

# Murray City Municipal Council Chambers Murray City, Utah

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The Murray City Municipal Council met on Tuesday, November 12, 2019 at 7:05 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	Jim McNulty	Development Services Manager
Craig Burnett	Police Chief	Brenda Moore	Finance Director
Danny Astill	Public Works Director	Jon Harris	Fire Chief
Danny Hansen	IT	Kim Sorensen	Parks & Recreation Director
		Pattie Johnson	Council Office
Citizens			

**Opening Ceremonies**

Call to Order – Mr. Brass called the meeting to order at 7:05 p.m.

Pledge of Allegiance – The Pledge of Allegiance was led by Kat Martinez, Council Member Elect.

**Approval of Minutes**

Council Meeting – October 1, 2019  
 Council Meeting – October 15, 2019

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

## Special Recognition

1. Miss Murray 2019 Savannah Angle - Wrap Up Report.

Mayor Blair Camp introduced Ms. Angle and commended her for the work she accomplished throughout the past year. Ms. Angle stated her Social Impact Initiative for the past year was, "Arts in Education." She spoke about what she learned and shared some of what she experienced while serving as Miss Murray.

Mayor Camp presented Ms. Angle with the Mayor's Award of Excellence.

2. Introduction of Miss Murray 2020 Sarah Nelson.

Mayor Blair Camp introduced Ms. Nelson. Ms. Nelson spoke about herself and stated that her Social Impact Initiative for the upcoming year is, "Girls, Let STEM Blossom Your Future."

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

### Kim Anderson – Murray City, Utah

Mr. Anderson said that there has been very little time for public input to be given on the proposed Murray City Center District (MCCD) ordinance changes. Years ago, when the same ordinance was changed, a lot of public input was given. He expressed concern about one of the proposed changes in the MCCD ordinance that says the Mayor would be the only person that would be able to review and comment about what historic buildings can or cannot be saved.

Mr. Anderson said he hopes the Council will take into consideration the items and recommendations that the citizens brought up at the Planning Commission meeting when they make their decision on the MCCD ordinance because he thinks they were all good recommendations.

## Consent Agenda

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

1. Consider confirmation of the Mayor's appointment of Matt Jacobson to the Arts Advisory Board for a two-year term to expire January 15, 2022.
2. Consider confirmation of the Mayor's appointment of Janice Blanchard to the History Advisory Board for a three-year term to expire August 1, 2022.

### Staff Presentation: Mayor Blair Camp

Mayor Camp introduced Mr. Jacobson and Ms. Blanchard and spoke about each of their qualifications.

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

Mr. Nicponski.

Council roll call vote:

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

Motion passed 5-0

**Public Hearings**

1. Consider an ordinance amending Sections 17.92.090, 17.96.090, 17.100.090, 17.104.090, 17.108.090, 17.112.090, 17.116.060, 17.120.060, 17.124.060 and 17.128.060 of the Murray City Municipal Code relating to accessory structure height in residential zoning districts.

Staff Presentation: Jim McNulty, Development Services Manager

(See Attachment 1 for slides used during this presentation)

Mr. McNulty explained there are some older homes in the city that are only ten to twelve feet tall and because of their height and the way the current ordinance is written, the owners of those homes are unable to build a usable accessory structure on their property. He said there are currently some restrictions in place on accessory structures that staff would like to remove to allow citizens to have usable accessory structures. He explained that the current ordinance states that an accessory structure may consist of only one story and may not exceed the height of the residential dwelling on the property. The new ordinance would allow for an accessory structure to be up to 16 feet in height if the residential dwelling is less than 20 feet high.

Mr. McNulty stated the Planning Commission held a public hearing on this item on October 17, 2019 and has forwarded a recommendation of approval to the Council. Staff is also recommending this change be approved.

Mr. Brass noted the original ordinance read, "*an accessory structure may only consist of a one story building*" and the proposed change says, "*an accessory structure may consist of a one story building.*" Mr. Brass feels that change is vague enough that it could allow for an accessory structure that is greater than one story. He asked staff to add the word "only" back into the proposed changes in each section of the code.

The public hearing was open for public comments. No comments were given, and the public hearing was closed.

MOTION: Mr. Cox moved to adopt the ordinance with Mr. Brasses proposed amendment. The motion was SECONDED by Ms. Turner.

Council roll call vote:

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

Motion passed 5-0

**Business Items**

1. Consider a resolution approving Amendment One to the 2004 Interlocal Cooperation Agreement between the City ("City") and Salt Lake County ("County") regarding the sharing of costs for lifeguards at the Murray High School Swimming Pool.

Mr. Brass noted that the lifeguards are actually at the Murray Park Center Swimming Pool.

Staff Presentation: Doug Hill, Chief Administrative Officer

Mr. Hill said in 1970, Salt Lake County cost-shared with Murray City the operation cost to operate swimming pools within Murray City. The agreement expired this year and Mayor Wilson with Salt Lake County, unfortunately did not want to continue with this, but she is allowing for a phase out. For the next three years, the city will receive a lesser amount each year; \$30,000 next year, \$20,000 the following year and \$10,000 in 2022. Then the agreement will terminate. This Interlocal Agreement will begin the phase out of the cost-sharing of the operation of the swimming pools in Murray City.

Mr. Hales asked how the cost-sharing started between Murray City and the County.

Mr. Hill stated Murray's position with our recreation programs and facilities is that we are very independent. Unlike most communities, we operate, maintain, and fund all of our recreation facilities and programs, however, we allow county residents to be able to use those. Most communities in Salt Lake County have swimming pools, recreation centers and parks that are operated and funded by all the residents of Salt Lake County, just not the city. In Murray City, we have elected to operate and own those ourselves. However, we felt like since we allow County residents to use those, that the County should give some of that benefit back to us.

Mr. Hill said that was the negotiation power Murray City has always use with the County. In the past, the County has been willing to do that, but that is changing now.

Ms. Turner asked if this would change the fees that are currently being charged.

Mr. Hill responded that would be a question the Council, along with the Finance Director, would have to answer. The city will be receiving less money which means we will have to

increase the subsidy of the swimming pool. The way to decrease subsidies is to increase fees, but that would be a policy decision.

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

Council roll call vote:

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

Motion passed 5-0

2. Consider a resolution approving an Interlocal Cooperation Agreement between Murray City Corporation ("City"), Utah Department of Transportation ("UDOT") and Murray City School District ("District") for pedestrian bridge demolition.

Staff Presentation: Doug Hill, Chief Administrative Officer

Mr. Hill said there is a pedestrian bridge over State Street connecting Murray High School to the former site of Hillcrest Jr. High School. The city was informed by UDOT through their annual bridge inspection process that the bridge was in need of major repairs, so the city hired an engineering firm to conduct a feasibility study on the bridge and found out the bridge is in pretty bad shape and there needs to be an investment of funds to make the bridge safe.

There were three options that the city could consider. To completely replace the bridge which would cost \$2,600,000. To repair the bridge would cost a little over \$500,000 or to demolish the bridge would cost \$150,000.

City staff met with UDOT and the School District and it was determined that demolishing the bridge would be best. There are some people that still use it, but those numbers have gone down substantially since Hillcrest Jr. High moved. With the new development occurring on the west side of State Street, even fewer people will use the bridge. There are also two traffic controlled intersections within a short distance of this location that will provide for a safe crossing for students.

This Interlocal Agreement will provide for the demolition of the bridge. UDOT has agreed to pay half of those costs and the city will pay the other half. If this agreement is approved, this project will be started as soon as possible, especially since the bridge is currently closed because of the construction occurring on the eastside of State Street.

Ms. Turner said this is an Interlocal Agreement with the Murray City School District and

the Utah Department of Transportation. She asked why the School District was a party to this agreement when they are not putting any money towards the cost of demolishing the bridge.

Mr. Hill responded this bridge is on their property so the city needs permission to be able to access their property. Also, the city wants to make sure that the organizations that are impacted by this bridge, which are the city, UDOT and the School District, are all in agreement that it should be demolished. That is why the School District has been included in the agreement.

Ms. Turner said she is concerned that the bridge is in disrepair and people are still using it.

Mr. Hill stated currently the bridge is closed so nobody is able to use it. He said this is not eminent; the bridge is not going to fall over this year or even next year. However, if the city was to renovate it, we would have to start with that process right away.

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

Council roll call vote:

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

Motion passed 5-0

3. Consider a resolution adopting the Regular Meeting Schedule for calendar year 2020.

Staff Presentation: Jim Brass, Council Member

Mr. Brass said typically the Council meets the first and third Tuesday's of the month. This will be the case for next year with the exception of August, November and December due to conflicts.

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

Council roll call vote:

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

Mr. Brass        Aye

Motion passed 5-0

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

Mayor Camp reported on the following items:

- Recently, there was a news story done regarding recycling. Representatives from the Trans Jordan Board released information to the press that was premature but at this point, Murray City has not made any changes to our recycling program.

The problem with curbside recycling is the contamination of the loads which is what is causing the problems. It defeats the purpose of recycling whenever anyone contaminates a can with something that is not recyclable or is wet. What happens is the recycling is taken to the recycler and then to the landfill. It's getting expensive when the materials need to be hauled twice.

The city will be doing an audit next week with the recycler. The audit will tell the city what percentage of materials are being contaminated so the city can address that. At the end of the day, everyone has to do a better job at recycling if we want to be serious about having a recycling program.

- The golf course had to de-winterize their irrigation system. They need to water because of the good weather. The golf course is the only area the city is watering.
- The top layer of asphalt will be laid this week on Vine Street between 900 East and 1300 East. The paving will be complete this week and the rest of the landscaping will be done in the spring.
- The Utahna Storm Drain project is almost complete and 300 West is back open.
- The new traffic signal at the intersection of 4800 South and Commerce Drive is done. The new signal puts a light off to the side so you can see oncoming traffic on the blind curve that is at that intersection.

Mr. Hales thanked all the Veteran's that have served our country.

### **Adjournment**

The meeting was adjourned at 7:52 p.m.

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Jennifer Kennedy, City Recorder

# Attachment 1



# CITY COUNCIL MEETING

November 12, 2019



## ACCESSORY STRUCTURES IN RESIDENTIAL ZONES Text Amendment

Title 17, Land Use Ordinance Sections:

17.92 – Agricultural Zone

17.96 – R-1-6 Zone

17.100 – R-1-8 Zone

17.104 – R-1-10 Zone

17.108 R-1-12 Zone

17.112 – R-2-10 Zone

17.116 – R-M-10 Zone

17.120 – R-M-15 Zone

17.124 – R-M-20 Zone

17.128 – R-M-25 Zone



## ACCESSORY STRUCTURE HEIGHT

### Existing Language:

“Height: An accessory building may consist only of one story, and may not exceed the lesser of twenty feet (20’), or the height of the residential dwelling on the property.”

### Proposed Language:

“Height: An accessory structure may consist of a one-story building, and may not exceed sixteen feet (16’) to the peak of the roof if the primary residential dwelling is less than twenty feet (20’) in height. If the primary residential dwelling is greater than twenty feet (20’) in height, an accessory structure is allowed at a height of twenty feet (20’) to the peak of the roof.”



## Findings

- i. The proposed text amendments are consistent with the purpose of Title 17, Murray City Land Use Ordinance.
- ii. The proposed text amendments are consistent with the Goals & Policies of the Murray City General Plan.
- iii. The proposed text amendments will allow Murray City residents to have useable accessory structures in residential zoning districts.



## Staff & Planning Commission Recommendations

Staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the proposed text amendments to multiple chapters of the Murray City Land Use Ordinance regarding Accessory Structure Heights in Residential Zoning Districts.

On October 17, 2019, the Planning Commission held a public hearing and forwarded a recommendation of APPROVAL to the City Council for the proposed text amendments.

The Planning Commission vote was unanimous for this item.

