

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 21st day of April, 2015 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:

Blair Camp,	Council Chair
Brett Hales,	Councilmember
Diane Turner,	Councilmember – Conducted
Jim Brass,	Councilmember
Dave Nicponski,	Councilmember

Others who attended:

Ted Eyre,	Mayor
Jan Wells,	Chief Administrative Officer
Jennifer Kennedy,	City Recorder
Frank Nakamura,	City Attorney
Janet Lopez,	Council Administrator
Janet Towers,	Executive Assistant to the Mayor
Craig Burnett,	Police Chief
Gil Rodriguez,	Fire Chief
Steve Roberson,	Fire Department
Tim Tingey,	Administrative and Development Services Director
Trong Le,	IT Division
Citizens	

5. Opening Ceremonies

5.1 Pledge of Allegiance – Rich Bell, West Jordan City Police Department

5.2 Approval of Minutes

5.2.1 April 7, 2015

Mr. Camp made a motion to approve the minutes

Mr. Nicponski seconded the motion

Voice vote taken, all “ayes.”

5.3 Special Recognition

5.3.1 Murray City Council Employee of the Month, Linda Webb, Police Department.

Staff presentation: Craig Burnett, Police Chief
Brett Hales, Councilmember

Mr. Hales said the Council started the Employee of the Month a couple of years ago. They felt it was important to be able to recognize the City’s employees. He presented Ms. Webb with a certificate, a \$50 gift card and told her that her name would appear on the plaque located in the Council Chambers. He expressed his appreciation to Ms. Webb for all she does for the City.

Chief Burnett stated Ms. Webb has worked for the City for about 25 years. She has been instrumental in a lot of different areas. She was the secretary for the Detective Division for a lot of years. Nothing would get done without her. Ms. Webb is a perfectionist and nothing is going to get by her; she makes sure all the reports are right.

Ms. Webb has a work ethic unlike anyone Chief Burnett has ever met. She is here early and stays late. Chief Burnett could not do the job he is doing right now without her. She is the supervisor of the records unit and the administrative assistant to the Chief of Police. She makes sure the reports are getting done and are submitted on time.

Chief Burnett said Ms. Webb can be counted on to take care of the business she needs to and her employees. They Police Department appreciate all the hard work and diligence she exhibits.

5.3.2 Consider a Joint Resolution of the Mayor and Municipal Council of Murray City, Utah declaring Friday, May 1, 2015 as Our Arbor Day.

Staff presentation: Jim Hendrickson, Shade Tree Commission

Mr. Hendrickson said it is great that Murray City has Arbor Day. The Shade Tree Commission has been at it for over 30 years. This year's Arbor Day program will be at the arboretum in the park and everybody is invited.

Mr. Brass made a motion to adopt the Resolution
Mr. Camp seconded the motion

Call vote recorded by Jennifer Kennedy

 A Mr. Hales
 A Mr. Nicponski
 A Mr. Camp
 A Mr. Brass
 A Ms. Turner

Motion passed 5-0

6. **Citizen Comments** (Comments are limited to 3 minutes unless otherwise approved by the Council.)

No comments given.

7. **Consent Agenda**

7.1 None scheduled.

8. **Public Hearings**

8.1 Public Hearing #1

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

Consider an Ordinance enacting Chapter 17.62 of the Murray City Municipal Code relating to condominiums.

Staff Presentation: Tim Tingey, Administrative and Development Services Director.

Mr. Tingey said this item was considered by the Planning Commission when a Public Hearing was held back in February. The purpose of this ordinance is to enact legislation to address condominiums in the City.

It defines the definition of condominiums which is the ownership of a

single unit in a multi-unit project together with an undivided interest in the common area and facilities of the property. It outlines the review process for condominiums as well as standards and amenities for those condominium projects that come into play. It also addresses any conversion of existing buildings to condominiums.

Mr. Tingey stated they have utilized State law that was enacted a number of years ago. This helps the City have more specific criteria that is applicable to Murray. The Planning Commission recommended approval of this ordinance and staff is recommending approval as well.

Public Hearing Open for Public Comment

No comments given.

Public comment closed.

8.1.2 Council consideration of the above matter.

Mr. Hales made a motion to adopt the Ordinance
Mr. Brass seconded the motion

Call vote recorded by Jennifer Kennedy

 A Mr. Hales
 A Mr. Nicponski
 A Mr. Camp
 A Mr. Brass
 A Ms. Turner

Motion passed 5-0

8.2 Public Hearing #2

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

Consider an Ordinance relating to Land Use; amends the General Plan from Residential Single Family Low Density to Residential Business and amends the Zoning Map from R-1-8 to G-O for the property located at approximately 931 East Searle Avenue, Murray City, Utah. (Jim Allred applicant.)

Staff Presentation: Tim Tingey, Administrative and Development Services Director.

Mr. Tingey said this was considered by the Planning Commission in

March. He showed a map of the property (Attachment1). The General Plan, which is the City's guiding document outlines this property as to be maintained as Residential Single Family Low Density. This proposal is to change that to Residential Business which is a designation of a future land use within the General Plan. That Residential Business element is what the property adjacent to this property is designated as.

The intent of the applicant is to include this property as part of a larger property for additional parking. However, a specific proposal is not being considered tonight. Tonight is about the rezone and the implications of that rezone.

The rezone is to go from Residential R-1-8 to General Office (G-O). The reasoning for that is if this property were designated as a Residential Neighborhood Business (R-N-B) zoning designation it would be the only zoning designation in this area right now. It would be hard to apply it to a larger project other than a parking area or element like that.

Mr. Tingey stated the Planning Commission considered this and held a Public Hearing. There were no comments at the Public Hearing beyond the applicant and sponsors. Staff is recommending approval of this and the Planning Commission is as well.

Mr. Tingey said they feel there is adequate buffering for the neighborhood to the east with this proposal and with what would happen with the zoning element.

Jim Allred, Applicant

Mr. Allred said this application was made to help with the parking situation they have at their office building. There is an increase of traffic as the doctors and physical therapists on the first floor have quite a few clients that come in each day. Since business has been better, their architectural firm has had more clients. They have been a bit concerned about the neighborhood because of the parking on Searle Avenue and the adjacent neighborhoods.

Mr. Allred said they would like to bring that parking into their complex and allow people to park close to their building and not be such a nuisance in the neighborhood.

Mr. Hales asked Mr. Allred if they are seeing people parking quite a bit in the neighborhoods.

Mr. Allred said they are. On any given day there are about 15 cars parked along the streets and in the neighborhood areas. It concerns them because they want to be a good neighbor to the neighbors around them. This

property is a home they have had for about 10 years and they would like to continue to stay there. In order to do that and facilitate their clientele, they need to have additional parking.

Public Hearing Open for Public Comment

Melinda Curtis – 949 East Searle Avenue, Murray, Utah

Ms. Curtis said her concern was the parking because the overflow is not only on 900 East but up and down her street. She asked what this zone change would do to her property value as she lives right next to the property.

Keith Burnett – 5182 South 935 East, Murray, Utah

Mr. Burnett said there are concerns in the area about parking. He remembers when that building was allowed to be built. It was part of Salt Lake County at the time and the County said there would be plenty of parking. He has cars park in front of his house. These cars are from staff people who are working in the building, not clients. He said he would be in favor of expanding their parking because it is inadequate right now. He said he has the same concerns as Ms. Curtis as to exactly what this expansion of parking lot is going to look like. Is it going to have additional egress off of Searle Avenue? Is there going to be buffering that might have an impact on the residences property values? He reiterated he is in favor of getting additional parking for the facility but how that is done is the question.

Public comment closed.

Mr. Tingey stated as far as what will be required if this property does go into a parking lot area is a site review; there is not a public process that addresses that site. If a parking lot is put into place, they will be required certain elements per the Ordinance. For instance, where the property borders other residential properties there will be a buffer required, a 10 foot landscaping buffer as well as a 6 foot high masonry wall. This will provide a buffer for that residential property. There also has to be landscaping elements within the parking lot area. That will be what will address the impacts to the neighborhood.

Mr. Tingey stated as far as property values, he could not really say. Across the street is business use. He does not anticipate property values to change in the residential neighborhood. He added he could not say that for sure. As far as assessments, that probably will not change at the County level.

Mr. Nicponski asked if the parking lot would have its own ingress and egress onto Searle Avenue.

Mr. Tingey replied it most likely will not. There will only be one access

allowed into the property.

Mr. Brass asked if this would be adequate parking. Once the lot is done how many stalls are anticipated?

Mr. Allred replied there would be 42 stalls. Currently they meet the parking requirement that was established for the building. He thinks what was unexpected was the amount of people that would be visiting the building. Mr. Burnett was exactly right when he said staff is parking up and down the streets. They have taken sometime to figure out how to be a better neighbor. They thought about leasing property across the street in the education parking lot. They think by putting these 42 stalls in people will park in the lot and not in the street. He said he also thinks it will enhance the beauty of the surrounding homes because there will not be all of the cars parking on the street.

Mr. Brass verified that once this is done, they would have enough stalls to get people off of the street.

Mr. Allred said they would.

Mr. Camp said he has gone to the site a couple of times recently and Mr. Allred is right, there are cars parked up and down the street. It is a problem. He commended Mr. Allred for taking a proactive approach in addressing the problem.

Mr. Camp stated he had some concerns about the zoning to G-O rather than to R-N-B which he talked over with Mr. Tingey. All of his questions and concerns have been resolved and he is very comfortable with this rezone. He thinks it is a good thing.

8.2.2 Council consideration of the above matter.

Mr. Brass made a motion to adopt the Ordinance

Mr. Camp seconded the motion

Call vote recorded by Jennifer Kennedy

 A Mr. Hales
 A Mr. Nicponski
 A Mr. Camp
 A Mr. Brass
 A Ms. Turner

Motion passed 5-0

9. Unfinished Business

9.1 None scheduled.

10. New Business

10.1 Consider an Ordinance amending Chapter 13.04.040 of the Murray City Municipal Code relating to disconnect and reconnect fees.

Staff presentation: Tim Tingey, Administrative and Development Services Director.

Mr. Tingey said this is a minor clarification of the wording. There are meters that are located inside of buildings or that are on multiple connections within an existing business. Because of that, there are times when they have to call out crews from the Power Department to disconnect services. The City's Ordinance states there is an additional charge when that occurs of \$250.00, but it is only for non-payment. This change allows the City to recover expenses when they have to call line crews out. It is a minor clarification that helps them to address the issue of when line crews are called out to disconnect or reconnect services.

Mr. Nicponski asked how much the fee is.

Mr. Tingey replied \$250.00 which is what is in place right now for non-payment. This is just to clarify for Ordinance.

Mr. Hales made a motion to adopt the Ordinance
Mr. Brass seconded the motion

Call vote recorded by Jennifer Kennedy

 A Mr. Hales
 A Mr. Nicponski
 A Mr. Camp
 A Mr. Brass
 A Ms. Turner

Motion passed 5-0

10.2 Consider a Resolution approving an Interlocal Cooperation Agreement between Murray City and the City of West Jordan relating to Animal Control Services.

Staff presentation: Craig Burnett, Police Chief

Chief Burnett said we are coming up on the end of the first five years that West Jordan has handled the City's Animal Control. It has been a very beneficial arrangement. They have done a great job and the City is interested in continuing

with that agreement as is West Jordan. The City will pay the same next year as they paid for this year. There is a modest increase of 2% per year for the remaining years which is significantly lower than what was done before. It has worked very well for the City; they have been great partners to work with.

Mr. Nicponski said he would like the City to work with the Utah Humane Society on a no kill goal that the City should have.

Chief Burnett replied that is something they are working at and have worked at for quite some time. They utilize the Humane Society or other adoption groups to try to find homes for all the animals.

Mr. Brass said West Jordan has done an excellent job. He is glad we are able to renew this contract.

Mr. Nicponski made a motion to approve the Resolution
Mr. Hales seconded the motion

Call vote recorded by Jennifer Kennedy

 A Mr. Hales
 A Mr. Nicponski
 A Mr. Camp
 A Mr. Brass
 A Ms. Turner

Motion passed 5-0

- 10.3 Consider a Resolution adopting the Salt Lake County Multi-Jurisdictional Multi-Hazard Mitigation Plan.

Staff presentation: Gil Rodriguez, Fire Chief

Chief Rodriguez said the requirements of FEMA require the City to have a mitigation plan in case of a disaster. With the County, Murray does have a mitigation plan; we just have to sign off on it. Everybody else has signed off on it. There was a transition period when the previous emergency manager left and the new one came on and that is why we have not signed this yet.

Mr. Camp asked if there are any repercussions for us because we are tardy.

Chief Rodriguez replied there is not.

Mr. Camp made a motion to approve the Resolution
Mr. Hales seconded the motion

Call vote recorded by Jennifer Kennedy

A Mr. Hales
A Mr. Nicponski
A Mr. Camp
A Mr. Brass
A Ms. Turner

Motion passed 5-0

11. Mayor

11.1 Report

Mayor Eyre said as part of the City's emergency preparedness the annual shakeout will be on April 24th from 9:00 until 12:00.

Mayor Eyre stated they toured the new Jr. High last week. The school will be completed and ready for occupancy by the end of May. It will be fully staffed and ready to go for the school year beginning in August. They will then start the demolition of the existing Jr. High School in September.

Mayor Eyre said he had an opportunity to attend a statewide luncheon to honor the cities that were awarded the Tree City U.S.A award. Murray has had the longest record of that; we have received the award for 38 years in a row.

Two of the City's arborists attended the luncheon. Murray has eight arborists and we are one of the few cities that have our own arborists. Many other cities contract out for that. We have eight really dedicated arborists who are incredible at trimming back our trees. They also maintain trees in the parks, the Jordan River trail and park strips on the streets. They trim and treat over 1,000 trees per month. They do a tremendous job.

11.2 Questions for the Mayor

12. Adjournment

Jennifer Kennedy, City Recorder

Attachment 1



931 E. Searle Avenue



MURRAY
ADMINISTRATIVE &
DEVELOPMENT SERVICES

