

Murray City Municipal Council

Chambers

Murray City, Utah

The Murray City Municipal Council met on Tuesday, December 8, 2020 at 6:30 p.m. for a meeting held electronically without an anchor location in accordance with Utah Code 52-4-207(4), due to infectious disease COVID-19 Novel Coronavirus. The Council Chair has determined that conducting a meeting with an anchor location presents substantial risk to the health and safety of those who may be present at the anchor location because physical distancing measures may be difficult to maintain in the Murray City Council Chambers.

The public was able to view the meeting via the live stream at www.murraycitylive.com or <https://www.facebook.com/Murraycityutah/>.

Council Members in Attendance:

Kat Martinez	District #1
Dale Cox	District #2
Rosalba Dominguez	District #3 – Council Chair
Diane Turner	District #4 – Council Vice-Chair
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	Pattie Johnson	Council Office
Craig Burnett	Police Chief	Brenda Moore	Finance Director
Kim Fong	Library Director	Joe Tarver	Assistant Chief of Police
Mike Call	Library Marketing and Design Specialist		
Girl Scouts			

Opening Ceremonies

Call to Order – Councilmember Martinez called the meeting to order at 6:30 p.m.

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

Special Recognition

1. Murray City Council Employee of the Month, Mike Call, Library Marketing and Design Specialist.

Staff Presentation: Brett Hales, Councilmember and Kim Fong, Library Director

Councilmember Hales said the Council started the Employee of the Month Program because they felt it was important to recognize the City's employees. He stated that Mr. Call would receive 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. Call for all he does for the City.

Ms. Fong spoke about the work Mr. Call has done during his time with the City.

2. Murray City Council Employee of the Month, Joe Tarver, Assistant Chief of Police.

Staff Presentation: Brett Hales, Councilmember and Craig Burnett, Police Chief

Councilmember Hales said the Council started the Employee of the Month Program because they felt it was important to recognize the City's employees. He stated that Mr. Tarver would receive 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. Tarver for all he does for the City.

Chief Burnett spoke about Mr. Tarver's 36 years with the Police Department.

The Councilmembers thanked both Mr. Call and Mr. Tarver for their hard work.

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

The following comment was received via email and read into the record:

Bill Stewart – Murray City, Utah

I read about the Tripp Lane subdivision in the Murray Journal and felt compelled to contact you about this. I am writing to ask that you do not use eminent domain for NeighborWorks to build their subdivision. I am familiar enough with the law to know that Murray City has the legal right to take private property, however that does not mean they should.

The Fifth Amendment mandates the government can only take private property for public need. This is a crucial constraint on the government's power of eminent domain, which enables the state to force owners to turn over their property, even if they refuse to sell voluntarily. Unfortunately, governments today too often use eminent domain for much broader purposes, diminishing private rights as they condemn property for the benefit of other private users. This means title to property is too often taken not for the public but for a private use.

The NeighborWorks property can be developed without taking the property owned by the Livingstons. That alternative, a cul-de-sac, would result in the same financial benefit to the developer and to Murray City. Riverview Junior High was built in 1961 and parents and families have been able to commute to this school for decades without this road. The neighborhood would be safer without this road because a connecting road will encourage more traffic through the area, not less. Based on comments submitted to the planning commission, most residents do not want this road. There is no public need for this road to such a degree that that it warrants the taking of personal property.

If the Livingston's property is taken, it will be done primarily for the benefit of a private development, not because there is a public need. As such, NeighborWorks and the Murray City Planning Division have turned the property owned by Livingston's from a matter of protecting property rights to one of deciding whose "interests" should prevail. That was never the intent of the use of eminent domain.

The use of eminent domain should not be taken lightly. Please use it only when it is absolutely required for the public. This is a private development and the taking of this property primarily benefits NeighborWorks. The Livingston's are simply asking their government to obey the original intent of the law. Reduced to its essence, they are simply saying this: stop taking our property when it is not required. That hardly seems too much to ask.

Consent Agenda

1. Consider confirmation of the Mayor's reappointment of Ray Beck to the Murray City Center District Design Review Committee for a three-year term beginning January 1, 2021 to expire January 1, 2024.
2. Consider confirmation of the Mayor's reappointment of Ned Hacker to the Planning and Zoning Commission for a three-year term beginning January 15, 2021 to expire January 15, 2024.
3. Consider confirmation of the Mayor's reappointment of Travis Nay to the Planning and Zoning Commission for a three-year term beginning January 15, 2021 to expire January 15, 2024.

MOTION: Councilmember Hales moved to approve the Consent Agenda. The motion was SECONDED by Councilmember Turner.

Council roll call vote:

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

Nays: None

Abstentions: None

Motion passed 5-0

Business Item

1. Consider a resolution to acknowledge completion and receipt of the independent audit for Fiscal Year 2019-2020 and direct the notice be published pursuant to section 10-6-152 of the Utah Code.

Staff Presentation: Brenda Moore, Finance Director

Ms. Moore said the final step in the audit is for the Council to approve the resolution that acknowledges the City has had an audit. The audit was preformed by Hansen, Bradshaw, Malmrose & Erickson (HBME). The resolution states that the Council has received the audit and the financial statements.

Councilmember Turner said she has received the CAFR and it looks great.

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

Council roll call vote:

Ayes: Councilmember Cox, Councilmember Dominguez, Councilmember Turner,

Councilmember Hales, Councilmember Martinez

Nays: None

Abstentions: None

Motion passed 5-0

Mayor's Report and Questions

Mayor Camp reported on the following items:

- Jim Hendrickson, who was a servant of the City for many years, passed away. He was a diverse person who served in the United States Army Air Corps during World War II. He graduated from Utah State Agricultural College with a bachelor's degree in industrial education and then went on to earn his Master of Science degree which was also in industrial education. He taught industrial education in several schools, including Riverview Jr. High. He was a training coordinator at Hercules and was one of the first Emergency Medical Technicians (EMT's) and EMT Instructors in the State of Utah. He served Murray for 50 years and was a member of the Shade Tree Commission. The annual beautification awards the City has been doing for 34 years have been renamed to the Jim and Jean Hendrickson Beautification Awards.
- The damage on the Parkway Trail has been repaired by the Parks and Recreation staff and the trail is open again.
- Due to a lot of cities cancelling Jr. Jazz, the City has had 52 teams sign up to play Jr. Jazz basketball.
- Due to COVID-19, the Park Center is temporarily accepting credit card payments only.
- Mayor Camp wished everyone a safe and happy holiday season.

The Councilmembers wished everyone a Happy Holiday.

Councilmember Martinez asked about the safety precautions being taken for Jr. Jazz.

Mayor Camp replied each player will only be allowed to have one parent spectator, so there will be virtually no one at the games. Staff will sanitize between every game and players on the bench will be wearing masks.

Adjournment

The meeting was adjourned at 7:05 p.m.

Jennifer Kennedy, City Recorder