

Murray City Municipal Council

Chambers

Murray City, Utah

The Murray City Municipal Council met on Tuesday, September 17, 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
Briant Farnsworth	Deputy City Attorney	Jennifer Kennedy	City Recorder
Doug Hill	Chief Administrative Officer	Jennifer Heaps	Communications & Public Relations Director
Craig Burnett	Police Chief	Brenda Moore	Finance Director
Paul Adams	Firefighter/Paramedic	Joey Mittelman	Assistant Chief/Fire Marshal
Melinda Greenwood	Community & Economic Development (CED) Director	Jared Hall	Community Development Supervisor
Scouts		Citizens	

Opening Ceremonies

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

Pledge of Allegiance – The Pledge of Allegiance was led by Max, Scout Troop 494.

Approval of Minutes

Council Meeting – August 27, 2019

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

Special Recognition

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

1. Murray City Council Employee of the Month, Paul Adams, Firefighter/Paramedic.

Staff Presentation: Brett Hales, Council Member and Joey Mittelman, Assistant Chief/Fire Marshal

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 Mr. Adams 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. Adams for all he does for the City.

Assistant Chief Mittelman spoke about Mr. Adams time with the city and noted that one of his responsibilities has been running the Fire Cadet Program for the past six years and ten months. Mr. Adams introduced his family and thanked Mayor Camp for hiring him when he was the Fire Chief.

Citizen Comments – Comments are limited to 3 minutes unless otherwise approved by the Council.

No citizen comments were given.

Consent Agenda

1. Consider confirmation of the Mayor's reappointment of Mildred Horton to the Murray City History Advisory Board for a three-year term to expire August 1, 2022.
2. Consider confirmation of the Mayor's appointment of Lynette Lloyd to the Murray City History Advisory Board for a three-year term to expire August 1, 2022.

Staff Presentation: Mayor Blair Camp

Mayor Camp spoke about Ms. Horton and introduced Ms. Lloyd.

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

Council roll call vote:

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

Motion passed 5-0

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 284 East 4500 South, Murray City, Utah from the G-O (General Office) Zoning District to the C-D (Commercial Development) Zoning District.

Applicant: Hidden Treasurers/Dana Williams

Staff Presentation: Melinda Greenwood, CED Director

(See Attachment 1 for slides used during this presentation)

Ms. Greenwood said this property is .358 acres and is located on the south side of 4500 South. The property has had many different businesses in it through the years and the applicant would like to put in a second-hand thrift store if this rezone is approved.

Ms. Greenwood noted that the Future Land Use Map shows this property zoned as commercial. This proposal was presented to the Planning Commission and they have forwarded a recommendation of approval to the City Council. Staff is also recommending approval of this rezone request.

The public hearing was open for public comments. No comments were given, and the public hearing was closed.

Ms. Turner thanked Ms. Greenwood for educating the Council on this item and noted it was discussed during a previous Committee of the Whole meeting.

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

Council roll call vote:

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

Motion passed 5-0

2. Consider an ordinance amending Sections 17.82.050, 17.82.080, and 17.82.090 of the Murray City Municipal Code related to small wireless facilities.

Staff Presentation: Melinda Greenwood, CED Director

(See Attachment 2 for slides used during this presentation)

Ms. Greenwood said this item was discussed during the Committee of the Whole meeting on September 1, 2019. She explained that about 18 months ago, the city put a small wireless facility ordinance into place. As soon as that happened, the Federal Government changed some of the regulations on small wireless facilities, so now the city is updating the ordinance.

Ms. Greenwood said there are three categories of changes: aesthetics, shot-clocks, and fees and explained the changes in each category. This item has gone before the Planning Commission and they have forwarded a recommendation of approval to the City Council.

Mr. Cox asked if the \$250 annual fee was per device.

Briant Farnsworth, Deputy City Attorney, replied the fee is \$250 per pole, if they install a pole.

Mr. Brass said he has a couple of concerns. He understands the State has made the laws, but as a municipality with its own utility, replacing utility poles is not that easy, particularly where we have distribution under transmission. Plus, we're running out of climbing space on the poles. There's a lot of things hanging on those poles now. Although everyone says we use climbing trucks, if we were to get hit with an earthquake and the time comes where we can't get the bucket trucks out of the sheds, our Power Department workers are going to have to climb the poles to get the lights back on. Mr. Brass is concerned about the hazard that creates and he wonders if this ordinance is in compliance with the National Electric Safety Code on all these issues with clearances.

Mr. Cox verified these changes are to keep the city in compliance with State and Federal laws and the city has very little input. The rest of the council said that was correct.

Mr. Nicponski opened the public hearing for public comments.

O.M. Robinson – Murray City, Utah

Ms. Robinson asked what the loss in revenue for the city would be. She also asked about potential safety issues.

Ms. Greenwood replied staff has not ran numbers to determine any loss of revenue. She added this is a new technology and the city does not have many of these existing right now. The city can charge an application fee for these when they come in as well as the franchise fee.

Ms. Greenwood said regarding Mr. Brass' question about the compliance with the National Electric Safety Code, that would be reviewed as each application comes in for a specific site.

Mr. Nicponski closed the public hearing.

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

Council roll call vote:

Mr. Cox	Aye
Mr. Brass	Aye

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

Motion passed 5-0

3. Consider an ordinance related to land use; amends the General Plan to include a Small Area Plan for the Murray Central Station area.

Staff Presentation: Jared Hall, Community Development Supervisor

(See Attachment 3 for slides used during this presentation)

Mr. Hall said this study was done with a grant from the Wasatch Front Regional Council called the Transportation Land Use Connection Grant. This study was done around the Murray Central Station near the hospital where the Frontrunner and Trax Lines come together.

Mr. Hall said the purpose of the project was to assess the environment and development conditions. The Murray Central Station is the former Smelter Site. There are some contaminates and environmental problems there which will limit development in the area.

Mr. Hall went over the Guiding Principles of the plan and noted that each guiding principle has a place within the plan. He noted the consultants who did this study said the city needs to leverage the transit investments that are already there. Over 10,000 people are using this station per day.

Mr. Hall said because this station is located on the old Smelter Site, it will not be able to have residential development on it. Typically, with transient oriented developments like this, the goal is to put as many people as you can as close to the station as you can. It keeps people off the roads, clears up traffic congestion and helps with pollution. This can't be done with this station because the contamination is too bad.

Mr. Hall went over the key findings of the plan noting that Intermountain Medical Center's (IMC) properties were eliminated from the plan because they were not ready to talk about what they intend to do with their area. Another key finding was that the Vine Street transformation needs to be aligned with the current transportation plans.

Mr. Hall said this item went before the Planning Commission on July 18, 2019. They have forwarded a recommendation of approval to the City Council.

Mr. Nicponski opened the public hearing for public comments.

Tim Harper – South Jordan City, Utah

Mr. Harper said a few years ago when the city was redoing the zoning he was concerned

the zoning on his property would be changed. It wasn't and he hopes the city will keep the zoning in the 4800 South area MGC. He is concerned that some of the property to the south of his is having a hard time being sold because of the way it is zoned.

Brayden Weir – Murray City, Utah

Mr. Weir asked if there has been a study for the rehab for the soil from the Smelter Site or if there are any known aquifers that are running below that area.

Jason Theisen – Murray City, Utah

Mr. Theisen said with the building of the new Fire Station on 4800 South and Box Elder Street and the proposal to make Hanauer and Box Elder Streets one way have there been studies on the traffic impacts?

Mr. Hall said years ago there was remediation done on the Smelter Site Overlay District, some soils were cleaned up to a certain degree and capped onsite. There are monitoring wells all around that area which Murray City, the Utah Department of Environmental Quality and the EPA monitor and make sure nothing that is capped is the repository in leaking. There were studies done about removing everything from the site but that was passed over due to cost. It could be looked at again in the future, but it is not something that is currently being looked at.

Mr. Nicponski closed the public hearing.

Mr. Brass said he is on the Central Valley Water Reclamation Facility Board. That plant is currently being rebuilt and in digging trenches for running the utilities, they ran into uranium. They were able to remove it, but it was expensive. It can be prohibitively expensive to take some of that stuff out, which is why the city chose to do what it did with the Smelter Site. There are very strict rules about what you can and cannot do in that area. When your past was 17 smelters, you're going to find stuff if you dig in the ground.

Mr. Brass said he and Mr. Cox are the Chair and Vice Chair of the Redevelopment Agency and they have requested that a traffic study be done in the 4800 South area. Murray Crossing hasn't opened yet and traffic now on Vine Street backs up from State Street clear around the corner to the hospital. He is concerned about intersection failure because it could become a public safety issue with the new Fire Station going in that area. Those are also his concerns with this plan too. We're cramming a lot more people into an area where we can't get flow through.

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

Council roll call vote:

Mr. Cox Aye

Mr. Brass Aye (hopes future Councils will keep and eye on this and make changes as

they see what is going on)

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

Motion passed 5-0

4. Consider an ordinance relating to land use; amends the General Plan from Commercial to Mixed Use for the property located at 4670 South 900 East, Murray City, Utah.
Applicant: Kimball Associates

Staff Presentation: Melinda Greenwood, CED Director

(See Attachment 4 for slides used during this presentation)

Ms. Greenwood said this proposal is for a General Plan amendment for the property to go from Commercial to Mixed Use. The property is commonly referred to as the old Kmart site. Ms. Greenwood noted that on August 27, 2019 the Council approved the zone amendment and this property is currently zoned Mixed Use.

Ms. Greenwood said the Planning Commission held a public hearing on July 18, 2019 and forwarded a recommendation of approval to the City Council. Staff is also recommending approval of this proposal.

Ms. Greenwood noted there have been quite a few comments and concerns regarding the project. She reminded everyone that tonight's decision is only for a General Plan amendment.

Mr. Nicponski opened the public hearing for public comments.

Steve Enomoto – Millcreek City, Utah

Mr. Enomoto said it seems like this is moving forward without the citizens understanding the level of development that will be put in. He asked if the infrastructure, specifically the sewer, has been taken into consideration because this is a geographically isolated area that has a special sewer consideration.

Debra Hoyt – Millcreek City, Utah

(See Attachment 5 for Ms. Hoyt's Comments)

O.M. Robinson – Murray City, Utah

Ms. Robinson asked if there are guidelines that limit the number of units and height restrictions.

Mr. Nicponski closed the public hearing.

Mr. Brass said there are guidelines in the zones that address the number of units and

height restrictions. The access between the subdivision and 900 East would be a private property issue but he would think that anybody with any commercial sense would realize that that access makes sense.

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

Council roll call vote:

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

Motion passed 5-0

Business Items

None scheduled.

Mayor's Report and Questions

Mayor Camp said in preparation for the 2020 Census, the GIS Department has submitted the city's address data to the Federal Government and are also working to compile and submit addresses for residential properties that are currently under construction. The state and cities are awarded federal funds based on population so participation in the census is important. He added that Census Day is April 1, 2020.

Ms. Turner said while she was attending the Utah League of Cities and Towns conference, there were two resolutions put up for a vote. She was not there when the voting took place, but she was told that Mayor Camp voted against the resolution on improving Utah's air quality. She asked the Mayor why he voted no on that resolution.

Mayor Camp responded the reason he voted against it was because he wasn't comfortable with the wording in #2 that basically asked for more state and federal regulation. He doesn't think we need more state and federal regulation especially when you look at the buildings we are building. He thinks there are other ways to address these issues. His no vote wasn't against clean air, it was against that wording in the resolution. He added he was the only voting member there and if there had been other voting members there, the votes would have been split.

Adjournment

The meeting was adjourned at 7:35 p.m.

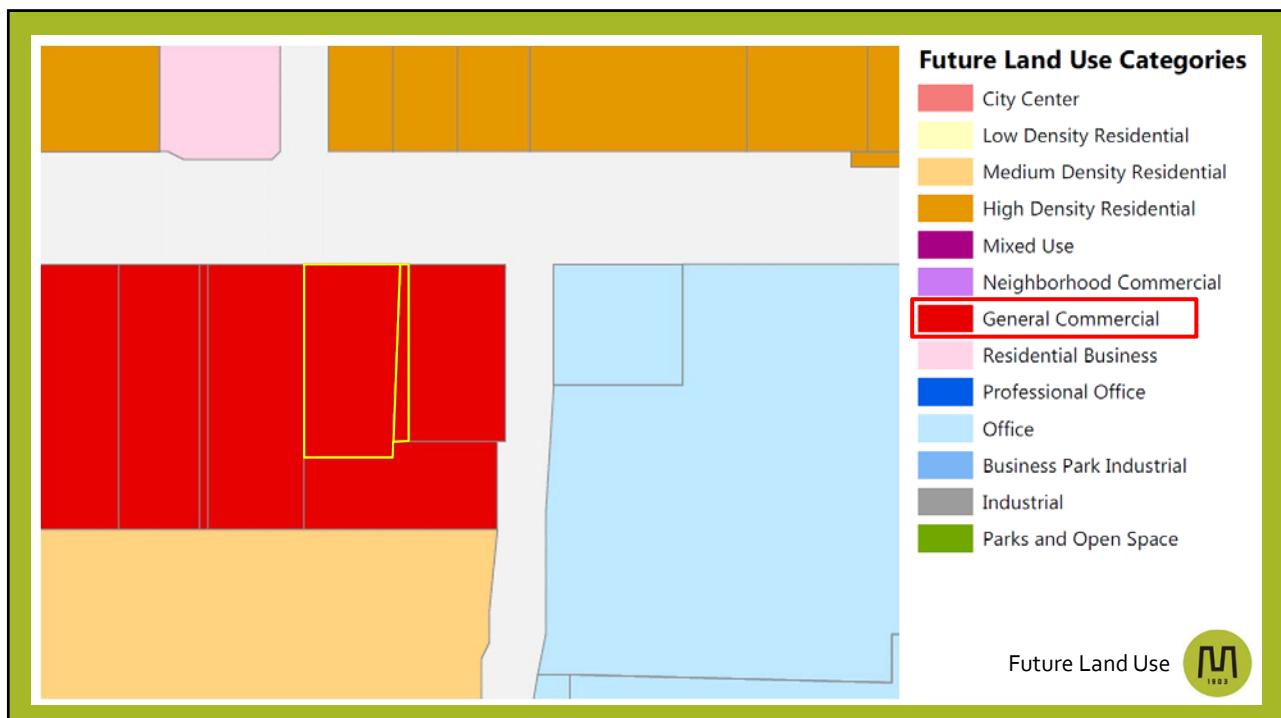
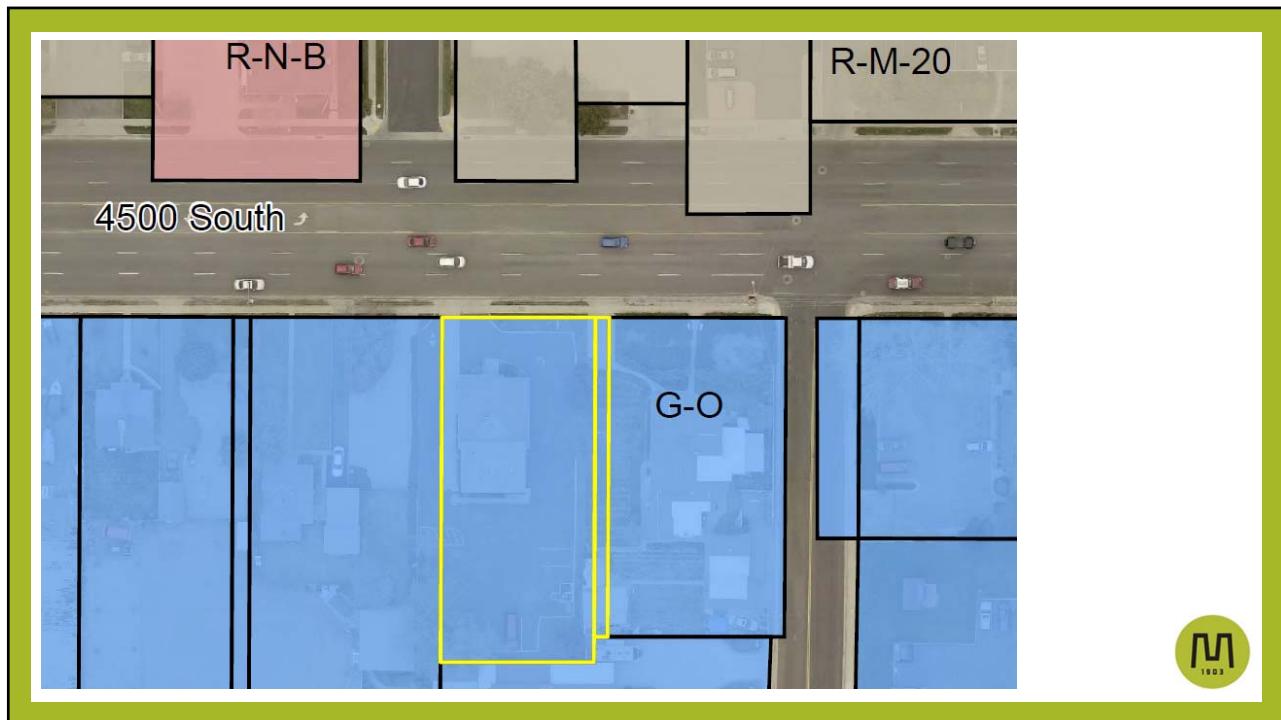
Attachment 1

HIDDEN TREASURES

Zone Map Amendment from G-O to C-D

284 East 4500 South









FINDINGS

1. The rezoning of the property to C-D is supported by the Future Land Use Map designation of General Commercial and will not have negative impacts to the surrounding properties, infrastructure, or utilities.
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, and have been found to support the goals of the Plan.
3. The proposed amendment to the Zoning Map from G-O to C-D is a natural expansion of the established Commercial land use designation of the subject property.



Staff Recommendation

Zoning Map Recommendation

Staff recommends that the City Council APPROVE the requested amendment to the Zoning Map designation for the property located at 284 East 4500 South from G-O, General Office to C-D, Commercial Development.



Attachment 2

TEXT AMENDMENT

Section 17.82 Small Wireless Facilities

Various Amendments

to

Small Wireless Facilities



Aesthetics

- MCCD, TOD, M-U Zones. Facility must consider the aesthetics of the streetlights and other infrastructure in the area
- Color
- External Shrouding
- Hardware Attachment
- Conduits



Shot-Clocks

- Reduced as a result of the Third Declaratory Ruling and Order as follows:
- **10 days** (was 30) to determine completeness and notify the applicant of deficiencies.
- **60 days** (same) to process and review an application for co-location.
- **90 days** (was 105) to process and review an application for a new monopole or replacement utility pole.



Fees

- Clarifies that fees are assessed for each SWF on the same application.
- Removes the right-of-way fee of 3.5% of the gross revenues for the SWF, and replaces it with an annual fee of \$250. (Federal Law prohibits the percentage based fee.)



Findings

- i. The proposed amendments will keep the City's Land Use Ordinance in compliance with Utah State Code and with the Federal statutes that regulate Small Wireless Facilities (SWFs).
- ii. The proposed amendments maintain a balance between the requirements of the wireless industry and the goals and objectives of the Murray City General Plan and Land Use Ordinance.



Staff Recommendation

Staff recommends that the City Council APPROVE the proposed amendments to the Murray City Land Use Ordinance, Section 17.82, Small Wireless Facilities in the Public Right-Of-Way.



Attachment 3

Murray Central Station Small Area Plan Amendment to the General Plan



WFRC, Transportation & Land Use Connection



PURPOSE OF THE PROJECT

- Assess the built environment and development conditions
- Understand the physical and environmental implications of the Smelter Site Overlay District (SSOD)
- Assess the market potential and the possibilities of creating a mixed-use transit district located in an emerging urban center
- Understand the connections and access to and from the station area for vehicles, transit and active transportation modes including pedestrians and cyclists
- Provide ideas and policies to ensure future planning and development is based on a clear understanding of existing conditions and future opportunities

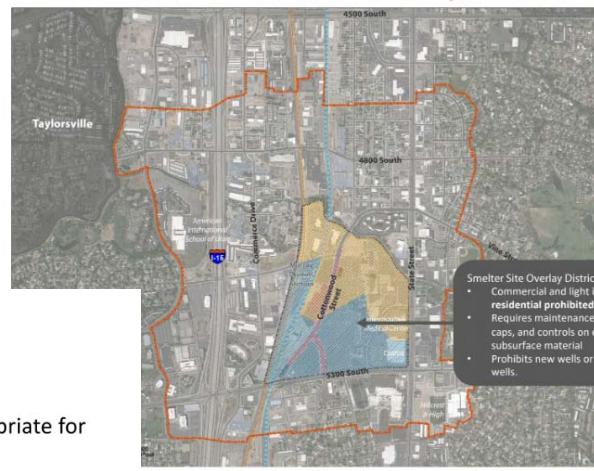


GUIDING PRINCIPLES - GENERAL

- **Align planning and design** of the station area with the Murray City General Plan vision
- **Leverage investments** in transit infrastructure to create a walkable activity center
- **Balance the creation of a quality station with environmental constraints and limitations**
- Create a **GREAT STATION** and associated **GREAT PUBLIC SPACES**
- **Create superlative pedestrian spaces and destinations** as part of accommodating traffic, vehicles and parking
- Leverage transit investments (light rail/regional rail/BRT/bus) to **create an ICONIC STATION**



SUMMARY - Smelter Site Overlay District



GUIDING PRINCIPLES – ENVIRONMENTAL

- **Protect human health and the environment**
- Accommodate **compatible uses** that are appropriate for development
- **Acknowledge mitigation and cleanup decisions** that were made 20+ years ago and how they affect development opportunities



KEY FINDINGS

- 1) The environmental analysis **eliminated residential development** in core area
- 2) **Most of the remediated portions** will remain "as is"
- 3) Economic analysis **indicates significant residential and some business demand** in the area
- 4) **IMC properties eliminated** as significant contributors to the plan
- 5) Lack of developable land shifts focus to **Vine Street and the Station Area**
- 6) **Uncontaminated outlying areas can develop many ways**
 - residential/commercial/office/mixed use
 - Residential uses encouraged in the vicinity of study area
- 7) **Vine Street transformation must be aligned** with current transportation planning visions, policies and projects
- 8) **Two alternative concepts for Station Area** proposed to provide flexibility for unanticipated changes and needs



Figure 5: Worker Profiles Study Area & Murray 2015

Jobs in the Area	Employed in Area / Live in Area	Employed in Area / Live Elsewhere	Live in Area / Employed Elsewhere
Study Area	12,298	66	12,232
Murray City	40,803	2,954	37,849

Source: U.S. Census Bureau, OnTheMap Application and LEHD Origin-Destination Employment Statistics (Beginning of Quarter Employment, 2nd Quarter of 2002-2015



The Station Itself

Assets

- High frequency service that provides direct access to a very large part of the region, including the largest job centers and entertainment destinations
- TRAX, FrontRunner and buses are close together geographically

Challenges

- Connections between TRAX, frontrunner and bus are somewhat clumsy
- Parking between TRAX and FrontRunner has circulation/speed issues
- Parking lot between TRAX and FrontRunner precludes opportunity for great people space in this part of the station
- Buses must take a circuitous route to get to the bus drop off loop, especially from the west and north
- UTA believes it needs more parking in the future
- People getting off the train first see a mass of parking
- Institutional materials contribute to lack of sense of place – chain link, etc.
- The Union Pacific rail line to the west of the station is a formidable barrier

Opportunities

- Better use of the area between the stations
- A great public space – possibly between the stations
- Better drop off area for TRAX and FrontRunner
- Grade-separated link across the tracks on south end of station?
- More direct/elegant/connected bus circulation, especially for planned BRT
- Potential to have a shared platform with bus and TRAX to make for more elegant transfers
- Create better view/character than so much parking when one gets off the train.

TRANSPORTATION PLANNING AND DEVELOPMENT PRINCIPLES

- Connect the station to existing and proposed destinations in Murray and the surroundings.
- Create a new public realm that is inherently walkable and easy to navigate.
- Capitalize on the opportunity to transform Vine Street into an activated, multi-modal urban corridor.
- Reconfigure the station's circulation and operations to emphasize walkability and public space.



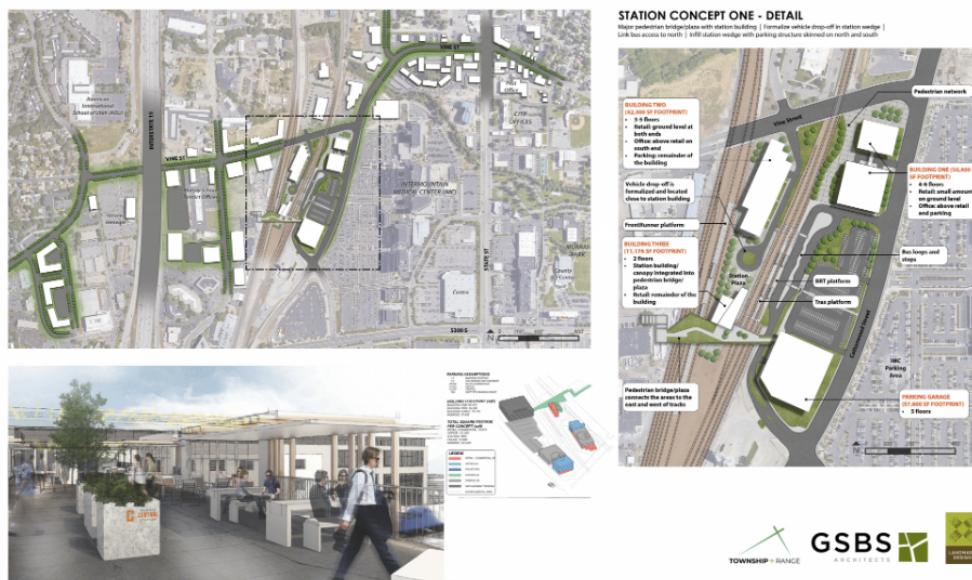
GUIDING PRINCIPLES – TRANSPORTATION

- Connect the station to existing and proposed destinations in the area
- Establish the district as a **walkable urban place**
- Transform Vine Street into a great, multi-modal urban boulevard
- Reconfigure the station to emphasize walkability and great public spaces as part of operational and circulation modifications



MURRAY CENTRAL STATION MASTER PLAN

Station Concept One - Concept Illustrative



MURRAY CENTRAL STATION MASTER PLAN

Station Concept Two - Concept Illustrative



STATION CONCEPT TWO - DETAIL



 **GSBS** ARCHITECTS 



Staff Recommendation

Based on the Planning Commission's positive recommendation from the July 18, 2019 meeting, Staff recommends the City Council APPROVE the adoption of the Murray Central Station Small Area Plan as an amendment to the Murray City General Plan.



Attachment 4

KIMBALL ASSOCIATES

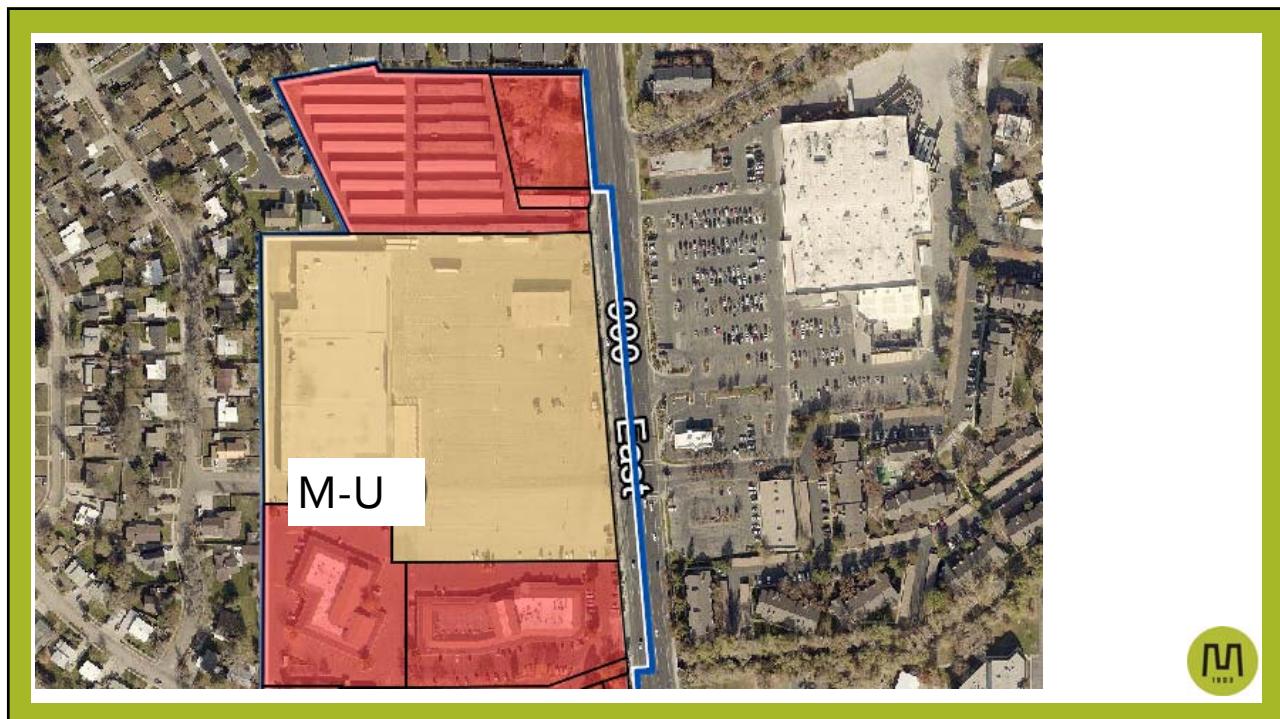
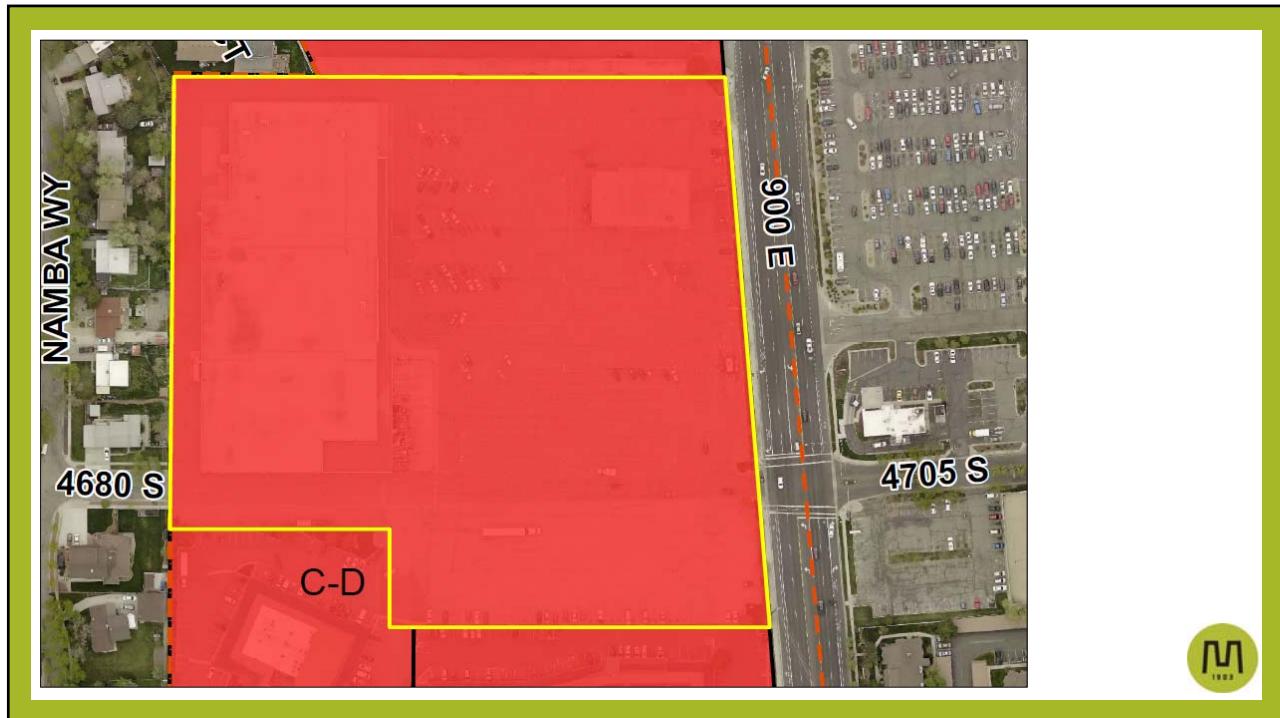
General Plan Amendment from General Commercial to Mixed Use

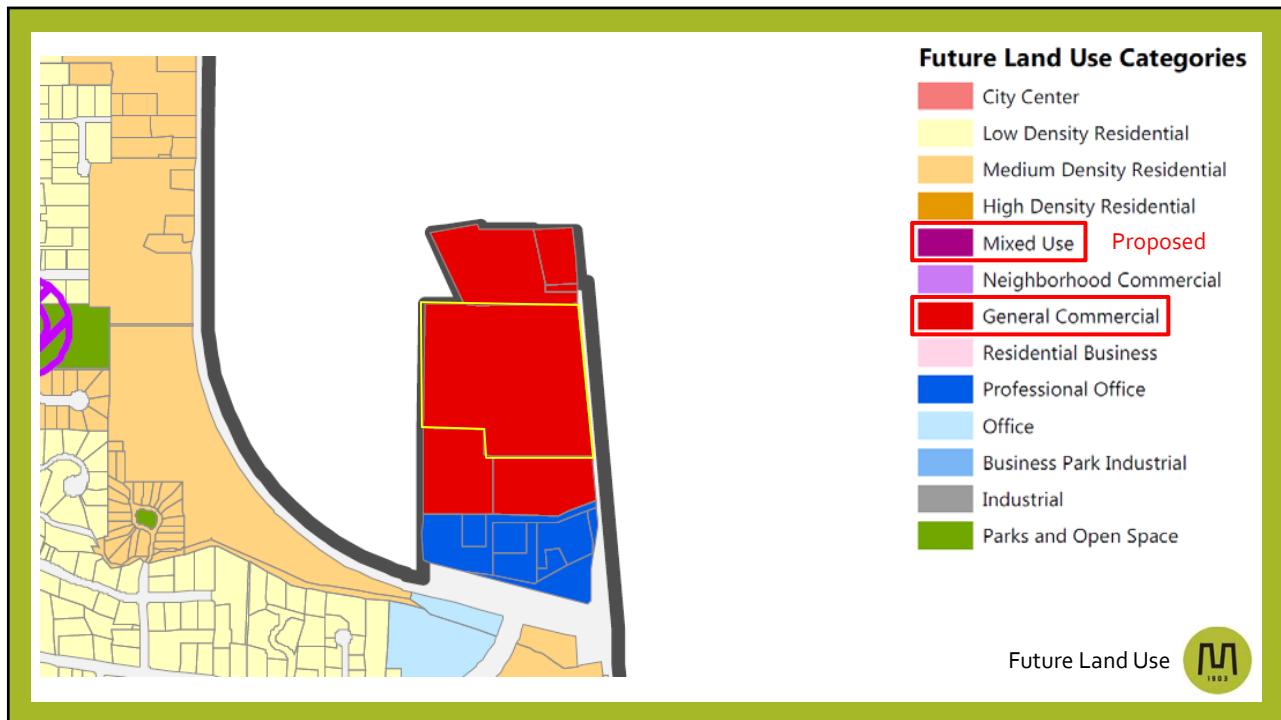
Zone Map Amendment from Commercial Development to Mixed Use

Property Address: 4670 South 900 East

Property Size: 10.52 Acres







Findings

1. Re-designation of the Future Land Use Map for the subject property as requested is in keeping with the patterns of development in the area, which currently includes a mix of residential and commercial uses.
2. The proposed amendment of the Zoning Map from C-D, Commercial Development to M-U, Mixed Use is supported by the description and intent statements for the General Commercial land use designation which recognizes the appropriateness of mixed use developments including high-density, multi-family housing in the General Commercial designation.
3. The requested amendments to the Future Land Use Map and Zoning Map have been carefully considered based on the characteristics of the site and surrounding area and on the policies and objectives of the 2017 Murray City General Plan and are in harmony with the goals of the Plan.



Staff Recommendation

Zoning Map

The zone map was amended at the August 27, 2019 City Council Meeting.

General Plan / Future Land Use Map Recommendation

Based on the August 27, 2019 zone map amendment and the positive recommendation from the July 18, 2019 Planning Commission meeting, Staff recommends the City Council APPROVE the requested amendment to the General Plan Future Land Use Map, re-designating the property located at 4670 South 900 East from General Commercial to Mixed Use.



Attachment 5

Murray City Municipal Council
5025 S State Street, Room 113
Murray, Utah 84107-4824

Pertaining to amending the Master Plan concerning the property located at 4670 South 900 East:

I have been a resident of the Green Valley Subdivision for 41 years. I have two concerns regarding the amendment of the Zoning on the subject property from C-D to M-U.

1. Street Access- An East West running road labeled 4680 South on the West side of the property map and 4705 South on the East side of the property map has been in continuous use to provide access to the Green Valley subdivision for more than 50 years. I request that guarantees be made that this access will be maintained in perpetuity. Should construction activities necessitate temporary closing of the road, access shall be interrupted for less than 4 hours within any 24-hour period. Upon completion of the project full and complete access for ingress and egress shall be available to the Green Valley residents at all times.
2. Subdivision covenants for the Green Valley subdivision restrict the height of buildings to one and one-half stories above ground level. To maintain continuity with the neighborhood the new construction should maintain similar height restrictions. The setback for buildings exceeding this height should be 100 feet from all boundary lines.

Thank you for your consideration of these concerns.

Deborah Hoyt
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