

Murray City Municipal Council

Chambers

Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 5th day of September, 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 Diane Turner

Council Members Present:

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

City Staff Present:

Diane Turner, Acting Mayor
Jennifer Kennedy, City Recorder
G.L. Critchfield, Deputy City Attorney
Janet Lopez, Council Administrator
Janet Towers, Executive Assistant to the Mayor
Craig Burnett, Police Chief
Joshua Hung, Police Officer
Stephen Trout, Police Officer
Braydon Hamatake, Police Officer
Tim Tingey, Administrative and Development Services Director
Blaine Haacke, Power Department General Manager
Bruce Turner, Power Department Operations Manager

Other's in Attendance:

Scouts
Citizens

Mr. Nicponski called the meeting to order at 6:30 p.m.

5. Opening Ceremonies

5.1 Pledge of Allegiance

The Pledge of Allegiance was led by Gil Rodriguez, Fire Chief.

5.2 Approval of Minutes

5.2.1 Council Meeting – August 1, 2017

MOTION: Mr. Camp moved to approve the minutes. The motion was SECONDED by Mr. Hales. Voice vote taken, all “ayes.”

5.3 Special Recognition

Mr. Nicponski asked the scouts in attendance to introduce themselves.

5.3.1 Swearing-In new Murray City Police Officers, Joshua Hunt, Stephen Trout, and Braydon Hamatake.

Staff Presentation: Craig Burnett, Police Chief
Jennifer Kennedy, City Recorder

Chief Burnett introduced the Mr. Hung, Mr. Trout and Mr. Hamatake. He stated they all just graduated two weeks ago from the Police Academy and the city is excited to have them as part of the police force.

The Swearing-In Ceremony was conducted by Jennifer Kennedy.

5.3.2 Consider a Joint Resolution of the Mayor and Municipal Council of Murray City, Utah for special recognition of Bob Dunn upon his retirement of 39 years in service to the Boys and Girls Club of Murray.

Staff Presentation: Diane Turner, Acting Mayor

Acting Mayor Turner read the Joint Resolution.

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

Council roll call vote:

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

Motion passed 4-0

Mr. Dunn expressed his appreciation to the City Council. He stated although he is no longer officially employed with the Boys and Girls Club, he still loves the club. He spoke about how one of his favorite things to do is community service and how the kids at the Boys and Girls Club do a community service project every Thursday.

The Council expressed their appreciation to Mr. Dunn for his devotion and commitment to the Boys and Girls Club.

5.3.3 Consider a Joint Resolution of the Mayor and Municipal Council of Murray City, Utah declaring September 10 – 16, 2017 as Public Power Week.

Staff Presentation: Diane Turner, Acting Mayor
Blaine Haacke, Power Department General Manager

Acting Mayor Turner read the Joint Resolution.

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

Council roll call vote:

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

Motion passed 4-0

Mr. Haacke thanked the Council for this acknowledgement. He invited everyone to join the Power Department at Murray Park on Thursday, September 14, 2017 from 4:00 p.m. - 6:30 p.m. to enjoy hot dogs, talk to the employees in the Power Department and look at the Power Department's equipment.

Mr. Haacke stated the Power Department has 45 full-time employees. He acknowledged that providing power to the citizens of Murray is a team effort that involves many different departments within the city.

5.3.4 Presentation of the Murray City 33rd Annual Beautification Awards Program for 2017.

Darin Bird, Jan Evans and Judith Payne who are members of the Shade Tree & Beautification Commission presented the following awards:

District #1 – Chris & Patti Phillips – 6433 South 940 West
James Kessimakis – 4520 South Atwood Blvd.

District #2 – Sue Cross – 933 Riverbend Drive

District #3 – Linda Kessimakis – 4648 South 345 East

District #4 – Keith & Shelly Madeline – 567 East Benbow Street

District #5 – Lee & Jeannie Brown – 6100 South Glen Oaks Street

Mayor Award – Blaine Sylvester – 943 West Chesterbrook Cove

Business – Fashion Place Mall – 6191 South State Street

Multi-Family – Three Fountains Owners Association
828 East Three Fountains Circle

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

Kathleen Stanford – Murray City, Utah

Ms. Stanford read from the approved History Advisory Board minutes from the June 27, 2017 meeting. She said the History Advisory Board (“Board”) is still concerned about the assisted living center that is proposed. During that same meeting members of the Board voiced concern that the city’s rationale to revitalize the downtown with that development is not valid. Some Board members did not think patrons in an assisted living center would bring business to the downtown. Board members expressed they were not sure a senior living center would meet the vision of downtown and felt the development could be built in other locations.

Ms. Stanford continued reading from the minutes stating that Board members continue to question if the development truly meets the vision of the MCCD and that their questions had not been answered. They expressed concern that the process was hurried with pressure at the beginning for decisions when the plans were not finalized and there was a high likelihood that the plans would change. Board members did not trust the developers and felt the Board should have been involved with the ongoing process. The Board would have liked more information from Tim Tingey about the city’s vision and they did not feel like the city has connected the vision to this development.

Ms. Stanford provided a copy of the minutes to the council (see Attachment 1)

7. Consent Agenda

7.1 Consider confirmation of the Mayor’s appointment of Bobbi Henry to the Murray Library Board of Trustees representing District 3 for a three-year term to expire on June 30, 2020.

MOTION: Mr. Camp moved to adopt the Consent Agenda. The motion was SECONDED by Mr. Hales.

Council roll call vote:

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

Motion passed 4-0

8. Public Hearings
8.1 Public Hearing #1

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

Consider a resolution approving the City's application for a grant from the Edward Byrne Justice Assistance Grant Program.

Staff Presentation: Craig Burnett, Police Chief

Chief Burnett said each year the police department can apply for this grant from the Department of Justice. Part of the process to receive these funds requires holding a public hearing during which the following are addressed: the fact that we are applying for the grant, how much the grant is and what the police department intends to use the grant money for. This year, the city's allotment is \$33,401. The intent is to use that grant money for the purchase of in-car cameras.

The public hearing was opened for public comment. No public comments were given and the public hearing was closed.

8.1.2 Council consideration of the above matter.

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

Council roll call vote:

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

Motion passed 4-0

8.2 Public Hearing #2

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

Consider an ordinance amending Section 16.12.020(H) of the Murray City Municipal Code relating to side yard utility and drainage easements.

Staff Presentation: Tim Tingey, Administrative and Development Services Director

Mr. Tingey said this item was brought forward by staff to the Planning Commission on July 20, 2017. Because there are more 6,000 square foot lots within the city than there has been in the past, there is a need to adjust the distance of the easements on side yards to accommodate setbacks and to have enough space for the building and the easement. This proposed ordinance states that each side yard easement must line up with the side yard easement on the adjacent lot. In R-1-6 and R-1-8 zones, the easement is to be five feet.

The public hearing was opened for public comment. No comments were given and the public hearing was closed.

8.2.2 Council consideration of the above matter.

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

Council roll call vote:

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

Motion passed 4-0

9. Unfinished Business

9.1 None scheduled.

10. New Business

10.1 Consider an ordinance amending Section 5.08.050 of the Murray City Municipal Code relating to business license expiration dates.

Staff presentation: Tim Tingey, Administrative and Development Services Director

Mr. Tingey said this change is to accommodate the city's new software system.

The city's ordinance currently states that a business license will expire on the last day of the month, twelve months from the date the license was issued. The software the city now uses auto inputs the business license expiration date as twelve months from the day the business license application was received and input into the system.

Mr. Tingey noted that other communities use this software package and there isn't a huge amount of time between an application being received and the license being issued.

Mr. Nicponski asked what the average time between receiving an application and awarding the license was.

Mr. Tingey responded renewals take just a few days and first time applications can take a little longer.

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

Council roll call vote:

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

Motion passed 4-0

10.2 Consider a resolution authorizing the execution of a telecommunications franchise agreement between Crown Castle NG West LLC (“Provider”) and Murray City (“City”).

Staff presentation: G. L. Critchfield, Deputy City Attorney

Mr. Critchfield said franchise agreements, like this one, come to the city every so often. He explained this agreement is like many others but a little bit different in that Crown Castle NG West doesn't provide services to customers as end users, they are providing services to other telecommunication companies.

MOTION: Mr. Camp moved to adopt the resolution. The motion was SECONDED by Mr. Hales.

Council roll call vote:

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

Motion passed 4-0

11. Mayor

11.1 Report

Acting Mayor Turner said last Thursday our beloved Mayor Eyre was buried and we are still grieving individually and as a city. She thanked the Police and Fire Departments for a moving graveside ceremony and 21-gun salute.

She said the Heritage Center will have an open house on Monday September 11, 2017 from 5:00 p.m. to 8:00 p.m. The theme will be Masters in Aging. A prime rib dinner will be served and there will be a free concert by the Beehives.

Fire Battalion Chief, Chad Pascua, is in Houston as part of the Disaster Medical Assistance Team (DMAT) who are helping with recovery from hurricane Harvey.

The unveiling party for the library mascot will be on Saturday, September 9, 2017 from 11:00 a.m. to 12:30 p.m. The mascot will be arriving in a fire truck.

11.2 Questions for the Mayor

No questions were asked.

12. Adjournment

The meeting was adjourned at 7:15 p.m.

Jennifer Kennedy, City Recorder

Attachment 1

Murray History Advisory Board
Minutes for June 27, 2017

Attendance: Mildred Horton, Syanna Madsen, Sara Roach, Wendy DeMann, Wendy Parsons Baker
Staff: Mary Ann Kirk, Jennifer Broschinsky, Lori Edmunds
Excused: Rebecca Santa Cruz

1. Minutes for May 23, 2017 were approved. If we don't have any business, we will cancel next month's meeting. A new board member is in the appointment process. We also need to find a replacement for Wendy Broschinsky who is finishing her last term in August.
2. Upcoming calendar will feature the pioneer home tour on July 22 at 10 am at Amundsen home and 11 am at Wheeler Farmhouse. Sara will help with tours at Wheeler Farm. Wendy was not available to help with the Amundsen home tour.
3. Tim Tingey will oversee the RFP for the Murray Theater. Mary Ann will be involved to make sure we follow the CLG grant requirements. Wendy P asked what we are doing with the theater. Mary Ann explained the city purchased it and is currently using it for in-house theater rehearsals and some board meetings. The grant will cover a feasibility study and schematic design to acquire projected costs to rehab the building for public use. We will then be able to request funding from private and public sources.
4. A demo request for 4775 South State was reviewed. This building shares a common wall with an adjacent historic building. The planning department has required the owners to engineer an approved plan that preserves the wall. Syanna wondered if there are any architectural features that could be knocked off. She also expressed concern that an "accident" could occur during demolition. Mary Ann will follow up to make sure the planning and permitting office is following this closely. Wendy asked why it is being demolished. Mary Ann said it is for additional parking.

Mary Ann said we have an ILS of this building so it is documented well. The city ordinance related to our historic register does not give protection for the buildings so the board can't say no to proposed demolition even though it is for parking. Board members did not have any further requests for documentation. Mary Ann will email the permitting office to assure demolition is contingent on an approved engineering plan that protects the adjacent historic structure.

5. City Hall display cases currently include an art show and MHS alumni artifacts. We need to take down the high school displays. Mary Ann asked what the board would like to display for the next year. We could feature families, recent donations, or specific themes. Jennifer said the district donated a bunch of historic books that have interesting things inside with curriculum and test questions. Another idea could be destroyed buildings since we have artifacts from some of them. A suggestion was made to have a now and then picture of a historic building and what is there now. Board members liked the idea of "then and now" to help educate the public about what we are losing. Jennifer will start looking for objects. Mary Ann said we have quite a few objects from demolished buildings. Lori suggested we make nice posters with pictures.
6. Mary Ann noted that a local group has been organized to educate the public about historic preservation and raise money for rehab projects. They are focused on preserving the Murray 1st Ward. They have requested an appeal to the city decision to allow demolition. They did

not think city officials took the history board memo with recommendations seriously. Some board members were interested in attending the hearing so they can be informed but they didn't want to take a formal stand on the appeal until they understood what it was based on. Mary Ann will find out the date and time for the meeting and let board members know. Wendy voiced concern that the city's rationale to revitalize the downtown with this development is not valid. She did not think patrons in an assisted living center will really bring business to the downtown area. Syanna was not even sure a senior living center would meet the vision of the downtown. She said an assisted living center for seniors is very different than a rehab center that is focused on younger residents. Wendy B felt this development could be built in other locations. Mary Ann noted that these comments address the main question the board included in the memo. Board members continue to question if this development truly meets the vision of the MCCD. Syanna feels that these questions are not being answered. Syanna expressed concern that the process was hurried with pressure at the beginning for decisions when the plans were not finalized and a highly likelihood that they would change. She does not trust the developers. She felt the board should have been more involved with the ongoing process as the proposed plans evolved over time. Mildred would have liked more info from Tim about the city's vision. Mary Ann noted that Tim did come and present the initial vision but Syanna did not feel like the city has connected that vision to this development.

7. Museum Day will not be implemented this year since we don't have any new exhibits that will draw people in. But next year we can do something if we have a new museum location. We will focus on Halloween videos created by high school students and our historic smelter and fire department videos. We can also include a Matt Madsen art show. He was a well-known local artist. We will need to limit tickets so we keep attendance under 100 at any given time.