday just like has always been done. In August, due to UAMPS and December due to holiday events, the schedule has been adjusted.

Mr. Shaver made a motion to approve the Resolution
Mr. Brass seconded the motion

Call vote recorded by Jennifer Kennedy

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

Motion passed 4-0

- 10.6 Consider a Resolution requesting that appropriate action be taken by the State of Utah to ensure that Stericycle Medical Waste Incinerator does not emit harmful contaminants into the air that jeopardize the health of residents in the Salt Lake Valley including Murray City residents.

Staff presentation: Jim Brass, Councilmember

Mr. Brass stated that this has become a really big issue. Mr. Brass received a request from one of his neighbors, Elva Jensen, who is in attendance. Ms. Jensen called Mr. Brass. Ms. Jensen's son is a cancer survivor and so she has been paying attention to this. Stericycle has violated their permit on a couple of occasions. If you have seen the pictures the stuff coming out of the stack is dark and black. When you burn that type of waste, you get harmful toxins in the air. Mr. Brass has been wondering about this and the health effect of air quality. Not just from Stericycle, but in general.

Mr. Brass has been diagnosed with asthma. He notices on bad air quality days as inversions get worse, he has a real problem. We all breathe the same air. Mr. Brass is alarmed at the increase in cancer rates. His mother passed away from cancer a year ago. He's also noticed neuromuscular diseases. His wife has MS, Mr. Hales has MS and the Mayor's daughter has MS.

These things are happening at an alarming rate so when Ms. Jensen requested this, Mr. Brass jumped right on board without hesitation. He appreciates the Council's support, not only in saying yes, but getting it on the agenda for tonight. Mr. Brass feels this is critical and something that could not wait. We all need to send a message on this issue.

Mr. Brass noted that the Council has this Resolution before them and he would appreciate their support on this.

Mr. Nicponski told Mr. Brass he liked what he said about this sending a message. It makes it clear where Murray City stands on this sort of thing.

Mr. Shaver thanked Mr. Brass for bringing this to the Council's attention. He considers himself somewhat knowledgeable on many issues, but this one was brand new to him. Going through and doing the study as Mr. Brass counselled them to do opened his eyes to many things. Stericycle is just one of many issues that we face. We live in a wonderful world with modern technologies but we also live in a world that has pollutants and chemicals and things that can damage our bodies and hearts. Mr. Shaver thinks it is very important, and Mr. Brass and Mr. Nicponski have stated, that we send something that says our City is conscious and aware. We want Murray to be clean and a place where people feel comfortable living. Mr. Shaver feels this will do exactly that. He thanked Mr. Brass.

Mr. Hales thanked Mr. Brass also. He thought it was great when he brought this

up. In the area where he grew up, 20 of them have been diagnosed with Multiple Sclerosis. Mr. Hales does not believe that is a coincidence. Mr. Hales stated this is important.

Mr. Brass said ironically as they were pursuing this, a news report came out tying certain cancers to the air pollution. Now there are studies that support this.

Mr. Shaver made a motion to approve the Resolution
Mr. Hales seconded the motion

Call vote recorded by Jennifer Kennedy

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

Motion passed 4-0

11. Mayor

11.1 Report

Mayor Snarr reminded the Council that there will be a ground breaking next week at 9:45 a.m. He is excited that the University of Utah has decided to expand their medical facilities into Murray. This is going to be a big thing over the next several years.

Mayor Snarr had a chance to meet with Dr. Zollinger to try to resolve some of the issues. He is very excited to come to Murray. The University of Utah Medical Facilities say Murray is the best place to do business in the valley.

Mr. Shaver asked the Mayor if he was able to resolve the issues.

Mayor Snarr said he had no idea and that Mr. Tingey mentioned that they are working with Washington State Mutual. They say it is not the best solution, but Mayor Snarr thinks that in a lot of ways it is a way to at least approach coming up with a way to allow two ingresses and egresses. The challenge is if this goes to court it is going to hang up the site and construction and Jacobsen is ready to go. Mayor Snarr stated he would hate to see that happen, he hopes they can come to some kind of an amicable resolution. If it requires the University of Utah Medical Facilities work something out with General Growth on behalf of Washington Mutual then it would be all the better. They are negotiating right now.

Mayor Snarr reiterated how excited he is about this. Although the University of Utah is non-profit he is sure a lot of the employees and people who come there for

treatment and care will definitely go across the street and shop at the Fashion Place Mall, which is good for the City.

Mayor Snarr said he still has not heard about the Fashion Place Mall getting their building permit as far as the building goes. He asked Mr. Tingey if their plans were approved.

Mr. Tingey responded they were.

Mayor Snarr said they still have not requested a demolition permit so he is not sure where that is at.

Mayor Snarr said that some people are concerned about the lighting over at the new parking lot at the County Fairgrounds site. They put in an additional 63 parking stalls. The lighting is what the lighting was next door when they took the four houses down and put the lighting in; it is the same lighting. However, some of the residents are not happy but the Mayor is not sure what to do. That lighting protects the residents from someone parking in the dark and jumping the fence and committing a burglary. The Mayor feels the lighting is appropriate. It protects the properties that are owned by the citizens of Salt Lake County so they are not vandalized as they were several years ago.

The rugby field has turned out to be absolutely incredible. The construction trailer is gone and the restrooms are pretty nice. It is a beautiful concrete walking path all the way around the entire site. They will bring in the portable seating next spring as there are not a lot of people over there playing rugby right now.

Mayor Snarr continued saying Mr. Hill made an interesting comment. Mr. Hill came back from a short vacation and remarked how fast the Hilton Hotel is going up. It is a big hotel. It is going to be a nice hotel and a welcome addition to downtown Murray. The Mayor noted that we are making progress with some nice, new developments and some nice, new open spaces have been updated and enhanced.

11.2 Questions for the Mayor

Mr. Nicponski stated that going over the audit with Mr. Zollinger earlier, page 80 identifies the different entities that bring in taxes such as 12% from Costco and an electronics store in the Mall (Apple), and it really is a big deal. This list is going to expand now with these new hotels. This is what keeps a tax hike away; this kind of economic development which is what prompted him to recognize and acknowledge Mr. Tingey. He told the Council that Mayor Snarr is the City's best salesman. These things do not happen by accident. Mr. Nicponski thanked Mayor Snarr for everything he has done in that regard.

Mayor Snarr responded that it is a team effort. He appreciates everybody having the wisdom to say sometimes sacrifice is critical for success. Sometimes we ask people to sacrifice which is not always a pleasant thing to do. But at the end of the day we have to make tough decisions. When we make them we hope for the best.

As far as Mayor Snarr is concerned, it was a great deal to get IHC to buy all of that property. The City brought in special consulting groups during the negotiations. They analyzed what was fair as far as the distribution of revenue from the RDA. The Mayor feels that the City came out with the best deal because we have a really strong entity in there in Costco. They love being there. That is the number one pharmacy in Utah. Per square foot, the number one retailer in Utah is at the Fashion Place Mall; it is the Apple store. The Apple store at the Fashion Place Mall is stronger than the Apple store downtown. They are doing extremely well here.

12. Adjournment

Jennifer Kennedy, City Recorder