

# Murray City Municipal Council Chambers Murray City, Utah

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The Murray City Municipal Council met on Tuesday, March 19, 2019 at 6:30 p.m. for a meeting held in the Murray City Center Council Chambers, 5025 South State Street, Murray, Utah.

**Council Members in Attendance:**

Dave Nicponski, Chair	District #1
Dale Cox, Vice Chair	District #2
Jim Brass	District #3
Diane Turner	District #4
Brett Hales	District #5

**Others in Attendance:**

Blair Camp	Mayor	Jan Lopez	Council Director
G.L. Critchfield	City Attorney	Jennifer Kennedy	City Recorder
Doug Hill	Chief Administrative Officer	Jennifer Heaps	Communications & Public Relations Director
Joe Tarver	Deputy Police Chief	Robert White	IT Director
Jon Harris	Fire Chief	Melinda Greenwood	Community & Economic Development Director
Trong Le	IT	Karen Gallegos	Lead Court Clerk
Phyllis Wall	Treasurer's Division	Kim Sorensen	Parks & Recreation Director
Ashlie Devaughn	Murray Municipal Court	Brenda Moore	Controller
Citizens			

**Opening Ceremonies**

Call to Order – Mr. Hales called the meeting to order at 6:30 p.m.

Pledge of Allegiance – The Pledge of Allegiance was led by – Shaun Delliskave

**Approval of Minutes**

Council Meeting – March 5, 2019

MOTION: Ms. Turner moved to approve the minutes. The motion was SECONDED by Mr. Nicponski. Voice vote taken, all “ayes.”

### Special Recognition

1. Murray City Council Employee of the Month, Ashlie Devaughn, Murray Municipal Court.

Staff Presentation: Brett Hales, Councilmember and Karen Gallegos, Lead Court Clerk

Mr. Hales said the Council started the Employee of the Month Program because they felt it was important to recognize the City's employees. He presented Ms. Devaughn 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. Devaughn for all she does for the City.

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 2019 as Child Abuse Prevention Month.

Mayor Camp read the Joint Resolution.

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

Council roll call vote:

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

Motion passed 5-0

Mayor Camp expressed appreciation to the Murray Exchange Club and presented the Joint Resolution to Sheri VanBibber, who is with the Club. Ms. VanBibber explained what the Murray Exchange Club is and that they started in 2002. She invited everyone out to help plant the pinwheels in front of City Hall on April 1, 2019 at 6:30 p.m. Ms. VanBibber noted that one of the events the Exchange Club does every year is the Haunted Woods in Murray Park. They earn around \$10,000 each year by doing that event and they donate the proceeds to groups that work towards the prevention of child abuse and domestic violence. She mentioned some of the groups they have given to which included the Salt Lake Emergency Fund, the Rhode Home, the Boys and Girls Club of Murray, and the Midvale Family Shelter.

**Citizen Comments** – Comments are limited to 3 minutes unless otherwise approved by the Council.

Ann Granato – Salt Lake County Council District #4

Ms. Granato thanked the Mayor Camp and the Councilmembers for their service.

## Public Hearings

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

1. Consider an ordinance relating to land use; amends the General Plan from Low Density Residential to Medium Density Residential for the property located at approximately 344 East 5600 South, Murray City, Utah. Applicants: Murray Yellow House  
(See Attachment 1 for slides used during presentation)

### Staff Presentation: Melinda Greenwood, Community and Economic Development Director

Ms. Greenwood explained that this property is currently zoned low density residential and the applicant has requested that the zone be changed, through a General Plan amendment, to medium density residential. Ms. Greenwood showed a map of the property and noted that the applicant owns the property adjacent and to the east of the subject property. That property is currently being used as multi-family housing. She also showed a side-by-side comparison of the 2003 and 2017 General Plans. In 2003, the General Plan had this property listed as low density residential, which is what it is currently listed as in the 2017 General Plan.

Ms. Greenwood said the Planning Commission heard this item on February 7, 2019 and has forwarded a recommendation of denial to the City Council. Staff is also recommending denying this proposal.

Mr. Nicponski asked what Planning Commission's overriding argument was against increasing the density from low to medium.

Ms. Greenwood replied the first reason was because this property has been on the books for quite a while as low density and the Planning Commission tends to be supportive of the General Plan, especially since it was just redone in 2017. The second reason was because a medium density property can have between 6 and 22 units on it per acre where a low density property can only have between 1 and 8 units on it per acre.

### Mike Lami, Agent – Murray Yellow House

Mr. Lami said he feels that the Planning Commission felt that the General Plan was accurate and that nothing should be changed on it because it is so new. However, Mr. Lami understood that there was one instance where the algorithms in the software that created the General Plan were wrong, so the zoning had to be changed at the Applegate Condominiums.

The public hearing was open for public comments.

### Joyce Page – Murray City, Utah

Ms. Page said she has lived on Hillside Drive for 49 years. In that time, she has seen many houses hit by cars. She said they don't have trees in their parking strip anymore because

after replacing them over and over again, they can't afford to do it anymore. They do have to keep a tree in their front yard to keep cars from hitting their house.

Ms. Page said when the city put in Fashion Blvd. in, it helped with the traffic quite a bit. Now the problem is, when the School District built the new junior high school, they put the bus and parent drop-off and pick-up at the end of Hillside Drive, so the traffic is back again. She also said there is a curve right by the school that is always going to be a danger spot. Drivers cannot see kids walking to school and cars always cut through that curve. The residents cannot afford to have more traffic in this area.

Patrick Garcia – Murray City, Utah

Mr. Garcia said the problem is people cut through the middle of that street and there is a junior high school and an elementary school on that same street making it a thoroughfare for kids going to and from school all day long. Increasing the density of this property will cause accidents as people try to enter and exit the property.

Mr. Garcia added that one of the reasons he chose his home was because there wasn't a multi-family unit near it. Changing the zoning of this property would be a detriment to all the properties that surround it and are in proximity to it. He is also worried about the fact that because the applicants own the property that is adjacent to the property they want to rezone, they could possibly decide to build a much larger project.

Menlee Maxfield – Murray City, Utah

Ms. Maxfield said the whole area surrounding the property the applicant wants rezoned is essentially single-family homes and adding a multi-family unit in that area is concerning. She is also concerned that the applicant could make an even bigger project because they own the adjacent property.

Pat VanHeyst – Murray City, Utah

Ms. VanHeyst said she has almost been hit head-on on that curve on Hillcrest Drive. More homes will add more traffic. When she first moved to the area, Hillcrest Drive was a busy road and she had a car land upside down in her yard. The traffic did decrease when Fashion Blvd. came in, but the traffic is coming back now.

Ms. VanHeyst reiterated what everyone else had said and added that medium density in a nice, little, quiet neighborhood doesn't make sense.

Joan Tew – Murray City, Utah

Ms. Tew said the applicant's property is not taken care of. It is covered with weeds and dead trees. If they higher the density on that property, the applicant will build something that the neighbors will not be happy about. She said this whole area is a place for single-family homes and is no place for multi-family houses.

Brooke Garcia – Murray City, Utah

Ms. Garcia said as a parent, she is familiar with how kids walk and bike to school. Her family just moved to Murray from Holladay where a developer just put in 15 townhomes where three single-family homes once were.

Ms. Garcia said there are enough apartments and townhomes in Murray and they like the fact that their neighborhood still has part of its original Murray charm. Even adding eight new homes is a lot especially on a property where there was once only one home. It will also add to the traffic.

Mr. Hales closed the public hearing.

MOTION: Ms. Turner moved to adopt the ordinance. No second was given; motion died for lack of a second motion.

MOTION: Mr. Nicponski moved to deny the ordinance. The motion was SECONDED by Mr. Cox.

Council roll call vote:

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

Motion passed 5-0 (Ordinance Denied)

## **Legislative Report**

### Staff Presentation: Dale Cox, Councilmember

Mr. Cox said that HB 441 – Tax Equalization and Reduction Act was withdrawn because of public pressure. The Legislators listened to their constituents and pulled this bill from the agenda and are going to study it, which they should do. There are things that need to be done to maintain city and state services, but this was a little too much too fast. HB 495 – Tax Restructuring and Equalization Task Force was created on the last day of the Legislature to study what should and shouldn't be taxed.

SB 129 – Public Safety and Firefighter Tier II Retirement Benefits passed with some amendments but will not go into effect until 2020. Firefighters used to have a 20 year, 50% pension and it was changed to 25 year, 37 ½% pension. Their pension will now go back up to 50%, they just need to figure out the funding, but that will be taken care of in the next year or so.

SB 34 – Affordable Housing Modifications passed both the House and Senate. This bill modifies requirements and reporting of municipalities and counties related to the moderate-income housing plan element of their general plans. It modifies the law on moderate and low income housing. Mr. Cox thinks Murray is in a good spot with this. There are a lot of moderate and low

income housing in Murray and more is being build all the time.

HB 320 – Container Regulation Act was a bill the Legislature ran to ban cities from being able to moderate what type of plastic bags, or other containers, they can allow in their cities. If cities what to do something with plastic or paper bags, they should be able to. This bill did not pass.

HB 119 – Initiatives and Referendum Bill revamps the process to be able to put something on the ballot.

Mr. Nicponski added the other good thing that happened this session is that cities are still allowed to transfer money from enterprise funds to the general fund. The bill that would have prohibited that did not pass.

### **Mayor's Report and Questions**

Mayor Camp said there will be an online survey that will go live next week for the Parks and Recreation Master Plan. The survey can be accessed from both the front page of the city's website as well as the Parks and Recreation webpage.

He noted that crews are filling potholes and sealing cracks in the streets as the weather permits.

He said the bridge on 6400 South at the Canal should be finished at the end of the month. He credited the Public Works Department for their great job on that project.

The city should have a contractor hired in May and start work in June on the Phase 1 Vine Street project between 900 East and 1300 East.

He noted that the city is aware of a glitch in the online payment software. It is currently not accepting online payments for business license renewals. The IT staff is working on it and will soon have a solution to that problem.

He stated that this week is Fix-a-Leak Week. The Water Division has a booth set up at the Lowes at 4500 South and 500 West and are there to offer expertise and assistance to anyone who needs it.

### **Adjournment**

The meeting was adjourned at 7:24 p.m.

# Attachment 1

# MURRAY CITY COUNCIL MEETING

March 19, 2019



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## MURRAY YELLOW HOUSE, LLC General Plan Amendment

### **344 East 5600 South**

- Existing Land Use Designation: Low Density Residential
- Proposed Land Use Designation: Medium Density Residential
- Property Size: 1.53 Acres



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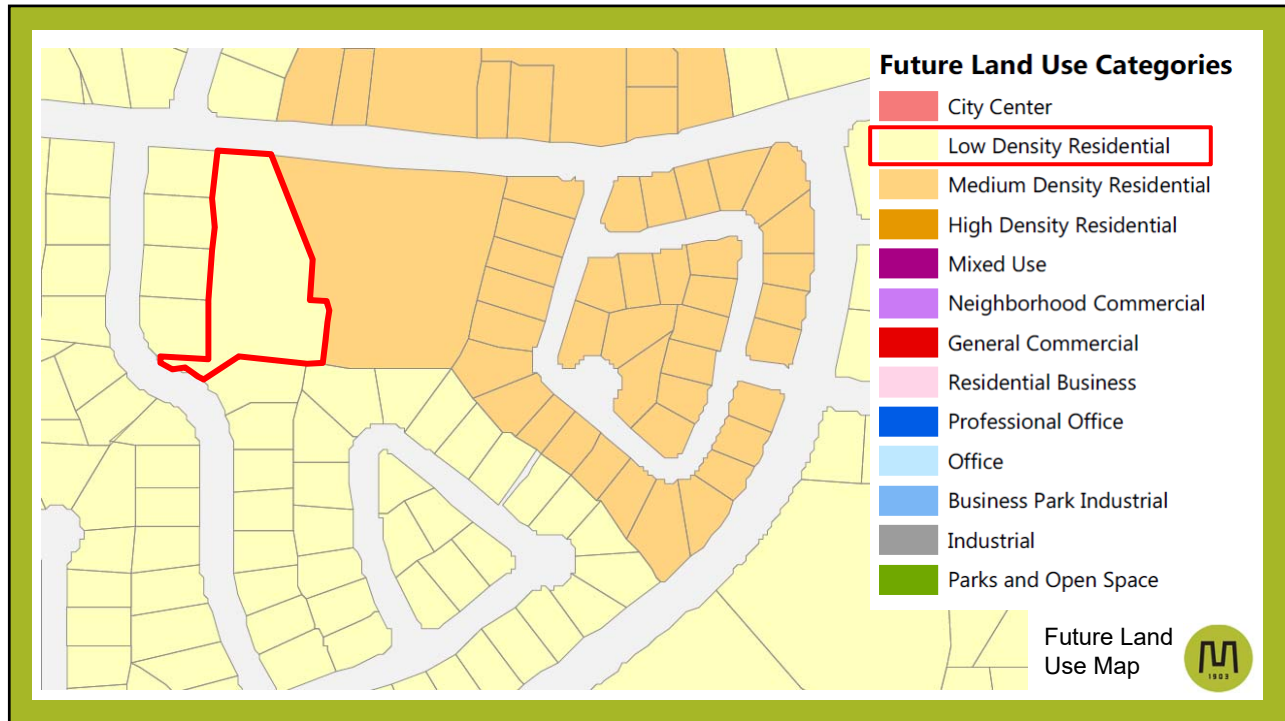




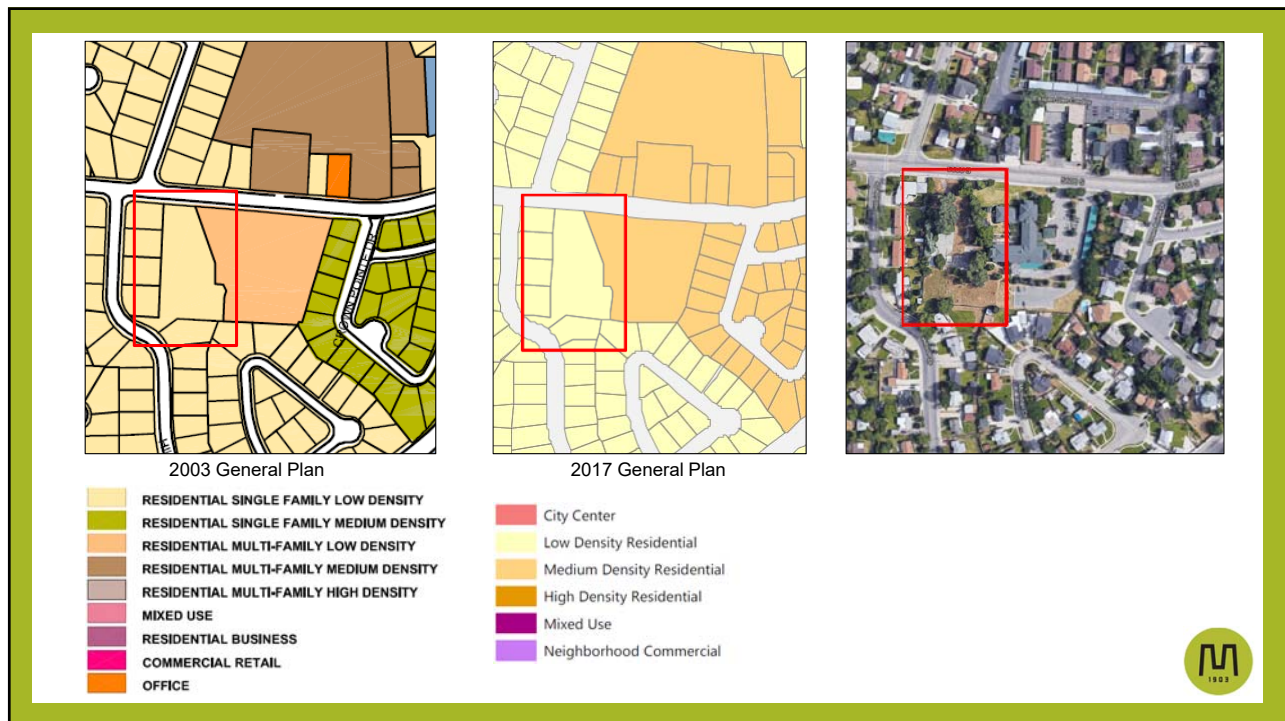
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## Staff Recommendation to the Planning Commission

Staff recommended that the Planning Commission forward a recommendation of DENIAL to the City.

On **February 7, 2019** the Planning Commission held a public hearing and forwarded a recommendation of **DENIAL** to the City Council for the requested amendment to the General Plan Land Use Map designation for the property at 344 East 5600 South from Low Density Residential to Medium Density Residential.



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## Staff Recommendation to Amend the Murray City General Plan

City staff recommends the City Council **deny** the requested amendment to the General Plan Land Use Map for the property at 344 East 5600 South as per the Planning Commission recommendation on February 7, 2019.



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