

Murray City Municipal Council

Chambers

Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 4th day of April, 2017 at 6:30 p.m., for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

The meeting was conducted by Jim Brass

Council Members Present:

Dave Nicponski, Council District 1
Blair Camp, Council District 2
Jim Brass, Council District 3
Diane Turner, Council District 4/Council Chair
Brett Hales, Council District 5

City Staff Present:

Doug Hill, Mayor Pro-Tem/Public Services Director
Jennifer Kennedy, City Recorder
Frank Nakamura, City Attorney
Janet Lopez, Council Administrator
Janet Towers, Executive Assistant to the Mayor
Craig Burnett, Police Chief
Joe Tarver, Deputy Police Chief
Mike Fernandez, Police Department
Taylor Blauer, Police Department
Gil Rodriguez, Fire Chief
Jeff Ellis, Fire Department
Jon Harris, Fire Department
Steve Ellefsen, Fire Department
Jim McNulty, Development Services Manager
Jared Hall, Community & Economic Development Division Manager

Mr. Brass called the meeting to order at 6:30.

6. Opening Ceremonies

6.1 Pledge of Allegiance

The Pledge of Allegiance was led by – Dale Cox, President of the Utah AFLCIO

6.2 Approval of Minutes

6.2.1 None scheduled.

6.3 Special Recognition

6.3.1 Murray City Council Employee of the Month, Steve Ellefsen, Murray City Firefighter/Engineer.

Brett Hales, Council Member and Chief Gil Rodriguez presenting.

Mr. Hales said the Council started the Employee of the Month a few years ago. They felt it was important to be able to recognize the City's employees. He presented Mr. Ellefsen with a certificate, a \$50 gift card and told him that his name would appear on the plaque located in the Council Chambers. He expressed his appreciation to Mr. Ellefsen for all he does for the City.

Chief Rodriguez spoke about Mr. Ellefsen's time with the city and all the work he has done. Mr. Ellefsen introduced his family.

6.3.2 Presentation to honor Jonathon Dale Jastram for completion of the National Fire Academies "Managing Officer Program."

Chief Gil Rodriguez presenting.

Chief Rodriguez stated Mr. Jastram had just completed his Managing Officer Program. Chief Rodriguez went over the process Mr. Jastram went through to complete that program. He presented Mr. Jastram with a plaque for his accomplishment.

Mr. Jastram introduced his family and thanked Chief Rodriguez for all his support. The Council congratulated Mr. Jastram.

6.3.3 Murray Chamber of Commerce presentation to Murray City Police Officer Blauer.

Stephanie Wright, Murray Chamber of Commerce President/CEO, presenting.

Ms. Wright said the Chamber had learned that Argos, the newest K9 officer, did not have a bulletproof vest. The members of the Chamber raised some money to get Argos a vest, which costs \$900.00. An

anonymous donor told the Chamber once they reached \$450.00, they would match it. The Chamber raised \$450.00 in less than four months. The anonymous donor matched the money and the Chamber reached their goal of \$900.00. Ms. Wright presented Officer Blauer with a check for \$900.00.

6.3.4 Consider a Joint Resolution of the Mayor and Municipal Council of Murray, Utah to proclaim, recognize and support April 2017 as Fair Housing Month.

Jim McNulty, Development Services Manager, presenting.

Mr. McNulty read the Joint Resolution.

MOTION: Mr. Hales moved to adopt the Joint Resolution. The motion was SECONDED by Ms. Turner.

Council roll call vote:

Ms. Turner	Aye
Mr. Hales	Aye
Mr. Nicponski	Aye
Mr. Camp	Aye
Mr. Brass	Aye

Motion passed 5-0

Mr. Brass asked the scouts in attendance to introduce themselves and state their troop number and the badge they are working on.

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

No citizen comments were given.

8. Consent Agenda

8.1 None scheduled.

9. Public Hearings

9.1 Public Hearing #1

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

Consider an ordinance related to land use; amends the General Plan from Residential Single-Family Low Density to Office and amends the Zoning Map from R-1-8 (Single Family Low Density Residential District) to G-O (General Office District) for the properties located at

**approximately 64, 72, 82, 90, 96, 106, and 116 West Woodrow Street,
Murray City, Utah.**

Jared Hall, Community and Economic Development Division Manager, presenting.
Applicant: Northstar Builders, Inc.

Mr. Hall said this item went before the Planning Commission in October 2016. The subject properties are currently zoned R-1-8. At the time the Planning Commission reviewed this proposal, the General Plan had those properties designated to stay low density residential. Since that time, the General Plan has been updated and supports these properties being changed to General Office.

Mr. Hall said this proposal is to change the designation of these properties to office, which was already done by the adoption of the General Plan, and change the zoning to General Office (G-O). At the time the Planning Commission forwarded their recommendation to the Council, the General Plan did not support this change and their recommendation was, and still is, to deny this proposal. They also recommended denial of the change to the General Plan. Mr. Hall stated since that time, there were some neighborhood meetings held. Based on the outcomes of those meetings, the General Plan that was adopted reflects this area as office.

Phil Winston, Northstar Builders, said his company spend the last six months meeting with neighbors and trying to come up with a plan for the property that would make the neighborhood a little cleaner. There are empty lots in that area that are not being taken care of. Although Northstar Builders does not currently own these lots, they will as of May 1, 2017. Mr. Winston stated he would like to see the zoning in this area changed to allow for G-O.

Mr. Camp asked Mr. Hall if the rezone can be requested by someone that doesn't own the property.

Mr. Hall replied yes, that happens a lot. Prospective buyers want to know they get the zoning in place before they buy.

The public hearing was opened for public comment.

Noel Anderson – Murray City, Utah

Mr. Anderson said proposals to put in more office buildings on Woodrow Street have happened before. His whole neighborhood is locked in to where there is only one way for them to go west or north out of their neighborhood and that is on Woodrow Street. Mr. Anderson explained how the traffic backs up when the high school gets out in the afternoon. He said he and his neighbors have fought this before with the City

Council. Similar proposals for zoning changes have been before the Planning and Zoning Commission twice and been thrown out.

Mr. Anderson spoke about 5400 South being given to the Larry Miller Organization because the organization was worried about their employees crossing 5400 South to the other part of their parking lot. That made it so people in that area cannot get on State Street to head north unless they go to 5300 South or 5900 South. He doesn't know why another proposal is being considered again. He asked the Council to consider the problems residents have getting in and out of that neighborhood and do something about it.

Camilla Bohman – Murray City, Utah

Ms. Bohman spoke about the reasons her family loves their neighborhood. She said they don't want to see offices go in that would create a different kind of traffic. There is already plenty of traffic in the area from the high school and other neighbors. If they would have known that offices would abut their backyard, they would not have purchased the house.

David Madsen – Murray City, Utah

Mr. Madsen read a letter from his next door neighbors who could not make it. He noted that Ms. Turner was given a different letter from another neighbor that could not be in attendance. The letter is from David and Meghann Feller.

“My husband and I will not be able to attend the public hearing scheduled for April 4, and wish to submit our comments. We have been homeowners and residents in Murray City for the past five years and are very opposed to and concerned with the proposal to amend the General Plan from R-1-8, residential single family, to G-O office. We purchased our home in an established neighborhood and the proposal to take away residential property and replace it with commercial buildings is infuriating.

With the current businesses located to the west of the large neighborhood and high school, Woodrow Street has a great deal of traffic almost all times of the day. This area simply cannot handle an increase in vehicles that could certainly come with any office or business development. The current Murray Zone Map, as well as the Murray Future Land Use Map, both clearly designate the properties located along the north side of Woodrow Street to be R-1-8, residential single family units. Additionally, Chapter 2 of the Murray City General Plan states, “there is a need to preserve, protect, and enhance established residential neighborhoods.”

We are in agreement that some action needs to be taken to address these properties, however, rezoning to G-O and taking this property away from the neighborhood is not the solution. Thank you for your time. We are very

much against this proposal and sincerely request that you continue to represent our interests as homeowners in Murray and keep the area along Woodrow Street, which is part of our residential neighborhood, out of the hands of commercial developers. Office buildings would be a great detriment to our residential neighborhood, plain and simple. Giving into the wishes to a few at the expense of so many is simply not right.”

Robin Brady – Murray City, Utah

Ms. Brady said these buildings would be going in directly across the street from her home. She said she is not really against the offices going in but she is against the fact that the entire street is not being included in the rezoning process. In 2009, Ms. Brady went to her neighbors and had them sign a petition saying they would be in favor of a residential neighborhood business (R-N-B) zone in the area. They were in agreement of some type of commercial development going into the area back then. It's now 2017 and nothing has been done.

Ms. Brady doesn't see residential coming back to this area; it's never going to be a neighborhood again after what has transpired. She said her home backs up to a parking lot at the school. The parking lot has lights and dumpsters which she can deal with. It's not that big of deal to back up to a commercial entity, but it is a big deal when the commercial development is in your front yard.

Ms. Brady said she would like to be included in the rezoning process. She stated that Tim Tingey, Administrative and Development Services Director, said he would recommend that both sides of the street be rezoned. She would be in favor this if the rezone was for the entire street. This is not a neighborhood, this is misery. It is not a neighborhood at all.

Mr. Brass closed the public hearing.

Mr. Winston said he wanted to make sure everyone understood that the General Plan amendment has already been made. They are just asking for the rezone to match the zoning amendment. He noted there were good comments made about the traffic in that area. They are not trying to create issues and are looking at ways to make the traffic situation better.

Ms. Turner said this is her district and she was concerned about how the neighbors felt, so she held a neighborhood meeting. About 40 people attended that meeting and the consensus from that meeting was that it made more sense to change the zoning to G-O. Because of the deterioration of the neighborhood and the issues and problems that are there, this area will probably never be a neighborhood again.

Mr. Camp said he is sensitive to the traffic issues in this area. The closing

of 5530 South that Mr. Anderson referred to somewhat isolated part of that neighborhood. He asked Mr. Hall if traffic would be considered once a site plan comes in for this development before any permits would be issued.

Mr. Hall replied with the kinds of buildings Northstar Builders are talking about building, traffic would be considered. At the least, a simple traffic study would be done to generate counts to see what needs to be done about the traffic. It is not easy to get in and out of this neighborhood.

9.1.2 Council consideration of the above matter.

MOTION: Ms. Turner moved to adopt the ordinance. The motion was SECONDED by Mr. Hales.

Mr. Camp stated he knows that the problems that have been created in this area could have been prevented years ago, but they weren't. He thinks that moving forward, this is probably the best use for this property. He hopes that as development comes in the traffic can be addressed.

Mr. Brass agreed with Mr. Camp. He said there has to be a way to rework that intersection to make it better.

Council roll call vote:

Ms. Turner	Aye
Mr. Hales	Aye
Mr. Nicponski	Nay
Mr. Camp	Aye
Mr. Brass	Aye

Motion passed 4-1

9.2 Public Hearing #2

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

Consider a resolution authorizing the execution of an Interlocal Cooperation Agreement between the City and Salt Lake City for the installation of a trail.

Staff Presentation: Doug Hill, Public Services Director

Mr. Hill said Murray City has been working with Salt Lake City to negotiate an agreement to construct a trail along the Jordan and Salt Lake City Canal between Fontaine Bleu and Wheeler Farm. As part of this process, the city held a public open house. The city also attempted to

notify the residents in the area of the city's intent to construct a trail so the city could receive comments from them. Mr. Hill presented the results of the open house to the City Council two weeks ago during a Committee of the Whole meeting.

Mr. Hill stated if this resolution is approved tonight it would allow the city to move forward with constructing the trail along the canal. As part of this process, the city would need to get a conditional use permit from the city's Planning Commission. During that process, the Planning Commission would review the design of the trail and look at things like parking, fencing, lighting, noise, crime, etc. and take those items into consideration. This meeting tonight is not a meeting to talk about the specifics of the trail design. The main purpose of the discussion tonight is executing this Interlocal Agreement with Salt Lake City.

The public hearing was opened for public comment.

Matthew Hepworth – Murray City, Utah

Mr. Hepworth said he walks the trail as it is now, twice a day, and has for the past 12 years. The trail is a great place to exercise and walk dogs. It connects the neighborhoods together and provides a spirit of community. He said some of the advantages of a city supported trail are that it provides open space, it lowers crime and vandalism and increases property values.

Mr. Hepworth stated that a gate was installed on the trail on May 2, 2014. It blocked his neighborhood from pedestrian access along the canal. Ten days after the installation of the gate, the first instance of graffiti appeared and underage drinking on the trail became an issue. When you keep the good people out, the bad people are going to get it.

Melody Griffiths – Murray City, Utah

Ms. Griffiths said she has been walking the canal trail for about 20 years. It's been a great opportunity for her to meet neighbors that she's lived by for years, but has never had the opportunity to get to know. It has given her a sense of community and made her feel more connected to her neighbors.

The graffiti started when the gate went up and it was disappointing to see. She feels the people who will use the trail are her neighbors; she doesn't feel like people will come from miles away to use the trail. As soon as you limit or restrict access, it creates an opportunity for mischievous behavior. Ms. Griffiths stated she supports the trail. She would feel a bit safer and enjoy that area more knowing that it was being maintained and monitored by the city.

Marshall Beall – Murray City, Utah

See Attachment 1 for Mr. Beall's comments.

Susan Cohen – Murray City, Utah

Ms. Cohen said the biggest concerns with this walkway are privacy, noise, and parking. Within the last couple of weeks, she has seen groups of people go by screaming and banging on the bridge by her house. She saw kids touting the horses at the horse farm behind her. She told two kids who crossed the bridge that they shouldn't be there and the kids responded by shouting obscenities at her and told her they were going to call the cops. This walkway will disturb the residents who are adjacent to the path. Those residents will lose their sense of peace and the neighborhoods will lose the sense of being a tight-knit community.

Ms. Cohen asked who will be policing this area. She believes there will be police protection at first, but eventually it will get old and calling the police at certain times will be fruitless because they will be put on the backburner. The residents want privacy, but do not desire the eyesores of big metal fences along the path. Ms. Cohen mentioned some other problems with the trail such as: motorized vehicles on the trail, dogs off leashes and dog feces that does not get cleaned up.

Ms. Cohen asked that the city establish hours to use the trail so the residents can maintain some kind of privacy. There is already a walkway there. The gates could be opened up so locals can use the trail, but not additional people. She asked that the walkway not be paved and for the bridge over the canal to be moved so it is not affecting the homeowners.

Ms. Cohen stated she knows the opposition will not stop this project, but at least her objections are on record. She knows the people along the canal are the minority on this issue but she hopes the minority is heard.

Beverly Crangle – Murray City, Utah

Ms. Crangle said her home does not back up to the canal, but she was shocked to see how close homes are to the canal trail. Every few years, the canal is dredged so the trail gets higher and higher. Because of the height of the trail, people using it can look down and see people's patios, decks and even inside their homes. She thinks having the trail would be a travesty to those homeowners who live there.

Ms. Crangle asked about the ongoing taxes to maintain the trail. She asked if there were a crime, how many police officers could actually get back into that area and would there even be enough police officers on duty to answer a serious call.

Ms. Crangle stated there is no way to restrict access to the trail. She noted that dog owners don't clean up after their dogs and they let their dogs run

off leashes. She doesn't think this trail is needed as there are other trails around the area and because of the ongoing cost to maintain the trail. She also feels that the city does not need the extra liability for those who might get hurt on the trail.

Stephen Blakemore – Murray City, Utah

Mr. Blakemore said he is against this; the trail is in his backyard. Every time anyone is on the trail all the dogs in the neighborhood start barking. He asked if there was anyone in attendance from the ditch company because there is a ditch that runs along this trail. During Mr. Hepworth's comments, Mr. Hepworth showed a picture of one of the cutouts the ditch company made to access their boxes. Every one of those cutouts are spots where somebody can lie and wait for an innocent person to come along.

Good people would use the trail during the daytime but it's the nighttime that worries residents. Within ten miles of Mr. Blakemore's home, there are four hiking trailheads, four dog parks, and 80 parks to go to. They don't need a mile long trail that runs along a canal.

Pat Roberts – Murray City, Utah

Ms. Roberts said she thinks this is a waste of money. This trail has been a quiet jewel to the neighbors who live by it and they would like it to stay that way; they don't want public access to the trail. If pylons are put up at the ends of each trailhead then police and fire vehicles can't get on the trail until they can remove the pylons.

Ms. Roberts stated that Murray is a family city and children will be on this trail. This canal was never designed to be someone's playground. Ms. Roberts expressed her concern that a child could fall into the canal. She is also concerned about someone getting hit as they try to cross 6400 South or 1300 East. Putting up flashing lights is not effective. These are dangerous crossings. They are not at a light and they are not where people expect to have to stop.

Ms. Roberts said most of the people that live along the canal purchased their property because the canal acts as a buffer for their homes. It's a little piece of nature in a very crowded city.

Lyla Fuller – Murray City, Utah

Ms. Fuller stated she is concerned. The canal is so high that people walking on it can see into her home and it takes her privacy away. She doesn't object to the people that are walking on the trail now. She thinks the gate should be taken down to accommodate them. She is concerned about the cost of maintenance, the liability and the environmental impact. She feels the trail will affect property values negatively.

Lori Haglund – Murray City, Utah

Ms. Haglund said her home is east of the canal and two sides of her lot are bordered by the canal. Their dog, cat and horses share over two acres with birds, geese and other wildlife and they have developed friendships with their neighbors who walk along the canal with their pets and families. They love this little secret sanctuary and the secluded privacy they enjoy in their yard and they value their connection with nature and their neighbors.

When they first heard about plans for Murray City to take over maintenance and control of the canal property, they were thrilled. The area seems to be an after-thought for Salt Lake City, and they believe that Murray City will do a better job. They imagined a trail covered with soft wood chips that would provide a beautiful spot for a quick horseback ride to and from Wheeler Farm after work, and a secret little neighborhood spot for walkers and runners. They also imagined the trail development would take place on the north and west sides of the canal to align with the other sections of the trail. Information on Murray City's website confirmed plans for development in that location.

The boards displayed at the open house showed just the opposite, with the trail running right against the Haglund's property. This caused concerns related to their privacy, security, liability and the enjoyment of their own yard. When Doug Hill presented the results from the open house to the City Council, he pointed out that 123 commenters were in favor of the trail and 61 were against it. He noted that the 123 who were in favor were from outlying areas in the neighborhood, and the 61 who were against it were homeowners with property bordering the canal. Development of the Murray Canal Trail directly and negatively impacts homeowners along the canal while providing greater benefit to the outlying neighborhoods. Ms. Haglund proposed that the city count votes as shares, with one share vote for every neighboring resident, and give weighted votes for homeowners with canal frontage. Development of this trail impacts the frontage homeowners significantly, especially compared to other neighbors who enjoy the privacy they have in their own back yards.

Ms. Haglund stated the city is proposing a change of condition that the residents did not anticipate. The city is proposing to change the way the trail is used and it feels like, contrary to what is being said, this is a done deal. That is disappointing. This will scar this beautiful area and will attract undesirable traffic to the trail.

This will affect the Haglund's more than any other home owner along the proposed trail. No homeowner has as much trail frontage as the Haglund's and they asked the Council to respect their needs. As neighbors and Murray City constituents, they recognize that a trail system has value, but

they do not want to suffer the majority of repercussions as a result.

Veronica Zane – Murray City, Utah

Ms. Zane said she and her husband just built their home. She pointed out how people speed on both 6400 South and 1300 East. She asked the Council to consider the safety of the trail as she is concerned about someone getting hurt or killed. The canal is close to her home and her privacy would be affected by the trail. She noted the proposed trail is only going to be one mile long meaning people who use it will go back and forth which will triple and quadruple the traffic on the trail. The Jordan River Parkway is not too far from this area and there are many other parks that are already built that people can use.

Laura Gross – Murray City, Utah

Ms. Gross said she did some research and found that walking trails not only increase the level of activity of community members but they have less crime than other areas. Trails have consistently shown to increase, or have no effect, on the property value. This trail will be maintained by Murray City and right now, it's only being attended to once or twice a year. A clean and well maintained trail is more attractive and encourages use. Good community facilities, such as this trail, contribute to the general quality of life in the community. She supports the trail.

Richard Gross – Murray City, Utah

Mr. Gross said he has lived in this vicinity since 1965 and frequently uses the canal trail. He supports the improvement of the trail. He agrees with everything Mr. Hepworth had to say. The Jordan River Parkway was in the same condition before it was improved with people complaining about the people, dogs, and undesirable activities that go on when areas are neglected. The Jordan River Parkway has houses up and down it. It has a lot of usage and you don't hear of reports of crime and people breaking in to homes along the parkway. When you keep places nice, you attract nice people. When you neglect them, you attract undesirable behavior. He supports the development and maintenance of the canal trail.

John Kessler – Murray City, Utah

Mr. Kessler said nobody has been walking that canal for 20 years because the chain link fence was only removed a few years ago. Up until that point, there was almost no one on the trail. Once the fence came down, this area became, what Mr. Kessler refers to as, a "dog park". No one who brings their dogs on the trail has respect for the leash laws and people don't clean up after their dogs.

Lisa Lewis – Murray City, Utah

Ms. Lewis said she loves the canal how it is; it's a beautiful place. She understands the value of trails and the community. The trail has developed

a great sense of community for the residents. She asked if the plans could be changed to develop the trail from 1300 East to the west and leave the rest of the trail alone. The fence could be taken down, making the trail more user friendly for the community.

Reverend Tom Abbott – Cottonwood Presbyterian Church

Reverend Abbott said the church supports upgrading the trail. They would like the opportunity to work with the city to develop access to the trail from the churches parking lot which would increase usage of the trail. The church has a 51 plot community garden along the trail. Those gardeners put a lot of time and effort into those gardens and the church would appreciate some kind of fence that would keep dogs from running freely into the garden.

Richard Crangle – Murray City, Utah

Mr. Crangle said his concern is that no cost-benefit analysis has been done on this trail yet. The citizens do not know how much this development has already cost them. This money is magically coming from the Utah Department of Transportation, however, this is tax payer money. This is money that has already been spent and put into a fund that the UDOT wants to use to develop the canal trail. A cost-benefit analysis absolutely needs to be done to see if there are any real benefits.

On Vine Street, there is an eight block stretch that has 20 icons plastered on each lane from 1300 East to Highland Drive. It is clearly marked as a bicycle friendly street. It would be more desirable to use the UDOT money to put sidewalks in along Vine Street so children walking to school can get there safely.

Mr. Crangle stated he is concerned about the liability of dogs meeting other dogs in close proximity, He was attacked by two unleashed Pit Bulls in Dimple Dell Equestrian Park.

Thomas Vavrin – Murray City, Utah

Mr. Vavrin purchased his home about five years ago with the appreciation of the private space that bordered the backside of his house. He is deeply opposed and concerned about the development of the canal trail. The water in the canal is six feet deep and moves very swiftly. If a ten foot wide trail is put in, one side of the trail will be inches from a six foot drop into the canal and the other side will be inches from somebody's fence and backyard. Mr. Vavrin thinks backyards should be a place of privacy and sanctuary and that should not be violated by turning this into a public walkway.

The people that currently use the walkway should continue to use it. The fences were put up for a reason, to prevent people from getting back to the

trail. He is concerned about dogs and screaming kids at all hours of the day. The residents love the privacy and the sanctity of the space, but they do not want to open the door so bad people can get in. Many citizens purchased their homes appreciating the privacy the trail offers. If the trail is opened up to the public, there will be an increase in vandalism and theft.

Pete Lewis – Murray City, Utah

Mr. Lewis expressed his displeasure of the cost of the trail. He asked the Council if the city has to take the money from UDOT. He stated the people who live on this canal should be the only ones that get a vote. There are seven parks in Murray City. He is concerned about a child falling into the canal and the increased liability the city will have with the trail. He has lived here for over 35 years and there is a reason there hasn't been a trail along this canal before.

Dan Dent – Murray City, Utah

Mr. Dent said his home backs to the proposed trail and he is opposed to it. He purchased his home two years ago with the understanding that the canal would be the only thing behind his home. Opening up access to the trail will attract people with ill intent and there will be criminal activities. The privacy and safety of his family and the value of his home will be impacted by this trail.

Mr. Dent feels there are better uses for \$750,000 other than building a trail that is one mile long and crosses two major roads. He is concerned about the ongoing cost and maintenance of the trail. He has not seen a plan of what maintenance costs will be and how often the trail will be maintained. All he has heard is that the parks department will take over the maintenance of the trail.

Mr. Dent feels that if the trail is built, the hours should only be during the daylight. He believes in community but is community walking behind someone's house or walking in front of it on existing sidewalks. He doesn't understand why the city needs a trail that goes behind people's homes. For purposes of protecting his privacy, property values, the safety of his family and the rest of the community around this area, he is opposed to this trail.

Gerald Summerhays – Murray Rotary Club

Mr. Summerhays said the rotary club speaks in favor of trails for many reasons that have already been stated tonight. The major benefactors of this trail will be the people who live in east Murray. He hopes the factors that are impacting people along the trail can be dealt with. The reality of it is, no trails would be built if the people closest to the trail always ruled.

Mr. Summerhays said the rotary club spearheaded the last bridge over the

Jordan River south of Gardner Village, the trail at the west end of Murray Park and the trail north of the medical center. A few years ago, the rotary club paid \$5,900 to fund the architectural plans for a trail that would run from the Jordan River to Murray Park. They expect to fight the same battles they are fighting here getting that plan through.

The rotary club spearheaded the council getting the several hundred thousand dollars for this trail. The original plans were to put a trail against the Jordan River next to AISU. Mayor Eyre told the rotary club he would like to do something for the people of east Murray and asked the rotary club if he could use that money to put a trail in east Murray to benefit those citizens. Mr. Summerhays would like to see this trail built for the benefit of Mayor Eyre; this is one of his legacies. The rotary club supports trails and supports this proposal.

Larry McPhail – Murray City, Utah

Mr. McPhail said he was told when he bought his house there would be a park or trail built by the canal. He uses the trail to walk his dog because the dog has been attacked three times in the neighborhood. He is sorry people don't want the trail, but feels they should have investigated it when they purchased their homes. He travels a lot and sees trails like this popping up everywhere. They are beautiful and lovely and people are using them.

Steve Barth – Murray City, Utah

Mr. Barth said about 150 feet of his property backs onto the canal. He has a four foot fence and his back deck is about 25 feet away from the fence. It is his understanding the state passed a liability waver a couple of years ago for communities that take on trails like this that are next to waterways. In Mr. Barth's opinion, this is money well spent. It will enhance his property values. The more people use it, police it, and maintain it, the better it will be for everybody.

Right now, the canal is not very well maintained and this is a good opportunity for the city. Mr. Barth thinks this is an opportunity to have fencing and line of sight issues mitigated in a way that will solve the problems.

Suzanne Reynolds – Murray City, Utah

Ms. Reynolds said there are concerns that the people using this trail will park on her street (Fontaine Bleu Drive). She would like to see the trail stop at the church. That would save one of the dangerous street crossings. She would like the proposed roadway to be done with more sensitivity to the environment. She is not opposed to the walkers that are there now, but this does not need to be made into a sterile trail that causes problems and is made public.

Liz Sagers – Murray City, Utah

Ms. Sagers said the only complaint she has about her neighborhood is that there are no parks. From what she understands, her area that was annexed into Murray years ago, is the only area in Murray that doesn't have an available park in the nearby vicinity. She would like something close that her family can walk and ride bikes to.

Ms. Sagers was excited when she found out there was a possibility of having a trail system in east Murray. Since they do not have a park, her kids could ride their bikes to Wheeler Farm safely using the trail. Her and her neighbors want a safe place for their kids to play. They do not intend to set their kids free on the trail, but it would be a place to take their kids to so they can ride their bikes and be safe.

Mary Murphy – Murray City, Utah

Ms. Murphy said her property backs up to the canal and her family has loved it. No one has mentioned how wonderful Wheeler Farm is and she would love to be able to take the trail there. It is the closest park they have. She stated she would love the weeds cleaned up on the trail; it is difficult to get through them during the summer. She supports the trail.

Elke Firth – Murray City, Utah

Ms. Firth said she does not have an issue with how the trail is currently being used. However, the vandalism that occurred prior to the gate being put up was significant. She feels crime and vandalism will increase. She disagrees that all of the sudden there will be no more vandalism, drinking, drugs, etc. on the trail if it is opened up. Her property is five feet away from the fence line and she has no privacy. She hopes the city is considering some type of compensation of a barrier or wall to the residents along the trail. She would like the trail to be left as is.

Mark Chidester – Murray City, Utah

Mr. Chidester said he has a large amount of canal frontage property and he is against this trail. The people that are there now are okay, but they present their share of problems. People are constantly looking into his windows and he has had garbage thrown in his yard. The first thing dog owners do when they get to the trail is take their dogs off their leashes.

Mr. Chidester spent 20 years with the Salt Lake County Sheriff's office. He knows about working patrol and he would not have got out of his car to walk the canal once a night. He wouldn't have had the time. Murray only has 4-5 officers on duty at night. Unless there are some really devoted officers, they will not be walking that canal at night. The activity at night is not going to stop. Privacy is the biggest issue.

Roger Haglund – Murray City, Utah

Mr. Haglund stated ambivalent is a word that is often incorrectly used. Most people think it means that you don't care. It actually comes from two Latin roots – “ambi” meaning both and “valent” meaning strength. He is torn. He likes the idea of having an open space and a place that is “natural.” He would like to see the gates taken down throughout the whole canal system. However, the reason they are there is because there are so many problems.

There is already a trail being used by people with dogs, by moms with strollers, and by kids with bicycles. The complaints started when the gate was put up. Before 2014, there were no complaints about people accessing that trail.

Mr. Haglund said his property has the second most exposure to the trail. He has 650 feet of frontage to the west and another 200 feet of frontage to the north. The canal is level to his property, but in other areas, the canal is 5 feet higher than the properties. He is concerned about protecting the privacy he currently enjoys. Since this discussion started, there has been an increase of the usage on the trail. He feels the trail is not being neglected.

Although it has been determined that it is 2:1 in favor of the trail. The problem is that the residents that are directly impacted are the ones who are against it. If this goes forward, Mr. Haglund wants to see the city hold open meetings so the residents can be part of the mitigation process.

Joshua Kitt – Murray City, Utah

Mr. Kitt said his property backs to the canal. Wheeler Farm has issues with people camping out and the Studio 6 Motel has also had problems. He wants the Council to understand that there are people that don't live in the neighborhoods that will now be in the neighborhoods. He would like a property survey done because he is concerned about liability. He spoke about the dangers of kids riding their bikes on the canal trail.

Ty Glenn – Murray City, Utah

Mr. Glenn said he feels like he paid a premium for his house because it backed up to the canal. He would not have purchased his home if it had a trail going through it. He doesn't understand how the trail would raise his property value. He is opposed to the trail.

Gina Disera – Murray City, Utah

Ms. Disera said her family owns a farm on Vine Street. She is an avid cyclist and rides different trails. When a trail is public it becomes more dangerous. She is afraid to ride the trail up City Creek alone because there have been rapes and there are dogs running around. Public trails do not become safer. People sleep on public trails but they don't do that if they

don't know about them. The canal behind these houses has been private to the people who live there and it is a special treasure.

Mr. Brass closed the public hearing.

Mr. Hill read from an email he received from Mayor Eyre. The email thanked the citizens for their comments and let them know that all the comments will be taken into serious consideration.

9.2.2 Council consideration of the above matter.

MOTION: Mr. Nicponski moved to adopt the resolution. The motion was SECONDED by Ms. Turner.

Mr. Hales explained how this has been a hard decision for him. He noted that he tries to vote the way the citizens ask him to vote. He has walked along this trail and understands the citizens' concerns about privacy.

Ms. Turner said this trail is in her neighborhood and she walks this trail often. After much deliberation, she has decided that improving the canal trail is the right thing to do. At this point, the canal trail is maintained by Salt Lake City who provides weed control and maintenance twice a year. They have a large city to deal with and taking care of this trail is way down on their priority list. Murray has always been an independent, well run, city. When a constituent contacted Ms. Turner with complaints that there was an infestation of rodents in tall weeds behind his property, which borders the canal, she was unable to help him. Murray City could only request that Salt Lake City fix that problem.

Ms. Turner stated that with this agreement the city's parks and recreation staff would be in charge of the maintenance of the trail and she knows they will do a great job. Based on research Ms. Turner has done, and anecdotal evidence, she believes this trail would be a wonderful amenity for the community. Research has shown that a healthy, vibrant city contains communities with trails, parks and bike lanes. Places where citizens can bring their families, meet friends, recreate and exercise. These cities are where our kids and grandkids want to live.

Ms. Turner said she understands that safety is a big issue, it is a big issue for her too. Illegal activity often takes place in closed areas where intruders think no one can see them, not in areas that are maintained. If developed, the trail will be on the police department's radar. Murray has an awesome police department that really care about the community. There are concerns about crossing busy streets such as Vine Street and 1300 East. The crossings on these streets will be well marked.

Ms. Turner explained that research shows when a city takes an interest in a neighborhood by developing its resources, such as this trail, property values increase, often by 5% to 10%. She has not seen information that indicates that living by a developed trail or park has a negative impact on property values. People who purchased the houses on Vine Street that back to Murray Park were willing to give up a little privacy to have immediate access to the park. Most of them have gates in their fences for easy access to the park. Those houses sold very quickly and residents who wanted more privacy planted fast growing trees.

Ms. Turner said she knows all of the residents in attendance love Murray and care about their community just as she does. If the city goes forward with this trail, the city will address the residents' concerns as best as the city can. She thanked the residents and told them their involvement has had a big impact on this proposal.

Mr. Camp said at the beginning of this, he and others were excited about the opportunity to extend the trail to the eastside of Murray. Mr. Camp does not live along the canal, but he does live close to the Jordan River Parkway. He had no idea this would be such a controversial issue. As the council has gotten into this and had open houses, they have discovered there are other issues and many concerns with the trail. Mr. Camp appreciates and recognizes those concerns.

Mr. Camp stated there has been talk of using something like crushed rock instead of paving the trail. If that is done, strollers, skateboards, and some bicycles will not be able to use the trail. He thinks there is room to compromise on both sides of the issue and some opportunities to solve some of these problems and potential problems.

The Council is considering a resolution to execute an agreement. If it is voted down tonight then this issue is done and there will be no trail improvement. If they vote to approve the agreement then it moves on in the process and Salt Lake City will have a chance to review and vote on it. Murray City can then decide to move forward to develop the trail or to not develop it depending on the availability of funds to do the kinds of things that would be appropriate to the neighborhood.

Mr. Camp stated he is prepared to vote to approve the resolution because he believes that voting it down slams the door altogether and he doesn't think that is what the council wants to do. This agreement gives the council up to three years to develop the trail.

Mr. Nicponski said he lives on the Jordan River Parkway. He has lived there for 21 years and has never had an incident of vandalism. His home has doubled in value over the past 21 years. The police department does

police the parkway using bikes or motorized cycles.

Mr. Brass stated this decision is difficult. He remembers in the early days of the Jordan River Parkway there were quite a few people who were against it. He was on the Murray Education Foundation when they decided to build the Nature Center that is on the Jordan River Parkway in Murray. People were strongly against the Nature Center and now those same people will fight to protect it because all the evil things didn't happen.

He understands the concerns about privacy. It is very disconcerting to go from not being able to see another house to having someone looking into your backyard. The city is constantly getting asked for parks on the eastside and he views this as a potential for a park. Any park that gets built anywhere will impact homes.

Mr. Brass asked how long the grant from UDOT is good for.

Mr. Hill replied the UDOT grant is called a transportation alternative program grant. It can only be used for alternate types of transportation, such as trails. He has been asked by several people if that money can be used on another project, for example, purchasing a park or doing something like that with it. The answer to that is no. The grant is for two fiscal years. UDOT would like the first \$100,000 spent by September 2017, and the second \$100,000 by September 2018. Mr. Hill believes the City could give the money back to UDOT if we don't want to use it for the trail and UDOT could reauthorize it for other projects in other cities.

Mr. Brass stated he has concerns about safety and he spoke with the city's attorneys about that today. This trail is close to a canal and a canal is a little different than the Jordan River because of the steep nature of the banks. The city also has Little Cottonwood Creek that runs through Murray Park and when there is snow melt it is a concern. Anywhere you go, there is some degree of danger. As Mr. Camp said, the city has time to discuss and mitigate this to make sure everything is taken care of.

Mr. Hales said he loves trails and he would love having another one in Murray, he sees how high this trail is in certain areas.

Council roll call vote:

Ms. Turner	Aye
Mr. Hales	Nay
Mr. Nicponski	Aye
Mr. Camp	Aye
Mr. Brass	Nay

Motion passed 3-2

10. Unfinished Business
10.1 None scheduled.

11. New Business
11.1 None scheduled.

12. Mayor
12.1 Report
No report was given.

12.2 Questions for the Mayor
There were no questions for the Mayor.

13. Adjournment
The meeting was adjourned at 8:46 pm.

Jennifer Kennedy, City Recorder

Attachment 1

Fw: Opposition to proposed canal trail

marshall beall [REDACTED]

Tue 3/7/2017 7:36 PM

To:ELKE FIRTH [REDACTED]

FYI Elke.

From: marshall beall [REDACTED]

Sent: Tuesday, March 7, 2017 7:28 PM

To: murraycanaltrail@gmail.com

Subject: Opposition to proposed canal trail

The purpose of this e-mail is to stave off an avoidable disaster for dozen homeowners for your consideration as the long range effects are not good. Not only is this a privacy issue but also a security hazard and potential health risk. My home runs along the canal and provides to someone intent on criminal activity a covered and concealed avenue into the back of my home, sight unseen. Also with dogs accompanying walkers don't tell me that the owners will clean up after their pooches (I've been to Liberty Park and seen the results of carefree dog owners). Leaving feces will attract a species of rat that uses dog droppings as a source of food. Potentially making the health department party to this decision. Of course privacy is also compromised. There are plenty of trails in the various canyons for hikers to use so creating a walking trail that will in no time degenerate in to a attractive hazard for the homes along this proposed trail. There will be vandalism and home robbery's that is a given, the homes along this trail offer a temping a target. I believe you know that. And once this happens the victims will have their life styles change forever. Again you are aware of that. The only defense I will have is to place bars on the windows and doorways which among other things will impact on property values as that is a clue that the neighborhood is in a high crime area. Please make you decision not on the short run apparent attractiveness but on the long range damage to this neighborhood. I hope my home is more than just a statistic to the Murray Park and Rec Department . Thank you for your consideration of my concerns: Marshall Beall Woodstock Village.