

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 15th day of March, 2016 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 – Conducted
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
Jon Harris,	Fire Department
Doug Hill,	Public Services Director
Tim Tingey,	Administrative and Development Services Director
Ben Teran,	Senior GIS Analyst
Citizens	

3. Opening Ceremonies

3.1 Pledge of Allegiance – Carl DeFosse

3.2 Approval of Minutes

3.2.1 Council Meeting – March 1, 2016

Mr. Brass made a motion to approve the minutes

Ms. Turner seconded the motion

Voice vote taken, all “ayes.”

3.3 Special Recognition

3.3.1 Murray City Council Employee of the Month for March 2016, Ben Teran, Senior GIS Analyst.

Staff Presentation: Brett Hales, Councilmember

Tim Tingey, Administrative and Development Services Director

Mr. Hales said the Council started the Employee of the Month a few years ago. They felt it was important to be able to recognize the City’s employees. He presented Mr. Teran with a certificate, and a \$50 gift card. He expressed his appreciation to Mr. Teran for all he does for the City.

Mr. Tingey said there is a lot to say about Mr. Teran as an employee for Murray City. He has worked for the City for about 3 1/2 years and it’s amazing all of the things he has accomplished in that period. He has been involved with many projects to enhance the capacity and capabilities of our employees to be more effective and efficient in their work. Some examples of things that Mr. Teran has been involved with and implemented are: City Base Map web application for the intranet, Murray Power Internet Website, Power and Forestry Online Service Order Reporting System, Power Outage Call Online Reporting System, Forestry Maintenance Record Database, Executive Dashboard, Street Signs Reflectability Study, Graffiti Removal Reporting, Cemetery Data Collection, Cemetery Search, and the Murray City Park Arboretum Website. There are four staff in the GIS Division who are all wonderful and deserve a lot of credit for all they do.

Mr. Tingey listed some things that describe Mr. Teran from his perspective. He is exceptionally creative, he has a can-do attitude in his work, he is bright and exceptionally talented in what he does, he puts forth effort, and finds solutions for problems. He is willing to learn and he always takes on more than is expected of him. This recognition is well

deserved as he is one of the great assets as far as employees we have in Murray City.

Mr. Teran said he appreciates this recognition. He introduced his family. He said it is great to work for the community that he lives in.

Mr. Hales thanked Mr. Teran.

Ms. Turner said they appreciate all he does for the City.

- 3.3.2 Consider a Joint Resolution of the Mayor and Municipal Council of Murray City, Utah, In Support of the Murray Exchange Club by Recognizing and Declaring April 2016 as Child Abuse Prevention Month.

Staff Presentation: Mayor Ted Eyre

Mayor Eyre read from the Resolution.

Mr. Brass made a motion to adopt the Joint Resolution
Ms. Turner seconded the motion

Call vote recorded by Jennifer Kennedy

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

Motion passed 5-0

Ms. Turner stated how much they appreciate the Murray Exchange group for being part of Murray; they do such good work.

Mr. Camp echoed Ms. Turner's comments. He thanked them for bringing this Resolution tonight as well as for all the activities they are involved in.

Mr. Brass noted that the Resolution was lengthy and was edited a little bit for the Mayor's presentation. He said Monday, April 4, 2016 at 6:30 pm is the official kick-off. They will be putting out pinwheels for the prevention of child abuse. Anyone who would like to come and help with that is more than welcome.

The Exchange Club showed the Council their flag.

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

No citizen comments were given.

5. **Consent Agenda**

5.1 None scheduled.

6. **Public Hearings**

6.1 Public Hearing #1

6.1.1 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 Medium Density and amends the Zoning Map from R-1-10 to R-M-15 for the property located at approximately 6687 South 1300 West, Murray City, Utah. (Hamlet Development Corp.)

Staff Presentation: Tim Tingey, Administrative and Development Services Director

Mr. Tingey said this item went to the Planning Commission as part of the process. There were multiple meetings held because there were some issues of concern in previous meetings. The last meeting that they had regarding this matter was February 18, 2016.

This would be a change in the General Plan. This area is originally projected to be Single Family Low Density. However, there are parcels to the east and north which are already zoned R-M-15 which is what is being proposed tonight for this property. There is flexibility in the General Plan to look at modifications to that when there are things that warrant it. Staff feels this occasion does.

One of the big issues of concern, and the reason it was presented at multiple meetings of the Planning Commission, is there was concerns about the capacity to get both culinary and fire flow water to the area. After a number of meetings and work by City staff as well as Mike Brodsky, the developer, Taylorsville-Bennion Improvement District representatives have indicated that they can serve and provide the water for this project. So with that addition to this, the Planning Commission has recommended approval.

If this is rezoned tonight and the General Plan is changed it would go from

Single Family Low Density. In that type of area there would be 10,000 square foot lots and only single-family would be allowed. This change to R-M-15 is medium density residential which would allow single family on 8,000 square foot lots as well as multiple family dwellings. In this area there can be 3-4 dwelling units, and up to 15 units, per acre which also includes multi-family dwellings. Those are the types of uses that can be looked at for this area.

Based on all the information that was submitted the Planning Commission and staff are recommending approval of this. They think it is a good change to the General Plan and the Zoning Ordinance. They feel it will help facilitate redevelopment of this site, which is needed at this time.

Mr. Nicponski said he is somewhat familiar with this location as it is in his district. He asked if there was a lot of low density in this area now.

Mr. Tingey replied there is low density but there is medium density as well which allows for more units per acre. He reiterated that to the north and east there are two fairly significant areas and a number of projects that have that medium density.

Mr. Nicponski asked if this would be adjacent to what is there now.

Mr. Tingey stated it would be adjacent to the east of one of the multi-family projects. There is also another project that is north of Winchester Street that has the same designation.

Mr. Nicponski said they have done a nice job on the existing development; he is impressed with the structures and the quality of it. He asked if this is the same developer.

Mr. Tingey said it is the same developer as the property to the east of this site.

Public Hearing Open for Public Comment

Rea Nielsen – 1225 West Tripp View Lane, Murray, Utah

Mr. Nielsen said he needs more definition as to why they are going to go with a higher density population on that corner. Every morning at 7:30, he can eat breakfast, tie his shoes, and shine his car while he is waiting to get out of his driveway. He said he is wondering why they are looking at more density and traffic on Winchester Street and 1300 West; it's a nightmare down there. He said if the rub in this was water, it seems to him a lower density impact would help that situation rather than putting more people into that area. He is not sure he understands that issue.

Mr. Nielsen said if it's possible to rezone from a ten acre spot to an eight acre spot, why not do that and not develop it with so much impact from a habitat standpoint. He said they need to have some discussion about that because right now, that corner is ridiculous.

They built their home because they knew the builder over there. Had he known the impact of the traffic and what it was like down on that corner, he would not have built his home there. To him, it is that important.

Public comment closed.

Mr. Tingey said what is being considered tonight is the General Plan change and rezone. Any specific project that is evaluated on the site will be reviewed at a different meeting with Planning Commission approval. They are looking at densities and types of uses. He reiterated they feel this area is very appropriate for this use. They feel even though there might be those issues of concern, hopefully those can be mitigated through a review process.

They feel that the types of uses and the density meet the General Plan and are conducive to the area. There are roads that can have larger capacities there. Based on that, they feel it is the appropriate use for that site. It has the same type of use to the north and east. In addition to that, they are not talking about really high density projects. They are talking fairly low density with the R-M-15. This is not high density project with what would be proposed for use there.

Mr. Camp said he noticed that a discussion was held with the Planning Commission and he appreciates the amount of due diligence that was done by the Planning Commission on this. They mentioned that a traffic study would need to be done for an individual project when it comes. He asked if the property owner would have access at Brewski Bay or would traffic go out on either 1300 West or Winchester Street.

Mr. Tingey replied as far as that, this is not for a specific project, but traffic could come out onto either street. He said the reason he can't say for sure is because they are not talking about a specific project. For a specific projects, they would have to look at the traffic implications.

Michael Brodsky, Hamlet Homes, said he has been building in Murray for 21 years. The community immediately to the east of this is called Braemar Village; they built that about 10 years ago. In the process of building Braemar, they provided some access easements for utilities to the Brewer family immediately to the south. As it turns out, they will be using some of the access to the easements that they provided them with the development of this community. They are buying part of this property

from two different families. The Sorrel family, who owns the bird house on the corner, is one of them and the Brewer family is the other one.

Their plan is to improve Brewski Bay to a public road standard. While the rezone they have asked for is R-M-15, it is their intention to build this to just under 12 homes to an acre. There will be 23 townhomes and 5 single-family homes here. The single-family homes will all face Brewski Bay and they will create a transition between the new multi-family zone and the existing R-M-10 zone to the south of this property.

A major part of what they will be doing is cleaning up that corner. The neighborhood they are planning on developing will be accessed both off of Winchester Street and 1300 West.

Regarding the water question. This property is located at the very top of Murray City's water system. As a consequence, the water pressure in the lines serving this area was not adequate for fire flow; it was barely adequate for culinary service. By entering into an agreement with Taylorsville-Bennion they solved that problem. Now there is more than adequate fire flow and the water pressure in these homes is more than adequate to serve the residential development. Nothing could have been built here without that agreement with Taylorsville-Bennion because there wasn't enough water pressure to provide service for any kind of residential development. That is one of the challenges they were able to solve.

Mr. Brodsky gave accolades to Doug Hill, Public Services Director and his departments because their involvement in helping them meet with Taylorsville-Bennion was very instrumental in getting them to provide the water service.

The density they are proposing to build, 12 to an acre, is very consistent with the surrounding neighborhood. They built Braemar to the east. There is another multi-family townhouse community to the north and in West Jordan there are other multi-family communities to the west. So right now, on three sides of this property there is multi-family housing. He reiterated they will be providing a row of single-family detached homes as a transition into the R-1-10 zone to the south.

6.1.2 Council consideration of the above matter.

Mr. Camp stated he is very enthused to see this corner get cleaned up. It's been a mess for a long time. He knows House of Birds is kind of a landmark, but he will be happy to see it cleaned up.

Mr. Camp made a motion to approve the Ordinance
Mr. Brass seconded the motion

Call vote recorded by Jennifer Kennedy

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

Motion passed 4-1

7. Unfinished Business

7.1 None scheduled.

8. New Business

8.1 Consider a Resolution approving an Interlocal Cooperation Agreement between the City and the Utah Department of Transportation (“UDOT”) for new sidewalk construction.

Staff presentation: Doug Hill, Public Services Director

Mr. Hill said for many years the residents of the Brittany Apartments, as well as some other surrounding apartments along Van Winkle Blvd., have asked for some kind of sidewalk along Van Winkle Blvd. to connect to the existing sidewalk on 4500 South. The City wrote a grant this year to UDOT for their sidewalk program and were awarded the grant.

An Interlocal Agreement is being presented tonight for the Council to approve. The total cost of the project is about \$190,000. Murray City will be reimbursed for all but about \$50,000 of that project. That money is currently budgeted and they are ready to get the design underway. If this agreement is approved construction will start this summer.

Mr. Hill added there have been complaints from the neighborhood by the apartments because people try to cut through the fences from the apartment complexes into the neighborhood. There would be no incentive for them to do that once the sidewalk is in place.

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

Call vote recorded by Jennifer Kennedy

 A Mr. Nicponski

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

Motion passed 5-0

- 8.2 Consider an Ordinance amending Chapter 13.06 of the Murray City Municipal Code amending the ordinance relating to general impact fee provisions and policy.

Staff presentation: Frank Nakamura, City Attorney

Mr. Nakamura stated this is not a change to the impact fees, those are established in other ordinances. These are changes to the general rules that govern our impact fee process. When they were working on the Power Impact Fee Ordinance, they discovered there was some terminology and other changes that they had to make to track the State law. Over the last few years the State law changes as the Legislature makes either terminology or other types of changes to it.

The City needed to update our general provisions. Our consultants have always tracked the State law related to Impact Fees and we have been very consistent with that. Most of these changes are in terminology. The terminology of the State Law had changed so that was incorporated into the Ordinance. There are provisions in the old Ordinance that did not apply or exist in the new Impact Fee statute. They also incorporated the appeal processes and there are some reporting requirements that did not exist in the City's existing Ordinance that had to be added.

Mr. Nakamura said his office is trying to update the Ordinances and trying to stay on top of the changes the Legislature makes. It's really difficult to stay up on all that. The impact fee is one of those kinds of issues that can stir a lot of questions. He wants to make sure this particular Ordinance is up to date.

Mr. Nakamura reiterated there are not any major substantive changes. This is just to stay current with State law and its terminology and requirements because most years the Legislature will make changes to the Impact Fee statute.

Ms. Turner made a motion to approve the Ordinance
Mr. Camp seconded the motion

Call vote recorded by Jennifer Kennedy

 A Mr. Nicponski
 A Mr. Camp
 A Mr. Brass

A Ms. Turner
 A Mr. Hales

Motion passed 5-0

- 8.3 Consider an Ordinance amending Chapter 1.01, 1.04, 1.08, 1.12 and 1.16 of the Murray City Municipal Code making technical corrections.

Staff presentation: Frank Nakamura, City Attorney

Mr. Nakamura said his office wants to go through most of the Code beginning with Chapter 1. They are trying to accomplish consistency in terms of the terminology and grammar. This is the introduction of our Code. The changes are mainly with terminology; it doesn't substantively change Chapter 1. They are trying to make it clearer because it has not been dealt with over the years. They will be going through all of the other chapters as well.

These are technical changes. Mr. Nakamura feels it's best to bring it out into a meeting and get the Council's concurrence with these changes.

Mr. Brass made a motion to approve the Ordinance
Ms. Turner seconded the motion

Call vote recorded by Jennifer Kennedy

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

Motion passed 5-0

9. Mayor

9.1 Report

Mayor Eyre said the Legislature closed last Thursday at midnight. The City is grateful for all the work our Legislators did for us; we are very well represented up on the Hill by our Senators and Representatives. We are very fortunate for them to have the concerns of our City in their best behalf. They did a great job this last year. He expressed appreciation on behalf of the City to all those who were involved in the Legislature this year.

Mayor Eyre reminded everyone there is a blood drive on Friday, March 18, 2016 from 12:00-4:00. Anyone interested in participating in that should get in touch

with Jill Jettie in Human Resources and she will help you out with that.

Staff is continuing to implement the new software program. They have completed more training recently which has increased functionality in every one of the departments. A major department will be going live in the next two weeks and it will make us paperless in that particular area.

9.2 Questions for the Mayor

Mr. Nicponski pointed out that having the Mayor come up on Capitol Hill is very influential. They are able to recruit local Legislators because of his presence. He thanked Mayor Eyre for the time he spent on Capitol Hill.

10. Adjournment

Jennifer Kennedy, City Recorder