

Murray City Municipal Council

Chambers

Murray City, Utah

The Murray City Municipal Council met on Tuesday, August 4, 2020 at 6:32 p.m. for a meeting held electronically. In accordance with, Utah Code 52-4-207(4) Open and Public Meeting Act, I have determined that to protect the health and welfare of Murray citizens, an in person City Council meeting, including attendance by the public and the City Council is not practical or prudent.

Considering the continued rise of COVID-19 case counts in Utah, meeting in an anchor location presents substantial risk to the health and safety of those in attendance because physical distancing measures may be difficult to maintain in the Murray City Council Chambers.

The Center for Disease Control states that COVID-19 is easily spread from person to person between people who are in close contact with one another. The spread is through respiratory droplets when an infected person coughs, sneezes or talks and may be spread by people who are non-symptomatic.

It is my intent to safeguard the lives of Murray residents, business owners, employees and elected officials by meeting remotely through electronic means without an anchor location.

You may view the meeting via the live stream at www.murraycitylive.com or <https://www.facebook.com/Murraycityutah/>.

If you would like to submit citizen comments or public hearing comments you may do so by sending an email in advance or during the meeting to city.council@murray.utah.gov . Comments are limited to less than three minutes, include your name and contact information, and they will be read into the record.



Rosalba Dominguez
Murray City Council Chair

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	Chief Communications Officer
Pattie Johnson	City Council Office	Brenda Moore	Finance Director
Melinda Greenwood	Community & Economic Development (CED) Director		

Opening Ceremonies

Call to Order – Councilmember Cox called the meeting to order at 6:32 p.m.

Pledge of Allegiance – The Pledge of Allegiance was led by Brett Hales, Councilmember.

Approval of Minutes

Council Meeting – July 21, 2020

MOTION: Councilmember Turner moved to approve the minutes. The motion was SECONDED by Councilmember Martinez.

Council roll call vote:

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

Nays: None

Abstentions: None

Motion passed 5-0

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

The following comments were read:

DeLynn Barney – Murray City, Utah

I would like to see Murray City continue with the Urban Wildlife Assistance Program with Salt Lake County that had been offered through West Jordan Animal services. I am disappointed to see any animal put down. However, raccoons and skunks have been a problem. The Urban Wildlife Assistance Program has been beneficial at reducing the problem and safety concerns. Thank you and wear a mask.

Bob Beaudoin – Murray City, Utah

Question about the contract between Murray City and UAMPS and nuclear power:

Have you read the UAMPS power sales contract? Do you understand the contract? Will the Idaho 1995 Settlement Agreement, limiting the storage of nuclear waste in the state, impact the project? Would you invest your own personal funds in the project?

Bill Strong – Murray City, Utah

Each of you should have received an email from me about Murray City Council considering changing the ordinance with regards to the number of cats and dogs that a household can own. But in case you don't read your email I am sending this email to the entire council.

I am totally opposed to this idea. Nobody should be allowed to have more than two dogs for a number of reasons. One, most dog owners don't obey the leash laws. Two, if you allow someone to own four dogs and they get four pit bulls or four rottweilers the potential that someone is going to get bit or killed increases dramatically. Three, 30 to 50 people die each year in the United States from dog attacks.

See the following link for list of fatal dog attacks in the United States:

https://en.wikipedia.org/wiki/List_of_fatal_dog_attacks_in_the_United_States

If Murray City Council changes this ordinance and I am ever attacked by a dog, I will sue each of you personally and Murray City for damages. This is ridiculous that you are even considering changing the ordinance to allow someone to own more than two dogs.

Shauna Sandburg – Murray City, Utah

I am sure you get tired of hearing complaints. I just wanted to say that I'm dismayed and disappointed at the types of businesses that are going in on State street, between 4800 S and 5300 S. I thought this area was going to be redeveloped and sort of gentrified. I hated to see the antiques store go and now Wrights costume and the dance studio, and some of this was even before Covid so who knows if they could have survived that? But I thought there was some kind of city plan to attract upscale businesses and housing-- instead we have a hemp place, another tattoo parlor and is it a 'psychic that has gone into the Capri hair salon building? Not exactly the kind of businesses or clientele that I thought Murray was seeking, in an effort to revive and restore our downtown area. I would love to see something more vibrant and development that would inspire more confidence in investing in this area. I don't mean to be a snob--but not exactly the kind of places I, or my children, or my parents frequent. Thoughts? Wasn't there a City Council plan for all of this? thanks in advance for all you do.

Richard and Beverly Crangle – Murray, Utah

Members of the Police Force are not only valued citizens but are essential to our civilized and mostly peaceful way of life. Many are heroic in everyday activities to uphold law and keep order, risking their lives to protect citizens and their property.

The "media" are doing great harm in telling about or showing video clips which distort the reality and disguise the crimes being committed. Parts that do not tell or portray the "chosen story" will be omitted by editing the video clips. If the evidence of a crime and verdict do not comply with the "story," the "STORY" grows bigger and louder. Criminals are now being portrayed as "VICTIMS" of "police brutality."

The reality on video clips has shown heroic duty by police officers. Our local television stations showed a short clip numerous times in May and June and into July of Bernardo running after committing a crime and implied that he was shot in the back by police. This was not the case. Extreme caution was taken. The officers waited to confirm that he was armed and he was shot only when attempting to shoot at police.

Instead of working on solutions to problems, "Media" have been shutting out and shutting down web sites that relay factual information to dispel some myths of racism and other problems. All of us need to be grateful that members of our police force, these strong and courageous people, are willing to show up and serve our communities.

Thanks to members of our police force for their service and to all who support them, including their families and staff!!

Patrick Womack – Murray, Utah

I am writing concerning the new change of the city code about pet ownership in Murray. I feel that this change is good and may actually not go far enough. I believe if people are able to contain, feed and care for the animals in their home that they should be able to have as many as they desire. I don't mean to say they should be permitted to create a health and safety issue but by permitting more animals you give futures to those animals. Making Murray an animal friendly city would be a positive move in what is a rather negative time in our society.

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 General Plan from Low Density Residential to Medium Density Residential and amends the Zoning Map from R-1-8 to R-M-10 for the properties located at approximately 388 East and 398 East 4800 South (rear), Murray City, Utah. Dawndi Reichman applicant.

Staff Presentation: Melinda Greenwood, CED Director

Ms. Greenwood said these two parcels combined are .07 acres. The properties are located in back of other properties that front 4800 South. Originally, this entire property was owned by one owner and was subdivided sometime in the 1950s. When the subdivision took place, it created a couple of remnant parcels, which have been treated as part of the property. The applicant would like to sell the property, which is hard to do when the property is in different zones. The Future Land Use Map shows these properties remaining in the R-M-10 Zone. Due to the size of the lots, the most that could be built on all three lots would be one duplex.

Ms. Greenwood went over the allowed uses in the R-1-8 Zone versus the uses in the R-M-10 Zone. Both zones allow for single-family detached dwellings. A public hearing for this item was held during the June 4, 2020 Planning Commission meeting. Both staff and the Planning Commission are recommending approval of this proposal.

Ms. Greenwood added this is a housekeeping item. These parcels should have maintained the same zoning as their parent parcels. However, through the process, they somehow ended up in different zones.

Councilmember Dominguez asked how many units would be allowed if the properties were combined.

Ms. Greenwood said the number of units that can be built is based on lot size. She reiterated that if the owner combined all three parcels, it would only be big enough to build one duplex. The lot size would not be large enough for anything but that to occur. The applicant's intent is to subdivide the parcel and sell these parcels as one unit with the parent unit.

Ms. Dominguez asked if these parcels were ever owned by the City and how they were zoned differently.

Ms. Greenwood replied her best guess is that when this piece of property was initially subdivided, the survey equipment and technology weren't as good as they are today, so there were gaps in the survey that created these remnant parcels. At some point in time, Salt Lake County must have recognized these gaps existed, and assigned the remnant parcels to the parent parcel. The City never owned these properties.

Ms. Greenwood said with the amount of properties in Murray, it can be hard to understand how these remnant parcels exist. With the way General Plan updates are done it can be hard to recognize a smaller parcel that could be tied to another larger parcel.

Ms. Dominguez asked how the City can avoid someone from building a fourplex as opposed to a duplex on this property.

Ms. Greenwood replied there are required square footages for a lot size. If all three of these lots were combined, it would be about 10,000 square feet. Per the allowed zone uses, a 10,000 square foot lot allows for a single-family detached dwelling or a two-family dwelling. Nothing larger is allowed.

The public hearing was open for public comments.

Harry and Carol Niehus – Murray City, Utah

We live at 4864 So Cross Creek Lane & are very concerned that this property is being considered from Low Density Single Family to Medium Density Residential. Changing these lots to R-M-10 will affect our privacy and our live-ability in our backyard. We are concerned about an additional rental property close to our house. We are concerned about the number of cars that will be parking on 4800 South. We are concerned about additional traffic. We are concerned about the level of crime that comes with high rental property. We are concerned about additional noise level. We realize that progress is happening in Murray but upper 4800 South is not the answer. 4800 South is becoming another Vine Street with terrible traffic. It's becoming impossible to make left hand turn from Stone Creek Drive. To summarize we are against amending the Zoning Map. Leave the lots in question how they are.

Sandi and Jim Seale – Murray City, Utah

I have a concern regarding amending the General Plan from Low Density housing to Medium Density housing. This is putting a strain on our city, even though it creates taxes, it puts a strain on infrastructure within Murray. If we give in to Medium Density the next step in High Density, and no one wants that.

This will put a strain on

- 1) *Traffic on 4800 South – Crazy busy now- dangerous at Atwood and 4800 South*
- 2) *Increase to Clean Water Demand*
- 3) *Increase in Water Treatment*
- 4) *Increase in Utilities, Garbage Pickup, etc.*
- 5) *Schools, Facilities and Roads (which need help now, our roads are horrible)*

We moved here because it was small and wanted to live in a small community. We think the city should stick to single / two family dwellings. No more apartment complexes. The property in question affects the people that live close to this proposed change. These people are the ones that should have some say. They already pay taxes.

Linda Wild – Murray City, Utah

I'm against amending this area to medium density. Please keep it Low density single family. We have too much traffic on 4800 S as it is. Apartments are too many & there's nowhere to park. Traffic lights with turning arrows are needed even now. People race on 4800 S at night especially. Our taxes go up each year but not updates & safety. Atwood & 4800 South needs a stoplight or there will be additional accidents. Thanks Linda Wilde 4851 S Stone Crest Drive.

Larry Pond – Murray City, Utah

I live in a single-family home; my backyard is adjacent to the 388 East and 398 East properties that have been requested to change zoning.

My concern is that changing the zoning would allow the home 398 East home that is now a rental to be converted into multiple apartment units and rented. The 388 property is for sale with a single-family home on it. Changing the zoning encourages developers to be interested not in the house but the property, not families looking for a home to raise children, but business making a profit. The request to change the zoning is made by people who do not live in these homes but make business decisions based on gain.

I am a resident of Murray, and I live here. I do not believe this is what is best for Murray. Our family has lived at the location for over 20 years. We do not support the zoning change to encourage the building of apartments in a single-family neighborhood.

Jamie Pond – 4867 Cross Creek Circle, Murray, Utah

I live in a single-family home, our backyard is immediately adjacent to the 388 East and 398 East, 4800 South properties. I am concerned with the proposed zoning changes that will convert a rental into a multi-unit apartment complex and the possibility of apartments. Our family has lived at the location for over twenty years. I feel that these changes to the zoning will cause a disturbance to our community, which will cause many changes that will disrupt our neighborhood including; noise level, property value, and increased parking and congestion on 4800 South. I do not support the zoning change to encourage the building of apartments in a single family neighborhood that is right next to our backyard. In addition, we do not support the changing of 398 residence into a multi-family home. We are not happy with these proposed zoning changes and request that the changes be denied.

Councilmember Cox closed the public hearing.

Councilmember Martinez asked if the concerns regarding high density housing are founded with the way the zoning is and the size of the lots.

Ms. Greenwood said the applicant's intent is to do a lot line adjustment to combine the parent parcels with their child parcel. Legally you cannot combine two properties that are zoned differently. There would not be enough property to do multi-family housing. There would be enough property to do a duplex if all three parcels were combined. With the constraints of the property and the existing homes in the area, it's unlikely that multi-family housing would go in.

Councilmember Dominguez asked if the applicant was only going to sell one parcel.

Ms. Greenwood replied the applicant owns all three parcels, but the back parcel is zoned differently. She wants to combine the three parcels into two parcels that will all be zoned the same and then sell one of the lots.

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

Council roll call vote:

Ayes: Councilmember Turner, Councilmember Hales, Councilmember Martinez,
Councilmember Cox

Nays: None

Abstentions: Councilmember Dominguez

Motion passed 4-0 (1 Abstention)

Business Items

1. Consider an ordinance amending Sections 6.04.010 and 6.16.015 of the Murray City Municipal Code relating to limitations on the number of dogs and cats allowed.

Staff Presentation: Kat Martinez, Councilmember

(See Attachment 1 for slides used during this presentation)

Councilmember Martinez said the City's current ordinance states the total number of dogs and cats that may be owned by any person at any property or residence shall not exceed two dogs and two cats. This proposal would change that to a total of four dogs and cats in any combination.

A second proposed change is to add that an animal foster provider is exempt from the limitation of cats and dogs. Currently, Murray City does not accommodate fostering.

A third proposed change would be to add that a person may harbor no more than one litter of animals in any one calendar year. If the litter exceeds the four animal limit, the person will have eight weeks from the day the litter was born to reduce the number of animals to comply with the Murray City Code. The Utah State Code allows animals to be with their mother for eight weeks before selling them.

These proposed changes are designed to: give residents more flexibility, encourage the licensing

of animals, enable compliance with State Code by keeping litters with their mother for eight weeks, and maintaining a focus on the health and safety of residents and their animals.

Rachel Heatley, Humane Society of Utah, spoke about how COVID-19 impacted their shelter operations and foster program. The Humane Society was able to remain open during COVID-19, but they had to reduce their staff by about 50% and the amount of animals that required their services did not change. Ms. Heatley explained how the Humane Society's fostering program works. They maintain complete control of the animals that are in foster care, the animals are just housed in a different place. Fostering is generally for a short duration and not long-term.

Carrie Siebert, Salt Lake County Animal Services, said that fostering animals is a vital program to municipal shelters and rescue organizations.

Councilmember Turner said she has had constituents that have had problems with someone having too many animals. She asked how many animals can be fostered at one time.

Ms. Siebert replied the amount of animals that can be fostered depends on what the foster home can adequately handle. They like to keep litters of kittens and puppies together and if they can't, they like to at least keep them in pairs. There is no set number of animals that can be fostered at one time.

Ms. Heatley said fostering is a financial and legal liability for the Humane Society. They pay for the veterinary care and food for the animals when they are in foster care. They try to find them a home as soon as possible.

Councilmember Turner asked if someone could have four of their own dogs and foster four other dogs as well.

Ms. Siebert said that is possible, however the organizations that release the animals into foster care would not release a foster animal into a home that could not care for the foster animals as well as their own adequately.

Councilmember Turner asked how they would know if someone wasn't able to take care of their animals as well as foster animals.

Ms. Siebert said a lot of times the fosters are un-weened and require regular checkups. Organizations will also do check-ins and home visits with the foster homes. If they are ever concerned a foster animal isn't receiving the care it needs, they can pull it out of the home.

Ms. Heatley said that Salt Lake County has an entire department for their foster program. They constantly check in with the people who are fostering to make sure the animals are getting the best care they can get. They will also remove an animal if it is not receiving the care it needs.

Councilmember Martinez said disease prevention between animals is a high priority. Keeping animals in smaller groups help prevents disease between animals.

Ms. Siebert said they usually only put one litter per foster home to prevent disease between the animals.

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

Council roll call vote:

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

Motion passed 4-1

2. Consider an ordinance adopting Chapter 2.70 of the Murray City Municipal Code relating to the Public Safety Advisory Board.

Staff Presentation: Mayor Blair Camp

Mayor Camp said during the July 21, 2020 Committee of the Whole meeting he presented this ordinance creating a Public Service Advisory Board. This is the same ordinance; no changes have been made.

Councilmember Martinez said she loves the amount of training and experience the committee members will need. She asked what happens if this ordinance is adopted but there isn't enough time for them to get the training done.

Mayor Camp replied he believes there is enough flexibility within the administrative authority to accommodate those types of things.

G.L. Critchfield, City Attorney, said the committee members training is integral to making this work. The training should not be too extensive, with the exception of arranging the ride-alongs. The intent is to say once someone is trained they will be more valuable in coming to decisions.

Councilmember Dominguez reminded everyone that this ordinance can be amended if something needs to be changed. She feels Murray City has some great citizens that will be able to contribute to this board.

Councilmember Turner said this is an important board. She wants to ensure the board is active.

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 Hales,
Councilmember Martinez, Councilmember Cox
Nays: None
Abstentions: None

Motion passed 5-0

Mayor's Report and Questions

Mayor Camp reported on the following items:

- This Friday, the movie in the park will be the “Rookie” and it will begin at 9:00 p.m. Jenny Oaks Baker will also be performing at the Amphitheater at 7:30 p.m.
- The new utility billing software will be going into effect in the next few weeks. Information about this change will be on the City’s website. A flyer will also be included in our resident’s utility bills.
- The Parks Department has done a comparison of attendance and revenues for the outdoor pool and Park Center for the period of January to June 2020 compared to the same period in 2019. The numbers of memberships and revenues are about half of what they were last year.
- The Fountain of Youth buildings are currently being demolished.
- The Pine Hill Business Park has been demolished to make room for parking for Security Nationals new building that is under construction.

Councilmember Martinez said the Murray City Police were called to the protest in Cottonwood Heights but were then sent away because they were not needed when they got there. She asked what the threshold was for being called to help out in another city.

Mayor Camp replied when something involving an officer shooting or some other major event, police departments will send out a 10-33 call, meaning they need all the help they can get now. All near by jurisdictions will respond as the situation is monitored. That is what happened with Cottonwood Heights the other night.

Councilmember Martinez said her hope is that if our officers showed up to a situation and found that other officers were not doing what they should, they would bring that information forward.

Councilmember Cox noted that other agencies responded when there was a shooting at Fashion Place Mall.

Adjournment

The meeting was adjourned at 7: 43 p.m.

Jennifer Kennedy, City Recorder

Attachment 1

6.16.015 Regulation of Dogs and Cats/Limitations

Previous

A. The total number of dogs and cats that may be owned, harbored, licensed and maintained by any one person at any one property or residence of the City shall not exceed **two (2) dogs and two (cats)**, except as otherwise provided in this chapter.

Proposed

A. The total number of dogs and cats that may be owned, harbored, licensed and maintained by any one person at any one property or residence of the City shall not exceed **four, in any combination (i.e. the maximum combined total is four animals)**, except as otherwise provided in this chapter.



C. An animal **foster** provider is exempt from the limitation imposed pursuant to subsection A provided that all dogs and cats are **properly cared for** and do not become a nuisance as defined in section 6.12.090 of this chapter.



D. A person may harbor no more than **one litter of animals** (puppies or kittens) in any one calendar year. If the litter exceeds the limitations imposed pursuant to subsection A, the person will have **eight weeks** from the day the litter was born to reduce the number of animals to comply with subsection A.



4

This change is designed to

- ❖ give **residents** more **flexibility**
- ❖ **encourage** the licensing of animals
- ❖ enable **compliance** with state code by keeping litters with their mother for 8 weeks, and
- ❖ maintain a focus on the **health** and **safety** of residents and their animals.



Rachel Heatley

Advocacy Director
Humane Society of Utah



Carrie Sibert

Murray City Shelter Liaison
Special Operations
Salt Lake County Animal Services

