

**MURRAY CITY MUNICIPAL COUNCIL
COUNCIL MEETING**

Minutes of Tuesday, May 7, 2024

Murray City Hall, 10 East 4800 South, Council Chambers, Murray, Utah 84107

Attendance:

Council Members:

Paul Pickett	District #1
Pam Cotter	District #2 – Council Chair
Rosalba Dominguez	District #3
Diane Turner	District #4
Adam Hock	District #5 – Council Vice-Chair

Others:

Brett Hales	Mayor	Jennifer Kennedy	City Council Executive Director
Doug Hill	Chief Administrative Officer	Crystal Brown	Council Administration
G.L. Critchfield	City Attorney	Brenda Moore	Finance Director
Joey Mittelman	Fire Chief	Steve Roberson	Fire Department
Jake Larsen	Lartet Properties	Brooke Smith	City Recorder
Margaret Phal	Murray Historic First Foundation	Camron Kollman	IT
Rob White	IT Director	Doug Wright	Murray Property Owner
Gregory & Caroline Costello – Murray Property Owners		Citizens	

Opening Ceremonies:

Call to Order – Council Member Rosalba Dominguez called the meeting to order at 6:30 p.m.

Pledge of Allegiance – Josie Valdez led the Pledge of Allegiance.

Approval of Minutes: Council Meeting – April 2, 2024.

MOTION: Ms. Cotter moved to approve, and Mr. Pickett SECONDED the motion. Approved 5-0.

Special Recognition:

Oath of Office for Justice Court Judge Spencer Banks. Mayor Hales expressed thanks and appreciation to Judge Banks for accepting the position as Murray's Justice Court Judge. City Recorder Brooke Smith conducted the Oath of Office.

Citizen Comments:

Jeff Evans – Murray resident

Mr. Evans said his experience as a former board member for the Murray Park Amphitheater, Murray Theater and the Murray Arts Advisory Board provided him with an insight into programming. He felt cities like Ogden, Sandy, Layton and the Red Butte Garden venue are outshining Murray with concert choices, however Murray had the greater opportunity for drawing people with close transit locations. He said programming should be a community asset for the citizens and hoped one day people would be excited to hear about Murray's concert series like they are for other venues. He thought the current Murray concert selections were awesome but felt that improved programming was needed to appeal to 90% of the population.

DeLynn Barney – Murray resident

Mr. Barney was grateful for the cleanup of overgrown weeds on City owned property near his home. He spoke about a car wrongfully parked in front of a fire hydrant partially blocking his driveway, and how an excessive number of cars are parking on both sides of Fifth Avenue and Hannauer Street restricting traffic to one direction. He asked if permit parking in these areas could be implemented to prevent local residents from

being forced out when new businesses and venues locate to the downtown. He requested that the fire hydrant and curb near his home be repainted a brighter red to improve visibility and safety.

Consent Agenda:

1. **Consider the Mayor's appointment of Jann Cox to the Shade Tree Commission for a term from June 30, 2024 to June 30, 2027.** Mayor Hales introduced and presented Jann Cox as an interested citizen wanting to serve on the Shade Commission.

MOTION: Ms. Turner motioned to approve. Ms. Cotter SECONDED the motion.

Council Roll Call Vote:

Ms. Turner	Aye
Mr. Hock	Aye
Mr. Pickett	Aye
Ms. Cotter	Aye
Ms. Dominguez	Nay
Motion passed:	4-1

Public Hearings:

1. **Consider an ordinance relating to land use; amends the General Plan from Parks and Open Space to Medium Density Residential and amends the Zoning Map from A-1 (Agricultural Zoning District) to R-1-6 (Medium Density Single Family) for the properties located at 1177 West Bullion Street, Murray City.** Planning Division Manager Zac Smallwood displayed an aerial map of the 2.46-acre site to explain the proposed rezone. He found no reason as to why the parcels were ever rezoned from agriculture to a parks and open space designation in 2003 through 2017. Mr. Smallwood discussed objectives in the GP (General Plan) that were in harmony with the request, reviewed specific land uses in the GP and outlined zoning standards that resulted in a positive recommendation of approval to the Council.

Mr. Picket said residents in his district are pleased to see single-family homes available for purchase. Ms. Cotter asked if the rest of the property would be developed. Mr. Smallwood said the developer indicated during the Planning Commission meeting that the sale of this property would allow him to reinvest back into the remaining property.

The public hearing was open for public comment:

Gregory Costello – Murray Resident

Mr. Costello was opposed to the rezone because of his experience years ago when he developed six acres of his own land in the neighborhood. He said the City was strict back then to enforce R-1-8 and R-1-10 densities according to the City's Master Plan. He was conflicted about why an R-1-6 would now be allowed in the R-1-8 abutting the R-1-10 zone and did not favor low-income housing across the street from his home.

Caroline Costello – Murray Resident

Ms. Costello agreed with Gregory Costello saying that when their property of six acres was sold, it was plotted for only 14 houses. She expressed shock thinking that 11 homes would be constructed there and thought the plan would be congested.

Joe Christensen – Murray Resident

Mr. Christensen said he purchased a lot from the Costello's and was familiar with the history of the area. He confirmed that there was a consistent agreement that the entire area would remain R-1-10 or a minimum of R-1-8. He felt there was an incongruity with this Council to allow for an R-1-6 to be packed into a neighborhood, when a social contract was made years ago, by a previous council to the people living there. He asked the Council to stick to the social contract of R-1-8 and appeal to the developer to

change his lot sizes to a minimum of the R-1-8 range.

Ms. Dominguez asked what designations did the property and surrounding area belong to on the future land use map. Mr. Smallwood said parks and open space and the surrounding area is low density residential. He noted that new townhomes at Bullion Place and single-family homes on Tripp Lane were rezoned to R-1-6. Mr. Markham agreed older homes on Walden Glen are also R-1-6.

Mr. Smallwood clarified that lower cost residential housing did not mean low-income housing and the proposed project would result in very expensive market rate homes. Ms. Cotter asked why Mr. Larsen was not held to the same density as Mr. Costello. Mr. Smallwood said staff supported the applicant's request because the legislature is asking cities to move smaller lots forward, but the Council would make that final decision. Mr. Markham said Mr. Costello could have made the same request back then for his land, but it might not have been accepted at that time.

Ms. Turner asked Mr. Pickett if he had concerns about the project in his district. He said apart from comments made at the Planning Commission meeting, he had not heard anyone oppose the project, and many were happy it was not an apartment complex.

The public hearing was closed.

MOTION: Mr. Pickett moved to adopt the ordinance. Ms. Turner SECONDED the motion.

Council Roll Call Vote:

Ms. Turner	Aye
Mr. Hock	Aye
Mr. Pickett	Aye
Ms. Cotter	Aye
Ms. Dominguez	Nay
Motion passed:	4-1

Ms. Dominguez explained her vote of denial saying that she supported higher density housing in some areas of the City and she trusted staff and the Planning Commission with their decisions. She said investing in community was important, which can look different in many ways. She wanted those who expressed public concern to know that the Council was listening.

2. **Consider an ordinance related to land use; amends the General Plan to adopt the Murray City Center District (MCCD) Strategic Area Plan.** Mr. Smallwood shared downtown Murray history explaining that it was called the DHOD (Downtown Historic Overlay District) until 2011. In 2011 the MCCD (Murray City Center District) zone replaced the DHOD to provide a new contemporary downtown with mid- and high-rise architecture. Mr. Smallwood reviewed conceptual renderings and a proposed site plan from the 2011 Master Plan noting how it was completely different from current desires. There were plans for a performing arts theater, unlimited density, unlimited height and reduced parking requirements. Since 2017 the MCCD zone was changed six times by amendment to reduce height, density and for specific properties. He thought constant change to the MCCD Code was one reason developers shy away from approaching the City with proposals and why nothing has been developed in years. In 2020-2021 the previous administration attempted to develop Block One, but after public engagement the plan was never accomplished. In 2022 the City decided to work more with residents and the RDA (Redevelopment Agency) and commissioned a scientific survey for Block One to gauge public support, input and feedback. That information was used to create the 2024 MCCD Strategic Area Plan which are concepts tailored specifically for Block One.

Mr. Smallwood reviewed the strategic plan, noting strengths, weaknesses, opportunities and threats related to existing conditions of the MCCD. He noted public input that came from two public workshops and

feedback from stake holder interviews. The current MCCD map was displayed where he said the biggest issue is whether certain buildings at Block One should be demolished or kept; and eight recommendations were outlined intended to help develop a new downtown. He discussed the findings to establish why the plan was in harmony with the GP and confirmed that the MCCD Review Committee made additional recommendations, which after a unanimous vote, forwarded a recommendation of approval to the Planning Commission and the Planning Commission voted unanimously to forward that recommendation to the City Council.

Mr. Pickett shared a public comment regarding Recommendation #7. The concern was about whether the City would still maintain control over submitted development proposals, ultimately having the final decision. Mr. Smallwood said the RDA would review any proposed development much like what occurred for the old City hall property.

The public hearing was open for public comment:

Margret Pahl – Vice President of the HMFF (Historic Murray First Foundation)

Ms. Pahl shared her concerns from attending the January MCCD Review Committee meeting, where recommendations were made to save two buildings at Block One. She reported that a City staff member discussed with the MCCD Review Committee a structural evaluation study that deemed old buildings at Block One unstable for rehabilitation, however her Government Record Access Management Act request revealed no such study existed. Ms. Pahl argued that Murray City was making decisions inconsistent with what citizens want allowing historic buildings to deteriorate through neglect.

Robert Stefanik – Murray Resident

Mr. Stefanik, a resident of the old Harker building, expressed his willingness to go into debt to save historic buildings on State Street, as it was the only affordable housing for him and other low-income families in Murray. He proposed revitalizing the old costume shop and antique stores into a comedy club or a small restaurant to attract people downtown. He suggested using old buildings and the Murray Theater, and Desert Star as venues for the Sundance Film Festival. He also recommended renovating City-owned buildings for rental housing to generate revenue for funding social events in the downtown area.

Clark Bullen – Murray Resident

Mr. Bullen thanked the Community and Economic Development staff for their time and effort and for listening to years of citizen input. He thanked Mayor Hales and the Council for hiring and approving the consulting firm in response to the public advocacy that was opposed to the Edlen project and for incorporating citizen feedback. He thought the Form-Based Code could create a historic downtown destination that citizens want, agreed with recommendations to save buildings and described how developers could possibly utilize historic buildings to anchor a destination plaza. He asked that the demolition list be removed completely from the strategic plan so it would not predispose potential developers towards a narrower scope.

Peter Kling – Murray Resident

Mr. Kling urged the Council to approve the plan for the MCCD area and appreciated the significant time that staff and volunteers invested. He said the Grecian Diner was the last major commercial opportunity at Block One, which has remained dilapidated for 20 years. The City does not own the two old buildings recommended for preservation, and taxpayers have long supported this RDA. He emphasized that citizen input shaped the strategic plan, and he questioned those advocating for taxpayer-funded restoration projects, asking what was their alternative plan for funding these proposed renovation projects. He described in length many positive attributes that the plan would bring to an area of State Street he thought was shabby looking and deteriorating. He reminded people that restoring old buildings is expensive and that the City already invested heavily in other projects. He suggested preservationists focus on fundraising for current projects and hoped the Council would approve the plan because the area

currently lacks attractive venues, entertainment, and shopping.

Delynn Barney – Murray Resident

Mr. Barney reminisced about the area's past walkability and diverse businesses. He reported the loss of residential areas due to the Vine Street extension and criticized the condition of a City-owned vacant home near the Tea Rose Diner. Mr. Barney reported parking issues on 4th and 5th Avenue near the indoor soccer field and expressed disappointment with the city's inaction for years to deal with it. He spoke about his international travels where he learned the stark contrast between well-preserved historic areas and desolate places, implying that the important thing about change is getting it right.

Weston Firmage – Business Owner

Mr. Firmage said his family-owned BMW store has been in Murray for the last 50 years. He thought the plan was great push forward noting that their building was part the historic district which was renovated by keeping a 50-year-old fireplace façade. He said there are great ways to incorporate the City's history into modernization and he trusted the Council to be a great shepherd in whatever production occurs in the downtown. His one ask was that the City keep State Street flowing during construction.

Kathryn Litchfield – Murray Resident.

Ms. Litchfield said the City should not be telling building owners that their buildings could be demolished; and that it is unamerican for the City to be marking buildings for demolition that they do not own.

The public hearing was closed.

Mr. Markham said the plan is a proposal with recommendations, not mandates, the City was not contractually proposing to tear down old buildings in the downtown and the scope of the study was a futuristic vision. According to survey results, 81.3% of respondents want a downtown renovation and 60.6% believe that current conditions of the downtown create safety concerns. He discussed the high cost of renovating old buildings that do not have adequate restrooms, electricity, plumbing, entrances, exits, or fire suppression systems, and believes they will continue to crumble or be knocked down resulting in vacant lots.

Mr. Smallwood explained that in his research he found that out of 54 historic buildings registered, only 29 were contributing, leaving the City at 54% historic. He said if the number of historic buildings in a city drops below a 50% threshold, the Historic District status is removed from the National record. Currently four of Murray's historic buildings were demolished or in one case burned down, so the City is now under 50%. Presently, Murray is listed on the National registry but if the records are updated accurately, Murray could be removed from the registry today.

Mr. Smallwood said he was misrepresented in his approach to handling historic preservation and went on to share observances, thoughts and feelings regarding his belief in preserving buildings of significant value. He said Murray has been working on the downtown for 40 years and nothing has happened. He agreed that when developers approach Murray to restore existing buildings located in the RDA it is usually for tattoo parlors or tobacco stores. He clarified that the minutes from the MCCD Review Committee included the additional recommendations and were provided to the Planning Commission, shared publicly and provided to the City Council.

Ms. Turner asked if Murray City owns the DAR Building. Mr. Smallwood said it is privately owned.

The public hearing was reopened to acknowledge public comments received by email from Murray residents Joseph Stanford and Tracy Gomez. See Attachment #1. The public hearing was closed.

Ms. Cotter suggested building owners look at the Utah Historical Preservation Tax Credit program that can provide various credits to cover renovation costs.

Ms. Dominguez asked if the MCCD Review Committee suggested State or Federal funding resources to rehabilitate buildings. Mr. Smallwood said no because the City's Land Use Authority is the Planning Commission and they do not make financial decisions for any project, or for property owners. Ms. Dominguez asked about tax credits for buildings on the National Historic Registry. Mr. Smallwood said the City is not eligible because of its tax-exempt status and just because a property is listed as historic, property owners do not automatically get a tax cut or credit.

Mr. Pickett said everyone wants to see the downtown developed in a prudent way by respecting the process. He proposed to remove page 15 from the conceptual design of the strategic plan, which included the map of proposed demolitions. Additionally, he suggested striking language that recommended demolishing nine buildings and rehabilitating or adaptively reusing ten others in the project area.

MOTION: Mr. Pickett motioned to amend the strategic plan as proposed. Ms. Cotter SECONDED the motion.

Council Roll Call Vote:

Ms. Turner	Nay
Mr. Hock	Aye
Mr. Pickett	Aye
Ms. Cotter	Aye
Ms. Dominguez	Aye
Motion passed:	4-1

MOTION: Mr. Hock motioned to adopt the ordinance as amended. Ms. Dominguez SECONDED the motion.

Council Roll Call Vote:

Ms. Turner	Aye
Mr. Hock	Aye
Mr. Pickett	Aye
Ms. Cotter	Aye
Ms. Dominguez	Aye
Motion passed:	5-0

Mayor's Report and Questions

Mayor Hales expressed appreciation for the Council's process and discussions with planning staff. He highlighted the City's efforts to preserve historic buildings, such as the Murray Theater renovation project, despite unexpected cost increases. He emphasized it was the use of taxpayer money that funded these renovation projects aimed at benefiting citizens and for funding festivities like the new Christmas decorations that attract large crowds to downtown. Mayor Hales acknowledged limitations in saving buildings due to ownership issues, said the City had worked hard to do what it has and called for advocates to contribute financially. He announced the upcoming presence of food trucks at City Hall plaza for the summer.

Adjournment: 8:49 p.m.

Pattie Johnson
Council Office Administrator III