

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 7th day of July, 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 – Conducted
Brett Hales,	Councilmember
Diane Turner,	Councilmember
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
Doug Hill,	Public Services Director
Tim Tingey,	Administrative and Development Services Director
Citizens	

7. Opening Ceremonies

7.1 Pledge of Allegiance – Chief Craig Burnett

7.2 Approval of Minutes

7.2.1 Council Meeting – June 16, 2015

Mr. Brass made a motion to approve the minutes
Mr. Hales seconded the motion

Voice vote taken, all “ayes.”

7.3 Special Recognition

7.3.1 None scheduled.

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

Jerry Budd – 526 Lochlevan Lane, Murray, Utah

Mr. Budd said he is the President of the Aberdeen Homeowners Association and a homeowner in his townhouse community. He introduced the Board members who were in attendance with him: Steve Madsen, Vice President; Cindy Christensen, Secretary; and Peggy Call, Treasurer.

Mr. Budd thanked the City’s emergency services for their quick response to the March 31, 2015 fire which was adjacent to their townhouses. Mr. Budd said they are here tonight to request a meeting with Mayor Eyre to discuss recent letter communications to and from Murray City representatives and to clear up some apparent misunderstandings that have come up in those letters. Although the Association made no reference to monetary liability of the City in their letters, they do have questions regarding Salt Lake County and the Army Corps of Engineers wildfire hazard regulations.

Mr. Budd stated they would like to discuss two pertinent requests that they have in the requested meeting. They are asking in addition to the presence of Mayor Eyre, that representatives of the City Attorney’s office, Fire and Police Departments, Risk Management, and City Council also attend the meeting.

Peggy Call – 5077 South Riverside Drive, Murray, Utah

Ms. Call said on March 31, 2015 a fire broke out in the wetlands that are adjacent to their properties on the south and west. Murray City fire and police responded to this fire and are to be commended for their quick action and the containment and investigation of this fire. They are very fortunate there was no loss of life or property. This fire moved fast; in ten minutes it swept through that area. The bridge was destroyed and a cell tower went down. It was scary; there was a lot of trauma among the residents.

Ms. Call stated the fire started at 6:30 P.M. and had it broke out in the middle of the night the outcome could have been much, much worse. Their concern and request to meet with City officials is to protect life and property. They want to work with Murray City to do something to protect their property and lives.

Ms. Call has worked in City Government with City Councils working on public safety and community matters for 20 years. She feels they have been unable to meet with city representatives and that is concerning to her. She said that residents of the Aberdeen Townhomes are citizens, taxpayers, property owners, and voters.

Steve Madsen – 5011 South Riverside Drive, Murray, Utah

Mr. Madsen stated their area consists of the Jordan River Parkway, then wetlands, and then a 40 unit condominium development which they are concerned about. Mr. Madsen said they are voters as well as neighbors. This fire that went through the wetlands was incredible. It literally melted a six foot vinyl fence and windows were popped out of the back of the condominiums because of the intense heat. It was very dangerous.

Mr. Madsen said the Fire Department was extremely impressive in how they dealt with this situation. The Fire Chief did a wonderful job and his crew did a great job. We should all be very proud they work for the City and protect the citizens so well. Mr. Madsen said they don't want this to happen again. That wetlands area has had small fires in the past but this one was very dangerous. Had the wind shifted, the whole thing would have changed and they would have been talking about destroyed homes and possibly lives. It is a pretty big deal.

As a Homeowners Association, they want a point of contact within the City that they can go to who can work with them. They want to feel safe in their homes. It has been 100 degrees for the past couple of weeks and very dry. All that wetlands area that burned down is back in full force. The fuel level there is much higher than it was when this fire occurred earlier. He reiterated their request is for them to have a point of contact within the city they can talk to about some strategies, such as the berm that the City is currently installing.

9. Consent Agenda

- 9.1 Consider confirmation of the Mayor's appointment of Caroline Milne to the Murray Arts Advisory Board in an At-Large position to fulfill the remainder of a two-year term to expire January 15, 2017.
- 9.2 Consider confirmation of the Mayor's reappointment of Darin Bird to the Murray Shade Tree and Beautification Commission in an At-Large position for a three-year term to expire on June 30, 2018.
- 9.3 Consider confirmation of the Mayor's reappointment of Geneal Nelson to the Murray Shade Tree and Beautification Commission in an At-Large position for a

three-year term to expire on June 30, 2018

- 9.4 Consider confirmation of the Mayor's reappointment of Judith Payne to the Murray Shade Tree and Beautification Commission in an At-Large position for a three-year term to expire on June 30, 2018.

Mayor Eyre said Ms. Milne is in attendance. He had a wonderful interview with Ms. Milne prior to this appointment and found out that she had been involved in a great deal of training as far as dance goes. She has had about 12 years of training in formal ballet, tap and jazz dance. She has a Bachelor's of Art's degree from BYU in dance and was a member of the Dance Ensemble and Modern Dance Company there.

Ms. Milne has taught in the Murray Community Education ballet program from 1988 to 1992. She ran her own private dance studio in Murray from 1993 to 2006. She is going to be a terrific addition to the Arts Advisory Board with her experience, her willingness to serve in the community, and her desire to volunteer in this way.

Ms. Milne said she is excited to be able to work with the arts program. She said she loves all kinds of art whether it is dance, visual arts, or music.

Mr. Camp asked that all items on the Consent Agenda be taken together; no objections were made.

Ms. Turner made a motion to adopt the Consent Agenda
Mr. Hales seconded the motion

Call vote recorded by Jennifer Kennedy

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

Motion passed 5-0

10. **Public Hearings**

10.1 Public Hearing #1

10.1.1 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 Multi-Family Low Density and amends the Zoning Map from R-1-8 to R-M-10 for the property located at approximately 5680 South 1300 East, Murray City, Utah. (Craig Stan Hansen applicant.)

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

Mr. Tingey said this item was brought before the Planning Commission on June 4, 2015 where a Public Hearing was held. Mr. Tingey showed some slides of the property (Attachment 1). The existing zoning is R-1-8, Single-Family Low Density. The properties that surround the property to the north as well as to the west and southwest are all currently zoned R-M-10, which is what the applicant is requesting this rezone and General Plan amendment to be. The future land use, as part of the General Plan, has this property as Single-Family Low Density however, the properties to the west, southwest, and north are all designated at R-M-10 in the future.

The proposal is to modify the General Plan and zoning to allow for this. Back in 2010 there were two properties to the north that requested this same proposal. There were rezoned and the General Plan was amended to include those as R-M-10. R-1-8 allows for Single-Family Low Density primarily on 8,000 square foot lots. This would allow for medium density which could include duplexes and low density multi-family dwellings. For example, a one acre property could have as many as seven units on that acre. This property is only 14,000 square feet so the maximum that could go on it would be a duplex because there is a requirement of 10,000 square feet for a duplex.

The property is on 1300 East which is more conducive for a multi-family. As previously mentioned, the surrounding land uses to the west, southwest, and north are all multi-family. Staff feels this change is warranted and are recommending approval of both the General Plan amendment and the rezone. The Planning Commission considered this and recommended approval for both of these items as well.

Mr. Nicponski asked if Mr. Tingey was speaking about duplexes.

Mr. Tingey responded he was speaking about medium density. Duplexes would be allowed but it could go higher than that if the acreage was available. This property does not have the acreage. It is 14,000 square feet and you need 10,000 to go to a duplex.

Public Hearing Open for Public Comment

Michael Russotto – 5660 South 1300 East, Murray, Utah

Mr. Russotto said he understood a duplex was all that could be built on

this property. He asked if that was correct. He said he wanted to know because he didn't think the property was big enough to build more than two duplexes on it. A few years ago, someone wanted to build three duplexes on that property. He objected to that and it was turned down.

Public comment closed.

Mr. Camp asked Mr. Tingey to respond to Mr. Russotto's question.

Mr. Tingey said there are a variety of uses that are allowed which includes a duplex. If you have the square footage and the lot size you can go up to seven units per acre. This property is approximately 14,000 square feet so they could not go up to the seven units per acre because they do not have the square footage. The maximum density allowed would be a single duplex which requires 10,000 square feet.

10.1.2 Council consideration of the above matter.

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

Call vote recorded by Jennifer Kennedy

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

Motion passed 5-0

11. Unfinished Business

11.1 None scheduled.

12. New Business

12.1 Consider a Resolution authorizing an amendment of an Interlocal Cooperation Agreement between Salt Lake County and the City for prisoner transportation to and from the Murray City Municipal Justice Court.

Staff presentation: Frank Nakamura

Mr. Nakamura said this is an agreement the City has had for two years and this will be the third year. This is an amendment to an existing agreement to transport prisoners to the Court for appearances. The first agreement was \$44.00 per

transport; the new agreement is for \$42.48 per transport. The Court has liked using the County and Deputies as opposed to Constables. It has been better, more efficient and effective. There are about 1300 transports per year.

This amendment is done annually. The only adjustment made between the previous contract and this one is the amount per individual transport. This will expire in one year at which time another amendment will be done.

Mr. Hales made a motion to approve the Resolution
Ms. Turner seconded the motion

Call vote recorded by Jennifer Kennedy

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

Motion passed 5-0

- 12.2 Consider a Resolution approving an Interlocal Agreement between the City and the State of Utah – Utah Division of Forestry, Fire and State Lands to rehabilitate 7.46 acres of burned area along the Jordan River near 4800 South. The affected land is City property.

Staff presentation: Doug Hill, Public Services Director

Mr. Hill said the State of Utah has awarded a grant to Murray City for \$20,000 to revegetate the burned area that was discussed earlier in this meeting. The City's only responsibility is to provide the labor to plant the vegetation.

Mr. Camp asked if this was for reimbursement.

Mr. Hill stated it was for reimbursement.

Mr. Camp asked if there would be a budget opening for this later.

Mr. Hill replied yes there would be.

Ms. Turner asked for some clarification because the Resolution says the occurrence was in April and it was actually in March. She wondered if that would make any difference.

Mr. Nakamura thanked Ms. Turner for that catch and said the date came from the State Contract. They will take a look at it and if need be correct the date to reflect

the actual date of the occurrence.

Ms. Turner asked Mr. Hill if he had volunteers to help with the revegetation.

Mr. Hill replied they do. They have had offers from a lot of groups that want to get involved with this. The Jordan River Commission has offered to generate volunteers and several other organizations have also approached offering to help.

Ms. Turner made a motion to approve the Resolution

Mr. Brass seconded the motion

Call vote recorded by Jennifer Kennedy

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

Motion passed 5-0

- 12.3 Consider a Resolution approving an Interlocal Agreement between the City and the State of Utah, Department of Heritage and Arts for the receipt of grant funds for support of certain year round programs.

Staff presentation: Doug Hill, Public Services Director

Mr. Hill said this is an annual grant the City receives from the State of Utah. This year the City has received \$10,000 and the money will go towards offsetting costs of various arts programs the City offers.

Mr. Nicponski made a motion to approve the Resolution

Mr. Hales seconded the motion

Call vote recorded by Jennifer Kennedy

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

Motion passed 5-0

13. Mayor

13.1 Report

Mayor Eyre commended the City and citizens for the 4th of July activities. They began about 6:00 in the morning when everybody arrived for the early morning breakfast. The Lions Club has been doing that breakfast for a very long time. However, they have reduced their memberships so they will not be able to do the breakfast anymore. He recognized the Lions Club for so many years of service. The Rotary Club will take over the breakfast. They were there on the 4th of July to assume that responsibility. The Lions Club also donated all of their equipment, large skillets, etc. to the Rotary Club so they could continue to do the breakfast.

There was a sunrise service at the Amphitheater where Major General Brian Tarbet gave a wonderful talk on patriotism. It was well attended.

Mayor Eyre stated he was overwhelmed with the number of responses he received regarding the parade. There was only one negative comment that was common and that was a concern from some citizens about how early the chairs went out on State Street reserving places for the parade. Some chairs were placed out three or four days early. That might be something the City may want to address in the future. Other than that, all the comments on the parade were positive in nature. Mayor Eyre commended all the people who helped put the 4th of July activities together.

The car show during the day was well organized. There were a lot of cars there. There were a lot of activities in the park for children all day long. The band at night was also really great.

The City buys the fireworks for the 4th of July during the winter months when it is the off season and they are about half price. The City is able to put on a tremendous firework show for about half the price we would pay if we bought them during the season. The firework show lasted for about 25 minutes.

Mayor Eyre said he drove down State Street right after the parade and within ten minutes after the parade was over you could not tell there was a parade. It was so cleaned up. There was a scout troop that came along, in addition to city personnel to clean up that area. The area was cleaned up very quickly due to a combination of the citizens who cleaned up after themselves as well as the others that came behind the parade to clean up.

Several members of the City Council along with some city staff attended the Heritage Center Annual Volunteer Awards Banquet. It was very well put on and the meal was excellent. Susan Gregory, Heritage Center Director did a wonderful job overseeing that. They handed out over a dozen awards to different volunteers for things they had done throughout the year. There were approximately 7,600 hours volunteered for the Heritage Center this past year. As well as the Heritage Center operates, it could not operate anywhere near what it does without those

incredible volunteers.

Mayor Eyre said that Jack DeMann's wife Elsa passed away this past Saturday. Her funeral will be held on Saturday July 11, 2015 at 11:00 at the Little Cottonwood Stake Center.

13.2 Questions for the Mayor

Mr. Nicponski asked if the City reduced the number of participants in the parade from 130 to 100.

Mayor Eyre replied they reduced it down to 100 but there were only 85 that registered.

Mr. Nicponski asked if that improved the quality of the participants in the parade.

Mayor Eyre stated he thought there was a good variety this year. They also reduced the number of participants that could be with politicians. He thought that politicians could have one vehicle and ten people with them. That was noticed by a number of people viewing the parade.

Mr. Nicponski asked if Murray competes with another City for the morning parade time.

Mayor Eyre said he was not sure if the City competes for the morning but there are two other cities that have parades later on in the day intentionally so the floats can get to their parades as well.

Mr. Brass said he noticed the number of chairs along State Street. His one observation was that on some of the sidewalks there was absolutely no access. If you wanted to push a stroller down the sidewalk you could not have done that for that period of time; let alone anyone else with mobility issues. He thinks the City needs to address that.

Mayor Eyre said he thinks Salt Lake City has an ordinance that people cannot put out chairs for the 24th of July before 24 hours before the parade. He is not sure how that is enforced but it might be something the City could discuss later.

14. Adjournment

Attachment 1

R-M-10

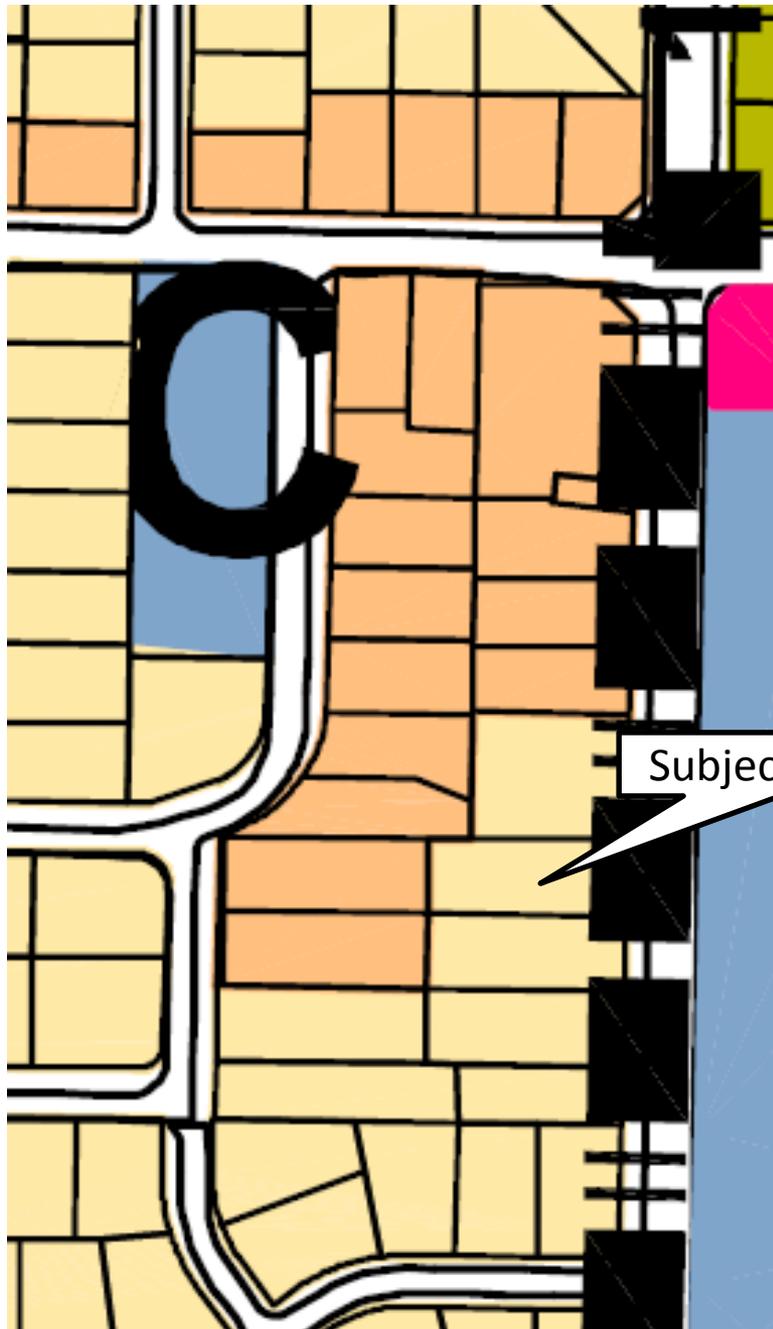
R-1-10

1300 E

R-1-8



Murray City General Plan Future Land Use



-  RESIDENTIAL SINGLE FAMILY LOW DENSITY
-  RESIDENTIAL SINGLE FAMILY MEDIUM DENSITY
-  RESIDENTIAL MULTI-FAMILY LOW DENSITY
-  RESIDENTIAL MULTI-FAMILY MEDIUM DENSITY
-  RESIDENTIAL MULTI-FAMILY HIGH DENSITY
-  MIXED USE
-  RESIDENTIAL BUSINESS
-  COMMERCIAL RETAIL
-  OFFICE
-  INDUSTRIAL
-  PUBLIC- QUASI-PUBLIC (CHURCHES, SCHOOLS, GOVT.)
-  MEDICAL
-  PARKS AND OPEN SPACE
-  CEMETERY
-  TRANSPORTATION / UTILITY
-  WATER PATH
-  CHURCH
-  SPECIAL PARKWAY DEVELOPMENT AREA (WINCHESTER/900 EAST)
-  OPEN SPACE TRAIL CORRIDOR