

Murray City Municipal Council

Chambers

Murray City, Utah

The Murray City Municipal Council met on Tuesday, March 3, 2020 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:

Kat Martinez	District #1
Dale Cox	District #2 – Council Chair
Rosalba Dominguez	District #3 – Council Vice-Chair
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
Joe Tarver	Deputy Police Chief	Brenda Moore	Finance Director
Robert White	IT Director	Chad Pascua	Assistant Fire Chief
Trong Le	IT	Kim Sorensen	Parks & Recreation Director
Blaine Haacke	General Manager of Power	Melinda Greenwood	Community & Economic Development (CED) Director
Citizens			

Opening Ceremonies

Call to Order – Councilmember Cox called the meeting to order at 6:30 p.m. and excused Councilmember Hales.

Pledge of Allegiance – The Pledge of Allegiance was led by Jim Brass.

Approval of Minutes

Council Meeting – February 18, 2020

MOTION: Councilmember Turner moved to approve the minutes. The motion was SECONDED by Councilmember Dominguez. Voice vote taken, all “ayes.”

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

Davis Hansen – Murray City, Utah

Mr. Hansen said about a year and a half ago, The Advocates built a building at 725 East Winchester Street. Within the past six months there have been more and more cars parking on the residential streets. The Advocates building is in the Residential Neighborhood Business (R-N-B) zone and his understanding that the purpose of the R-N-B zone is to protect the neighborhoods and to be a buffer between a commercial zone and a neighborhood, but the problem is that it is not that way.

He has been keeping track and there have been between 9 and 14 cars parking on 725 East and on Labrum Avenue. They are parking between 2 and 3 houses deep on Labrum Avenue. This is a safety concern. There are many families on that street who have kids that play outside all the time.

Mr. Hansen said he and his neighbors have tried talking to the owner of the building but the owner threatened to sue them if they didn't stop bothering him about the situation. He is asking for the City's help to find a resolution to this issue. Mr. Hansen noted that there is parking available in the parking lot, but the parking spots are reserved for other businesses. He is hoping the City can offer some type of enforcement or put a sign on their street that says, "Residential Parking Only." The problem is getting worse and the owner of the property won't do anything.

Dan Peterson – Millcreek City, Utah

Mr. Peterson said he owns a small used car dealership on State Street, that is not in the Murray City Boundary. When he brought the property, it was brought to his attention that there was no running water to the property. Essentially the water was coming through another piece of property, under the ground, and into his property and he is trying to resolve that problem.

He has contacted a contractor and Murray City Public Works to try to connect to Murray City's water. The property is located in Jordan Valley's district, but Jordan Valley doesn't have water near the property and they have given him a letter stating they cannot give him water. Murray City has a water main about 100 feet away from his property.

It has been brought to his attention that in order for him to connect to Murray City's water, his property would have to be annexed into Murray City, which he would be fine with. Mr. Peterson said he has been told that Murray City is upgrading the water main that he wants to connect to. He is here to let the Council know that he hopes this annexation can be done as soon as possible.

Laila Bremner – Murray City, Utah

Ms. Bremner is concerned about the amount of buildings being built and how it is affecting the wildlife. She is also concerned that the Jordan River is starting to have an algae bloom in it. She would like the City to plan areas that are environmentally friendly.

Consent Agenda

1. Consider confirmation of the Mayor's appointment of Ray Beck to the Murray City Center District Design Review Committee to complete the remainder of a term to expire January 1, 2021.

Mayor Blair Camp introduced Mr. Beck and spoke about his qualifications.

MOTION: Councilmember Turner moved to adopt the Consent Agenda. The motion was SECONDED by Councilmember Dominguez.

Council roll call vote:

Ayes: Councilmember Dominguez, Councilmember Turner, Councilmember Martinez, Councilmember Cox
Nays: None
Abstentions: None

Motion passed 4-0

Public Hearings

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

1. Consider an ordinance relating to land use; amends the Zoning Map for the property located at 61 East 6100 South, Murray City, Utah from the R-1-8 (Low Density Residential) to the C-D (Commercial Development) Zoning District.
Applicant: BJ Stringham, Project Investments, LLC.

Staff Presentation: Melinda Greenwood, CED Director

(See Attachment 1 for slides used during this presentation)

Ms. Greenwood showed a map of the property which is located directly north of the former Cotton Shop. She stated that the Future Land Use map shows this property as commercial. She noted that one of the uses allowed in a C-D zone is parking which is what the intended use of this parcel would be.

The Planning Commission held a public hearing for this item during their January 2, 2020 meeting and did not receive any public comments. Both the Planning Commission and staff are recommending approval of the requested amendment.

Councilmember Martinez said she appreciates Main Street continuing to provide a buffer for the residents in that area.

The public hearing was open for public comments.

Laila Bremner – Murray City, Utah

Ms. Bremner wanted to know why this area couldn't be used as a greenspace or park.

Councilmember Cox closed the public hearing.

MOTION: Councilmember Martinez moved to adopt the ordinance. The motion was SECONDED by Councilmember Turner.

Council roll call vote:

Ayes: Councilmember Dominguez, Councilmember Turner, Councilmember Martinez, Councilmember Cox

Nays: None

Abstentions: None

Motion passed 4-0

Business Items

1. Consider a resolution approving the donation of in-kind services to the Navajo Tribal Utility Authority's 2020 "Light Up Navajo" initiative project.

Staff Presentation: Blaine Haacke, General Manager of Power

Mr. Haacke said the Power Department would like to send five linemen to help with the Light Up Navajo project which builds new powerlines to homes in the middle of the Navajo Reservation. The Power Department has had five employees participate in this project before.

The City's cost to participate is an in-kind donation which is the labor of the linemen. The first group of five would leave on April 18, 2020. They will work there for seven days building powerlines and building service to the homes that do not have power. There are over 15,000 in the Navajo area that do not and have never had power. Several other Utah cities are participating and on May 29, 2020 they will send two more people to work with a crew of three from St. George.

Councilmember Dominguez noted she was with some leaders and members of the Navajo Nation over the weekend who were very grateful for this project. They did not know that Murray City was participating in this, and they asked Councilmember Dominguez to extend their appreciation for the work the City has done for them.

Councilmember Turner said this is a wonderful thing the Power Department is doing.

MOTION: Councilmember Dominguez moved to adopt the ordinance. The motion was SECONDED by Councilmember Martinez.

Council roll call vote:

Ayes: Councilmember Dominguez, Councilmember Turner, Councilmember Martinez,
Councilmember Cox
Nays: None
Abstentions: None

Motion passed 4-0

2. Consider a resolution approving an Interlocal Agreement among Bluffdale City, Draper City, Murray City, South Jordan City, South Salt Lake City, West Jordan City, Sandy City, and West Valley City regarding an interlocal entity known as the Metro Fire Agency.

Staff Presentation: Doug Hill, Chief Administrative Officer

Mr. Hill said this Interlocal Agreement is a continuation of the Metro Fire Agency which has been in existence for approximately 14 years. The purpose of the Metro Fire Agency is to promote health, safety and welfare; to provide improved fire protection for the participating cities; and to provide immediate, unified, and cooperative action to guard against potential multiple threats to individual cities. This Interlocal Agreement will allow the Metro Fire Agency to continue.

MOTION: Councilmember Turner moved to adopt the resolution. The motion was SECONDED by Councilmember Martinez.

Council roll call vote:

Ayes: Councilmember Dominguez, Councilmember Turner, Councilmember Martinez,
Councilmember Cox
Nays: None
Abstentions: None

Motion passed 4-0

3. Consider a resolution honoring the 100th Anniversary of the League of Women Voters. Diane Turner presenting.

Staff Presentation: Councilmember Diane Turner

Councilmember Turner read the resolution and said she was honored to present it.

MOTION: Councilmember Martinez moved to adopt the ordinance. The motion was SECONDED by Councilmember Dominguez.

Council roll call vote:

Ayes: Councilmember Dominguez, Councilmember Turner, Councilmember Martinez,
Councilmember Cox
Nays: None

Abstentions: None

Motion passed 4-0

Councilmember Turner recognized the representatives from the League of Women Voters who were in attendance.

4. Presentation of a Legislative Report

Staff Presentation: Councilmember Rosalba Dominguez

Councilmember Dominguez said she is a representative for the Legislative Police Committee (LPC) of the Utah League of Cities and Towns (ULCT). She went over the following bills that are currently before the Utah Legislature.

HB 273 – Property Rights Ombudsman Amendments

This bill concerns a dispute between a property owner and land use regulator. The Property Rights Ombudsman (PRO) may be asked to act as a neutral third party to try to negotiate a solution between the parties. If the suggestions are not resolved and the parties proceed to litigation and the court agrees with the PRO advisory opinion, the prevailing party may collect reasonable attorney fees and compensatory damages.

A third Substitute is being negotiated by the ULCT to

- Change the scope of damages (previously \$1000 per day) to \$250 per day.
- Delete the reference to the PRO as evidence.
- Clarify timing – When the clock starts on the daily damages.
- Definition of who can earn the penalty, property owner or other third parties.

An important discussion relates to whether the objections were intentional or knowingly committed. LPC voted to remain neutral and hold the line on the progress made with additional negotiation necessary to protect municipalities on the remaining points.

HB 374 – Local Government Building Regulation

This bill applies to a construction applicant whose building inspection has taken longer than the required timeframe. The applicant may opt out of the inspection. Applies only to non-residential projects. ULCT has been opposed to the bill and the current substitute allows for a study during interim with the report back by October 2020.

HB 298 – Victim Guidelines for Prosecutors

The first substitute allows a certifying official to certify victim helpfulness if that person was a victim of a qualifying criminal activity and has been helpful in the detection, investigation, or prosecution of that criminal activity regardless of immigration status. This bill was passed by the Senate today.

HB 271 – Firearm Preemption Amendments

ULCT opposes based on governmental immunity concerns and damages and preemption of local authority.

SB 214 – Gambling Machine and Sweepstakes Amendments

This bill modifies the crime of gambling, prohibits placing a fringe gaming machine into operation and authorizes a municipality to seize gaming debts, proceeds or devices.

HB 394 – Homeless and Transitional Housing Program Amendments

This bill creates a homeless services director and modifies the reporting of the Homeless Coordinating Committee to the director rather than the governor. Also, modifies the uses and oversight of the Pamela Atkinson Homeless Account. ULCT opposes this bill.

SB 210 – Body Camera Amendments

This bill amends the list of circumstances in which an officer may deactivate a body-worn camera; requires a police officer to document reasons why the officer failed to comply with requirements related to body-worn cameras. It allows a judge to dismiss a case where no grounds exist for criminal trial if an officer failed to comply with requirements and the judge may provide adverse inference instruction to a jury if evidence that an officer intentionally or recklessly failed to comply with a requirement. ULCT supports this bill.

HB 283 – Outdoor Adventure Commission Amendments

This bill creates an Outdoor Adventure Commission to develop a strategic plan aimed at meeting the future needs of outdoor recreation within the state to enhance the quality of life for Utah residents. The bill addresses need and impacts of outdoor recreation; sustainable economy and economic development incentives; impacts to the environment, wildlife and natural resources; and to preserve the natural beauty of the state. ULCT will have two representatives on the commission. Passed the House and is in the Senate. ULCT supports this bill.

SCR 6 – Concurrent Resolution for Study of Local Option Sales Tax

This resolution requests that the Utah Association of Counties and the ULCT provide the Legislature with information regarding the impact of e-commerce and the point of sale associated with the various local option sales and use tax rates and possible changes to the distribution formulas. Requests that the UAC and ULCT work with transit districts to research and make recommendations regarding the impact of changing point-of-sale due to the nature of internet sales and changes in the traditional delivery location. The sponsor, Sen. Bramble, is not advocating for any changes but wants local governments to understand how the changing economy impacts sales tax revenues.

This is an issue that Murray should be involved in. Murray City depends immensely on sales tax revenue to balance the budget.

FY 2019-2020 Total General Fund Revenue without transfers \$45,648,105

Sales Tax – Local, Option, Transportation	48%	\$22,041,080
Property Tax – Real property tax	20%	\$ 9,188,763
Other – other taxes, fees, licenses, permits, intergovernmental, charges for services, fines, forfeitures and miscellaneous.		

Mayor's Report and Questions

Mayor Camp reported on the following items:

- Pavilion 4 will be under construction this week. The pavilion replacement is running on time and on budget.
- The playground at Germania Park is being removed. That will be replaced with a better and brighter playground that will be installed in the spring.
- The Parks Department is looking for seasonal workers.
- The 2020 Census is underway. The Library is working on getting two rooms with computers that will be dedicated for the census. They hope to have those up and running by March 28, 2020. The computers will be available through April for people that do not have access to computers.
- Risk is still low for the COVID-19 (Coronavirus) in our area. No one should panic, but the City is encouraging everyone to be cautious and prepared. There is a link to the Center for Disease Control's website on the City's website. They have updated information on the Coronavirus. The Salt Lake County Health Department also has information on Coronavirus. The Administration has asked the Department Heads to make a plan in the event the City needs to implement something in the event the virus spreads.

Adjournment

The meeting was adjourned at 7:16 p.m.

Jennifer Kennedy, City Recorder

Attachment 1

CITY COUNCIL MEETING

March 3, 2020



PROPECT INVESTMENTS LLC
61 East 6100 South

Zone Map Amendment

From R-1-8, Low Density Single Family
To C-D, Commercial Development



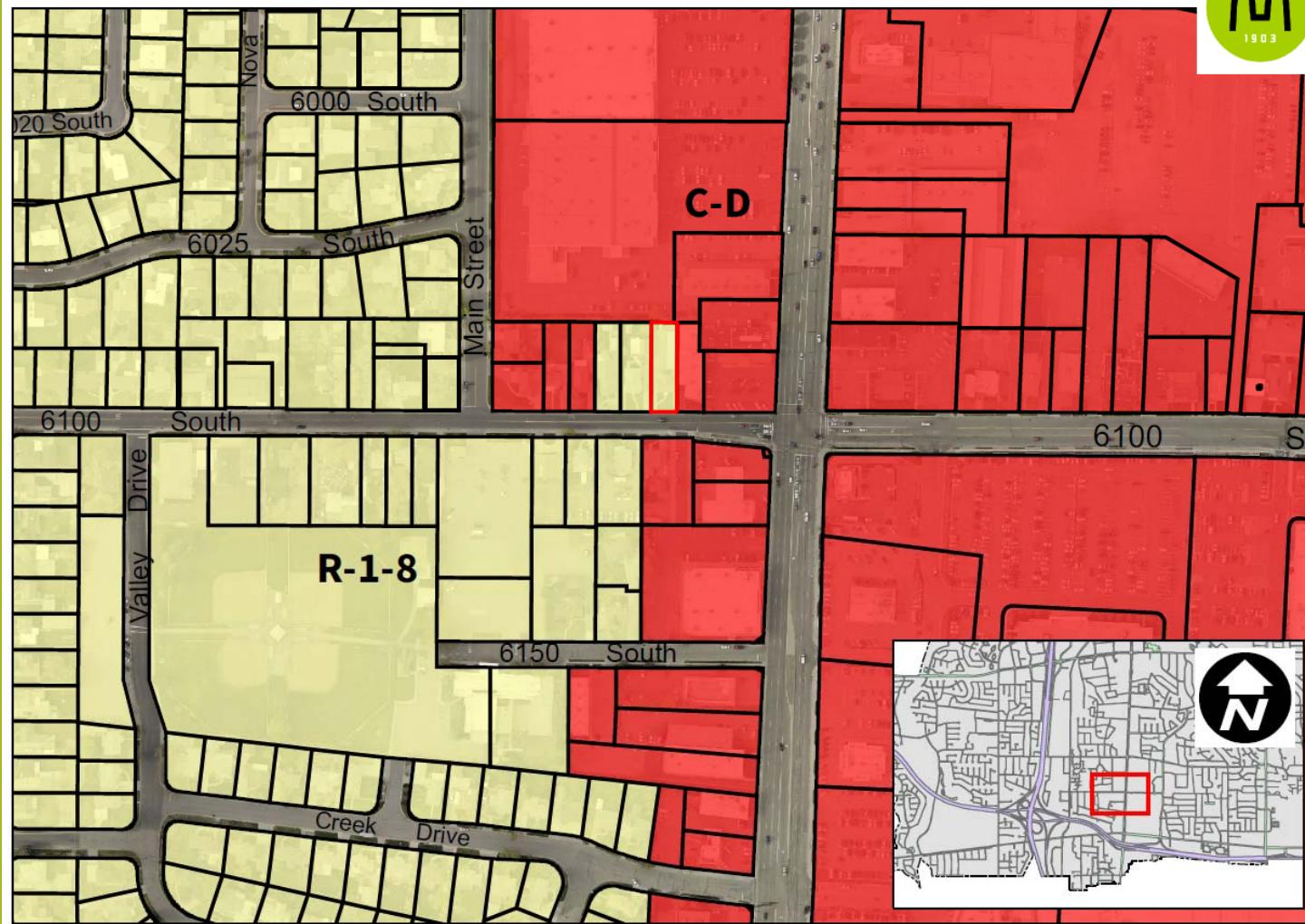
61 East 6100 South

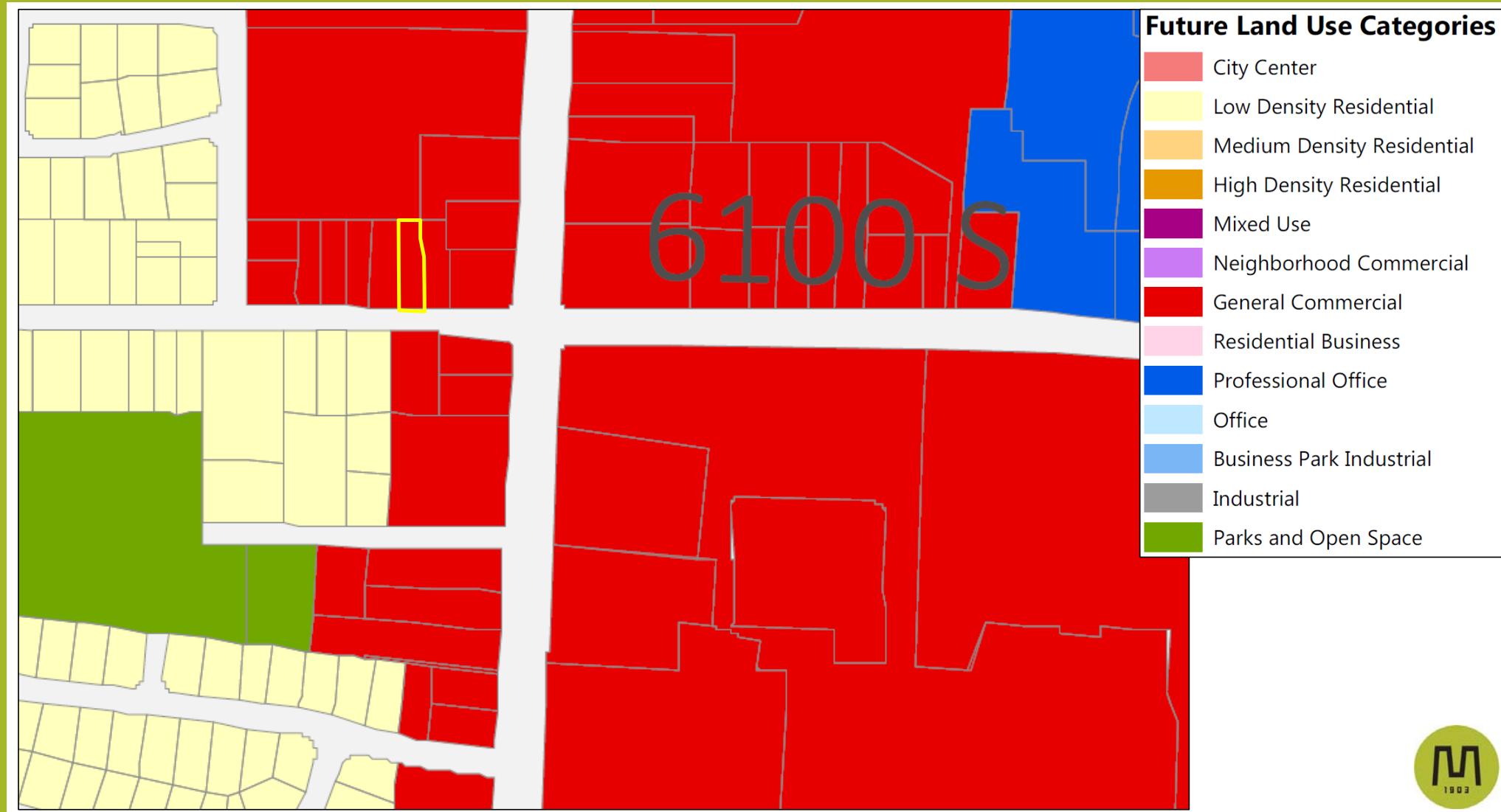
Aerial View of Property

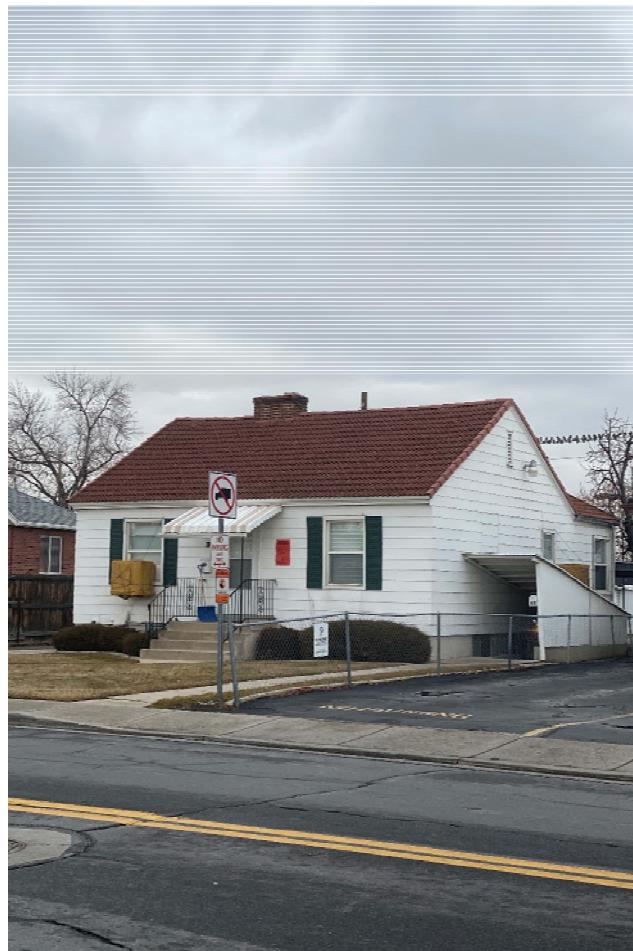


61 East 6100 South

Current Zoning Map







Subject property, facing northwest
61 East 6100 South



Rear of property, facing northeast



Rear of property, facing east



Cotton Shop, facing north
6100 South State Street



Planning Commission Meeting

- On January 2, 2020, the Planning Commission reviewed the application and held a public hearing on this item.
- No public comments were received.
- The Planning Commission voted unanimously to send City Council a recommendation for approval.



City Council Recommendation

The Planning Commission and City Staff recommend the City Council:

APPROVE the requested amendment to the Zoning Map designation of the property located at 61 East 6100 South from R-1-8, Single-Family Low Density Residential to C-D, General Commercial.

