

MURRAY
CITY COUNCIL

**Council Initiative
Workshop
October 1, 2013**



MURRAY
CITY COUNCIL

NOTICE OF MEETING
MURRAY CITY COUNCIL INITIATIVE WORKSHOP

PUBLIC NOTICE IS HEREBY GIVEN that there will be a meeting of the Murray City Municipal Council on Tuesday, October 1, 2013, at the Murray City Center, 5025 South State Street, Murray, Utah.

4:40 p.m. **Council Initiative Workshop**: To be held in Conference Room #107
Brett Hales conducting.

1. Discussion Items

- 1.1 City Boards, Commissions and Committees should be treated in equitable manner - Jared Shaver (15 minutes)
- 1.2 Zoning Amendments – Jared Shaver (15 minutes)

2. Adjournment

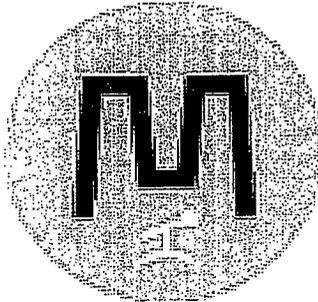
NOTICE

SPECIAL ACCOMMODATIONS FOR THE HEARING OR VISUALLY IMPAIRED WILL BE MADE UPON A REQUEST TO THE OFFICE OF THE MURRAY CITY RECORDER (801-264-2660). WE WOULD APPRECIATE NOTIFICATION TWO WORKING DAYS PRIOR TO THE MEETING. TDD NUMBER IS 801-270-2425 or call Relay Utah at #711.

Council Members may participate in the meeting via telephonic communication. If a Council Member does participate via telephonic communication, the Council Member will be on speaker phone. The speaker phone will be amplified so that the other Council Members and all other persons present in the Council Chambers will be able to hear all discussions.

On Friday, September 27, 2013, at 9:00 a.m., a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Murray City Center, Murray, Utah. Copies of this notice were provided for the news media in the Office of the City Recorder and also sent to them by facsimile copy. A copy of this notice was posted on Murray City's internet website www.murray.utah.gov, and the state noticing website at <http://pmn.utah.gov>.

Janet M. Lopez
Council Administrator
Murray City Municipal Council



MURRAY
CITY COUNCIL

Discussion Item #1

CIW Meeting Request Form

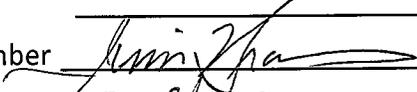
Sponsor Jared Shaver Date Sent to Administration _____

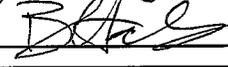
Subject Murray City advisory boards, commissions and committees

Date, Time, Place Oct. 1, 2013 4:50 p.m. Conference Room (prior to COW)

Council Member Consent — In order to schedule a CIW three Council Members must consent. Consent merely reflects support to place a subject on an agenda for discussion, and in no way is meant to reflect complete endorsement of the topic.

Council Member Jared Shaver

Council Member 

Council Member 

Subject Matter — Council members who wish to sponsor a CIW agenda item shall prior to the scheduled meeting obtain informal, but distinct approval from a majority of Council Members. CIW meetings will be limited to one agenda item, unless there is a reasonable relationship between multiple items requested for the same date.

Subject Matter in Concept: Murray citizen advisory boards, commissions and committees should be treated in equitable manner.

Presentation — Council members sponsoring a CIW shall be responsible for coordinating the presentation time, room, and staff involvement. A CIW presentation is designed to inform and educate Council Members regarding a particular topic, i.e., need for discussion, statistical data, outside municipal experiences, and current trends, etc.

Estimated Time 15 – 20 minutes

Presentation Medium Exhibits & Discussion _____

Special Equipment Needs (AV) _____

Discussion — Each meeting shall begin with a presentation by the sponsor, and then in turn attending Council Members will have the opportunity to comment on the topic. This meeting is designed to cultivate informal discussion focusing on the will and direction concerning of the Council as pertaining to the topic. Discussion should be focused on balancing and weighing the topic against general policy created by the Council. If there is a need, discussion items may be scheduled for a second meeting.

Discussion Highlights _____

Direction — At the conclusion of Council discussion or at the request of the sponsor, the Council shall determine future action and direction, staff involvement, or whether the items shall be tabled until further notice.

Janet Lopez

From: Doug Hill
Sent: Wednesday, September 18, 2013 2:39 PM
To: Jan Wells; Janet Lopez
Subject: Board Time and Benefit Summary

Jan and Jan –

The Boards that fall in the Public Services Department include: 1) Parks and Recreation Advisory Board, 2) Arts Advisory Board, 3) History Board, and 4) Heritage Center Advisory Board. Listed below is a brief summary of members time commitment on these Boards. Also, members of these Boards do not travel, nor is there funding available for training and conferences. Finally, these Boards do not receive meals but may occasionally be provided with snacks at their meetings.

- The Parks and Recreation Board typically spend 1.5 hours a month for Board meetings- 8-10 meetings each year. Boards members usually participate in programs which interest them and help with special events such as: Arbor Days, Fun Days, etc.
- The Arts Board members typically spend 1.5 hours a month for Board meetings (except December) plus an additional 1-3 hours each for 5-6 months each year to help with various projects (art hostess, ticket sales, passing out programs, judging/setting up art shows, making phone calls to winners, etc). – probably 25-35 hours a year for each Board member.
- The History Board members typically spend about 1.5 hours a month for Board meetings (except December). A few of them are more involved with the museum and cemetery tours but not as many “projects”. The chair probably spends the most extra because he/she present awards and reports to the City Council. I would guess 3-4 of them (about half) spend 1-3 hours for 2 or 3 months of the year for museum day, city council discussions, history month walking tours, museum projects, etc. – probably 20-25 hours a year for each Board member
- The Heritage Center Board members spend 1.5 hours a month for Board meetings - 9 times a year. Board members are expected to come to the meetings and the rest is up to them on how much more time they want to volunteer at the Center (most volunteer in other areas). Some Board members volunteer up to six hours a week regularly and others up to 5-6 hours per special event.

Doug Hill

Public Services Director | Murray City
4646 South 500 West | Murray, Utah 84123
Phone: (801) 270-2404 | Fax: (801) 270-2450
dhill@murray.utah.gov | www.murray.utah.gov

Tim asked me provide this information to you related to the number of hours put in each month by our commission and board members:

Planning Commission: 10 hours per month

Board of Adjustment: 4 hours per month

Design Review Committee: 1 hour per month (an average based on quarterly meetings)

Building Board of Appeals: 4 hours annually (they only meet once per year)

Please let me know if you need any additional information!

Thanks,

Jennifer Heaps

Murray City

Administrative and Development Services

jheaps@murray.utah.gov

801-264-2681

9.19.12

Janet Lopez

From: Jan Wells
Sent: Monday, September 23, 2013 10:21 AM
To: Janet Lopez
Subject: Power Board

Hi Jan,

Blaine sent the following information for me to pass along on the Power Board's time involvement:

Five member board serves three year term – three terms maximum (9 years)

Meetings are held once per month for 2 hours – occasionally there will be a second mtg – but infrequently

Members are invited to attend in-state, local power related meetings (maybe 4 per year) These are full or half day events.

A member can attend an out of state national conference once per three year term

A member can attend all in-state UAMPS meetings

A member can attend one out of state UAMPS meeting per three year term

I see that you received information from Doug. Let me know if there is other information I can help with.

Thanks!

Jan C. Wells
Chief of Staff
Murray City, UT
(801) 264-2621

Janet Lopez

From: Kim Fong
Sent: Monday, September 23, 2013 8:47 AM
To: Janet Lopez
Subject: RE: Library Board of Directors

Each member probably spends 30 hrs. per year on Board business. There are no perks.

Kim Fong
Director



**MURRAY
LIBRARY**

Take Me There

166 East 5300 South Murray, UT 84107
801-264-2585

"Anyone who thinks this world is without magic, hasn't been to a library." *--Authors
for Libraries*

From: Janet Lopez
Sent: Monday, September 23, 2013 8:34 AM
To: Kim Fong
Subject: Library Board of Directors

Kim,

Could you send me an estimate of how much time your Board Members spend on Library business. Also, if there are any perks, please indicate that.

Thanks,
Jan

Janet M. Lopez
Council Administrator
Murray City Council
801-264-2622
jlopez@murray.utah.gov

CHAPTER 2.34

ARTS ADVISORY BOARD

SECTION:

- 2.34.010: Created; Composition;
Appointment
2.34.020: Mission; Powers And Duties
2.34.030: Term; Removal; Vacancies
2.34.040: Rules Of Procedure,
Meetings
2.34.050: Salary

2.34.010: **CREATED; COMPOSITION;
APPOINTMENT:**

There is created and established a body to be designated as the arts advisory board and shall be composed of nine (9) members, all of whom shall be appointed by the mayor with the advice and consent of the city council. Five (5) members so appointed shall be residents of the city; and the remaining four (4) members shall be at large members and may be from within or outside the city limits. No board member may participate in discussion of or vote on any matter before the board if the discussion or vote is a conflict of interest as defined in chapter 2.46 of this title. The membership of this board should be representative of the broad spectrum of the arts including music, the dramatic arts, the visual arts and the cultural arts. (Ord. 10-28)

2.34.020: **MISSION; POWERS AND
DUTIES:**

The mission of the arts advisory board is to promote the development, awareness and

appreciation of, and participation in, the cultural arts and humanities in the city. It shall be the duty of the arts advisory board to act in an advisory capacity to the mayor, city council, and city staff regarding promotion of the arts in the city. To carry out this purpose, the arts advisory board is empowered to:

- A. Promote the broad spectrum of the arts in the community including the performing, visual, and literary arts.
- B. Encourage and support other community based arts organizations which provide cultural arts opportunities for city residents. The arts advisory board shall receive and review grant applications for qualified nonprofit organizations within the city in accordance with the rules and guidelines established by the arts advisory board, the mayor and the city council. The arts advisory board shall make grant recommendations to the mayor. The mayor shall make the decision as to the actual awarding of any grants, subject to approval by the city council.
- C. Advocate for the arts as a significant element of the school curriculum.
- D. Promote resources including staffing, facilities, and funding which support the implementation of year round cultural arts activities focused for the benefit of city residents.
- E. Matters in connection with the administration of city owned arts facilities

including the amphitheater shall be decided by the mayor with recommendations from the arts advisory board. (Ord. 06-35 § 2: prior code § 3B-2)

2.34.030: TERM; REMOVAL; VACANCIES:

The five (5) members appointed, as residents of the city, shall serve for a term of three (3) years and may be removed by the mayor. Members shall be appointed to overlapping three (3) year terms. Vacancies occurring through expiration of terms of appointment, death, disability, resignation or removal by the mayor, if applicable, shall be filled by appointment of the mayor with the advice and consent of the city council. Members shall not serve more than two (2) consecutive full terms.

The four (4) members at large shall be appointed for a term of two (2) years and may be removed by the mayor. Members at large shall not serve more than two (2) consecutive terms. (Ord. 10-28)

2.34.040: RULES OF PROCEDURE, MEETINGS:

The board shall formulate its own rules for selection of a chairman, time, place and manner of calling of meetings and other procedural matters; provided, that there shall be at least one meeting each month. (Prior code § 3B-4)

2.34.050: SALARY:

No member of the board shall receive compensation for service on the advisory board. (Prior code § 3B-5)

CHAPTER 2.36

BUILDING CODE BOARD OF APPEALS

SECTION:

- 2.36.010: Purpose
 2.36.020: Organization
 2.36.030: Duties

2.36.010: **PURPOSE:**

- A. The board of appeals is created to hear and decide appeals of orders, decisions or determinations of the building official regarding the application and interpretation of the technical construction codes, as provided in section 204 of the uniform administrative code.
- B. The board of appeals has no authority to interpret the administrative provision of any technical construction code or the uniform administrative code nor may the board waive requirements of any technical construction code. (Ord. 94-07 § 8: prior code § 6-15.1)

2.36.020: **ORGANIZATION:**

- A. The board of appeals shall consist of five (5) members each to be appointed to overlapping terms of three (3) years, provided that not less than one of the terms of the members of this board shall expire each year.
- B. Members of this board shall not serve more than three (3) consecutive

terms, and may be removed by the mayor. "Term" as used in this subsection shall mean serving on such a board at least eighteen (18) months.

- C. The mayor shall appoint, with the advice and consent of the city council, to such board only bona fide residents of the city, all of whom will serve without compensation.
- D. The mayor shall designate one member of the board to serve as chair of such board whose function is to preside over, and to direct the functions and activities of the board of appeals.
- E. The building official, or a designee, shall be an ex officio member of and shall act as the secretary to the board, but may not vote on any matter before the board. (Ord. 10-28)

2.36.030: **DUTIES:**

The board is empowered to adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the director of public works, with a duplicate copy to the appellant. (Prior code § 6-15.3)

CHAPTER 2.38

HERITAGE CENTER ADVISORY BOARD

SECTION:

- 2.38.010: Created; Composition;
Appointment
2.38.020: Powers And Duties
2.38.030: Term; Removal; Vacancies
2.38.040: Rules Of Procedure,
Meetings
2.38.050: Salary

2.38.010: **CREATED; COMPOSITION;
APPOINTMENT:**

There is created and established a body to be designated as Heritage Center advisory board and shall be composed of nine (9) at large members, all of which shall be appointed by the mayor with the advice and consent of the city council. Five (5) members so appointed shall be residents of the city. (Ord. 01-09 § 2: Ord. 92-05 § 1: prior code § 14A-1)

2.38.020: **POWERS AND DUTIES:**

It shall be the duty of the board to act in an advisory capacity to the Heritage Center director, office of the mayor and the city council in connection with the Heritage Center; all business done or to be done by the city in connection with such administration or other operation of such center shall be subject to the advice of the board. All matters of general policy in connection with the administration of the center or its operation, including the extent of the authority and discretion to be destined in the director

of the center, shall be decided by the city with the advice of such board. (Ord. 01-09 § 2: Ord. 92-05 § 1: prior code § 14A-2)

2.38.030: **TERM; REMOVAL; VA-
CANCIES:**

Members shall be appointed to overlapping terms of three (3) years and may be removed by the mayor. Vacancies occurring through expiration of terms of appointment, death, disability, resignation or removal by the mayor, if applicable, shall be filled by appointment of the mayor with the advice and consent of the city council. Members shall not serve more than two (2) full appointed terms. (Ord. 10-28)

2.38.040: **RULES OF PROCEDURE,
MEETINGS:**

The board shall formulate its own rules for selection of a chairperson, time, place and manner of calling of meetings and other procedural matters; provided, that there shall be at least one meeting each month. (Ord. 01-09 § 2: Ord. 92-05 § 1: prior code § 14A-4)

2.38.050: **SALARY:**

No member of the board shall receive compensation for service on said advisory board. (Ord. 01-09 § 2: Ord. 92-05 § 1: prior code § 14A-5)

CHAPTER 2.40

PARKS AND RECREATION ADVISORY BOARD

SECTION:

- 2.40.010: Created; Composition;
Appointment
2.40.020: Mission; Powers And Duties
2.40.030: Term; Removal; Vacancies;
Qualifications
2.40.040: Rules Of Procedure,
Meetings
2.40.050: Salary
2.40.060: Ethics

1. Actively promote the use of city parks and recreational facilities;

2. Examine the present and future demand for publicly owned recreational facilities for the citizens and patrons of the city; and

3. Review and recommend policies and procedures to improve the parks and recreation system of the city, including existing facilities.

2.40.010: **CREATED; COMPOSITION;
APPOINTMENT:**

There is created and established a body to be designated as the parks and recreation advisory board and shall be composed of five (5) voting members, all of whom shall be appointed by the mayor with the advice and consent of the city council, and a representative of the public services department as a nonvoting member. Voting members appointed shall be residents of the city. The membership of the board should be representative of the broad spectrum of leisure time, sports and recreational aspects usually associated with public parks and similar facilities. (Ord. 10-28)

- B. The board shall not have responsibilities delegated to the arts advisory board, the Heritage Center advisory board, the shade tree commission or such other boards which may be created, nor to act as an appeals board to hear disputes from recreational activities. It shall be the duty of the board to act in an advisory capacity to the parks and recreation staff, the mayor and the city council. (Ord. 04-16 § 2)

2.40.030: **TERM; REMOVAL; VA-
CANCIES; QUALIFICA-
TIONS:**

Members shall be appointed to overlapping terms of three (3) years and may be removed by the mayor. Vacancies occurring through expiration of terms of appointment, death, disability, resignation or removal by the mayor, if applicable, shall be filled by appointment of the mayor with the advice and consent of the city council. Members shall not serve more than three (3) consec-

2.40.020: **MISSION; POWERS AND
DUTIES:**

- A. The mission of the parks and recreation advisory board is to:

2.40.030

2.40.060

utive terms. "Term", as used in this chapter shall mean serving on such advisory board for at least eighteen (18) months. The members of this board shall be resident voters and taxpayers of the city and shall be selected without regard to political considerations and solely on the basis of qualifications for the position. (Ord. 10-28)

2.40.040: **RULES OF PROCEDURE,
MEETINGS:**

The board shall formulate its own rules for selection of a chairman, time, place and manner of calling of meetings and other procedural matters; provided, that there shall be at least six (6) meetings each year. (Ord. 04-16 § 2)

2.40.050: **SALARY:**

No member of the board shall receive compensation for service on the advisory board. (Ord. 04-16 § 2)

2.40.060: **ETHICS:**

Each member of the board shall comply with the ethical code of conduct for members of city boards as set forth in chapter 2.46 of this title. (Ord. 04-16 § 2)

CHAPTER 2.41

HISTORY ADVISORY BOARD

SECTION:

- 2.41.010: Created
- 2.41.020: Membership Terms And Vacancies
- 2.41.030: Organization And Meeting Requirement
- 2.41.040: Purpose
- 2.41.050: Members To Serve Without Compensation
- 2.41.060: Relationship To State And National Entities
- 2.41.070: Historic Sites Inventory And Register

member may not serve more than two (2) consecutive terms. For purposes of this section, "term" means board service for eighteen (18) or more months. Members may be removed by the mayor. Vacancies occurring due to expiration of terms of appointment, death, disability, resignation or removal by the mayor, shall be filled by appointment by the mayor with the advice and consent of the city council. (Ord. 10-28)

2.41.010: **CREATED:**

The history advisory board is created. It shall consist of seven (7) voting members, all of whom shall be appointed by the mayor with the advice and consent of the city council. Five (5) of the members shall be residents of the city; and the remaining two (2) members shall be at large members and may reside within or outside the city. Board members should have interest, competence or knowledge in historic preservation. If possible, at least two (2) board members shall be professionals, as defined by national park service regulations, from the disciplines of history, archaeology, planning, architecture or architectural history. (Ord. 10-28)

2.41.030: **ORGANIZATION AND MEETING REQUIREMENT:**

The board shall select a chair and shall adopt rules for the selection of other officers; the time, place and manner of calling of meetings; and such other rules governing the conduct of the board's business as it deems necessary to fulfill its purposes as provided in this chapter. The board shall meet at least quarterly. (Ord. 06-12 § 2)

2.41.020: **MEMBERSHIP TERMS AND VACANCIES:**

All board members shall be appointed to overlapping terms of three (3) years. A

2.41.040: **PURPOSE:**

The purpose of the Murray City history advisory board is to advise the mayor and the city council regarding city history and historic preservation. The board will identify, document, preserve, and interpret the city's historic resources to promote awareness, understanding, appreciation, and preservation of the city's heritage and foster community identity and civic pride. To carry out this purpose, the board is empowered to:

- A. Advise officials of the city and other governmental entities regarding the

2.41.040

identification and protection of local historic and archaeological resources.

- B. Encourage historic preservation by maintaining a local register and inventory of historic structures by preparing nominations to the national register.
- C. Oversee the city museum and its collections.
- D. Encourage the education of the public regarding historic preservation and city history by sponsoring heritage programming for the community, such as history fairs, walking tours, and publications. (Ord. 06-12 § 2)

2.41.050: MEMBERS TO SERVE WITHOUT COMPENSATION:

Members are not entitled to compensation for service on the board. (Ord. 06-12 § 2)

2.41.060: RELATIONSHIP TO STATE AND NATIONAL ENTITIES:

- A. Review Nominations To The National Register Of Historic Places: The board shall review and comment to the state historic preservation officer regarding all proposed national registry nominations of properties in the city. If the board considers a national register of historic places nomination which is normally evaluated by professionals in a specific discipline and that discipline is not represented on the board, the board shall seek expert advice in that subject area before making its final decision.

2.41.070

- B. Enforcement Of State Historic Preservation Laws: The board shall encourage the enforcement of all state laws relating to historic preservation. These include, but are not limited to, Utah Code Annotated section 17A-3-1301 et seq., the historic district act; Utah Code Annotated section 9-8-305 et seq., regarding the protection of Utah antiquities; and Utah Code Annotated section 9-8-404, regarding notification of the state historic preservation office of any known proposed action which will destroy or affect a site, building or object owned by the state, or which is included in or eligible for inclusion in the national or state register of historic places. (Ord. 06-12 § 2)

2.41.070: HISTORIC SITES INVENTORY AND REGISTER:

The purpose of the Murray City historic sites inventory and register is to increase public awareness and understanding of historic resources associated with the history of the city including buildings, structures, sites and districts and to promote the preservation and rehabilitation of those resources.

- A. Definitions: As used in this section:

HISTORIC INTEGRITY: The retention of the significant character defining features of a site or structure as it existed in the historic period.

HISTORIC PERIOD: Fifty (50) years or older.

- B. Survey And Inventory Historic Resources: The board shall conduct or obtain a survey of the historic, archi-

CHAPTER 2.42

PERSONNEL ADVISORY BOARD

SECTION:

- 2.42.010: Appointment
- 2.42.020: Terms Of Office
- 2.42.030: Meetings
- 2.42.040: Responsibility Of The Board

may be removed by the mayor. Vacancies occurring during a term shall be filled for the balance of the term. (Ord. 10-28)

2.42.030: **MEETINGS:**

2.42.010: **APPOINTMENT:**

- A. There is created and established a body to be designated as the personnel advisory board, hereafter referred to as the "board", consisting of three (3) members appointed by the mayor with the advice and consent of the Murray City council. The members of the board shall be persons with knowledge and experience in the application of public employment principles, and may be from within or outside of the city limits.
- B. A member of the board may not be employed by the city or be an official of any local, state or national committee of a political party or any official or member of a committee in any partisan political group or organization, and may not hold or be a candidate for any elective office. (Ord. 10-28)

- A. The board shall hold regular monthly meetings at such time and place within the city as shall be designated by the chair of the board. All regular meetings shall be opened to the public unless the meeting is closed as provided in state law. Notice of meeting agendas shall be posted and noticed as provided in state law. The board may also hold special meetings as provided in state law.
- B. Two (2) members of the board shall constitute a quorum necessary for carrying on the business of the board. Meetings shall be conducted in accordance with such rules of procedure as shall be adopted by the board.
- C. The board shall keep written record of all proceedings which shall be kept in the city recorder's office.
- D. Board members shall serve without compensation. (Ord. 08-25 § 2)

2.42.020: **TERMS OF OFFICE:**

The members of the board shall serve overlapping terms of three (3) years not to exceed three (3) consecutive terms. Members

2.42.040: **RESPONSIBILITY OF THE BOARD:**

The responsibilities of the board shall be as follows:

- A. To represent the public interest in the improvement of personnel administration in the city;
- B. To advise the city on matters concerning personnel administration, including career and public safety service rules;
- C. To make investigations relating to alleged violations of career and public safety service rules;
- D. To hear certain appeals and grievances or other actions which have allegedly resulted in wrongful, adverse treatment to the employee concerned, except in instances where the right of appeal is prohibited by law and to certify its findings and recommendations to the mayor for final action.
(Ord. 08-25 § 2)

CHAPTER 2.44

POWER ADVISORY BOARD

SECTION:

- 2.44.010: Created; Composition;
Appointment
2.44.020: Powers And Duties
2.44.030: Qualifications; Term;
Removal; Vacancies
2.44.040: Rules Of Procedure,
Meetings
2.44.050: Compensation

2.44.010: **CREATED; COMPOSITION;
APPOINTMENT:**

There is created and established the power advisory board which is composed of five (5) members at large, all of whom shall be appointed by the mayor with the advice and consent of the council. (Ord. 12-22)

2.44.020: **POWERS AND DUTIES:**

It is the duty of the board to act in an advisory capacity in connection with the administration by the city of the electrical systems of the city; all business done or to be done by the city in connection with such administration or the operation of such systems shall be subject to the advice of such board. All matters of general policy in connection with the administration of the systems or their operations, including the extent of the authority and discretion to be vested in the general manager of the power department, shall be decided by the city only with the advice of such board. (Ord. 12-22)

2.44.030: **QUALIFICATIONS; TERM;
REMOVAL; VACANCIES:**

- A. Members of the power advisory board ("board") shall be residents of the city and customers of the city power department, either individually or as principal of a business.
- B. Appointed members shall serve overlapping terms of three (3) years not to exceed three (3) consecutive terms, unless otherwise removed by the mayor.
1. Members who have served three (3) consecutive terms may be reappointed to serve after an absence from the board of one year or greater.
 2. Members appointed to partial terms may be reappointed to serve for a maximum of three (3) consecutive terms beyond the partial term.
 3. Reappointment to the board may be made at the discretion of the mayor with the advice and consent of the city council.
- C. Vacancies resulting from expiration of term, death, disability, resignation or removal from the board by the mayor, shall be filled by appointment by the mayor with the advice and consent of the city council. (Ord. 12-22)

2.44.040

2.44.050

2.44.040: **RULES OF PROCEDURE,
MEETINGS:**

The board shall formulate its own rules for selection of a chairman, time, place and manner of calling of meetings and other procedural matters. The board shall meet at least once each month, not less than ten (10) months per year. (Ord. 12-22)

2.44.050: **COMPENSATION:**

Each member of the board shall receive seventy five dollars (\$75.00) for each month they hold a duly noticed meeting. This expense shall be considered part of the operating cost of the power department and be chargeable thereto. (Ord. 13-13)

CHAPTER 2.50

SHADE TREE AND BEAUTIFICATION COMMISSION

SECTION:

- 2.50.010: Created
 2.50.020: Membership; Term Of Office
 Of Members; Removal Of
 Members By The Mayor
 2.50.030: Officers; Adoption Of Rules
 And Regulations
 2.50.040: Powers And Duties Generally

2.50.010: **CREATED:**

There is created a shade tree and beautification commission of the city. (Ord. 94-32 § 1: prior code § 34-2)

2.50.020: **MEMBERSHIP; TERM OF
 OFFICE OF MEMBERS;
 REMOVAL OF MEMBERS
 BY THE MAYOR:**

The shade tree and beautification commission consists of five (5) members, who shall be residents of the city, interested in arboriculture and appointed by the mayor upon the advice and consent of the city council. The city forester shall serve as an ex officio member. The five (5) citizen members shall serve overlapping terms of three (3) years, and may be removed by the mayor. Citizen members may be reappointed at the discretion of the mayor, subject to confirmation by the city council. There shall be no restrictions on the number of terms a member may serve. Appointments to fill vacancies shall be for the balance of the unexpired term. (Ord. 10-28)

2.50.030: **OFFICERS; ADOPTION OF
 RULES AND REGULA-
 TIONS:**

The shade tree and beautification commission shall select its officers as it may deem necessary, from among its own members, for terms of one year, with eligibility for reelection, and shall adopt policies and procedures for the conduct of its business. (Ord. 94-32 § 1: prior code § 34-4)

2.50.040: **POWERS AND DUTIES
 GENERALLY:**

The duties of the shade tree and beautification commission are advisory and shall include, but are not necessarily limited to, the following:

- A. To study the problems and determine the needs of the city in connection with its tree planting and maintenance, and city beautification programs;
- B. To assist the city forester in the organization, coordination, and management of tree planting programs;
- C. To promote the dissemination of news and information regarding the selection, planting and maintenance of trees and other landscaping in the city, whether the same be on private or city property;
- D. To promote public support of and visitation to the Joan M. Hardle Memorial Arboretum and city parks;

- E. To identify and mark historic or notable trees within the city, and provide recommendations to the mayor for the preservation and maintenance of these trees;
- F. To hold publicized meetings at which trees, landscaping, and other pertinent subjects insofar as they relate to the city may be discussed by the members of the shade tree and beautification commission, officers and personnel of the city and its several divisions, and all others interested in the city's tree programs;
- G. To have the authority to accept gifts or bequests from any person or from any source, on behalf of the city and with the consent of the mayor, for building improvements or maintenance of a civic arboretum, or for other programs sponsored by the shade tree and beautification commission. Monetary gifts or bequests shall be received by the city treasurer and shall be earmarked for the purposes donated, within the parameters set out above;
- H. To assist the city forester in his various duties, as outlined in section 2.30.060 of this title; and
- I. To review and make recommendations to the city forester regarding specifications developed by the city forester for the regulation of matters pertaining to shade trees. (Ord. 94-32 § 1: prior code § 34-5)

CHAPTER 2.54

PUBLIC LIBRARY

SECTION:

- 2.54.010: Establishment
 2.54.020: Library Board; Appointment;
 Payment Of Expenses
 2.54.030: Library Board; Term Of
 Office Of Members
 2.54.040: Library Board; Appointment
 Of Library Director And
 Assistants
 2.54.050: Tax For Establishment And
 Maintenance Of Free Public
 Library; Library Fund
 2.54.060: Library Fund; Deposits And
 Disbursements; General
 Power And Authority Of
 Board
 2.54.070: Rules And Regulations; Free
 Use Of Library
 2.54.080: Donations Of Money Or
 Property
 2.54.090: Annual Reports

2.54.010: **ESTABLISHMENT:**

The public library of the city is established.
 (Prior code § 15-1)

2.54.020: **LIBRARY BOARD; APPOINTMENT; PAYMENT OF EXPENSES:**

The city's public library shall be managed by a library board which shall consist of seven (7) members who shall be residents of the city and who shall be appointed by the mayor with the advice and consent of the city council. Four (4) members of the

board constitute a quorum. At least one member of the board shall be appointed from each of the council districts. The remaining members of the board shall be appointed at large from residents of the city. Board members shall serve without compensation, but their actual and necessary expenses incurred in the performance of their official duties may be paid from library funds as provided in this chapter. (Ord. 11-25)

2.54.030: **LIBRARY BOARD; TERM OF OFFICE OF MEMBERS:**

- A. Library board members shall be appointed for three (3) year terms, or until their successors are appointed. Initially, appointments shall be made for one, two (2) and three (3) year terms. Annually thereafter the mayor shall, with the advice and consent of the city council, before July 1 of each year, appoint for three (3) year terms board members to take the place of retiring board members. Board members shall serve not more than two (2) terms in succession. Following such appointments, the board members shall meet and elect a chairperson and such other officers as they deem necessary for one year terms. The mayor may remove any board member for misconduct or neglect of duty. Vacancies in the board caused by removals, resignations, or otherwise, shall be filled for the unexpired term in the same manner as original appointments.

- B. "Term", as used in this section, means a period of service of at least eighteen (18) months. (Prior code § 15-3)

2.54.040: **LIBRARY BOARD; APPOINTMENT OF LIBRARY DIRECTOR AND ASSISTANTS:**

The board shall appoint a library director to perform such duties and with such compensation as the board shall establish, within the budget approved by the city council. The director shall act as the executive officer for the board. The board shall appoint, upon the recommendation of the director, other personnel as needed and shall establish duties and compensation for same, within the budget approved by the city council. (Ord. 11-25)

2.54.050: **TAX FOR ESTABLISHMENT AND MAINTENANCE OF FREE PUBLIC LIBRARY; LIBRARY FUND:**

The city council may levy and collect annually a tax not to exceed \$0.00100 of assessed valuation on all taxable property within the city for the purpose of maintenance of the library and to fulfill the agreement heretofore made with Andrew Carnegie for the establishment of a free public library in the city. (Prior code § 15-5)

2.54.060: **LIBRARY FUND; DEPOSITS AND DISBURSEMENTS; GENERAL POWER AND AUTHORITY OF BOARD:**

The city council shall approve, subject to the recommendation of the board, the expenditure of the library fund, and of con-

struction, lease, purchase or sale of library buildings and land. All tax funds received for such library shall be deposited to the credit of the library fund, and shall not be used for any purpose except that of the library. Said fund shall be drawn upon by the authorized officers of the city according to the procedures established by the finance director. All funds collected by the library shall be deposited to the credit of the library fund. The board shall be responsible for the operation, maintenance and care of the library, shall establish policies for its operation, and in general carry out the intent of this chapter. (Ord. 11-25)

2.54.070: **RULES AND REGULATIONS; FREE USE OF LIBRARY:**

The library board shall make and adopt rules and regulations, not inconsistent with law, for the governing of the library and, subject to such rules and regulations, the library shall be free to the use of the inhabitants of the city. The board may exclude from the use of the library any and all persons who shall wilfully violate such rules, including the imposition of fines and assessments for violation of said rules and regulations. The board may extend the privileges and use of the library to persons residing outside the city upon such terms and conditions as it may prescribe by its regulations. (Prior code § 15-7)

2.54.080: **DONATIONS OF MONEY OR PROPERTY:**

Any person desiring to make donations of money, personal property, or real estate for the benefit of such library shall have the right to vest the title to the money, personal property or real estate so donated in the

2.54.080

2.54.090

board to be held and controlled by such board, when accepted, according to the terms of the deed, gift, devise or bequest of such property, and as to such property the board shall be considered to be trustee. (Prior code § 15-8)

2.54.090: **ANNUAL REPORTS:**

The library board shall make an annual report to the city council and mayor on the condition and operation of the library, including a financial statement. The board shall also keep records required by the Utah state library board in its request for an annual report from the public libraries and shall submit such annual report to that board. (Prior code § 15-9)

CHAPTER 2.68

MURRAY CITY CENTER DISTRICT DESIGN REVIEW COMMITTEE

SECTION:

- 2.68.010: Created
 2.68.020: Membership Terms And Vacancies
 2.68.030: Duties
 2.68.040: Organization And Meeting Requirement
 2.68.050: Compensation

2.68.010: **CREATED:**

The Murray City center district design review committee is created. It shall consist of five (5) voting members, all of whom shall be appointed by the mayor with the advice and consent of the Murray City council. Three (3) of the members shall be residents of the city; and the two (2) remaining members may reside within or outside the city. The members shall be professionals from the disciplines of architecture, historic preservation, landscape architecture, planning, engineering, history, archeology or law or other related professional fields. Members may not hold any other office or position in the city administration. (Ord. 11-08)

2.68.020: **MEMBERSHIP TERMS AND VACANCIES:**

Members shall serve for a term of three (3) years and may be removed by the mayor, with the provision that the first appointment of one member shall be for a term of one year; the first appointment of two (2) mem-

bers shall be for a term of two (2) years; the first appointment of the remaining two (2) members shall be for a term of three (3) years; thereafter the members shall be appointed for three (3) year terms and all terms shall expire on January 1. Vacancies occurring through expiration of terms of appointment, death, disability, resignation or removal by the mayor, if applicable, shall be filled by appointment of the mayor with the advice and consent of the Murray City council. Members shall not serve more than three (3) consecutive terms. "Term", as used in this chapter shall mean serving on such advisory board for at least eighteen (18) months. (Ord. 11-08)

2.68.030: **DUTIES:**

The committee shall recommend modifications to the district ordinance and design guidelines and all revisions, additions or deletions thereto, to the Murray City council for adoption. The committee shall meet with applicants seeking a certificate of appropriateness for major alterations and new construction within the Murray City center district. The committee shall review and provide written comment to the city planning and zoning commission regarding approving or denying all proposed applications for certificates of appropriateness. The committee shall ensure that projects within the Murray City center district meet the vision and requirements of the district. The committee shall advise officials of the city and other governmental entities regarding the Murray City center district. (Ord. 11-08)

2.68.040

2.68.050

2.68.040: ORGANIZATION AND MEETING REQUIREMENT:

The committee shall select a chair and adopt rules for the selection of other officers; the time, place and manner of calling meetings; and such other rules governing the conduct of the committee's business as it deems necessary to fulfill its purposes as provided in this chapter. The committee shall meet at least quarterly. A majority of its members shall constitute a quorum for the consideration of matters before it. (Ord. 11-08)

2.68.050: COMPENSATION:

Members are not entitled to compensation for service on the committee. Close cooperation between the city and the committee is both expected and anticipated. To the extent that this cooperation can be provided within the framework of the normal course of carrying out the duties of each entity, the cooperation can and will be provided as each entity requests and as each entity can satisfy those requests. (Ord. 11-08)

CHAPTER 17.12

PLANNING AND ZONING COMMISSION

SECTION:

- 17.12.010: Purpose
- 17.12.020: Appointment
- 17.12.030: Geographical Representation
- 17.12.040: Residence Required
- 17.12.050: Removal
- 17.12.060: Vacancy
- 17.12.070: Compensation
- 17.12.080: Officers
- 17.12.090: Quorum
- 17.12.100: Duties And Powers
- 17.12.110: Planning Commission Appeals

17.12.010: **PURPOSE:**

It is the intent of this chapter that a city planning commission be provided which will represent the concerns of diverse citizen groups, as well as the broad interests of the community as a whole; that membership of this commission provide balanced representation in terms of geographic, professional, neighborhood, and community interests; and that a wide range of expertise relating to the development of a healthy and well planned community be sought when establishing or altering the composition of the membership of the commission. Suggested interests, from which expertise might be selected, are as follows: banking, development, contracting, engineering, geology and seismology, law, ecology, the behavioral sciences, historical preservation, architecture and landscape architecture. It is not, however, intended that the composition of the commission be limited to professions,

but rather, that it represent a cross section of the community. (Ord. 07-30 § 2)

17.12.020: **APPOINTMENT:**

The planning commission shall consist of seven (7) members appointed by the mayor with the advice and consent of the municipal council. Members shall serve for a term of three (3) years, provided that not less than two (2) nor more than three (3) of the terms of members of this commission shall expire each year. In the event a term of a member shall expire without his/her having been reappointed or a successor having been appointed, the member shall continue to serve until a successor has been appointed. Members of this commission shall not serve more than three (3) consecutive terms. "Term" as used in this section shall mean serving on such commission for at least eighteen (18) months. (Ord. 07-30 § 2)

17.12.030: **GEOGRAPHICAL REPRESENTATION:**

In order to promote geographical representation on the commission, there shall be at least one member from each designated council district. (Ord. 07-30 § 2)

17.12.040: **RESIDENCE REQUIRED:**

All appointed planning commission members must be bona fide residents of the city. (Ord. 07-30 § 2)

17.12.050

17.12.110

17.12.050: REMOVAL:

Members may be removed by the mayor (the municipal council upon written charges and after public hearing if a public hearing is requested by the member being removed). (Ord. 07-30 § 2)

17.12.060: VACANCY:

A vacancy occurring by reason of death, resignation, removal or expiration of term shall be filled by the mayor with the advice and consent of the municipal council. Vacancies shall be filled within forty five (45) days after the date of vacancy. (Ord. 07-30 § 2)

17.12.070: COMPENSATION:

The members of the planning commission shall serve without compensation except for reasonable expenses. Planning and zoning commission members shall receive a maximum of twenty five dollars (\$25.00) per meeting as reimbursement for expense incurred in the performance of their official duties. Reimbursement for expenses shall be paid to the members on a semiannual basis. (Ord. 07-30 § 2)

17.12.080: OFFICERS:

The planning commission shall annually elect a chairman and vice chairman and such other officers it deems advisable from among the appointed members of the commission. (Ord. 07-30 § 2)

17.12.090: QUORUM:

Four (4) members of the planning commission shall constitute a quorum. (Ord. 07-30 § 2)

17.12.100: DUTIES AND POWERS:

The planning commission is hereby designated as the land use authority to hear and act on land use applications and shall have the duty to exercise all powers and functions conferred upon it by the statutes of the state of Utah and the ordinances of the city, relating to land use. (Ord. 07-30 § 2)

17.12.110: PLANNING COMMISSION APPEALS:

Any applicant or directly aggrieved person has the right to appeal a planning commission decision to the board of adjustment. The appeal shall be made in writing within thirty (30) days of the planning commission decision. (Ord. 07-30 § 2)

CHAPTER 17.16

BOARD OF ADJUSTMENT

SECTION:

- 17.16.010: Appointment
- 17.16.020: Removal
- 17.16.030: Vacancy
- 17.16.040: Organization
- 17.16.050: Duties And Powers Of Board
- 17.16.060: Quorum
- 17.16.070: Rules
- 17.16.080: Scope Of Review Of
Planning Commission's
Decision
- 17.16.090: Compensation
- 17.16.100: Geographical Representation
(Rep. by Ord. 10-14)
- 17.16.110: Residence Required
- 17.16.120: Officers

17.16.010: **APPOINTMENT:**

The board of adjustment shall consist of five (5) members, each to be appointed by the mayor with the advice and consent of the municipal council for the term of five (5) years, provided, that the term of one member shall expire each year. Members of this board shall not serve more than two (2) consecutive terms. "Term" as used in this section shall mean serving on such board for at least eighteen (18) months. No member of the planning commission may serve concurrently as a member of the board of adjustment. (Ord. 07-30 § 2)

17.16.020: **REMOVAL:**

Members may be removed by the mayor (the municipal council upon written charges

and after public hearing if a public hearing is requested by the member being removed). (Ord. 07-30 § 2)

17.16.030: **VACANCY:**

Any vacancy occurring by reason of death, resignation, removal, disqualification or expiration of term shall be filled by the mayor with the advice and consent of the municipal council. In the event a term of a member shall expire without his/her having been reappointed or a successor having been appointed, the member shall continue to serve until a successor has been appointed. Vacancies shall be filled within forty five (45) days after the date of vacancy. (Ord. 07-30 § 2)

17.16.040: **ORGANIZATION:**

Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine. The chairman, or in his absence, the vice chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings showing the vote of each member on each question, or if absent, or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions all of which shall be immediately filed in the office of the secretary of the board in the community development division, and shall be a public record. Decisions of the board of adjustment become effective at the meet-

ing in which the decision is made, unless a different time is designated at the time the decision is made. (Ord. 07-30 § 2)

17.16.050: DUTIES AND POWERS OF BOARD:

The board of adjustment is hereby designated the appeal authority and shall have the following powers:

- A. To hear and decide special exceptions to the terms of this title upon which such board is required to pass under provisions of this title;
- B. To authorize upon appeal such variance from the terms of this title as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of this title will result in unnecessary hardship; provided, that the spirit of this title shall be observed and substantial justice done. Any person or entity desiring a waiver or modification of the requirements of the land use ordinance as applied to a parcel of property that he/she owns, leases, or in which he/she holds some beneficial interest may apply to the board of adjustment for a variance from the terms of the land use ordinance. The board of adjustment may grant a variance only if:

1. Standards:

- a. The literal enforcement of the land use ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinance;

- b. There are special circumstances attached to the property that do not generally apply to other properties in the same district;

- c. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same district;

- d. The variance will not substantially affect the general plan and will not be contrary to the public interest; and

- e. The spirit of the land use ordinance is observed and substantial justice done.

2. Unreasonable Hardship: In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship, the board of adjustment may not find an unreasonable hardship unless the applicant proves that the alleged hardship:

- a. Is located on or associated with the property for which the variance is sought;

- b. Comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood. Special circumstances must:

- (1) Relate to the hardship complained of; and

- (2) Deprive the property owner of privileges granted to other properties in the same district.

The board of adjustment may not find an unreasonable hardship if the hardship is self-imposed or economic.

The applicant shall bear the burden of proving that all of the conditions justifying a variance have been met.

Variances run with the land.

The board of adjustment and any other body may not grant use variances.

3. Additional Requirements: In granting a variance, the board of adjustment may impose additional requirements on the applicant that will:

- a. Mitigate any harmful effects of the variance; or
- b. Serve the purpose of the standard or requirement that is waived or modified;
- C. To hear and decide appeals where it is alleged that there is error in any order, requirement, decision or determination made by the administrative official in the enforcement of this title or of any ordinance adopted pursuant thereto;
- D. To hear appeals from the final decisions of the planning commission;
- E. Notwithstanding all other powers granted to the board of adjustment, the board may not grant variances from this title for any use or procedure listed as a limitation or requirement in the smelter site overlay district (SSOD). (Ord. 07-30 § 2)

17.16.060: QUORUM:

Three (3) members of the board of adjustment shall constitute a quorum. (Ord. 07-30 § 2)

17.16.070: RULES:

The board shall adopt rules for the regulation of its procedure and the conduct of its duties not inconsistent with the provisions of this title or of the state law. (Ord. 07-30 § 2)

17.16.080: SCOPE OF REVIEW OF PLANNING COMMISSION'S DECISION:

- A. Appeals To Board Of Adjustment; Scope Of Review: The board of adjustment shall review the record of the planning commission decision to determine whether that decision was so unreasonable as to be arbitrary and capricious, or, stated differently, whether there is substantial evidence in the record to support the planning commission's decision.
- B. Appeals From Board Of Adjustment: Murray City or any person directly aggrieved by any decision of the board of adjustment may have and maintain a plenary action for relief therefrom in any court of competent jurisdiction; provided, petition for such relief is presented to the court within thirty (30) days after the date of such decision. (Ord. 07-30 § 2)

17.16.090: COMPENSATION:

The members of the board of adjustment shall serve without compensation except for

17.16.090

17.16.120

reasonable expenses. Board of adjustment members shall receive a maximum of ten dollars (\$10.00) per meeting as reimbursement for expense incurred in the performance of their official duties. Reimbursement for expenses shall be paid to the members on a semiannual basis. (Ord. 07-30 § 2)

17.16.100: **GEOGRAPHICAL REPRESENTATION:**

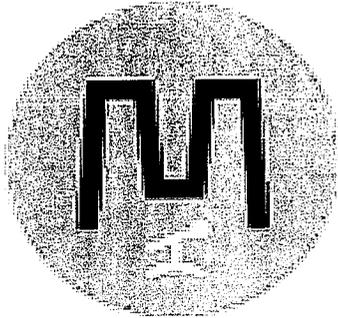
(Rep. by Ord. 10-14)

17.16.110: **RESIDENCE REQUIRED:**

All appointed board of adjustment members must be bona fide residents of the city. (Ord. 07-30 § 2)

17.16.120: **OFFICERS:**

The board of adjustment shall annually elect a chair and vice chair and such other officers it deems advisable from among the appointed members of the board. (Ord. 07-30 § 2)



MURRAY
CITY COUNCIL

**Discussion
Item #2**

CIW Meeting Request Form

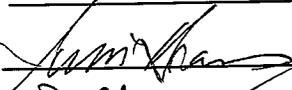
Sponsor: Jared Shaver Date Sent to Administration: _____

Subject: Zoning matters

Date, Time, Place: October 1, 2013

Council Member Consent — In order to schedule a CIW three Council Members must consent. Consent merely reflects support to place a subject on an agenda for discussion, and in no way is meant to reflect complete endorsement of the topic.

Council Member Jared Shaver

Council Member 

Council Member 

Subject Matter — Council members who wish to sponsor a CIW agenda item shall prior to the scheduled meeting obtain informal, but distinct approval from a majority of Council Members. CIW meetings will be limited to one agenda item, unless there is a reasonable relationship between multiple items requested for the same date.

Subject Matter in Concept:

1. Separate applications for Zone amendments and proposed building development.
2. Consider the requirements of the Residential Neighborhood Business (RNB) Zone & discuss rezoning the parcels from 703 East to 757 East Winchester.

Presentation — Council members sponsoring a CIW shall be responsible for coordinating the presentation time, room, and staff involvement. A CIW presentation is designed to inform and educate Council Members regarding a particular topic, i.e., need for discussion, statistical data, outside municipal experiences, and current trends, etc.

Estimated Time 20 minutes

Presentation Medium Exhibits & Discussion _____

Special Equipment Needs (AV) _____

Discussion — Each meeting shall begin with a presentation by the sponsor, and then in turn attending Council Members will have the opportunity to comment on the topic. This meeting is designed to cultivate informal discussion focusing on the will and direction concerning of the Council as pertaining to the topic. Discussion should be focused on balancing and weighing the topic against general policy created by the Council. If there is a need, discussion items may be scheduled for a second meeting.

Discussion Highlights _____

Direction — At the conclusion of Council discussion or at the request of the sponsor, the Council shall determine future action and direction, staff involvement, or whether the items shall be tabled until further notice.

