

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 18th day of September, 2007 at 6:30 p.m., for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

Roll Call consisted of the following:

Krista Dunn,	Council Chair
Pat Griffiths,	Council Member
Robbie Robertson,	Council Member- Conducted
Jim Brass,	Council Member
Jeff Dredge,	Council Member

Others who attended:

Daniel Snarr,	Mayor
Jan Wells,	Chief of Staff
Frank Nakamura,	City Attorney
Shannon Huff Jacobs,	Council Director
Carol Heales,	City Recorder
Gil Rodriguez,	Fire Chief
Dennis Hamblin,	Community Development Director
Pete Fondaco,	Police Chief
Doug Hill,	Public Services Director
Firefighters	
Citizens	

A. OPENING CEREMONIES

1. Pledge of Allegiance - Paul Adams, Paramedic
2. Approval of Minutes, with corrections, of September 04, 2007

Ms. Griffiths made the motion to approve the minutes.

Mr. Brass 2nd the motion.

Voice vote taken, all ayes.

3. Special Recognition(s)

- 1 Administration of the Oath of Office to Murray Fire Department personnel, Russ Groves, Deputy Fire Marshal; Paul Adams, Paramedic; Mike Dykman, EMS Battalion Chief; Chad Pascua, Captain; and, George Zboril, Fire Inspector.

Chief Gil Rodriguez introduced the personnel and their new positions.

Oath of Office administered by Carol Heales.

Chief Rodriguez thanked the City Council, the Mayor, and everyone else for the support that has been given to the Fire Department, and stated how proud he is of his staff.

Mayor Snarr echoed his pride in the Fire Department as well.

B. CITIZEN COMMENTS

Bill Finch, 1055 Chevy Chase Drive

Mr. Finch stated that in the near future, the Council will have a unique opportunity, involving City ordinances; he would like the Council to consider a renters ordinance and upkeep of property ordinance. He also noted that P.U.D.'s and *monster homes*, which he assumes will be included in the Infill ordinance, should be looked at. He stated that Planning and Zoning has made good compromises with the recent ordinances, but he would like to see some review of aesthetic values of homes.

Mr. Robertson recognized the Boy Scouts in attendance, and asked them to stand and introduce themselves and the merit badges that they are working on.

C. CONSENT AGENDA

None scheduled.

D. Public Hearing(s)

1. a. Staff and sponsor presentations, public comment and discussion prior to Council action on the following matter:

Consider an Ordinance amending Chapter 17.146 of the Murray City Municipal Code relating to a Transit Oriented Development District (TOD).

Staff Presentation: Doug Hill, Public Services Director

Mr. Hill stated that this was a culmination of a several month process with the Redevelopment Agency Board (RDA) to negotiate changes to the Transit Oriented Development (TOD) ordinance with Hamlet Development for the Fire Clay area. This recommendation comes with a unanimous, positive recommendation through RDA Board, and has gone before the Planning Commission and also received a unanimous, positive recommendation.

A major change deals with how a major street is defined as a principal street including certain requirements pertaining to uses and buildings that must front the principal street. Another major change is in the parking requirements. Being a TOD ordinance, it is recognized that there will be on-street parking, which was encouraged in the design, so they have given those who develop in the TOD credit towards on-street parking areas.

Mr. Hill stated that representatives from Hamlet Development were available to answer questions.

Public Hearing Opened for Comment

None given.

Public Hearing Closed

Council consideration of the above matter to follow Public Hearing.

Mr. Brass made a motion to adopt the Ordinance.
Ms. Griffiths 2nd the motion.

Call Vote recorded by Ms. Heales:

AYE/NAY

 A Mr. Brass
 A Ms. Griffiths
 A Ms. Dunn
 A Mr. Dredge
 A Mr. Robertson

Motion passed 5-0

2. Staff and sponsor presentations, public comment and discussion prior to Council

action on the following matter:

Consider an Ordinance amending the Transit-Oriented Development District Design Guidelines adopted pursuant to Section 17.146.030 of the Murray City Municipal Code.

Staff Presentation: Doug Hill, Public Services Director

Mr. Hill stated that these were changes made in the RDA meetings, and reviewed by the Planning Commission, with both of bodies which forwarding the changes with positive recommendations.

The major changes are to the design of the streets, the street scape furniture, and the materials that would be used in the TOD area. The major changes summarized are: adopting a street grid that would layout where the streets would be placed, a change to the Burkhill Blvd street cross section, changes to the types and spacing of the street trees, changes to the type and spacing of light poles.

The last action taken by the RDA board was to increase the height of the street poles from 12' to 15'. If the Council wants to stay at 15' it will need to be included in the motion. The Power department was concerned with the 15' height. If banners are to be put on the poles the Power department recommended a pole height of 22' to accommodate the banner.

EDT, the consultants for Fireclay, felt it would be better to keep the poles at 15' to keep the light down on a pedestrian level and prevent the lights from shining into windows of the residential units.

Public Hearing Opened for Comment

None Given

Public Hearing Closed.

Council consideration of the above matter to follow Public Hearing.

Mr. Dredge stated that 15' is a good height for the poles.

Mr. Robertson agreed with the consultants that 22' could cause problems with lights shining into residential units.

Ms. Dunn made a motion to adopt the Ordinance, with the amendment to keep the 15' height for street lights.

Mr. Dredge 2nd the motion.

Call Vote recorded by Ms. Heales:

AYE/NAY

 A Mr. Brass
 A Ms. Griffiths
 A Ms. Dunn
 A Mr. Dredge
 A Mr. Robertson

Motion passed 5-0

3. Staff and sponsor presentations, public comment and discussion prior to Council action on the following matter:

Consider an Ordinance relating to Zoning; amends the General Plan from Residential Single Family Low Density to Residential Business and amends the Zoning Map from R-1-8 to R-N-B for the properties located at approximately 1151 and 1153 East 6600 South, Murray, Utah. (Kenneth Kitt)

Staff Presentation: Dennis Hamblin, Community Development Director

Mr. Hamblin indicated that the properties abut Wheeler Farm, and the parcels are in a low density single family land use. The applicant is requesting a zone change, indicating that the home in front will be demolished, making room for a residential-style building that would fit the land use in the R-N-B zone. The Planning Commission reviewed the rezone on July 19, 2007, and gave a negative recommendation on a 6-0 vote.

Mr. Kitt, Property owner 959 E Vine Street

Mr. Kitt stated that the property is obviously not surrounded by all residential properties, and with Wheeler Farm, the canal, and 6600 South surrounding the property, there isn't much probable land use on the property for residences, and he has been told by realtors and developers to request a re-zone for office.

The property is very isolated, and the nearest property would not be affected by the change, and he did not understand why it is not considered *appropriate at this time*.

Public Hearing Opened for Comment

Jeff Daviz, 6544 S. Vinecrest Drive

Mr. Daviz stated that he lives on the neighboring lot, and maintains that this is a residential area, and believes it would be a bad idea to allow any commercial development in this area. If the City allows one property to be re-zoned, where do they draw the line, will it continue with more properties?

Mr. Daviz also mentioned a buffer zone, which would lapse if this is approved. He also stated that he speaks for many of the neighbors, who are very concerned that if this is allowed, they would lose their residential area to commercial development in this subdivision.

Public Hearing Closed

Council consideration of the above matter to follow Public Hearing

Ms. Griffiths agrees that this should remain residential, which is in harmony with the General Plan.

Ms. Griffiths made a motion to deny the request, and uphold the recommendation of the Planning Commission.

Mr. Brass 2nd the motion.

Ms. Dunn agreed that this is a residential area, but felt that an R-N-B in this area would not be a bad thing, however, it is on the Master Plan as a residential area; it is their responsibility to educate the citizens on the R-N-B zone, and what it can do to keep commercial from creeping into the neighborhoods.

Mr. Brass stated that the intent of the R-N-B came about with the commercial areas expanding into the residential areas; certain areas where it did not make sense to have homes, but knowing that commercial development would collapse the neighborhoods behind those areas. This zone was created to solve that problem, allowing those properties to be occupied and cleaned up, with many of them remaining residential homes. The remaining buildings are not objectionable to the neighborhood. The entire purpose of the zone was to protect the surrounding neighborhoods. Mr. Brass stated that at this point, he is not convinced that this area needs to be protected, as he has seen no decline in the area.

Ms. Dunn stated that at the current time, she felt comfortable leaving it as is.

Call Vote recorded by Ms. Heales:

AYE/NAY

 A Mr. Brass
 A Ms. Griffiths
 A Ms. Dunn
 A Mr. Dredge
 A Mr. Robertson

Motion to deny passed 5-0

Unfinished Business

None scheduled.

New Business

None Scheduled.

Mayor

Report

Mayor Snarr stated that the construction at the 5300 South State intersection has started; there has been a few complications with Questar, which has put them behind schedule. They have not yet cut through 5300 South, and there has been some concern by Costco, with them working during the day, of impacting the business; however, the Mayor felt that Questar had done a good job in managing the traffic flow through the area.. They have been told that they will be finished before the activities for the hospital, but it will remain to be seen.

Mayor Snarr remarked that he is thrilled with the 4500 South completion, and it has turned out better than expected. There is still some lighting to be done, and there have been some graffiti problems in the area. The vandalism is very irritating and costs the citizens a lot to take care of, and he feels that the penalties should be much stiffer for those activities, with many more service hours imposed.

Mayor Snarr noted that the Cheesecake Factory near the Mall is progressing nicely, and he has met with the Realtors on this, and will provide updates as he receives them.

Adjournment