

Murray City Municipal Council Chambers Murray City, Utah

The Murray City Municipal Council met on Tuesday, July 16, 2019 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:

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

Others in Attendance:

Blair Camp	Mayor	Jan Lopez	Council Director
G.L. Critchfield	City Attorney	Jennifer Kennedy	City Recorder
Doug Hill	Chief Administrative Officer	Jennifer Heaps	Communications & Public Relations Director
Craig Burnett	Police Chief	Joey Mittelman	Fire Captain
Joe Tarver	Deputy Police Chief	Tom Martin	Lieutenant
Kristin Reardon	Records Supervisor	Phyllis Wall	Treasurer Clerk
Danny Astill	Public Works Director	Melinda Greenwood	Community & Economic Development (CED) Director
Robert White	IT Director		
Citizens			

Opening Ceremonies

Call to Order – Ms. Turner called the meeting to order at 6:30 p.m.

Pledge of Allegiance – The Pledge of Allegiance was led by Melinda Greenwood, CED Director

Approval of Minutes

Council Meeting – June 18, 2019

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

Special Recognition

1. Murray City Council Employee of the Month, Tyson Wendel, Police Officer/Patrol Division.

Staff Presentation: Brett Hales, Council Member and Craig Burnett, Police Chief

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 Officer Wendel 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 Officer Wendel for all he does for the City.

Chief Burnett added that Officer Wendel was recently awarded a Medal of Distinction for rescuing a boy from the creek at Murray Park on June 6, 2019.

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 comment 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 770 East Vine Street, Murray City, Utah from the R-1-8 (Low Density Single Family) Zoning District to the R-1-6 (Low/Medium Density Single Family) Zoning District. Sunny Vines/Bryan Muriel applicant.

Staff Presentation: Melinda Greenwood, CED Director

(See Attachment 1 for slides used during this presentation)

Ms. Greenwood said this item was presented to the Planning Commission on May 2, 2019 where they recommended denial. Staff is also recommending denial of this proposal.

Ms. Greenwood said this property is located at 770 East Vine Street and the surrounding zoning is R-1-8 and the intent of the General Plan is to have detached single-family homes in this area.

Ms. Greenwood explained this property is a legal, non-conforming property but there are quite a few issues with what is located on the property. There is an existing duplex on this lot and an additional building located at the back of the lot. Initially the applicant thought if they could sub-divide the property, they would be able to bring some of the buildings on the property into conformance. However, that would not be possible through a sub-division, so the applicant has requested to go through a zone change instead. Ms. Greenwood stated although rezoning the property from R-1-8 to R-1-6 would be supported by the General Plan, it would not fix the conforming issues the property has. It would also create a "spot zoning" where there would be one lot zoned R-1-6 while all the surrounding properties are zoned R-1-8.

Bryan Muriel – Applicant

Mr. Muriel stated the purpose of the rezone is to create a flag lot which would beautify the property.

The public hearing was open for public comments.

Beverly Crangle – Murray City, Utah

Ms. Crangle said the first thing that came to her mind when she looked at the plat for this property was that there are at least two set-back variances for the code and she thought there were stricter adherences to the code. She remembered a previous City Council meeting where a senior center wanted more than 25% of the building's footprint for covered parking and there was no allowance for a code variation for that situation. She said she was pleased to hear that this proposal was denied in a previous meeting.

Alan DeMann – Murray City, Utah

Mr. DeMann said he owns the lot that is located southwest of this lot. He would like to see some improvements on this lot. As far as he knows, things on the lot located at 770 East Vine Street were done without permits. Currently the structure is right on the boundary line between this property and the property to the south. He would like to see the property improved, but he feels that changing the zone would have a negative impact on the house values that surround the property. He asked the Council to deny this request.

Ms. Turner closed the public hearing.

Ms. Greenwood reiterated that even with a rezone, the property still has a number of variances needed for a building to be built and those variances are likely not going to be supported. The existing building located at the back of the property is non-conforming and was likely build without a building permit and the set-backs are not appropriate for this zone.

Mr. Brass noted that the back building almost looks like it sits off the property line. He is also concerned about seeing a second floor garage door on the property. It looks like a loading dock to him and he worries that someone may try to make a use of it that is not proper. He understands why the Planning Commission sent a negative recommendation.

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

Council roll call vote:

Mr. Hales	Aye
Mr. Nicponski	Aye
Mr. Cox	Aye
Mr. Brass	Aye

Ms. Turner Aye

Motion passed 5-0 (Ordinance denied)

Business Items

1. Consider a resolution approving the Local Public Safety and Firefighter Surviving Spouse Trust Fund cost-sharing agreement by and between Murray City and the Commissioner of the Utah Department of Public Safety, Jess L. Anderson.

Staff Presentation: G.L. Critchfield, City Attorney

Mr. Critchfield said this item deals with compliance with the Public Safety Officer and Firefighter Line of Duty Death Act. State Law requires that the city pay 100% of the premium for healthcare for the surviving spouse and child of a fallen officer or firefighter. The law also requires that the city participates in this trust fund. The city does that by entering into a cost sharing agreement, certifying how many employees qualify, and paying a premium.

There are currently about 142 qualifying employees. The cost for each employee is \$95 per employee making the premium approximately \$13,490 annually. If the city chooses not to participate, the city would have to pay the entire amount of premiums until the surviving spouse reaches Medicare eligibility age or a surviving child turns 26 years old. Otherwise, the city pays for the first year and is reimbursed by the trust for the years after that.

MOTION: Mr. Nicponksi moved to adopt the resolution. The motion was SECONDED by Mr. Brass.

Council roll call vote:

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

Motion passed 5-0

Mayor's Report and Questions

Mayor Camp went over the following items:

- The Vine Street project is moving along smoothly.
- The work on the waterline replacement on Sam Oliver Drive has been completed. They will now be working in that same area on 5750 South and 120 West and 150 West.
- The installation of the storm drain on Utahna Drive will start next week. Much of the work will be taking place at night which may be disruptive to some residents.

- The Parks Department is initiating a project to clean out many of the evasive species of trees on the property that is owned by the city on 4500 South on the eastside of the Jordan River. This is being funded with funds from the Jordan River Commission.
- The slide at the outdoor pool has been repaired and is up and running
- The movie “Jaws” will be shown at the outdoor pool this Friday night at 9:00 p.m.
- Monday, August 5, 2019 from 6:00 to 9:00 p.m. in Murray Park is the annual Health and Safety Fair.
- The Salt Lake Tribune ran an article about the renovation of the Murray Theater.

Adjournment

The meeting was adjourned at 6:57 p.m.

Jennifer Kennedy, City Recorder

Attachment 1

MURRAY CITY COUNCIL

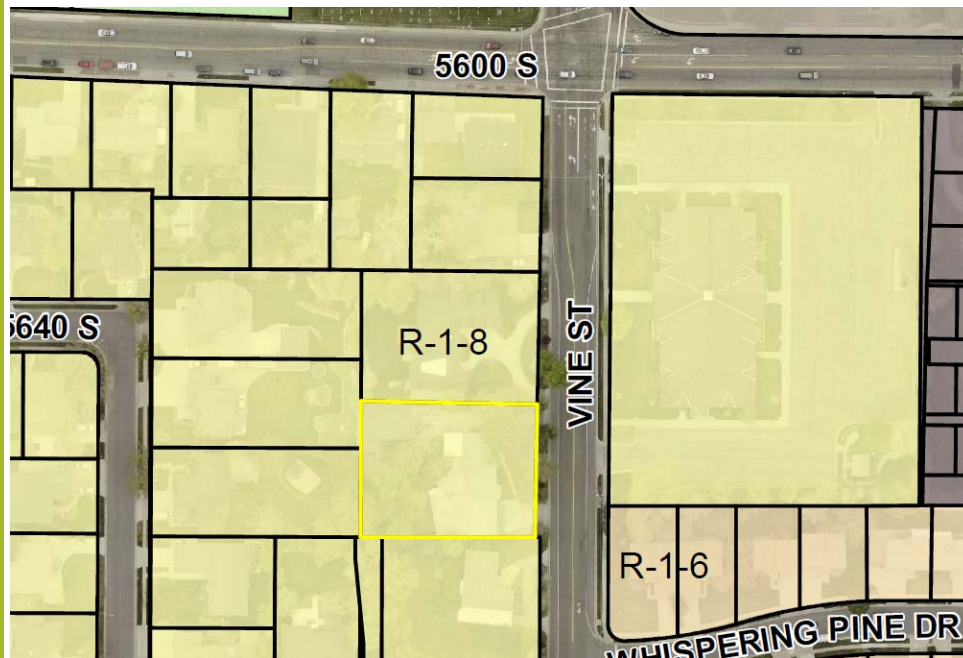
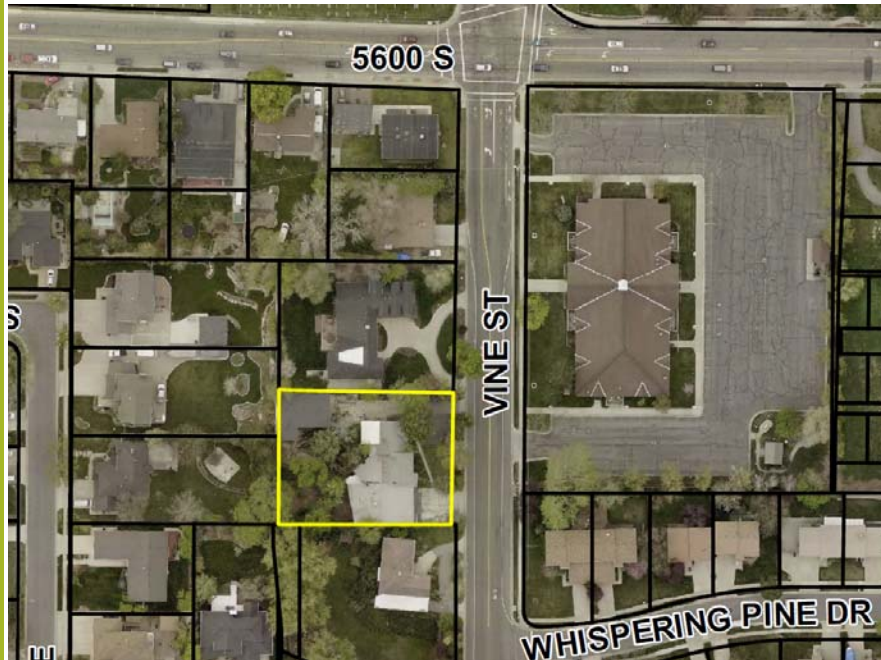
July 16, 2019

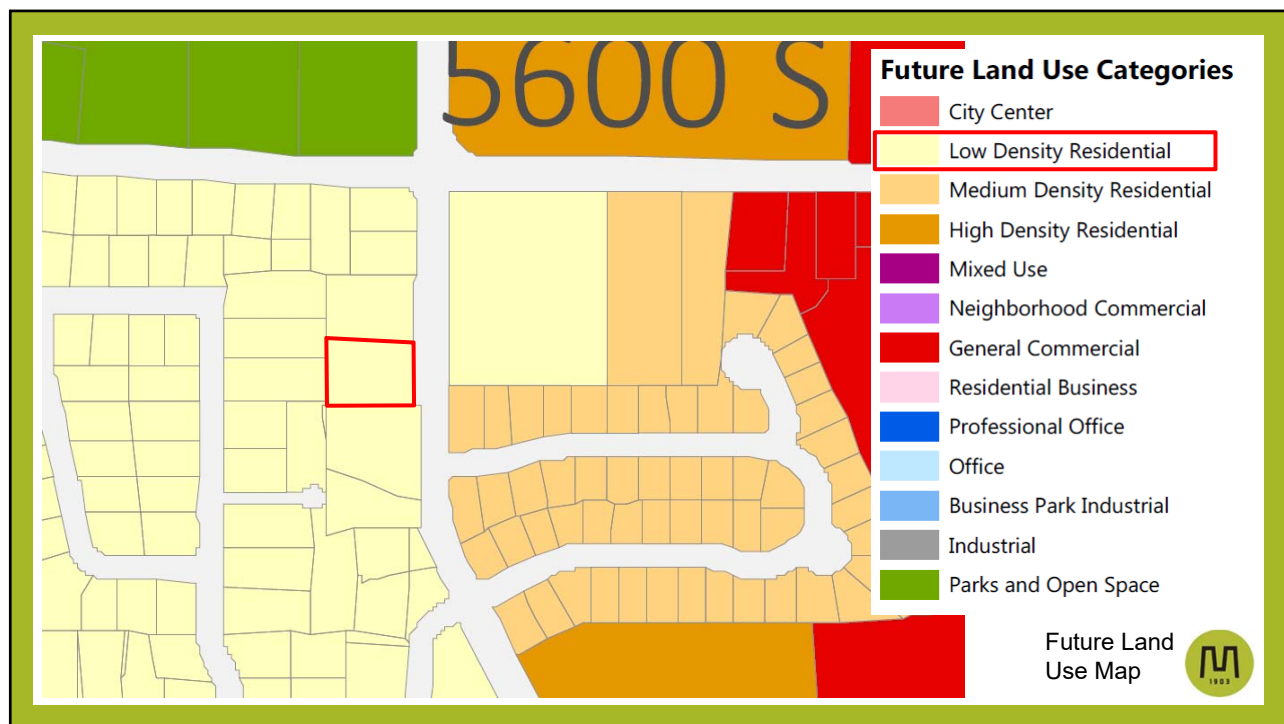


770 East Vine Street Sunny Vines Zone

Map Amendment:
R-1-8 to R-1-6







Looking west across Vine Street at the subject property.





Looking west at the south property line. The duplex building appears to be located directly on the property line, with no setback.



In addition to a variance for front yard setbacks, any subdivision would also require a variance to the rear yard setback requirement, and to the side yard setback on the north property line.



Looking west at the rear building. Given the location of the duplex and the rear building, any subdivision between them would require variances to the rear setback of the duplex and the front setback of the rear building.



Findings

1. The rezoning of the property to R-1-6 is supported by the Future Land Use Map designation of Low Density Residential, however, the applicant's intended purpose in seeking the change of zoning conflicts with the purpose of "encouraging residential development with is single-family detached in character".
2. The requested rezoning has been carefully considered based on the characteristics of the site and surrounding area and the policies and objectives of the 2017 Murray City General Plan. While the Future Land Use Map would support the rezone, the property would represent an isolated parcel zoned differently from all those surrounding it.
3. The proposed amendment to the Zoning Map from R-1-8 to R-1-6 is not in harmony with the established pattern of zoning and development surrounding the subject property.
4. The rezone has been requested in support of potential requests for several inappropriate variances and a subdivision that Staff cannot support. Staff finds that if approved, the variances and subdivision would have negative impacts to the surrounding properties.



Staff Recommendation

Staff recommends that the Planning Commission forward a recommendation of DENIAL to the City Council for the requested amendment to the Zoning Map designation for the property located at 770 East Vine Street from R-1-8, Single-Family Residential to R-1-6, Single-Family Residential.

