

# Murray City Municipal Council

## Chambers

### Murray City, Utah

---

The Murray City Municipal Council met on Tuesday, December 11, 2018 at 6:30 p.m. for a meeting held in the Murray City Center Council Chambers, 5025 South State Street, Murray, Utah.

#### **Council Members in Attendance:**

Diane Turner, Chair	District #4
Dave Nicponski, Vice Chair	District #1
Dale Cox	District #2
Jim Brass	District #3
Brett Hales	District #5

#### **Others in Attendance:**

Blair Camp	Mayor	Jan Lopez	Council Director
Briant Farnsworth	Deputy City Attorney	Jennifer Kennedy	City Recorder
Doug Hill	Chief Administrative Officer	Jennifer Heaps	Comm. & Public Relations Dir.
Craig Burnett	Police Chief	Rob White	IT Director
Amanda Marriott	Police Officer	Susan Nixon	Associate Planner
Joshua Wadsworth	Police Officer	Jon Harris	Fire Chief
Kristin Rearden	Police Department	Kim Sorensen	Parks and Recreation Director
Joe Tarver	Deputy Police Chief	Danny Astill	Public Works Director
Jim McNulty	Development Services Mgr.	Danyce Steck	Finance Director
Steve Reid	Building Official		
Scouts		Citizens	

#### **Opening Ceremonies**

Call to Order – Mr. Cox called the meeting to order at 6:30 p.m.

Pledge of Allegiance – The Pledge of Allegiance was led by Jon Harris, Fire Chief

#### **Approval of Minutes**

Council Meeting – November 6, 2018

Council Meeting – November 20, 2018

MOTION: Mr. Hales moved to approve both sets of minutes. The motion was SECONDED by Mr. Nicponski. Voice vote taken, all “ayes.”

### **Special Recognition**

1. Murray City Council Employee of the Month, Susan Nixon, Associate Planner, Community and Economic Development Division.

#### Staff Presentation: Brett Hales, Councilmember and Jim McNulty, Development Services Manager

Mr. Hales said the Council started the Employee of the Month Program because they felt it was important to recognize the City's employees. He presented Ms. Nixon with a certificate, a \$50 gift card and told her that her name would appear on the plaque located in the Council Chambers. He expressed his appreciation to Ms. Nixon for all she does for the City.

Mr. McNulty spoke about Ms. Nixon's accomplishments during her time at the city.

2. Swearing-In New Murray City Police Officers, Joshua Wadsworth and Amanda Marriott.

#### Staff Presentation: Craig Burnett, Police Chief

Chief Burnett introduced Officer Wadsworth and Officer Marriott and the Swearing-In Ceremony was performed by Jennifer Kennedy, City Recorder.

**Citizen Comments** – Comments are limited to 3 minutes unless otherwise approved by the Council. No citizen comments were given.

### **Public Hearings**

Staff and sponsor presentations, and public comments will be given prior to Council action on the following matters.

1. Consider an ordinance relating to land use; amends the Zoning Map for the property located at 6233 South Fashion Boulevard, Murray City, Utah from the R-1-8 (Single Family Residential) Zoning District to the R-N-B (Residential Neighborhood Business) Zoning District.

Applicant: Smith Family Dental

#### Staff Presentation: Jim McNulty, Development Services Manager

Mr. McNulty showed a map of the property located at 6233 South Fashion Blvd. (see Attachment 1) and noted that there are single-family residential properties on the north, south and east of this property. He explained this lot is currently zoned R-1-8 (Single Family Residential) and the General Plan land use map, which was recently redone, designates this property to remain as R-1-8 in the future.

Mr. McNulty said the applicants, Smith Family Dental, have indicated they want this property for a dental office and would build something with a residential character to fit in with the neighborhood. Mr. McNulty also reminded everyone that the discussion tonight is strictly about the zone change; not the project.

Mr. McNulty explained the Smiths went around the neighborhood and asked the residents to sign a petition showing support for their dental office proposal. He also noted that the Council is in possession of a second petition that was signed by residents who are against the Smiths proposal.

Mr. McNulty said that when this proposal went in front of the Planning Commission, staff

recommended denial because the proposal is not consistent with the General Plan. After the Planning Commission held a public hearing for this proposal, they recommended approval. Mr. McNulty said that staff has not changed their position on this proposal and are recommending that the Council deny both the zoning map and general plan amendment.

Dr. Morgan Smith - Smith Family Dental

Dr. Morgan Smith said they have had their business in Murray for almost 40 years and he hopes to keep it here. He explained they are currently in a 40-year old building that is difficult to update and maintain. He said he spoke to 26 neighbors and 22 of them were in favor of their proposal. He said the building they would put in would look like a home and noted that a dentist office wouldn't be too loud or have a lot of outside lighting.

The public hearing was open for public comments.

Alan Jenkins – Murray City, Utah

Mr. Jenkins said this is a community. He said that the people who are selling the property and the people who are purchasing the property don't even live in Murray and don't have an affiliation with the neighbors. He said the reason that none of the residents went to the Planning Commission meeting was because they were told that the Planning Commission generally goes along with whatever staff recommends. Since staff was recommending denial of this proposal, the residents weren't too concerned. Mr. Jenkins said he spoke with most of the people who signed the original petition and most of them have changed their mind.

Dr. Steven J. Smith – Smith Family Dental

Dr. Steven Smith stated there is no way to build a residential home on this piece of property. He said they have a plan and a desire to make the property beautiful and look as much like a residence as possible.

Melanie Sessions – Murray City, Utah

Ms. Sessions said her home faces this property. She said the property has only been for sale for five to six months and she feels that if it stays for sale just a little bit longer, someone will buy it and make it beautiful. She recently bought her house and is going to try to pave the gravel road, so it looks nice.

Chase Sessions – Murray City, Utah

Mr. Sessions said traffic on Fashion Blvd. is already bad enough. Adding a dental office on that road will only add to the problem.

Alan Jenkins – Murray City, Utah

Mr. Jenkins said what bothers the neighbors the most is that once this property is rezoned, other properties will follow.

Kathleen Stanford – Murray City, Utah

Ms. Stanford applauded the administration for opposing this proposal.

Dr. Morgan Smith said he understands the neighbor's concerns however, he doesn't feel this proposal will have a negative impact on the neighborhood. He agreed that the increase in traffic is a valid point. He said the General Plan looks at general areas, not isolated areas. He stated he

spoke to some realtors who didn't feel like this property would be good for a single-family home.

Janiel Jenkins – Murray City, Utah

Ms. Jenkins said there are a lot of vacant lots over on Winchester Street that might be ideal for the Smiths to move their dental office to. She said she doesn't want any commercial development in the neighborhood where she lives.

Mr. Cox closed the public hearing.

Ms. Turner said she has no doubt the Smiths would build a beautiful dental office that would fit in with the neighborhood, but that's not what is being considered tonight. What the Council is considering tonight is whether or not to change the zoning of the property to R-N-B. Ms. Turner added that the neighbors who have spoken tonight do not want this property rezoned.

Mr. Brass said when he was on the Planning and Zoning Commission, the most controversial project they had was the Mountain Medical building on Woodrow Street off of 5400 South, which was a residential area at that time. The city created R-N-B as a buffer zone between commercial and residential zones. This property on Fashion Blvd. goes deep into a residential neighborhood, meaning one building could impact eight to ten homes, and that concerns him. This area is predominately a residential area and Mr. Brass wants to keep it that way.

MOTION: Mr. Brass moved to deny the ordinance. The motion was SECONDED by Ms. Turner.

Council roll call vote:

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

Motion passed 5-0 (Ordinance denied)

**Business Items**

Consider a resolution acknowledging completion and receipt of the independent audit for Fiscal Year 2017-2018 and order that notice be published pursuant to Section 10-6-152 of the Utah Code.

Staff Presentation: Danyce Steck, Finance Director

Ms. Steck said this resolution is to acknowledge the completion and receipt of the audit. She thanked the Council for their comments during the Committee of the Whole meeting last week and noted she has amended the audit with the changes the Council recommended. She stated the audit was completed in 45 days and went over each of the four sections of the audit.

Ms. Steck said the city ended the year with 25% of the General Fund balance in reserves, which is the maximum allowed by the State.

Mr. Nicponski said his understanding was that the Council will finish reviewing the audit at an

upcoming meeting.

Ms. Steck replied she would be doing a half hour review at the next Committee of the Whole meeting. However, it is State Law that the city acknowledges receiving the audit, so she can file it with the State Auditors office by December 31, 2018.

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

**Council roll call vote:**

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

Motion passed 5-0

**Mayor's Report and Questions**

Mayor Camp went over the following items:

- He acknowledged Ms. Steck and her staff for the great work they did on the CAFER;
- The Library recently held their Holiday Palooza and are holding Holly Jolley Christmas concerts throughout the month of December. The schedule is on the Library's website;
- He acknowledged the time Julia Pehrson put into decorating the tree in honor of the late Mayor Ted Eyre. The tree made \$4,500 for Primary Children's Hospital; and
- He wished the Council and citizens a Happy Holiday Season and a Happy New Year.

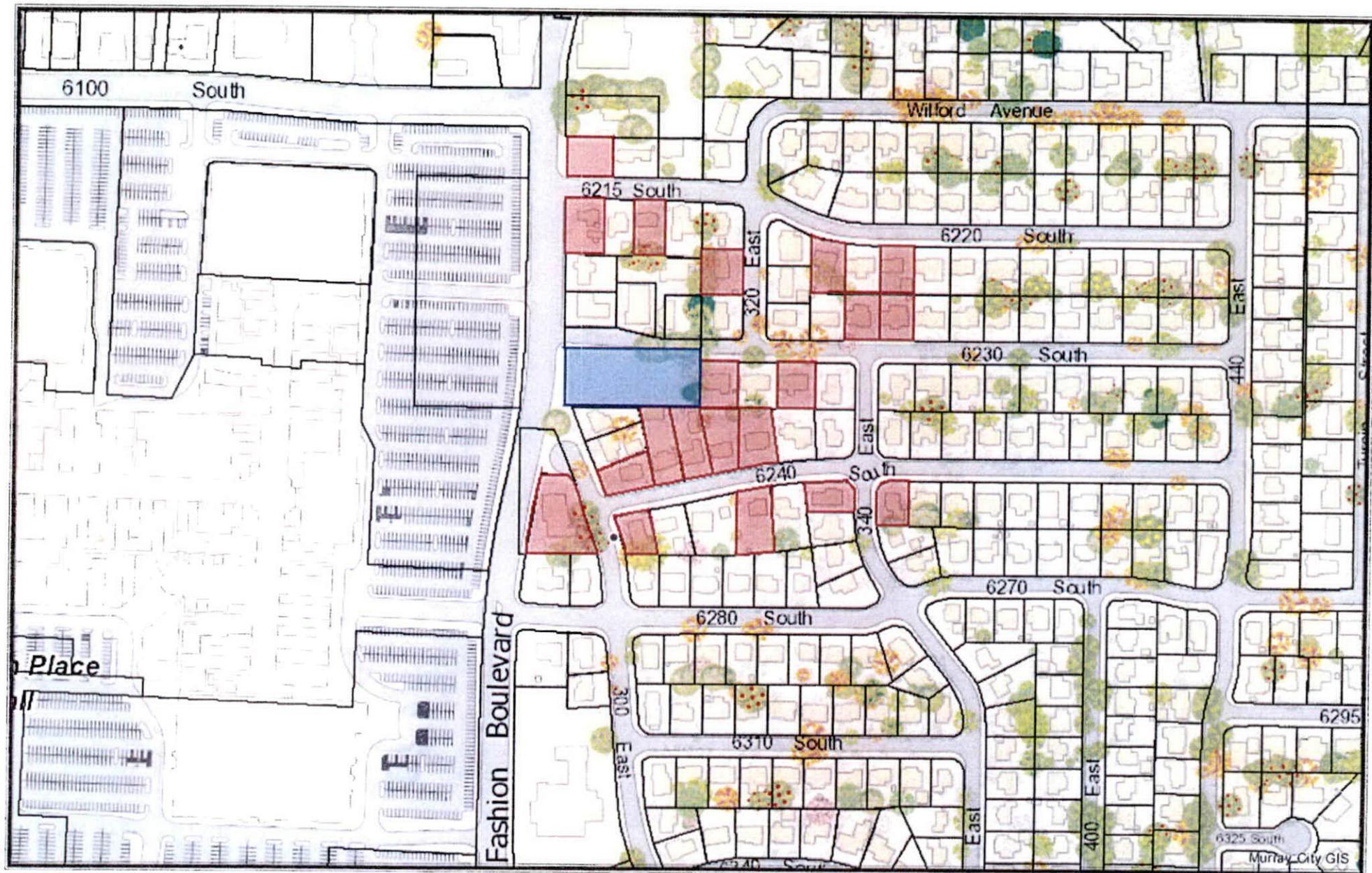
**Adjournment**

The meeting was adjourned at 7:27 p.m.

---

Jennifer Kennedy, City Recorder

# Attachment 1



# Murray City

© Copyright 2018, Murray City  
Map Disclaimer:  
<http://www.murrayutah.gov/1609>  
The above information while not  
guaranteed has been secured from  
sources deemed reliable.



MURRAY

0 0.025 0.05 0.075 0.1 mi



Date: 11/1/2018  
Time: 12:18:21 PM