

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 1st day of August, 2017 at 6:30 p.m., for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

The meeting was conducted by Blair Camp

Council Members Present:

Dave Nicponski, Council District 1
Blair Camp, Council District 2
Jim Brass, Council District 3
Diane Turner, Council District 4/Council Chair
Brett Hales, Council District 5

City Staff Present:

Ted Eyre, Mayor
Jennifer Kennedy, City Recorder
Frank Nakamura, City Attorney
Janet Lopez, Council Administrator
Janet Towers, Executive Assistant to the Mayor
Craig Burnett, Police Chief
Michael Obrey, Lieutenant
Jason Coons, Sergeant
Christina Cline, Code Enforcement Officer
Randy Pond, Code Enforcement Officer
Luis Argueta, Police Officer
Trent Pearson, Police Officer
Gil Rodriguez, Fire Chief
Doug Hill, Public Services Director
Tim Tingey, Administrative and Development Services Director

Other's in Attendance:

Scouts
Citizens

Mr. Camp called the meeting to order at 6:32 p.m.

5. Opening Ceremonies

5.1 Pledge of Allegiance

The Pledge of Allegiance was led by Craig Burnett, Police Chief.

5.2 Approval of Minutes

5.2.1 Council Meeting – July 11, 2017

5.2.2 Council Meeting – July 18, 2017

MOTION: Ms. Turner moved to approve both sets of minutes. The motion was SECONDED by Mr. Brass. Voice vote taken, all “ayes.”

5.3 Special Recognition

**5.3.1 Swearing-In new Murray City Police Lieutenant Michael Obrey;
Sergeant Jason Coons and Code Enforcement Officer Christina Cline.**

Staff Presentation: Craig Burnett, Police Chief
Jennifer Kennedy, City Recorder

Chief Burnett spoke about Mr. Obrey’s 22 years and Mr. Coons 8 years with Murray City. He welcomed Ms. Cline as the new Code Enforcement Officer.

The swearing-in ceremonies were performed by Jennifer Kennedy.

Mr. Obrey, Mr. Coons, and Ms. Cline introduced their friends and families. The Council congratulated them.

**6. Citizen Comments (Comments are limited to 3 minutes unless otherwise approved by the Council.)
Janice Strobell – Murray City, Utah**

Ms. Strobell said she had the opportunity to attend the Committee of the Whole meeting that was held right before this Council meeting and she was struck by some things the Mayor said to the City Council at that meeting. He talked about the downtown redevelopment plan that has been going on for the last two to two and a half years. One thing that was discussed at that meeting was something that could be a potential landmark statement and make a big impact on our city. The question the Mayor asked was, “Where is Murray going?” He said we have an incredibly unique city that does its own thing in its own way and it’s important that we maintain our character. We have a beautiful little oasis here that still maintains a small town feel. The Mayor said we need to find out what our character is. Ms. Strobell felt we should already know what that is.

Ms. Strobell said it is true that we need to constantly review what the city’s character is and the character and charm that we want to continue to have. There is a Mayoral Election going on right now and many candidates have expressed that the downtown is a big focus on their campaign. The way the City Council and those that work with them go

forward with the plan for the downtown area is going to make a big difference for the city.

Back in 2011 the MCCD (Murray City Center District) was adopted. The city is now dealing with the third development that has happened since the MCCD was put in place. Most people she has spoken to would agree that there are some real issues with how those first two developments happened. The Center Court apartments are very dense for such a small street and the Home2 Suites has a look that is not complimentary to what the citizens want the downtown to look like. Ms. Strobell encouraged the City Council to give citizens a chance to look at options on how to keep iconic landmarks alive and not be demolished.

Verl Greenhalgh – Murray City, Utah

Mr. Greenhalgh said he was surprised to find out that the City Council chose to endorse any one of the candidates. Council members have a sacred calling to represent their district. They not only represent their own opinion; they represent their district's opinion too. There are citizens in each district that are going to be voting for candidates other than Mr. Camp.

Mr. Greenhalgh asked what happens if, by chance, someone else besides Mr. Camp wins. Wouldn't that put the Council at an adversary position with them right off the bat? He doesn't think we need that in Murray; we need a collaborative relationship. It is already done now, but he hopes next time the elections come around the Council will consider if endorsing a candidate is an appropriate thing to do. He doesn't think it is.

7. Consent Agenda

- 7.1 Consider confirmation of the Mayor's reappointment of Larry Wilson to the Murray Board of Appeals in an At-Large position for the remainder of a three-year term to expire November 1, 2019.**
- 7.2 Consider confirmation of the Mayor's reappointment of Scott Finlinson as a Murray Hearing Officer in an At-Large position for a three-year term to expire May 6, 2020.**
- 7.3 Consider confirmation of the Mayor's reappointment of Jim Harland as a Murray Hearing Officer in an At-Large position for a three-year term to expire May 6, 2020.**
- 7.4 Consider confirmation of the Mayor's reappointment of Erich Mille to the Murray Heritage Center Advisory Board in an At-Large position for a three-year term to expire February 1, 2020.**
- 7.5 Consider confirmation of the Mayor's appointment of Laurel Anne Shephard to the Murray History Advisory Board in an At-Large position for a three-year term to expire August 1, 2020.**

- 7.6 Consider confirmation of the Mayor’s reappointment of Wendy Parsons Baker to the Murray History Advisory Board in an At-Large position for a three-year term to expire August 1, 2020.**
- 7.7 Consider confirmation of the Mayor’s reappointment of Rebecca Santa Cruz to the Murray History Advisory Board in an At-Large position for a three-year term to expire August 1, 2020.**
- 7.8 Consider confirmation of the Mayor’s reappointment of Richard Hutchinson to the Murray Personnel Advisory Board in an At-Large position for a three-year term to expire June 30, 2020.**
- 7.9 Consider confirmation of the Mayor’s reappointment of Denny Mecham to the Murray Personnel Advisory Board in an At-Large position for a three-year term to expire June 30, 2020.**
- 7.10 Consider confirmation of the Mayor’s reappointment of Janice Evans to the Murray Shade Tree & Beautification Commission in an At-Large position for a three-year term to expire June 30, 2020.**

Mr. Camp asked that all items be taken together; no objections were made.

MOTION: Mr. Brass moved to adopt the Consent Agenda. The motion was SECONDED by Mr. Hales.

Council roll call vote:

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

Motion passed 5-0

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 relating to land use; amends the Zoning Map for the property located at approximately 1291 West Bullion Street, Murray City, Utah from A-1 (Agricultural) to R-1-10 (Low Density Single Family Residential).

Applicant: George and Cynthia Halliday

Staff Presentation: Tim Tingey, Administrative and Development Services Director

Mr. Tingey said this item was considered at the June 15, 2017 Planning Commission meeting. He explained this property is currently zoned A-1 (Agricultural) and the proposal is to rezone it to R-1-10 (Low Density Single Family Residential) which allows primarily for single-family homes on 10,000 square foot lots. This rezone is consistent with the General Plan. The Planning Commission and staff are both recommending approval.

George Halliday – Applicant

Mr. Halliday said he bought this property in the early 1990s with the intention of building a house on it. He wanted to develop the property with three lots and, at that time, that was doable. Years later, things have changed. He met with the city planners and was informed his plan would not work anymore. He was told the best he could do would be to put in a flag lot. So following the recommendation of the city planners he would like to go forward with a flag lot. The first step for that is to have the zoning changed on this property from A-1 to R-1-10.

The public hearing was open for public comment.

JaNae Christensen – Murray City, Utah

Ms. Christensen said she concerned about the safety on Bullion Street. She is also troubled by a flag lot going in on this property. She doesn't want Mr. Halliday to not build his home there, she just doesn't want to see a flag lot put in. She feels there are some fire issues in this location because of the cottonwood trees that are in the area. She is also worried that fire trucks would not be able to get down a small lane in an emergency.

Mr. Camp closed the public hearing.

Mr. Halliday said he thinks a lot of concerns will be cleared up during the development of the property. His intent is to put in a couple of nice lots which should improve the safety of the road.

8.1.2 Council consideration of the above matter.

MOTION: Mr. Brass moved to adopt the ordinance. The motion was SECONDED by Ms. Turner.

Council roll call vote:

Mr. Brass	Aye
Ms. Turner	Aye
Mr. Hales	Aye
Mr. Nicponski	Nay
Mr. Camp	Aye

Motion passed 4-1

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 amending Section 17.64.090 of the Murray City Municipal Code relating to fence height exceptions.

Staff Presentation: Tim Tingey, Administrative and Development Services Director

Mr. Tingey said there are some exceptions built into the city's fence ordinance which can be utilized when there are impacts to people's properties that would merit the need for a fence higher than six feet. He went over some of the situations where those exceptions can be made. This proposal standardizes the maximum fence height to 8 feet. It also allows residential and nonresidential properties adjacent to the Jordan and Salt Lake City Canal right-of-way to have an eight foot fence.

Mr. Nicponski asked what the standard fence height was now.

Mr. Tingey replied it's typically 6 feet for rear yards. Front yards are a lower height, three to four feet, depending on the type of fence.

Mr. Camp clarified this request is to change the fence height exceptions in the ordinance from a maximum height of seven feet to a maximum height of eight feet.

Mr. Tingey replied that was correct. Six feet is standard for most areas and these exceptions are based on circumstances for properties adjacent to certain areas.

The public hearing was opened for public comment. No comments were given and the public hearing was closed.

8.2.2 Council consideration of the above matter.

MOTION: Ms. Turner moved to adopt the ordinance. The motion was SECONDED by Mr. Nicponski.

Council roll call vote:

Mr. Brass	Aye
Ms. Turner	Aye
Mr. Hales	Aye
Mr. Nicponski	Aye

Mr. Camp Aye

Motion passed 5-0

8.3 Public Hearing #3

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

Consider an ordinance amending Section 17.80.120 of the Murray City Municipal Code relating to the relocation of nonconforming monopoles (communication towers) within the Murray City Center District Zone.

Staff Presentation: Tim Tingey, Administrative and Development Services Director

Mr. Tingey said there are cell towers located throughout the city in a variety of places. Some of those cell towers are legal nonconforming. That means they were allowed to go in at a certain site then ordinances were changed and they weren't allowed to be there anymore. However, they could stay because they had legal nonconforming status and to relocate them can be an issue.

There is one cell tower in the Murray City Center District that the city would like to relocate. The intent is to move the cell tower to a different site away from residential districts. This ordinance would require a conditional use permit for a relocation of a legal nonconforming cell tower. The monopole would have to meet all the requirements of the current ordinance and it would be placed on a parcel at least 165 feet away from residential uses. The parcel the monopole is being placed on has to have civic or nonresidential uses. The monopole would be strategically located to mitigate impacts as much as possible.

The public hearing was opened for public comment. No public comments were given and the public hearing was closed.

8.3.2 Council consideration of the above matter.

MOTION: Mr. Nicponski moved to adopt the ordinance. The motion was SECONDED by Mr. Hales.

Council roll call vote:

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

Motion passed 5-0

9. Unfinished Business

9.1 None scheduled.

10. New Business

10.1 Consider a resolution approving an Interlocal Cooperation Agreement between the City and Wasatch Front Regional Council (“WFRC”) for assistance through Transportation and Land Use Connection.

Staff presentation: Tim Tingey, Administrative and Development Services Director

Mr. Tingey said the Administrative and Development Services Department submitted an application to the Wasatch Front Regional Council and received a grant for \$75,000 with a match of \$10,000. The purpose of this is to do a small area plan that will include a market study and design standards that could be implemented around the central Trax and Front Runner stations. This money will be used to hire a consultant to analyze the issues and the mix of uses and develop a small area plan for that area.

MOTION: Mr. Brass moved to adopt the resolution. The motion was SECONDED by Ms. Turner

Council roll call vote:

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

Motion passed 5-0

10.2 Consider a resolution approving an Interlocal Cooperation Agreement between the City and Utah Department of Transportation (“UDOT”) for the I-15 highway widening project identified as SB 12300 South to SR-201 in Salt Lake County.

Staff presentation: Doug Hill, Public Services Director

Mr. Hill said UDOT is planning to add a lane of travel on I-15 between 2100 South and 12300 South with some other modifications at the intersection of I-215 and I-15. A few of Murray City’s utilities will be affected by the widening of the road including power, water, sewer, and storm drains. UDOT has hired a design build contractor and would like the city to enter into this agreement which allows UDOT’s contractor to design and make modifications to these utilities. All of this

will be done with city oversight. The city will have the opportunity to review the plans and make sure they comply with our specifications. The city will also be able to inspect the utilities and make sure they are installed properly

MOTION: Ms. Turner moved to adopt the resolution. The motion was SECONDED by Mr. Hales.

Council roll call vote:

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

Motion passed 5-0

11. Mayor

11.1 Report

Mayor Eyre went over the following items:

- The Farmer's Market is now open in Murray Park. It will be held every Friday and Saturday until the last weekend in October.
- The new budget is now available on the city's website.
- Vine Street improvements will be done in two phases. The first phase will be from 900 East to 1300 East and the second phase will be from 1300 East to Van Winkle Expressway. An information meeting will be held on August 16, 2017 for anyone who is interested.
- The Health and Safety Fair will be held in Murray Park on August 21, 2017 from 6:00pm -9:00 pm.
- Early voting will be available at City Hall from 11:00 am-7:00 pm for the next two weeks on Wednesday, Thursday and Friday.

11.2 Questions for the Mayor

12. Adjournment

The meeting was adjourned at 7:18 p.m.