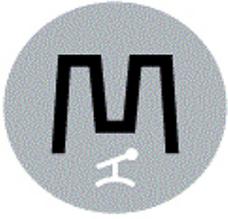


MURRAY
CITY COUNCIL

Council Meeting August 4, 2020



Murray City Municipal Council Notice of Meeting

Murray City Center
5025 South State Street, Murray, Utah 84107

Electronic Meeting Only August 4, 2020

Murray City Council Chair Statement

In accordance with, Utah Code 52-4-207(4) Open and Public Meeting Act, I have determined that to protect the health and welfare of Murray citizens, an in person City Council meeting, including attendance by the public and the City Council is not practical or prudent.

Considering the continued rise of COVID-19 case counts in Utah, meeting in an anchor location presents substantial risk to the health and safety of those in attendance because physical distancing measures may be difficult to maintain in the Murray City Council Chambers.

The Center for Disease Control states that COVID-19 is easily spread from person to person between people who are in close contact with one another. The spread is through respiratory droplets when an infected person coughs, sneezes or talks and may be spread by people who are non-symptomatic.

It is my intent to safeguard the lives of Murray residents, business owners, employees and elected officials by meeting remotely through electronic means without an anchor location.

You may view the meeting via the live stream at www.murraycitylive.com or <https://www.facebook.com/Murraycityutah/>.

If you would like to submit citizen comments or public hearing comments you may do so by sending an email in advance or during the meeting to city.council@murray.utah.gov. Comments are limited to less than three minutes, include your name and contact information, and they will be read into the record.

Rosalba Dominguez, Council Chair
Murray City Council

Meeting Agenda

4:45 p.m. Committee of the Whole
Rosalba Dominguez conducting.

Minutes

Committee of the Whole – May 19, 2020

Discussion Items

1. Presentation related to the UAMPS Small Modular Reactor – Diane Turner, M.V. Ramana, Rusty Cannon (45 minutes)

2. Urban Wildlife Assistance Program – Chief Burnett (10 minutes)
3. Van Winkle Crossing Memorandum of Understanding – Melinda Greenwood (30 minutes)
4. City Business News – Kat Martinez and Bryant Brown (10 minutes)

Announcements

Adjournment

Short Break

6:30 p.m. Budget & Finance Committee Meeting

Diane Turner conducting.

Approval of Minutes

1. Budget and Finance Committee Meeting: May 15, 2020

Adjournment

6:32 p.m. Council Meeting

Dale Cox conducting.

Opening Ceremonies

- Call to Order
- Pledge of Allegiance

Approval of Minutes

Council Meeting – July 21, 2020

Citizen Comments

Email to city.council@murray.utah.gov . Comments are limited to less than 3 minutes, include your name and contact information, and they will be read into the record. *

Public Hearings

Staff and sponsor presentations, and public comment 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 and amends the Zoning Map from R-1-8 to R-M-10 for the properties located at approximately 388 East and 398 East 4800 South (rear), Murray City, Utah. Melinda Greenwood presenting. Dawndi Reichman applicant.

Business Items

1. Consider an ordinance amending Sections 6.04.010 and 6.16.015 of the Murray City Municipal Code relating to limitations on the number of dogs and cats allowed. Kat Martinez presenting.

2. Consider an ordinance adopting Chapter 2.70 of the Murray City Municipal Code relating to the Public Safety Advisory Board. Mayor Blair Camp presenting.

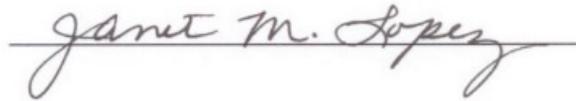
Mayor's Report and Questions

Adjournment

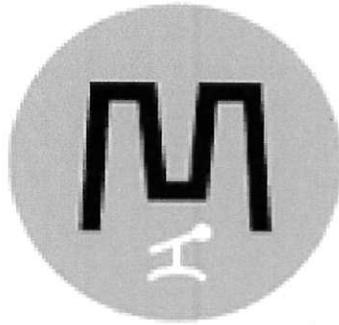
NOTICE

Supporting materials are available for inspection on the Murray City website at www.murray.utah.gov.

On Friday, July 31, 2020, at 12:00 p.m., a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Murray City Center, Murray, Utah. Copies of this notice were provided for the news media in the Office of the City Recorder. A copy of this notice was posted on Murray City's internet website www.murray.utah.gov and the state noticing website at <http://pmn.utah.gov>.

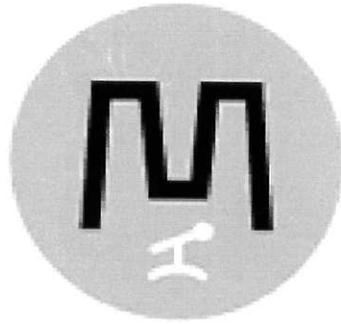
A handwritten signature in cursive script that reads "Janet M. Lopez". The signature is written in black ink and is positioned above a horizontal line.

Janet M. Lopez
Council Executive Director
Murray City Municipal Council



MURRAY
CITY COUNCIL

Committee of the Whole



MURRAY
CITY COUNCIL

Committee of the Whole Minutes



MURRAY CITY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

DRAFT

The Murray City Municipal Council met on Tuesday, May 19, 2020 for a meeting held electronically in accordance with Executive Order 2020-5 Suspending the Enforcement of Provisions of Utah Code 52-4-202 and 52-4-207 due to Infectious Disease COVID-19 Novel Coronavirus issued by Governor Herbert on March 18, 2020 and Murray City Council Resolution #R20-13 adopted on March 17, 2020.

Council Members in Attendance:

Dale Cox - Chair	District #2
Rosalba Dominguez – Vice Chair	District #3
Kat Martinez	District #1
Diane Turner	District #4
Brett Hales	District #5

Others in Attendance:

Blair Camp	Mayor	Janet Lopez	City Council Director
Cory Wells	Water Superintendent	Jennifer Kennedy	City Recorder
Brenda Moore	Finance Director	Pattie Johnson	City Council Office Admin.
Craig Burnett	Police Chief	Danny Astill	Public Works Director
Melinda Greenwood	CED Director	Jared Hall	CED
G.L. Critchfield	City Attorney	Bill Francis	The Imagination Company

Mr. Cox called the Committee of the Whole meeting to order at 5:30 p.m. with the following statement:

Welcome to the Murray City Council Meetings. We are glad you are viewing our proceedings. Tonight, we have scheduled: Committee of the Whole, a short break, and a Council Meeting.

Because of the current health pandemic, and in order to comply with the Governor’s Directive to “Stay Safe, Stay Home,” and the Public Health Order issued by the County Health Department and County Mayor, we have determined that an in person meeting, including attendance by the public and the Council is not practical or prudent. Therefore, this meeting will be held remotely through electronic means.

Each person is participating from a separate location. We are totally dependent upon the internet and technology to broadcast this meeting and to ensure that the public has an opportunity to view the proceedings, however, there could be a malfunction that is totally out of our control. We do not expect any issues but want you to be aware of that possibility.

If you would like to submit citizen comments or public hearing comments please email to city.council@murray.utah.gov they should be less than 3 minutes, include your name and contact information and they will be read into the record.

Approval of Minutes - Mr. Cox asked for comments or a motion on the minutes from:

- Committee of the Whole – March 3, 2019

- Committee of the Whole – March 17, 2020
- Committee of the Whole – April 7, 2020

Mr. Hales moved approval on all three sets of minutes. Ms. Turner seconded the motion. (Approved 5-0)

Discussion Items

Animal Services Contract - Chief Burnett reported it was time to either renew or attain a new contract for Murray's animal services. A brief history was shared to explain in 2009 the City decided to explore outsourcing animal control services; West Jordan City was chosen after an RFP (request for proposals) bid was completed at that time. The five-year agreement was renewed in 2010 for another five years. With the contract up for bid again, Salt Lake County approached the City during the recent RFP process. As a result, the City decided to go with Salt Lake County, who comparatively provided more services, overall for the cost. Chief Burnett discussed the benefits by sharing a power point. (See Attachment #1)

Other bordering cities that use the County for animal services were noted. Chief Burnett confirmed using Salt Lake County would not only reduce the animal service budget but relieve Murray staff of many related responsibilities. Other positives include having an emergency vet on call for injured animals; vaccinations programs, voucher opportunities, and the TNR (Trap Neuter Release) program for cats. The cost was reviewed, as well as, the option to attain the Urban Wildlife Assistance program for raccoon and skunk abatement, for an additional cost of \$11,871. The cost without the wildlife program would be \$354,000 for the year. The interlocal agreement, to be considered in the council meeting is for animal services only; and a separate agreement for the County to lease the facility from Murray would be presented later. Chief Burnett stated West Jordan City did a great job over the years, and the change was merely, due to achieving additional important animal services for a better value.

Council Comments:

- Ms. Martinez asked how if pest control coincided with animal control services; and, if spay and neuter release programs were included in Salt Lake County services.
- Chief Burnett confirmed pest control is not offered; rats and other creatures are not included in the optional wildlife program. He explained cat colony TNR programs are driven only by citizens. Volunteers place traps and help release cats afterwards. Referrals are given by contacting animal control.

Water Conservation and Landscape Ordinance - Mr. Astill reported the new water conservation plan was completed in 2019. Mr. Wells worked hard to accomplish one of the goals, which is to help homeowners change landscaping in parking strips, to more water wise options. Ms. Greenwood and Mr. Hall assisted with ordinance details that could change if needed. Mr. Wells led a discussion and provided a lengthy power point to explain what the park strip conservation effort would look like; similar to the 'flip your strip' program to incentivize residents to convert parking strips to xeriscaping.

Mr. Wells reviewed:

(See Attachment #2)

- Current and future water conservation programs; rebate options, and how to apply for them.
- What the City is doing to promote water conservation; various programs, outreach information, and events.
- The 2019 Conservation Plan in general; information discussed:
 - Water rates.
 - National energy foundation partners.

- Murray's Consumer Confidence report.
- How a park strip conversion program can help.
- Advantages of xeriscaping park strips.
- Water savings.
- Cost savings over time (2020 Rates).
- Water conserved by comparison.
- Water wise plants and choosing them correctly.
- Estimated annual cost of the program over three years.
 - 1st year = \$3,000 - \$4,000
 - 2nd year = \$4,000 - \$5,000
 - 3rd year = \$4,500 - \$6,500
- Current landscaping ordinance – Ms. Greenwood reviewed the ordinance with no necessary changes.

Council Comments:

- Ms. Turner appreciated hard work to ensure the finite resource of water. She asked if citizens east of 900 East were eligible for all rebates, since residents are part of the Jordan Valley Water District – and not Murray's water supply. Mr. Wells confirmed residents in that area do not qualify for Murray rebates, but would be able to get other rebates located on the Utah Water Savers website. www.utahwatersavers.com.
- Mr. Cox commended the presentation and program.
- Ms. Martinez said the program was great and asked about other landscaping requirements. She compared the flip your strip requirements with other options she had seen, and wondered about required vegetation percentages, due to inquiries.
- Ms. Lopez noted stone or rocks only is not allowed in parking strips.
- Mr. Hall agreed the current ordinance requires a 50% bed coverage; he said Ms. Lopez was correct pavers and stone do not encourage water wise and xeriscaping – unless the strip is located on a double frontage lot on a high-volume street.
- Ms. Dominguez expressed excitement about the program. She asked if the Conservation Garden Park was available to all citizens for learning about water wise plant ideas.
- Mr. Wells confirmed anyone can walk the grounds at the facility to gain ideas.
- Mr. Astill said the water department budgets extra money in anticipation of a very successful, and needed program; so, the Council would not need to approve additional funding this year.

Budget Amendment FY 2019-2020 Wastewater Fund – Ms. Moore noted the immediate use of reserves for the Wastewater Fund to purchase a new sewer vacuum/cleaning truck. She explained the 10-year old truck currently used is breaking down; the suction is not operating effectively, so it needs replacing. A brand-new truck would take 9-12 months to purchase, at a much higher cost; this replacement vehicle was discovered on a lot in Salt Lake City and is in good condition. If approved during the council meeting, she would arrange the purchase right away, and revise the Wastewater Fund budget accordingly to purchase only one truck. There were no concerns or comments.

Announcements: None.

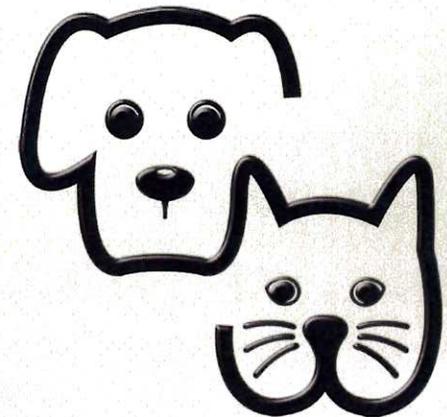
Adjournment: 6:14 p.m.

**Pattie Johnson
Council Office Administrator II**

ATTACHMENT #1

Services Murray City

- Service surrounding communities. Midvale, Holladay, Millcreek and Salt Lake City
- 7:00 AM- 10:00 PM 24 hour on call
- Utilize our shelter as a satellite facility
- Veterinarian services on staff. Urgent care for shelter, vaccination programs, reduced prices as well as voucher programs
- Licensing
- TNR program for cats Trap, Neuter and Release
- Community outreach and educational programs and staff
- Raccoon pick up
- Optional Wildlife Assistance Program



	Annual Fee
Total Annual Animal Services Agreement	\$419, 118
<ul style="list-style-type: none"> • Animal Control Services • Animal Care and Veterinary Services • Marketing and Community Outreach Services • Shelter and Customer Care Services • Administration and Leadership 	
Rent of existing Murray City Animal Shelter	\$(65,118)
Total Animal Services Agreement	\$354, 000
OPTIONAL Urban Wildlife Assistance Program (Raccoon and Skunk Abatement)	\$11,871
	\$365,871

ATTACHMENT #2



Park Strip Water Conservation

Current and Potential Conservation Options

Current and Future Water Conservation Programs and Rebate options



CURRENT WATER CONSERVATION PROGRAMS



CONSERVATION REBATES FOR MURRAY CITY RESIDENTS



HOW CAN A PARK STRIP CONVERSION PROGRAM COULD HELP



WHAT A FLIP YOUR STRIP PROGRAM COULD LOOK LIKE



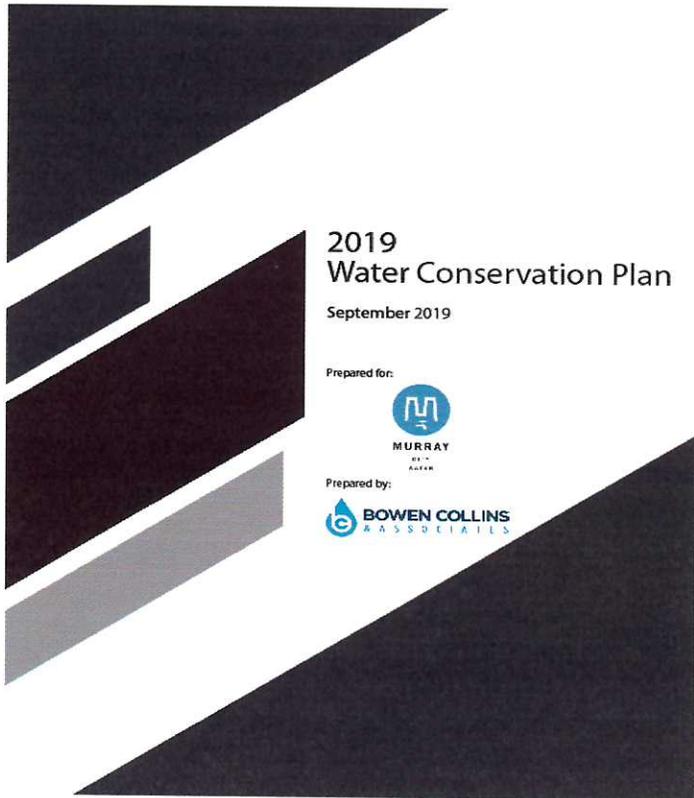
ESTIMATED ANNUAL COST TO THE CITY



CITY ORDINANCE

What is Murray City water currently doing to promote water conservation

- Water Conservation Plan
- Tiered Water Rate Schedule
- Water Sense rebate program
- Fix A Leak Week
- Earth Day
- AWWA Water Audit Program
- Consumer Confidence Report
- Utah Rivers Council, Rain Harvest Program
- NEF Water Wise for Kids program
- No watering between 10:00 am – 6:00 pm (Ordinance)
- Murray Fun day's Booth



2019
Water Conservation Plan
September 2019

Prepared for:



MURRAY
UTAH

Prepared by:



BOWEN COLLINS
& ASSOCIATES

Water Rate Changes

Transition to tiered rates

Murray City has approved a customer water rate structure for the year 2018. Making the move to water tiered rates will allow us to better manage our water resources. This structure will be implemented by the end of the year. The structure is based on the amount of water used in a month and is designed to encourage water conservation.

In 2018, the utility will be using a tiered rate structure. The first tier is for up to 10,000 gallons of water used per month. The second tier is for 10,001 to 20,000 gallons. The third tier is for 20,001 to 30,000 gallons. The fourth tier is for 30,001 to 40,000 gallons. The fifth tier is for 40,001 to 50,000 gallons. The sixth tier is for 50,001 to 60,000 gallons. The seventh tier is for 60,001 to 70,000 gallons. The eighth tier is for 70,001 to 80,000 gallons. The ninth tier is for 80,001 to 90,000 gallons. The tenth tier is for 90,001 to 100,000 gallons.

New tier structure

Murray City will be using a tiered rate structure for the year 2018. The structure is based on the amount of water used in a month and is designed to encourage water conservation.

The new tier structure will be implemented by the end of the year. The structure is based on the amount of water used in a month and is designed to encourage water conservation.

The new tier structure will be implemented by the end of the year. The structure is based on the amount of water used in a month and is designed to encourage water conservation.

Example billing

1st 10,000 gallons of water used	\$10.00
2nd 10,001 to 20,000 gallons	\$15.00
3rd 20,001 to 30,000 gallons	\$20.00
4th 30,001 to 40,000 gallons	\$25.00
5th 40,001 to 50,000 gallons	\$30.00
6th 50,001 to 60,000 gallons	\$35.00
7th 60,001 to 70,000 gallons	\$40.00
8th 70,001 to 80,000 gallons	\$45.00
9th 80,001 to 90,000 gallons	\$50.00
10th 90,001 to 100,000 gallons	\$55.00



Murray City Corporation
4441 South 100 West
Murray, UT 84123
Phone: (801) 270-3440
Fax: (801) 270-3400



Murray City Water Water Wise Kids



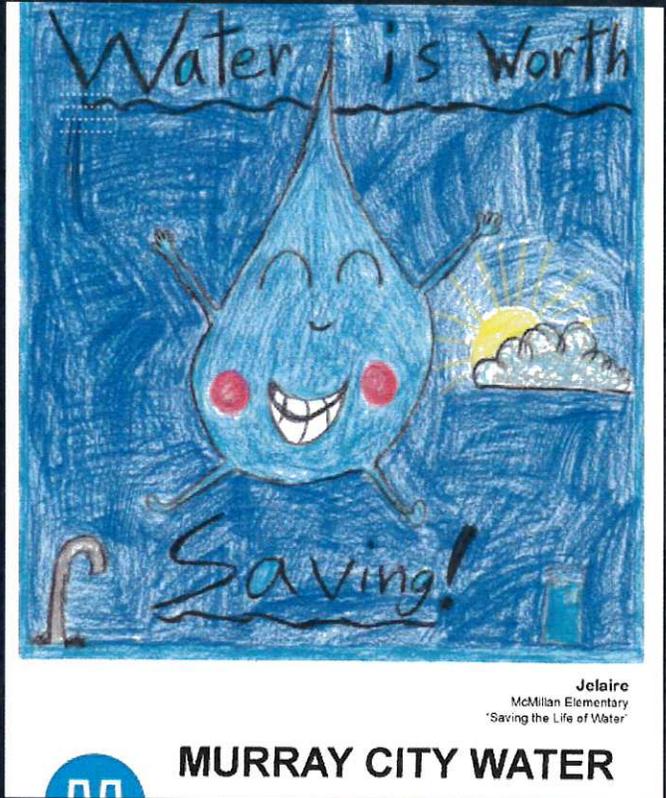


MURRAY
CITY WATER



National
Energy
Foundation
Partners

Consumer Confidence Report



Current Rebate Options

Murray Water Customers



WaterSense® Rebate Program

PERSONAL INFORMATION

Last Name First Name
 Street Address
 City State Zip Code
 E-mail Address Phone Number
 Water Account #

WATERSENSE® PRODUCT INFORMATION

Rebate Fixture 1

Date of Purchase Ex: 7/7/2013
 WaterSense® Product Purchased Toilet Shower head
 Brand Model

Rebate Fixture 2

Date of Purchase
 WaterSense® Product Purchased Toilet Shower head
 Brand Model

Rebate Fixture 3

Date of Purchase Ex: 7/7/2013
 WaterSense® Product Purchased Toilet Shower head
 Brand Model

OFFICIAL USE ONLY DATE RECEIVED: _____
 Application #: _____ Inspection Date: _____ Total Rebate: \$ _____
 Approved
 Denied Approved Signature: _____ Date: _____



WaterSense® Rebate Program

Murray City is offering rebates valued at \$75 per toilet/\$25 per shower head to qualified water users for replacing their existing toilet/shower head with a new EPA WaterSense labeled version. Toilets/shower heads must be installed before an application may be submitted.

Rebate Qualification

1. Be a single family residential water utility customer of Murray City Water.
2. Be the customer of record on a current, non-delinquent account.
3. Purchase and install a new WaterSense® labeled toilet/shower head to replace an old fixture. The WaterSense® labeled toilet/shower head must be installed before submitting a rebate application.
4. Include the original receipt(s) and/or invoice(s) for the toilet(s)/shower head(s).
5. Agree to a post-installation inspection to verify the toilet(s)/shower head(s) eligibility (see details in the Program Rules section).
6. Submit an application, receipt(s), and documents to the following address for processing:
 Murray City Water
 WaterSense® Rebate Program
 4646 South 500 West
 Murray, Utah 84123

Program Rules:

1. There is a limit of three (3) rebates per single family residential service. A separate application must be submitted for each metered address.
2. New toilet(s)/shower head(s) must be WaterSense® labeled and appear on the U.S. Environmental Protection Agency's WaterSense® Product Search web page (http://www.epa.gov/WaterSense/product_search.html). Tank and bowl must be purchased and installed as a single unit to be eligible for credit. If either the tank or the bowl does not match the WaterSense® Product List, the application may be rejected. Toilet(s)/shower head(s) must have been purchased and installed on or after July 1, 2013.
3. Completed and signed rebate application must be returned to Murray City Water with the original proof of payment (receipt or itemized invoice from plumber) within 90 days of date of purchase. No copies of receipts or invoices will be accepted. Original receipts will not be returned, so please make copies for your records.
 Receipts must contain the following information to be considered acceptable:
 1. Business/company name
 2. Date of purchase
 3. Make and model of toilet/showerhead purchased
 4. Total amount of purchase
 5. Method of payment (cash, check, debit or credit card)
 Invoices from a plumber or contractor must contain the following information to be considered acceptable:
 1. Business/company name
 2. Invoice/order number
 3. Make, model and cost of each toilet/shower head installed



Other Available Rebate Options

To Murray Water Customers



AVAILABLE FOR:
MOST OF SALT LAKE COUNTY

Want to improve your existing landscape? Sign up for a free consultation to get expert advice about your watering practices, landscape, and irrigation system.



AVAILABLE FOR:
MOST OF SALT LAKE COUNTY

Park strips are one of the most difficult places for grass to thrive and for us to maintain. This program offers cash rebates to "flip" your park strip to be water

Utah Water Savers Rebate Options

Programs and Rebates



AVAILABLE FOR:
ALL OF UTAH!

Old toilets are a leading cause of wasted water in Utah homes. Rebates will only be given for replacing toilets that use more than 1.6 gallons per flush and were installed in homes built before 1994.



AVAILABLE FOR:
ALL OF UTAH!

Smart controllers can help save water by automatically adjusting watering schedules based on local weather and landscape needs. Ready to stop worrying about turning your sprinklers off after it rains? Rebates for smart controllers are available.



AVAILABLE FOR:
MOST OF SALT LAKE COUNTY

Localscapes Rewards makes getting a landscape that thrives in Utah easier than ever. If you are looking to install or renovate a landscape, you may qualify for cash rewards and a free review of your landscape plan!

How A Park Strip Conversion Program Can Help

SLOW THE FLOW AND SAVE H2O



Advantages of xeriscaping your Park Strip

- * Less water used = Water Conservation
- * Save on water bill
- * Less lawn to mow
- * Better for environment
 - Honey-Bee habitat
 - No fertilizer run off to storm drain
 - No grass clippings to storm drain



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Water Savings Estimate



- **Water Savings Estimate**
- Standard system for grass
 - Average park strip will have 8 heads
 - Average run time is about 20 minutes
 - Average gallons per minute = 13
 - Total gallons used (260)
- Standard drip system
 - Average park strip will have 12 emitters
 - Average run time will be about 30 minutes
 - Average gallons per hour = 60
 - Total gallons used (30)
-
- Water savings on a daily basis: $260 - 30 = 230$ gallons saving per day
- If the average park strip was watered 4 times per/week it would save a total $230 \times 4 = 920$ gallon per week
- 920×4 weeks = 3,680 gallons per month
- 3680×4 months = 14,720

5/5/2020

Add a footer

14

Cost Savings Over Time (2020 Rates)

Water saved in gallons in 4 weeks = 3644 x 4 months = 14576 gallons

1 HCF = 748 gallons

1 month -- 3644 gallons = 4.87 HCF

4 months -- 14576 gallons = 19.48 HCF

5 year -- 72880 gallons = 97.43 HCF

	<u>1 Month Savings</u>	<u>4 Month Savings</u>	<u>5 Year Savings</u>
Tier 1	\$5.21	\$20.84	\$104.25
Tier 2	\$6.28	\$25.12	\$125.68
Tier 3	\$7.64	\$30.56	\$152.96
Tier 4	\$9.59	\$38.36	\$191.93
Tier 5	\$13.68	\$54.72	\$273.77

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WATER THAT IS
CONSERVED
BY
COMPARISON



Water Saved 1 park strip: 3,644 x
4 months = 14,720 gal.



10 homes, average park strips:
14,720 x 10 = 147,200 gal.
which = 8 residential 18,000 gal
average size swimming pools!

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What A Park Strip Conversion Rebate Program Could Look Like

- * Application
- * Instructions & Eligibility
- * Planting Requirements
- * Rebate based on square footage
- * Links on city web site for planting & Design



MURRAY
CITY WATER

4646 S 500 West
Murray, Utah 84123
Water Office (801) 270-2440

Flip Your Strip Application

Applicant Name:
Owner of Property:
Address:
City, State, Zip:
Email:
Phone#:

CHECK/ACKNOWLEDGE

- I understand that I must meet all eligibility requirements and follow irrigation and planting guidelines.
- I understand I must call and arrange a pre-inspection before any park strip work begins.
- I understand I have 3 months to complete work
- I understand I must pass a post inspection to receive rebate.
- I agree with all terms and have read all requirements.

Signature of Property Owner/Applicant: _____ Date: _____

Signature of Pre-Inspection: _____ Date: _____

Signature of Post Inspection: _____ Date: _____

Inspection Contacts:

Water Department: Joe Goodman (801) 270-2458
Dean Mair (801) 270-2455

jgoodman@murray.utah.gov
dmair@murray.utah.gov

Program Overview: This program is meant to increase curb appeal, reduce and conserve water also to get money back when you participate in the Murray City Flip Your Strip Campaign. Receive \$1.50 per square ft. if you are eligible and follow requirements.

General Eligibility Requirements:

1. Park strips must be currently landscaped with living, well-maintained lawn. If lawn has been killed or removed prior to a pre-conversion site visit, you are not eligible for this program.
2. Applicant must be current on all Murray utility bills.
3. Applicants must be a residential customer of Murray City Water.
4. Projects should remove all lawn from park strip and replace it with water efficient landscaping.
5. Projects that replace lawn with artificial turf are not eligible.
6. Rebate checks are made to the property owner only.

Planting Requirements:

1. Perennial plants must cover at least 40% of the converted park strip at maturity. Trees will not be considered in density calculations.
2. Plants may not exceed 24 inches in height at maturity. Taller plants block views for safety and can interfere with city maintenance.
3. Completed projects must cover 3-4 inches of gravel, bark or compost mulch. Groundcover plants can qualify as mulch if 100% plant density is achieved at maturity.
4. If landscape fabric is used it must be permeable to water and air.
5. Concrete areas do not qualify for a square foot rebate, but pavers, bricks, stone and other permeable materials are permitted.
6. All plants must not be planted within 3' of any water meter to allow for city maintenance.

Irrigation Requirements:

1. Completed park strips must be irrigated with low-volume drip systems. Drip systems must include filter and pressure regulator visible for inspection.
2. Drip emitters must be rated at 5 gallons per hour or less.
3. Bubblers, micro-spray emitters and soaker hoses are not allowed.

How to Apply:

1. Review the eligibility requirements to ensure your project qualifies for a rebate.
2. Begin your application. You will be asked to provide photos of your project site and an estimated conversion area in square feet.
3. Request a pre-conversion site visit, remember killing or removing your lawn prior to a site visit will make your park strip ineligible for a rebate.
4. Complete park strip conversion.
5. Request a post-conversion site visit
6. There is a maximum of \$350.00 rebate per property with current owners.

Frequently Asked Questions:

1. **Can I apply if I have already started my project?**
No, you must have living lawn in your park strip at the time of the pre-conversion visit. If you have already killed or removed your lawn you will be denied.
2. **What if my park strip is just full of weeds and the lawn is dead?**
Your park strip needs to have living lawn to be eligible.
3. **I live in an H.O.A., can I still apply?**
Yes, but you must clear project with your H.O.A.
4. **I am renting, can I apply for rebate?**
If you are renting or leasing, you must have the property owner apply for the rebate and be present for pre-conversion visit. Rebate checks are issued to the property owner only.
5. **If I have an existing tree in my park strip, does it need to be removed?**
No, we do not promote the removal of trees from landscapes unless they are causing problems with concrete walks. Trees must be watered with the installed drip irrigation system following conversion.
6. **I am installing landscape for my new home, can I apply?**
No, this program is only for existing landscapes with grass park strips.
7. **Are multi-family residences eligible for this program?**
No, this program is intended for single-family residences only.
8. **Can I remove my lawn and just replace it with bark, gravel or hardscape?**
No, this program requires plant and drip irrigation to be installed. This rule is in place to follow local city ordinances.
9. **How long do I have to complete my project?**
You have 3 months after your application to complete your park strip project.

Add a footer

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Water-Wise Plants for utah landscapes



Welcome to the Utah Water-Wise Plants Website!

In order to assist Utah citizens in identifying water-wise plants for our region, we have developed a program to recognize desirable low water use species. Representatives from several government and local organizations have worked together to organize a list of ornamental trees, shrubs, herbaceous perennials, ornamental grasses, and ground covers that meet the criteria listed below.

Plants are

- 1) water-wise
- 2) adapted to Utah's arid climate and cold winters.
- 3) available in the industry,
- 4) relatively easy to maintain in the landscape, and
- 5) have desirable landscape characteristics which remain desirable under limited water availability.

Our 'water-wise' designation means a plant needs to be watered at most once every two weeks after establishment and will still retain its aesthetic characteristics.

A generic, **bright yellow tag or label** with a recognizable logo will show you the consumers that "this" is a water-wise plant. Look for this tag at **participating Nurseries and Garden Centers** throughout the state, and you will know you are purchasing a recommended plant - it's as easy as that!

About this website

This website was developed to be a companion to the Water-Wise Tagging Program. Here you will find photos of plants on the [Utah Water-Wise Plants list](#), as well as descriptions and cultural information.

Using the navigation menu to the left, you may search for plants meeting your specific site needs (i.e., shade, zone 5, etc.). You may also browse through all the plants in the database, arranged by category. And a new feature, [Water-Wise Landscaping in Action](#), shows you examples of homeowners that have implemented these principles and plants in their own yards!

Please feel free to add a plant to your 'My List', a feature that allows you to compile a list of your favorite plants on this website. After completion, you may print out the list and take it with you to your local nursery or garden center.



20

Find Waterwise Plants

Search by: common name, botanical name, family, or variety

Search 

Advanced Search Filters

Plant Type

Bloom Season

Irrigation Requirement

Light Requirement

Bloom Color

Foliage Color

Garden Area

Locascapes Planting Design Elements

Add a footer

21

Estimated Annual Cost of the Program

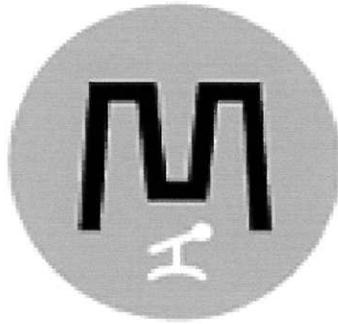
1st year \$3,000 - \$4,500

2nd year \$ 4,000 - \$5,000

3rd year \$ 4,500 - \$6,500

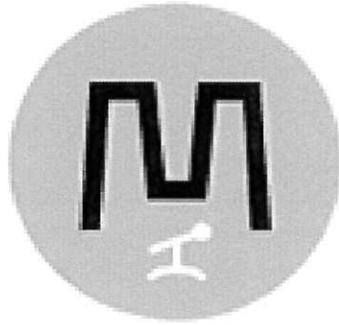
CURRENT LANDSCAPING ORDINANCE

- Current ordinances **support** water conservation and xeriscaping in park strips and other required landscaping.
- Section 16.140(F) requires park strips be “landscaped with vegetation” except in some cases for double-frontage lots.
-
- Section 17.68.040(D) applies to required landscaped improvements and requires “**water-wise plant materials and/or appropriate xeriscaping**”.



MURRAY
CITY COUNCIL

Discussion Items



MURRAY
CITY COUNCIL

Discussion Item #1



MURRAY

Council Action Request

Meeting Date:

Department Director	Purpose of Proposal
Phone #	Action Requested
Presenters	Attachments
	Budget Impact
Required Time for Presentation	Description of this Item
Is This Time Sensitive	
Mayor's Approval	
Date	

**Committee of the Whole
August 4, 2020**

**Small Modular Reactor
Presentation & Discussion**

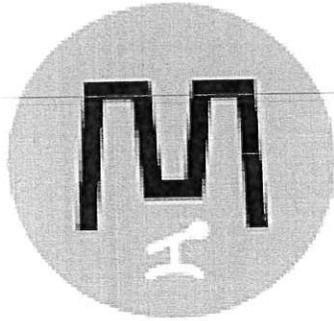
Speaker #1 – M.V. Ramana

M.V. Ramana is a physicist and the Simons Chair in Disarmament, Global and Human Security and Director of the Liu Institute for Global Issues at the School of Public Policy and Global Affairs, University of British Columbia. He is the author of *The Power of Promise: Examining Nuclear Energy in India* (Penguin Books, 2012) and is a former member of the *Bulletin of Atomic Scientists'* Science and Security Board. Ramana is a member of the International Panel on Fissile Materials, the International Nuclear Risk Assessment Group, and the team that produces the annual World Nuclear Industry Status Report. He is the recipient of a Guggenheim Fellowship and a Leo Szilard Award from the American Physical Society.

Speaker #2 – Rusty Cannon

Vice-President, Utah Taxpayers Association since October 2018. Received a Degree in Finance from the University of Utah. Rusty has over 20 years of experience in government relations, lobbying, financial services, sales and management.

Questions and Comments



MURRAY
CITY COUNCIL

**Discussion
Item #2**



Murray City Police Dept.

Interlocal Agreement/SLCO and Urban Wildlife Assistance Program

Council Action Request

Committee of the Whole

Meeting Date: August 4, 2020

<p>Department Director Craig Burnett</p> <p>Phone # 801-264-2613</p> <p>Presenters Craig Burnett</p> <p>Required Time for Presentation 10 Minutes</p> <p>Is This Time Sensitive No</p> <p>Mayor's Approval </p> <p>Date July 20, 2020</p>	<p>Purpose of Proposal Discuss the Urban Wildlife Assistance Program and Interlocal Agreement proposed for Murray City.</p> <p>Action Requested Discussion only</p> <p>Attachments Copy of agreement and resolution</p> <p>Budget Impact This is in addition to the services provided by SLCO and would require approval and a budget opening for \$12,928.00 annual.</p> <p>Description of this Item Salt Lake County provides a program for urban wildlife assistance, which is an additional service beyond the general animal control contract. This service will assist Murray residents in managing raccoons, skunks, and other wild animals by allowing the county to trap and remove them at no cost to the resident. Staff believes that this is a valuable service to provide to our residents and recommends trying the program for a year. When it's time to renew next year, we will evaluate if the program was well utilized and worthwhile to continue.</p>
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RESOLUTION NO. _____

A RESOLUTION APPROVING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN MURRAY CITY (“CITY”) AND SALT LAKE COUNTY (“COUNTY”) RELATING TO THE COUNTY URBAN WILDLIFE ASSISTANCE PROGRAM.

WHEREAS, the Utah Interlocal Cooperation Act, Title 11, Chapter 13 of the Utah Code, permits local governmental entities to enter into cooperative agreements with one another for the purpose of exercising, on a cooperative basis, any powers, privileges and authority that may be exercised by each public entity individually; and

WHEREAS, the City and County are “public agencies” as contemplated in section 11-13-101 of the Utah Code, *et seq.* – Interlocal Cooperation Agreement Act; and

WHEREAS, the Salt Lake County Council of Governments (the “COG”) is made up of government and municipal leaders in Salt Lake County (the “County”) and has historically addressed issues that cross city boundaries, such as transportation, watershed, air quality, public safety, and others; and

WHEREAS, in 2015, in an effort to reinstate a lapsed federal program that once provided racoon and skunk abatement in urban areas, the COG created the County’s Urban Wildlife Program (the “Wildlife Program”); and

WHEREAS, the goal of the Wildlife Program is to assist homeowners and business owners as well as municipalities within the County with the proper management and control of skunks and raccoons which are considered vertebrate pests in Utah and are not managed by the Utah State Department of Wildlife Resources (UDWR); and

WHEREAS, Murray City (the “City”) believes it is in its best interest to participate in the Wildlife Program and desires to enter into an Interlocal Cooperation Agreement with the County to participate in the Wildlife Program wherein the City will pay an annual fee to the County starting at \$12,928.00 for the first year and adjusted annually based on participation and population numbers.

NOW, THEREFORE, BE IT RESOLVED by the Murray City Municipal Council as follows:

1. It hereby approves an Interlocal Cooperation Agreement between the City and the County, in substantially the form attached is Exhibit "A"; and
2. The Interlocal Cooperation Agreement is in the best interest of the City; and
3. Mayor D. Blair Camp is hereby authorized to execute the Agreement for and in behalf Murray and act in accordance with its terms.

PASSED AND APPROVED this day of , 2020.

MURRAY CITY MUNICIPAL COUNCIL

Rosalba Dominguez, Chair

ATTEST:

Jennifer Kennedy
City Recorder

County Contract No. _____
DA Log No. 20-_____

INTERLOCAL COOPERATION AGREEMENT

between

SALT LAKE COUNTY

and

MURRAY CITY

Salt Lake County Urban Wildlife Assistance Program

THIS AGREEMENT is made and entered into this _____ day of _____, 2020, by and between SALT LAKE COUNTY, a body corporate and politic of the State of Utah (the "COUNTY"); and CITY OF MURRAY, a municipal corporation of the State of Utah (the "CITY"). COUNTY and CITY may collectively be referred to as the "parties".

RECITALS:

WHEREAS, UTAH CODE ANN. § 11-13-202 provides that any two or more public agencies may enter into an agreement with one another for joint or cooperative actions; and

WHEREAS, the COUNTY and the CITY are "public agencies" as contemplated in UTAH CODE ANN. § 11-13-101, et seq. - Interlocal Cooperation Act; and

WHEREAS, the COUNTY and the CITY are desirous to take part in a multi--jurisdictional effort originally proposed by the Salt Lake Council of Governments ("COG") to create and fund an ongoing, regional program for urban wildlife control in the greater Salt Lake County metropolitan area; and

WHEREAS, it is beneficial for the COUNTY, the CITY and their respective citizens that the parties cooperate in accomplishing the foregoing.

AGREEMENT:

NOW, THEREFORE, in consideration of the mutual promises contained within this Agreement, the parties hereby agree as follows:

- I. Scope of Services
 - a. The COUNTY agrees to:
 - i. Establish and administer a special revenue account for the "Urban Wildlife Assistance Program" (the "Fund").
 - ii. Expend all monies received from the CITY under this Agreement as directed, and shall promptly reimburse the CITY for any such funds not so expended. The COUNTY shall provide the CITY a detailed accounting of all funds received from the CITY upon request of the CITY.
 - iii. Consult with representatives of the CITY and other participating local jurisdictions in making decisions concerning administration of the Fund.

- b. The CITY agrees to:
 - i. Participate in the Fund.
 - ii. Make an annual contribution in the amount of Twelve Thousand Nine Hundred Twenty-Eight Dollars (\$12,928.00) to the COUNTY for deposit and use in the Fund. The amount shall be adjusted annually upon other cities' participation in the Fund and the city population.
 - iv. Consult with representatives of the COUNTY and other participating local jurisdictions in making decisions concerning the administration of the Fund.

- c. The parties mutually agree:
 - i. The Fund will serve program goals as developed by the program participants. The program participants will make recommendations to the COUNTY for the expenditure of Fund monies.
 - ii. The Fund will not supplant any existing COUNTY programs or funding for wild animal control, nor shall monies contributed by the CITY to COUNTY hereunder be diverted or used for other COUNTY programs.
 - iii. The program participants shall make recommendations concerning how monies contributed to the Fund are spent.
 - iv. Funding will be allocated by the parties as part of their respective annual budgeting processes. The CITY's initial contribution shall be paid to the COUNTY by July 31, 2020, for the term of service through June 30, 2021. The CITY shall allocate and pay each subsequent annual contribution to the COUNTY by July 1 of each succeeding year of this Agreement.
 - v. Pursuant to Section VI. of this Agreement, entitled "Non-funding," nothing in this Agreement shall be construed to bind the decision of the future legislative bodies of either party to continue funding or participation in the Fund.
 - vi. The COUNTY's role under this Agreement shall be limited to those services set forth in Section I.a. Except where agreed to otherwise in writing, the COUNTY shall not be required to provide any additional money or resources to fulfill the objectives of the Salt Lake County Urban Wildlife Assistance Program. Nothing in this Agreement shall be construed as to require the COUNTY to ensure the success of the program goals developed through the program participants.

II. Term and Termination

The term of this Agreement shall commence on July 1, 2020 and shall continue until June 30, 2025. This Agreement may be renewed for subsequent five (5)-year periods at the mutual option of the parties under the same terms and conditions unless modified by Amendment. Each party reserves the right to terminate this Agreement on any June 30th date during the term or any subsequent terms if it, in its sole discretion, determines it is in its interest to do so. The party electing to exercise this right shall provide written notice to the other party no later than the March 31st immediately preceding the date of termination. A notice of termination provided between April 1st and June 30th will not become effective until June 30th of the subsequent calendar year. Both parties agree that the terminating party's election to terminate this Agreement will not be deemed a termination for default nor will it entitle the other party to any rights or remedies provided by law or this Agreement for breach of contract by the terminating party, or any other claim or cause of action.

III. No Agency

No agent, employee, or servant of the COUNTY or the CITY is or shall be deemed to be an employee, agent, or servant of the other party. None of the benefits provided by each party to its employees, including but not limited to workers' compensation insurance, health insurance and unemployment insurance, are available to the employees, agents, or servants of the other party. The COUNTY and the CITY shall each be solely and entirely responsible for its acts and for the acts of its agents, employees, and servants during the performance of this Agreement. Each Party shall be solely responsible for providing workers' compensation benefits for its own personnel who provide assistance under this agreement.

IV. Severability

If any term or provision of the Agreement shall to any extent be determined to be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to circumstances other than those with respect to which it is invalid or unenforceable, shall not be affected thereby, and shall be enforced to the extent permitted by law. To the extent permitted by applicable law, the parties hereby waive any provision of law which would render any of the terms of this Agreement unenforceable.

V. Liability and Indemnification.

The CITY and the COUNTY are governmental entities under the Utah Governmental Immunity Act, UTAH CODE ANN. § 63G-7-101, et seq. Consistent with the terms of the Act, and as provided herein, it is mutually agreed that each party is responsible and liable for its own wrongful or negligent acts which are committed by it or by its agents, officers or employees. Neither party waives any defenses otherwise available under the Act nor does any party waive any limits of liability currently provided by the Act.

VI. Non-Funding

The parties shall in good faith request the appropriation of funds to be paid for the services provided by this Agreement. If funds are not available beyond the last date of each entity's respective fiscal year of any effective fiscal year of this Agreement, either party's obligation for performance of this Agreement beyond that date shall be null and void. This Agreement shall create no obligation on the COUNTY or CITY as to succeeding fiscal years and shall terminate and become null and void on the last day of the fiscal year for which funds were budgeted and appropriated, except as to those portions of payments agreed upon for which funds were appropriated and budgeted. Said termination shall not be construed as a breach of this Agreement or any event of default under this Agreement and said termination shall be without penalty, whatsoever, and no right of action for damages or other relief shall accrue to the benefit of either party, as to this Agreement, or any portion thereof, which may terminate and become null and void. If funds are not appropriated for a succeeding fiscal year to fund performance by either party under this Agreement, that party shall promptly notify the other party of said non-funding and the termination of this Agreement, and in no event, later than 30 (thirty) days prior to the expiration of the fiscal year for which funds were appropriated.

VII. Assignment and Delegation

Neither party shall assign any right nor delegate any duty under this Agreement without the express written and signed consent of the other party.

VIII. Entire Agreement

This Agreement contains the entire agreement between the parties with respect to the subject matter hereof, and no statements, promises, or inducements made by either party or agents for either party that are not contained in this written contract shall be binding or valid; and this Agreement may not be enlarged, modified, or altered except in writing, and signed by the parties.

IX. Governing Law, No Third-Party Beneficiaries, Headings

It is understood and agreed by the parties hereto that this Agreement shall be governed by the laws of the State of Utah, the Ordinances of Salt Lake County, and the Municipal Code of City of Murray, both as to interpretation and performance.

This Agreement is not intended to benefit any third party. The paragraph headings of this Agreement are inserted only for convenience, and in no way define, limit, augment or describe the scope or intent of this Agreement nor affect its terms and provisions.

X. Interlocal Cooperation Act Requirements

In satisfaction of the requirements of the Interlocal Act, and in connection with this Agreement, the parties agree as follows:

- a. This Agreement shall be approved by each party pursuant to Section 11-13-202.5 of the Interlocal Act;
- b. This Agreement shall be reviewed as to proper form and compliance with applicable law by a duly authorized attorney on behalf of each party, pursuant to Section 11-13-202.5 of the Interlocal Act;
- c. A duly executed original counterpart of this Agreement shall be filed with keeper of records of each party, pursuant to Section 11-13-209 of the Interlocal Act;
- d. Except as otherwise specifically provided herein, each party shall be responsible for its own costs of any action taken pursuant to this Agreement, and for any financing of such costs;
- e. No separate legal entity is created by the terms of this Agreement. To the extent that this Agreement requires administration other than as set forth herein, it shall be administered by the mayors of the CITY and the COUNTY. No real or personal property shall be acquired jointly by the parties as a result of this Agreement. The COUNTY shall own all equipment, records and other things used to provide services under this Agreement. Upon termination, all such equipment, records, and other things shall remain the property of COUNTY.

XL. Counterparts

This Agreement may be executed in counterparts by COUNTY and CITY.

IN WITNESS WHEREOF, the parties have subscribed their names and seals the day and year first above written.

SALT LAKE COUNTY

Salt Lake County Mayor or Designee

Signed: _____

Date: _____

Approved as to Form:

By: _____

Deputy District Attorney

Date 7/6/2020

CITY OF MURRAY

Mayor Or Designee

Signed: _____

Date: _____

Approved as to Form

By: _____

City Attorney

Date _____

City Recorder

Signed: _____

Date: _____



MURRAY
CITY COUNCIL

Discussion Item #3



Community & Economic Development

Van Winkle Crossing, Memorandum of Understanding

Committee of the Whole

Meeting Date: August 4, 2020

Council Action Request

<p>Department Director Melinda Greenwood</p> <p>Phone # 801-270-2428</p> <p>Presenters Melinda Greenwood Jared Hall</p> <p>Required Time for Presentation 30 Minutes</p> <p>Is This Time Sensitive No</p> <p>Mayor's Approval </p> <p>Date</p>	<p>Purpose of Proposal Review of the draft Memorandum of Understanding to govern a mixed use development approved by the Planning Commission.</p> <p>Action Requested Informational only. Review of the development and draft Memorandum of Understanding for subsequent adoption.</p> <p>Attachments Draft MOU, Conditional Use Permit, Presentation Slides</p> <p>Budget Impact N/A</p> <p>Description of this Item On December 5, 2019 the Planning Commission approved a request by Kimball Development and ICO (Ivory Commercial) for a mixed use project known as Van Winkle Crossing at 4670 South 900 East (on the former K-Mart site). The project includes 421 multi-family housing units and 21,000 square feet of commercial space on the 10.52-acre property. The development proposal required both a Conditional Use Permit and a Master Site Plan approval. Master Site Plan approval carries a specific requirement for a Memorandum of Understanding (MOU) - a document intended to control and govern the phasing of the development and assure that commercial elements are included. Because the Planning Commission cannot enter into agreements such as a MOU, it must be brought to the City Council for review and action. A brief outline of the components of the MOU follows, with the draft document attached for review.</p>
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Continued from Page 1:

The Memorandum of Understanding (MOU) can be viewed as a development agreement between Murray City and the Developer which will govern the Van Winkle Crossing mixed use development. It can be considered in four major components, each of which is briefly reviewed below:

- 1) The composition of the mixed use project. In this case, the MOU specifies that the project is composed of 421 dwelling units, with a minimum of 21,000 square feet of commercial buildings, and parking, amenities, landscaping, utilities, accesses, and right of way improvements that have been approved in a Master Site Plan.
- 2) The phasing of the development. A mixed use development of this size is usually phased. The MOU identifies the dwelling units, parking, amenities and utilities that must be constructed in each of the phases. The MOU further identifies a "commercial" phase, and specifies that the City will allow the commercial development to occur, but requires that the minimum 21,000 square feet must be constructed within five years of the execution of the MOU.
- 3) The maintenance of the existing access. There is an existing access from east to west through the development parcel from a neighborhood in Millcreek (on the west) to 900 East. It was of great concern to the public safety officials, engineering and planning staff, Millcreek residents and the Planning Commission that the access remain open. Subsequently, it has been made a part of the Master Site Plan and guaranteed as an access by its inclusion in the MOU.
- 4) Performance and termination. The MOU provides for the City's withholding of building permits or certificates of occupancy and the issuance of stop orders as remedies for failure on the Developer's part to meet the requirements of the Master Site Plan and MOU. The MOU can also potentially be terminated by the City if the Developer fails to submit building permit applications for the first phase of development within two years of the execution of the MOU, and applications for the required commercial development within four years.

The MOU will be presented to the City Council at the Committee of the Whole Meeting on August 4, 2020 for discussion and will come before the Council on August 25, 2020 for formal approval.

VAN WINKLE CROSSING

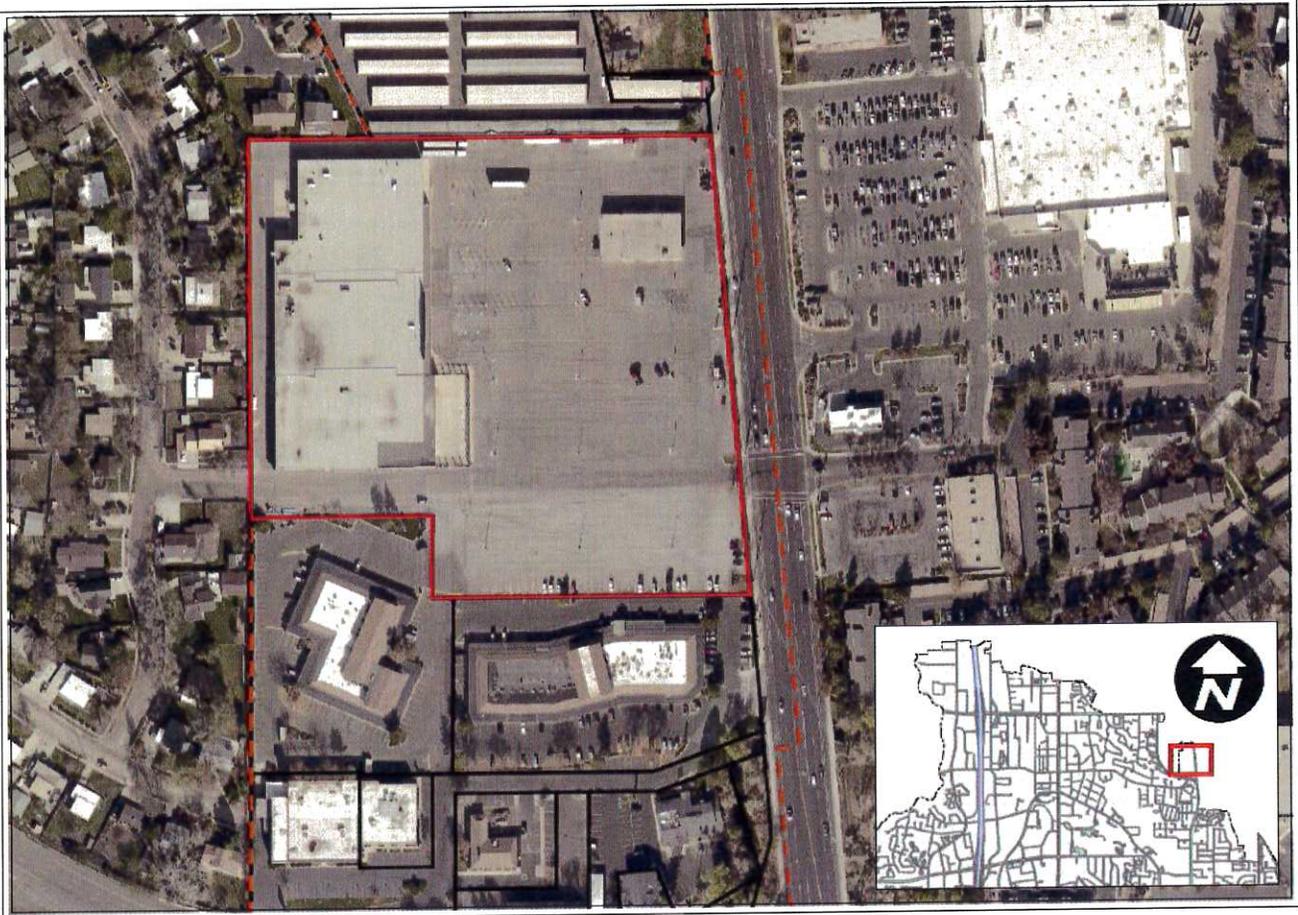
Memorandum of Understanding

Address: 4670 South 900 East
10.52 acres

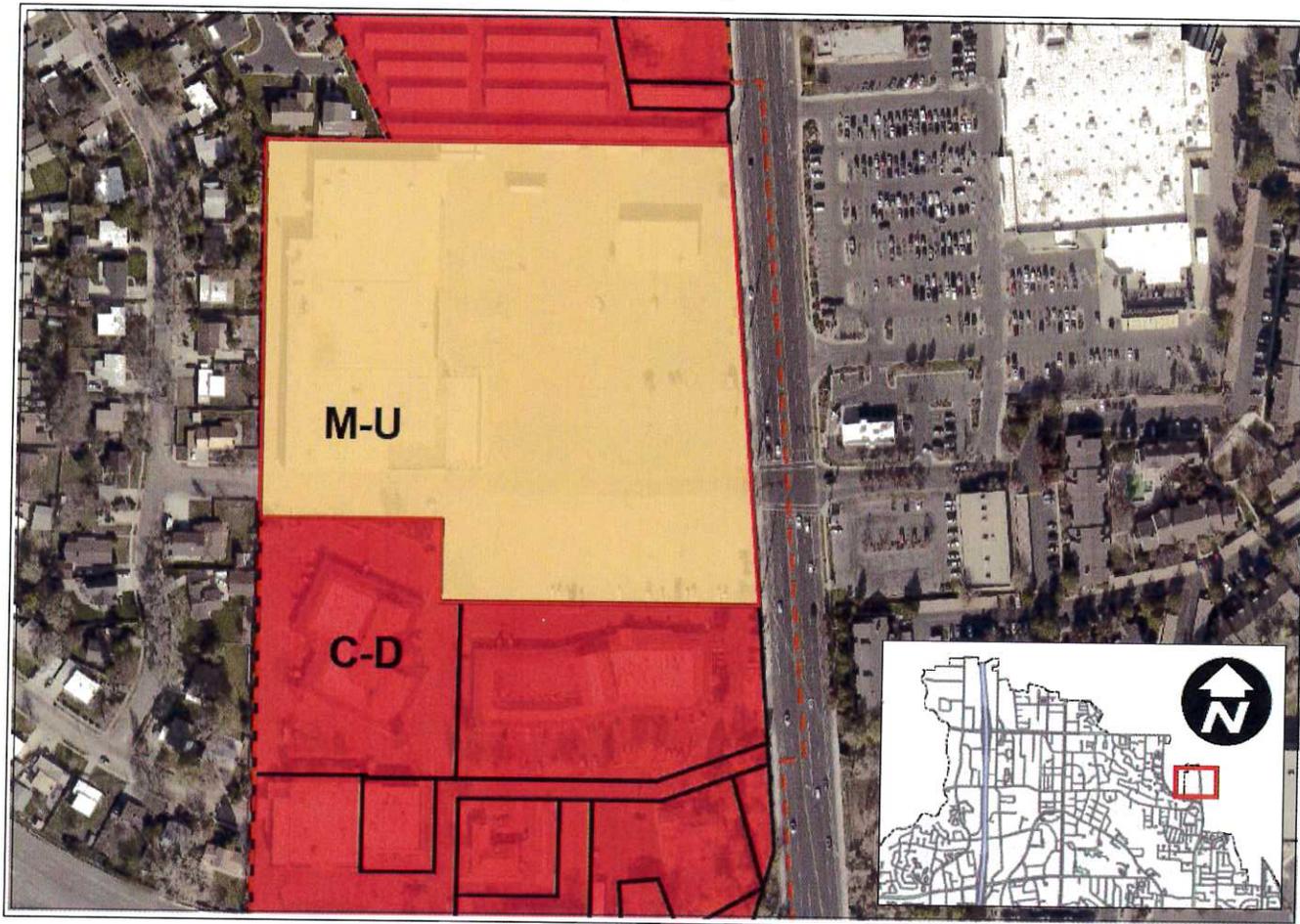
Applicant: Kimball Development
Ivory Commercial (ICO)



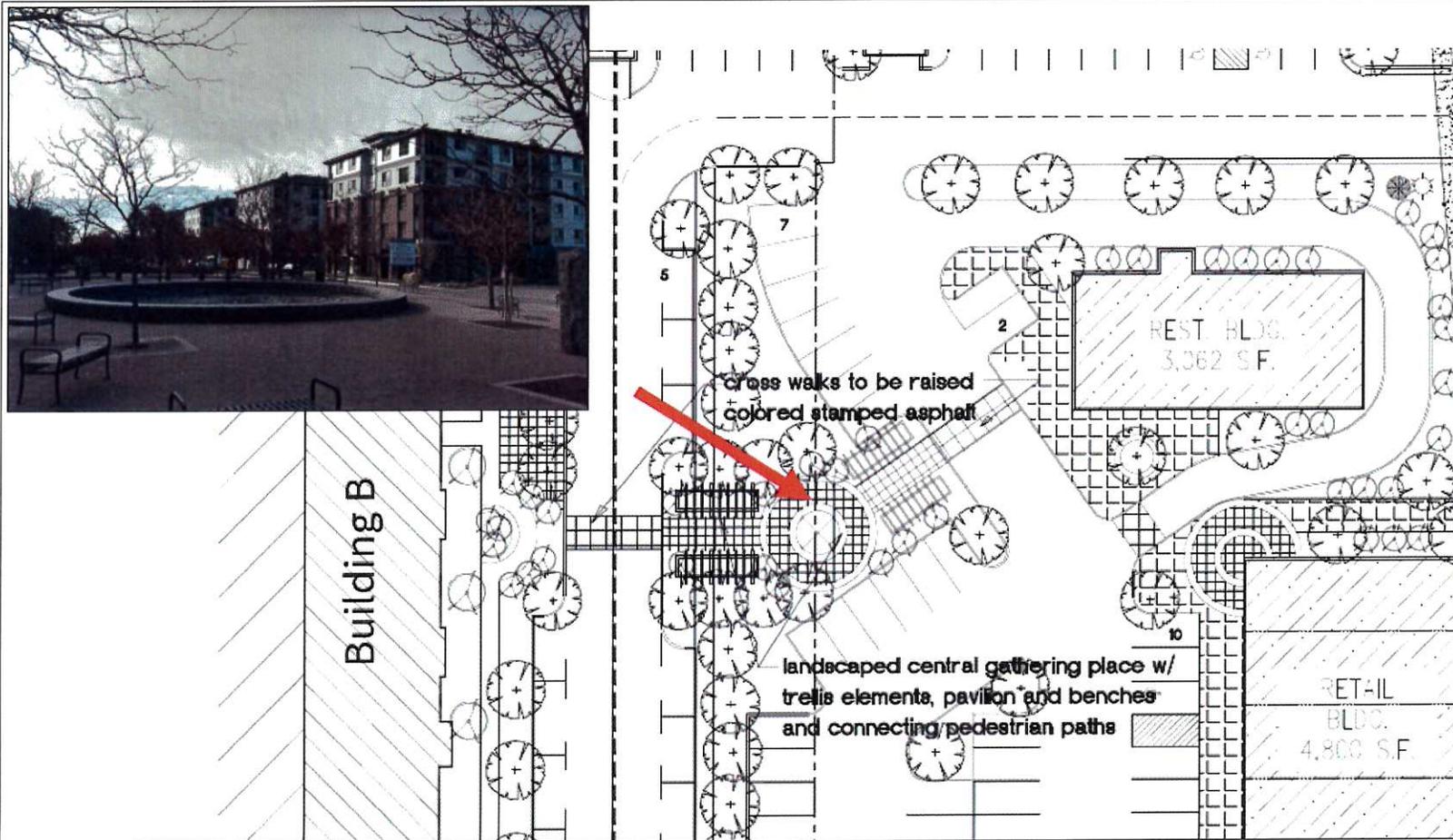
Aerial Map, Subject Property



Zoning Map, Subject Property



Central Feature, as required by the Master Site Plan



Residential Building Elevations



BUILDING A - EAST ELEVATION

-  ROOF: Architectural grade asphalt shingles
-  FASCIA: Aluminum fascia and flashing
-  SIDING
-  SIDING
-  SIDING
-  MASONRY: Brick veneer
-  MASONRY: Block
-  WINDOW: Vinyl window
-  RAILING: Wrought Iron



Planning Commission Meeting

- On December 5, 2020, the Planning Commission reviewed the application and held a public hearing on this item.
- Public notices were mailed to all property owners within 500' of the subject property.
- Public comment was received at the meeting, recorded in the minutes (attached)
- The Planning Commission voted unanimously (7-0) to approve the Master Site Plan, which directs the applicants to seek the City Council's approval for a Memorandum of Understanding.



Recommendation

Staff recommends the City Council APPROVE the Memorandum of Understanding for the Van Winkle Crossing mixed use development.





MEMORANDUM of UNDERSTANDING

For Process and Timing of a Horizontal Mixed-Use Development

This Memorandum of Understanding (“MOU”) is made and entered into this _____ day of _____, 2020 (the “Effective Date”) by and between Murray City Corporation (“City”), a Utah municipal corporation, and Kimball Investments, LLC and ICO Multifamily Holdings, LLC. (jointly “Developer”).

RECITALS

WHEREAS, Developer is the owner of certain real property located at or near 4670 South 900 East, Murray, in Salt Lake County, Utah, (“Property”). The Property consists of 10.5 acres of land as more particularly described in Exhibit “A”, attached hereto and incorporated herein; and

WHEREAS, the Property is located and situated in the Mixed Use, M-U Zone; and

WHEREAS, Developer wants to develop the Property and is willing to design and construct a mixed-use development (“Development”) in a manner that is in harmony with and intended to promote the long range policies, goals, and objectives of the Murray City General Plan, zoning, and development regulations; and

WHEREAS, Developer proposes the construction of a horizontal mixed-use development as illustrated on the site and phasing plan attached as Exhibit “B”, which Development includes both commercial and residential aspects, respectively five multi-family residential apartment buildings totaling 421 dwelling units and commercial building pads and property to accommodate twenty-one thousand (21,000) square feet of commercial, retail, and office buildings along with associated right-of-way, utility, amenity, and landscaping improvements; and

WHEREAS, the parties acknowledge that both commercial and residential aspects are essential components of mixed-use developments; and

WHEREAS, the City wants assurance from Developer that the commercial aspects and required improvements of the Development are completed through coordinating the process and timing of the commercial and residential aspects of the Development and the associated site improvements thereof; and

WHEREAS, the parties desire to enter this MOU in order to address the process, timing, and specific aspects of the Development as required by the Mixed-Use Zone; and

WHEREAS, Developer has voluntarily represented to City that it will enter into this binding MOU; and

WHEREAS, the City Council, acting pursuant to its authority under Utah Code Annotated section 10-9a-101 et seq., and its ordinances, resolutions and regulations and in furtherance of its land use policies, has made certain determinations with respect to the proposed Development and, in the exercise of its legislative discretion, has elected to approve this MOU;

NOW, THEREFORE, based upon the mutual promises and conditions herein, the parties hereby enter into this Memorandum of Understanding and agree as follows:

1. Incorporation of Recitals: the recitals are hereby incorporated as part of this MOU.
2. Affected Property: This MOU shall apply to the property located at or near 4670 South 900 East, Murray, Utah as more particularly described in Exhibit "A", which is attached hereto and incorporated by reference herein.
3. Master Site Plan: Developer agrees to adhere to and install improvements in accordance with the Master Site Plan approved by the Murray City Planning Commission. The Development shall include five residential buildings with 421 total dwelling units, commercial buildings totaling no less than 21,000 square feet, as well as associated parking, landscaping amenities, utilities, accesses and right-of-way improvements.
4. Development Phasing: Residential development will be constructed in three phases described here and as more particularly illustrated in Exhibit "B", which is attached hereto. Required commercial development may occur independently during both residential phases.
 - a. Phase 1 shall include construction of:
 - i. 301 residential units in one (1) 5-story building and one (1) 4-story building as shown on Exhibit "B";
 - ii. A central 4.5 level parking structure;
 - iii. Improvements to interior accesses as conditioned by the Conditional Use Permit and depicted in Exhibit "B";
 - iv. All utility improvements necessary for distribution to construction sites in the commercial project area adjacent to 900 East as designated on Exhibit "B", and right-of-way improvements to the project frontage along 900 East as required in the M-U Zone.
 - b. Phase 2 shall include construction of:
 - i. 120 residential units in a 5-story building with podium parking; and
 - ii. All remaining parking and site amenities required under the Master Site Plan.
 - c. Commercial Phase: Developer shall construct no less than 21,000 square feet of retail, commercial and/or office space, as required by the M-U Zone and as depicted conceptually in Exhibit "B." City agrees that the required commercial development of the property may occur as separate and individual projects, evaluated by the City as they are proposed, but shall be constructed no later than five (5) years after the execution of this MOU. The parties understand that commercial development must comply with standards of the M-U Zone, the Master Site Plan, and must contribute to and not impede the connectivity and pedestrian oriented nature of the larger project.
5. Access Management: Developer agrees to maintain free and open access from east to west across the Development between 900 East and 4680 South as depicted in Exhibit "B".

6. Compliance with City Design and Construction Standards. Developer acknowledges and agrees that nothing in this MOU shall be deemed to relieve it from the obligation to comply with all applicable laws, ordinances, resolutions, regulations, rules, policies and procedural requirements of the City necessary for the development of the Property, including payments of fees and compliance with the City's design and construction standards, except as expressly provided herein.
7. Reserved Legislative Powers. Nothing in this MOU shall limit the future exercise of the police power by the City in enacting zoning, subdivision, development, transportation, environmental, open space and related land-use plans, policies, ordinances and regulations after the date of this MOU, provided that the adoption and exercise of such power shall not restrict Developer's vested rights to develop the Property as provided herein.
8. Remedies: Should Developer fail to adhere to requirements as outlined herein, the City may: (a) issue stop orders and/or (b) refuse to issue additional permits or certificates of occupancy for any buildings or portions thereof of the Development.
9. Assignment: This MOU, the provisions, terms or conditions hereof and the benefits, rights and obligation arising hereunder may be assigned in whole or in part by Developer to any other party, individual, or entity with the prior express written consent of the City, which consent shall not be unreasonably withheld or delayed, as follows:
 - a. Certain Sales not an Assignment: Developer's leasing, selling or conveying units, lots or pads in the Development and/or any approved Phase to builders, users, or sub-developers, shall not be deemed to be an assignment subject to the above-referenced approval by the City.
 - b. Related Party Transfer: Developer's transfer of all or any part of the Property to any entity related to Developer (as defined by regulations of the Internal Revenue Service), Developer's entry into a joint venture for the development of the Property or Developer's pledging of part or all of the Property as security for financing shall also not be deemed to be an assignment subject to the above-referenced approval by the City. Developer shall give the City notice of any event specified in this sub-section within ten (10) days after the event has occurred. Such notice shall include providing the City with all necessary contact information for the newly responsible party.
 - c. Notice: Developer shall give the City written notice of any proposed assignment thirty (30) days in advance of the proposed assignment. In addition, Developer shall provide such information regarding the proposed assignee that the City may reasonably request in making the evaluation, including the contact information for the proposed assignee.
 - d. Deemed Approved: Unless the City objects in writing within ten (10) business days' receipt of written notice of the proposed assignment, the City shall be deemed to have approved of and consented to the assignment.

Commented [JHT]: In the event that city staff need to contact, research and evaluate a potential new assignee's ability to perform, at least 2 business weeks are needed (factoring in response times, etc.) 30 calendar days in the notice will accommodate that.

- e. **Partial Assignment:** If any proposed assignment is for less than all of the Property, the Development, this MOU, the provisions, terms or conditions hereof and the Developer's benefits, rights and obligations arising hereunder, then the assignee shall be responsible for the performance of each of the obligations contained in this MOU to which the assignee succeeds. Upon any such approved partial assignment, Developer shall be released from any future obligations as to those obligations which are assigned but shall remain responsible for the performance of any obligations that were not assigned.
 - f. **Grounds for Denying Assignment:** The City may only withhold its consent if the City is not reasonably satisfied of the assignees ability to perform the obligations of Developer proposed to be assigned.
 - g. **Assignee Bound by this MOU:** Any assignee shall consent in writing to be bound by the assigned terms and conditions of this MOU as a condition precedent to the effectiveness of the assignment.
 - h. **Binding Effect:** If Developer sells or conveys all or a portion of the Property to sub-developers or related parties, the Property, Development, or portion thereof so sold and conveyed shall bear the same rights, privileges, intended uses, configurations, and density as applicable to such Property, Development, or portion thereof, and be subject to the same limitations and rights of the City when owned by Developer and as set forth in this MOU without any required approval, review, or consent by the City except as otherwise provided herein.
 - i. **Assignment Approval Dispute:** A dispute related to the approval of any proposed assignment under this Section 7 shall be resolved by each party selecting a disinterested third party with experience in real estate development and land use entitlement, and those two selecting a third similarly qualified person who will be the final arbiter of the City's refusal to approve the proposed assignment. The parties agree to proceed in good faith to ensure that this entire resolution process is completed within ten (10) business days of the City's written rejection of a proposed assignment, unless extended by a writing signed by both parties. The parties shall abide by, defer to, respect and honor the decision of the third arbiter for all purposes under this section.
10. **Governing Law & Venue:** This MOU shall be governed by the laws, rules, and regulations of the State of Utah. Any action or proceeding arising from this MOU shall be brought in a court of competent jurisdiction in the State of Utah. Venue shall be in Salt Lake City, in the Third Judicial District Court for Salt Lake County.
11. **Severability:** In case any one or more of the provisions contained in this MOU shall be held invalid, illegal, or unenforceable in any respect under any applicable statute or rule of law, then such provision shall be deemed inoperative to the extent that they are invalid, illegal, or unenforceable, and the remainder of this MOU shall continue in full force and effect.
12. **Limitation of City's Liability:** In no event shall the City be liable for anticipated profits or for incidental, indirect, consequential, liquidated, or special damages.

13. MOU to Run with the Land: This MOU shall be recorded against the Property described in Exhibit "A" hereto and shall be deemed to run with the land and shall be binding on all successors and assigns of Developer in the ownership or development of any portion of the Property.
14. Waiver: The failure of either party at any time or times hereafter to require strict performance by the other of any of the undertakings, agreements, or covenants contained in this MOU shall not constitute a waiver of such provision, nor in any way affect the validity of the MOU, any part hereof, or the right of the party hereunder to demand strict compliance and performance therewith. None of the undertakings, agreements, or covenants of either party under this MOU shall be deemed to have been waived unless such waiver is evidenced by an instrument in writing signed by both parties.
15. Relationship of Parties: This MOU does not create any joint venture, partnership, undertaking, or business arrangement between the parties hereto. Neither party has the power or authority to act for, bind, or otherwise create or assume any obligation on behalf of the other.
16. No Third-Party Beneficiaries: City and Developer are the only parties to this MOU and are the only parties entitled to enforce its terms. Nothing in this MOU, express or implied, is intended or shall be construed to confer upon or give to any person, firm, corporation, or legal entity other than the parties, any rights, remedies, or other benefits under or by reason of the MOU.
17. Termination:
- a. [This MOU may be terminated by City if Developer fails to submit to the City within two (2) years of City Council approval of this MOU ("Approval") "complete" building permit applications as defined by the City's Building Code in effect at the time of Approval for the first phase of residential development (excluding the area necessary for any required parking)]. Prior to such termination, the City shall first provide Developer with sixty (60) days written notice, which notice shall be withdrawn if Developer submits a "complete" application prior to the expiration of 60 day period or such additional time as agreed to between the parties. Termination of this MOU shall not result in termination of any other legally binding Agreement or action based upon this MOU unless such additional termination is required under the terms of such other Agreement or action. Notice of termination shall be given in writing and either (1) delivered personally, (2) sent by facsimile transmission with an additional copy mailed first class, or (3) deposited in the U.S. mail, certified mail postage prepaid, return receipt requested. Upon termination of this Agreement, the City shall record a notice of such termination in a form satisfactory to the City that the Agreement has been terminated.
 - b. This MOU may be terminated by City if Developer fails to submit to the City within four (4) years of Approval "complete" building permit applications as defined by the City's Building Code in effect at the time of Approval for an additional amount of square feet of commercial development (excluding the area necessary for any required parking) to achieve a total for the Project of 21,000 square feet of commercial development (excluding the area necessary for any required parking). Notice of termination shall be given in writing and either (1) delivered personally, (2) sent by facsimile transmission with an

Commented [JH2]: The multi-family residential component of the project required conditional use permit approval (CUP). Without action (seeking of permits at the very least) the CUP will expire in two years. Adding that same time-frame to the first phase of the project (residential) makes sense from a processing standpoint.

Commented [JH3]: Once the CUP has been acted on (Phase 1) it remains in effect. Planning Staff finds four to five years reasonable to expect that permits for the remaining phase would have been sought and work begun (see section 4-c of this MOU.)

additional copy mailed first class, or (3) deposited in the U.S. mail, certified mail postage prepaid, return receipt requested. Upon termination of this Agreement, the City shall record a notice of such termination in a form satisfactory to the City that the Agreement has been terminated.

18. Authority: The parties to this MOU represent to each other that they have the full power and authority to enter into this MOU, and that all necessary actions have been taken to give full force and effect to this MOU. Developer and City warrant to each other that the individuals executing this MOU on behalf of their respective parties are authorized and empowered to bind the parties on whose behalf each individual is signing.

SIGNATURES ON FOLLOWING PAGE

DATED as of the day and year first written above.

MURRAY CITY CORPORATION

KIMBALL INVESTMENT LLC / ICO Inc.

D. Blair Camp, Mayor

(Signature)

ATTEST:

(Print Name and Title)

City Recorder

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

City Attorney's Office Department

Community & Economic Development Department

EXHIBIT "A"



EXHIBIT "B"

Commented [JH4]: The potential amendments to the Site Plan have been reflected in the language of this draft of the MOU, but the street improvements on the west leg of 4580 South through the project have not been updated to reflect the PC's requirement for angled or parallel parking and sidewalks. That still needs to be done.

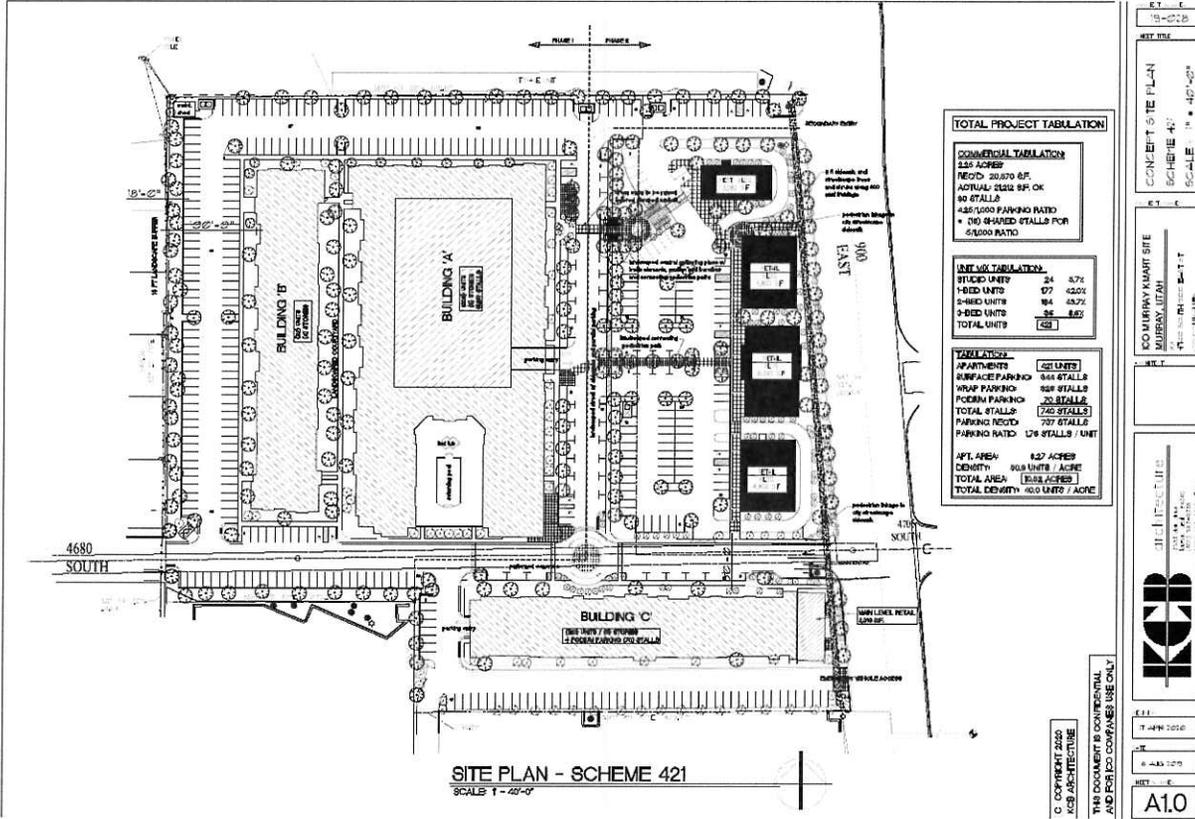


EXHIBIT "C"
Mixed-Use Zone

EXHIBIT "D"
Conditional Use Permit
(attached)

EXHIBIT "E"
Planning Commission Meeting Minutes
(attached)



CONDITIONAL USE PERMIT

APPLICANT: VAN WINKLE CROSSING
LOCATION: 4670 South 900 East
DATE: December 5, 2019
APPROVAL: Multi-Family Residential (421 units), Project #19-146

The Murray City Planning Commission has approved your Conditional Use application. All improvements which are required by the Murray City Zoning Ordinance or Planning Commission action must be installed or arrangements for a Deferral Agreement must be made, prior to the issuance of any Occupancy Permit for the land being developed, or commencement of the approved Conditional Use. Any deviation from or amendment to the approved site plan must have Planning Commission approval prior to construction.

This Conditional Use approval is subject to other generally applicable Land Use Ordinance requirements and other Murray City Ordinances as administered by Flood Control, Fire Department, Engineering Department, City and County Board of Health, Water and Sewer Department, Power Department, etc.

The following list indicates the specific conditions required by this Conditional Use Permit which are in addition to any other generally applicable requirements (referred to above) for approval with the building permit and be installed as approved prior to occupancy.

1. The applicant shall meet all requirements of the City Engineer in development of the project, including but not limited to the following:
 - a) Meet City storm drainage requirements, on-site detention/retention is required. Implement Low Impact Development (LID) practices where applicable.
 - b) Install Mixed Use right-of-way improvements along the 900 East frontage.
 - c) Replace damaged curb, gutter and sidewalk along the 900 East frontage.
 - d) Obtain utility service approvals from JVVCD and Mount Olympus Sewer.
 - e) Provide a traffic impact study and implement recommendations. Move east access on 4750 South 100 feet to the west.
 - f) Eliminate parking stalls from the north side of the south building pad near 900 East.
 - g) Provide and maintain open access to the west neighborhood, preferably by dedicated city road.
 - h) Develop a site stormwater pollution prevention plan (SWPPP) and implement prior to site work.
 - i) Obtain a Land Disturbance Permit prior to beginning any site work.
 - j) Obtain a City Excavation Permit for work in the City right-of-way.
2. The applicant shall work with the Murray Power Department to provide and implement plans for lighting and electrical service, meeting all department requirements.
3. The applicant shall work with Murray City Fire Department and the Unified Fire District personnel to assure appropriate emergency services access throughout the site, and to the adjacent residential and commercial neighborhoods to the west and south.

4. The applicant shall meet all requirements of the Jordan Valley Water Conservancy District and Mount Olympus Sewer District.
5. The project shall comply with all applicable building and fire code standards.
6. The applicant shall enter into a Memorandum of Understanding with Murray City governing the development of the property as outlined in the Staff Report.
7. The applicant shall work with Planning Division staff to review and modify the improvements to the west portion of the principal east/west vehicular access include sidewalks, landscaping, and appropriate parking as indicated in the staff report.
8. The landscape plans shall be modified to include an eight (8) foot high masonry wall as a part of the required landscape buffer where the project is adjacent to residential zoning.

Sincerely,

Jared Hall, Manager
Community Development Planning Division

THIS LETTER CONSTITUTES THE CONDITIONAL USE PERMIT

Minutes of the Planning Commission meeting held on Thursday, December 5, 2019, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Ned Hacker, Chair
Sue Wilson, Vice Chair
Phil Markham
Travis Nay
Lisa Milkavich
Jared Hall, Planning Division Manager
Zac Smallwood, Associate Planner
Briant Farnsworth, Deputy City Attorney
Citizens

Excused: Scot Woodbury
Maren Patterson

The Staff Review meeting was held from 6:00 p.m. to 6:30 p.m. The Planning Commission members briefly reviewed the applications on the agenda. An audio recording is available at the Murray City Community and Economic Development Division Office.

Ned Hacker opened the meeting and welcomed those present. He reviewed the public meeting rules and procedures.

APPROVAL OF MINUTES

Travis Nay made a motion to approve the minutes from the October 24, 2019 Planning Commission meeting. Seconded by Phil Markham.

A voice vote was made, motion passed 5-0.

CONFLICT OF INTEREST

There were no conflicts of interest.

APPROVAL OF FINDINGS OF FACT

Phil Markham made a motion to approve the Findings of Fact for AutoZone and E & M Research & Development. Seconded by Lisa Milkavich.

A voice vote was made, motion passed 5-0.

SALT LAKE AUTO SALES LLC 4205 South Commerce Drive #4 - Project #19-159

Thanoon Giravi was present to represent this request. Zac Smallwood reviewed the location and request to operate an auto sales business out of Unit #4 in the Industrial Park located at 4205 South Commerce Drive. The property is located in the M-G zone, which requires Conditional Use approval for auto sales. The applicant's space is approximately 215 square feet of open office. The building has a total of 3,600 sq.ft. The building floorplan shows a shared breakroom and restroom facilities. No changes to the existing floor plan are proposed. The applicant states that as part of the lease agreement the business will have access to seven (7) total parking spaces. This property has multiple businesses operating out of the building. According to the floorplan submitted to staff at least six (6) businesses (including Salt Lake Auto) are located within the building. Additionally, there are multiple towing companies that use this property as a storage lot for vehicles. The applicant states that this a sales-only lot. No

body work or painting will be conducted at this location. Staff has calculated required parking based on the usable office space as the applicant is the only employee. Based on the requirement above a total of one (1) space is required for this use, and it will need to be ADA van accessible. According to the site plan that was submitted with the application and a review of the lease agreement provided by the applicant, the proposed auto sales business will have three (3) dedicated "display" spaces, labeled as stalls 16, 17, and 18. The applicant will also have access to an additional four (4) guest spaces labeled as 12, 13, 14, and 15. There is an ADA van accessible space on the south side of the building that would be available to anyone using the site. No additional parking spaces are required at this time. Exclusive of the access driveway, the property has approximately 271 feet of frontage along Commerce Drive. Section 17.68 of the Murray City Land Use Ordinance requires landscaping in the front setback area for commercial properties. This must include at a minimum: three (3) trees, five (5) 5-gallon shrubs, and ten (10) 1-gallon shrubs for every one-hundred (100) linear feet of property frontage. Based upon this requirement the front setback landscaping for this property must include a minimum of 8 trees; the minimum required number of five (5) gallon shrubs is 14; the minimum required number of one (1) gallon shrubs is 27. Staff recommends approval of the Conditional Use Permit subject to conditions.

Mr. Markham asked if an irrigation system is required along with the required new landscaping. Mr. Smallwood responded that an irrigation system will be required along with the landscaping plan.

Ms. Milkavich asked about the requirement for a sign permit. Mr. Smallwood responded that any new signage will require a building permit.

Ms. Milkavich commented that the lease agreement is signed in August of 2019 and asked if the applicant has been operating at this location since August. Mr. Smallwood responded that there was confusion between having this location being the sales office location and his other location on 500 West being the mechanical repair location.

Thanoon Giravi, 4205 South 300 West, stated he has reviewed the staff recommendations and will comply with those conditions.

The meeting was opened for public comment. No comments were made and the public comment portion was closed.

A motion was made by Sue Wilson to approve the Conditional Use Permit for auto sales at 4205 South 500 West #4, subject to the following conditions:

1. The applicant shall meet the requirements of the City Engineer listed below
 - a) Update tenant addresses to match the correct parcel address.
2. The property owner shall ensure that a wheelchair accessible route to restrooms which include an eighteen inch (18") wall space at the latch/pull side of the door is provided.
3. The property owner shall ensure that accessible restrooms have a lever type door handle.
4. The project shall comply with all applicable building and fire code standards.

5. The applicant shall obtain a building permit for any proposed remodeling or construction on the site.
6. Auto body and painting are not to be conducted at this location.
7. The applicant shall display all for sale vehicles in striped parking spaces only. No double or stacked parking is allowed. Any new striping must be meet the requirements of Section 17.72 of the Murray City Land Use Ordinance related to off street parking.
8. The property shall comply with landscaping standards outlined in Chapter 17.68 of the Murray City Land Use Ordinance. The property owner shall work with Planning Division Staff to implement an appropriate Landscape Plan.
9. The applicant shall obtain permits for any new attached or detached signs proposed for the business.
10. The applicant shall obtain a Murray City Business License prior to beginning operations at this location.

Seconded by Travis Nay.

Call vote recorded by Mr. Hall.

 A Phil Markham
 A Travis Nay
 A Lisa Milkavich
 A Sue Wilson
 A Ned Hacker

Motion passed 5-0

SECURITY NATIONAL LIFE INSURANCE CO – 433 West Ascension Way – Project #19-160

Brandon Federico was present to represent this request. Jared Hall reviewed the location and request. Security National is requesting approval for construction of the second building in what they now call Center 53. The properties are located within the C-D zone and the G-O Zone. The first building and a parking structure were approved and constructed in 2016. This request for Building 2 also includes temporary parking lots and the installation of the full length of the planned road and associated utilities through the project. Section 17.160.030 of the Murray City Land Use Ordinance allows office uses. New construction in the C-D Zone is required to receive Site Plan and architectural approval from the Planning Commission. The subject property is located on the north side of 5300 South adjacent to the southbound off-ramp of I-15. The subject property for the construction of Building 2 is located between 5300 South and Ascension Way. Phase 2 includes the construction of Building 2 and a temporary parking lot adjacent to the west. Additionally, Phase 2 will include associated improvements made to other large portions of the total project area, including the installation of the proposed road (Ascension Way) and the utilities within it through to the existing connection to Murray Boulevard. Several additional temporary parking areas will be constructed along the new road. In the final phases of the project construction, these temporary lots will be redeveloped as parking structures and as additional buildings. The Phase 2 plan, improvement plans, and the full build-out plan are attached to this report for your review.

Although there is no requirement for a Master Site Plan in the C-D or G-O Zones where this project is located, the applicants have provided an updated master plan to provide the context for what is proposed in Phase 2. The Master Site Plan now anticipates a total of four 6-story office buildings, an "amenities" building, two new parking structures, an extension of the existing parking structure, and a large, central landscaped open space with a food truck court, outdoor seating, and a fountain. The construction of the new building, temporary parking lots, the road, and utilities will necessitate the demolition of several existing structures on the site, including the existing office building and Taco Time restaurant on the subject property itself. Other buildings that will need to be demolished are indicated in several plans attached to this report. Demolition permits will be required for all buildings to be removed.

Building 2 is a proposed 6-story office building, adding 219,812 ft² of Class A office space to the Center 53 project. Floor plans are open to allow for tenant finishes. The building is sited in the southeast corner of the project for a strong visual presence on 5300 South and I-15. The materials will match those used for Building 1. Architectural elevations with materials indicated as well as renderings are attached to this report. The amenities and improvements immediately surrounding Building 2 also provide a strong connection to Building 1 and the rest of the Center 53 project. Staff deems the architecture, site design, and materials appropriate and recommends approval.

Phase 1 included a large parking structure associated with the building. Building 2 will include an associated parking structure at build-out, but in Phase 2 the applicants are proposing a temporary, 198 space parking lot in its place. Other temporary lots will also be constructed during this phase, providing an additional 531 temporary parking spaces. In conjunction with the available parking in the existing structure, the proposed temporary parking will be more than what is required for buildings 1 & 2 and will facilitate the construction of future buildings until the lots can be converted to structures. The temporary lots will be constructed with landscaping and lighting representing infrastructure that can be included when the lots are converted to parking structures.

Landscaping plans for Phase 2 include landscaping around the temporary parking structures that will provide the landscaped buffers for the future parking structures, landscaped setbacks between building 2 and Ascension Way, 5300 South, and the I-15 off-ramp, as well as a landscaped courtyard area at the entrance to the building. The courtyard and entrance to Building 2 is planned to mirror the materials and patterns of the entrance to Building 1 across Ascension Way, tying the project and the two buildings together.

All access to the subject property and to Center 53 in general is provided from Ascension Way. Ascension intersects with College Drive, and indirectly with 5300 South at the signalized intersection of College Drive. Ascension Way will be extended through the project area and out to Murray Boulevard on the north. A traffic impact study has been provided, and the City Engineer is working with the applicants to update that study and assure that the intersections at Murray Boulevard and College Drive meet the demands. Ascension Way has been dedicated as a public right-of-way, and the plan calls for further dedications as the project develops. City Engineering and Public Works personnel are working with the developers to provide City standard improvements to accommodate the roadway dedications. The landscaped medians are cared for privately through an agreement with the City, which must be extended with the new roads.

There are UTA bus routes operating on 5300 South and on Murray Boulevard that could provide

potential public transit connections from this project to the Murray Central Station. Staff recommends that as the phases continue to build out, the applicants should work with UTA and the Planning Division to explore and maximize those possibilities.

Based on the information presented in this report, application materials submitted and a site review, staff recommends that the Planning Commission approve the proposed Site Plan for Phase 2 of Center 53 and the associated improvements at the property addressed 433 West Ascension Way, subject to conditions.

Brandon Federico, 222 West 925 North, Centerville, Utah, stated he has reviewed the staff recommendations and will comply.

The meeting was open for public comment. No comments were made and the public comment portion was closed for this agenda item.

Ms. Milkavich made a motion to approve the Master Site Plan for Phase 2 of Center 53 and the associated improvements at the property addressed 433 West Ascension Way subject to the following conditions:

1. The applicant shall meet the requirements of the City Engineer listed below:
 - a) Meet City storm drainage requirements, on-site detention/retention is required. Implement Low Impact Development Standards (LID) where applicable.
 - b) Resolve property line issues associated with Lot 4 of the Ascension at 53rd Plat.
 - c) Vacate any unused utility easements on Lot 1 & Lot 4 and within the dedicated roadways.
 - d) Update the site Traffic Impact Study to address City and UDOT review comments and implement recommendations.
 - e) Install water, sewer and storm drain utilities in Ascension Way / Green Pine Drive and complete the water line loop from 5300 South to Murray Boulevard.
 - f) Complete Ascension Way and Green Pine Drive through the site prior to occupying the Phase 2 building.
 - g) Provide widening and realignment work at Green Pine Drive's connection to Murray Boulevard to maintain a uniform road width and alignment with Germania.
 - h) Update / amend the existing Maintenance Agreement for Landscaped Medians and Sidewalks to reference the amended plat and the complete roadway dedication to Murray Boulevard.
 - i) Obtain a UDOT access review and any required permits.
 - j) Obtain a UDOT Encroachment Permit for work in the 5300 South right-of-way.
 - k) Implement Low Impact Development (LID) practices where applicable.
 - l) Develop a site stormwater pollution prevention plan (SWPPP) and implement a Land Disturbance Permit and implement prior to beginning any site work.
 - m) Obtain a City Excavation Permit for work in the City right-of-way.
2. The applicant shall provide stamped/signed plans, structural calcs and a soils report at the time of Building Permit submittal.
3. The project shall comply with all applicable requirements of the 2018 IFC.

4. The applicant shall work with the Murray Sewer & Water Division to correct any issues that are identified.
5. The project shall meet all Power Department requirements.
6. The applicant shall obtain permits for any new attached or detached signs proposed for the business.
7. The applicant shall obtain a Murray City Business License prior to beginning operations at this location.

Seconded by Sue Wilson.

Call vote recorded by Mr. Hall.

 A Phil Markham
 A Travis Nay
 A Lisa Milkavich
 A Sue Wilson
 A Ned Hacker

Motion passed 5-0

VAN WINKLE CROSSING – 4670 South 900 East – Project #19-145 & 19-146

Ryan Kimball was present to represent this request. Jared Hall reviewed the location and request for Site Plan approval. Kimball Investment Company is requesting Master Site Plan and Conditional Use Permit approval for a 10.5-acre mixed use development consisting of 421 multi-family units and 21,000 square feet of retail and commercial space. The residential portion of the development will be located principally to the west, while the commercial uses will occupy several potential buildings along the frontage of 900 East. The development will maintain access to both the Ivy Place shopping center on the south and the single-family residential neighborhood on the west. In this way, the proposed mixed-use development itself will improve the existing connections and become part of a larger mixed-use area. Because the project is larger than 5 acres and includes horizontal mixed-use elements, a Master Site Plan must be reviewed and approved by the Planning Commission. The project will be developed in two phases which will be reviewed in this report. The first phase is intended to include the construction of two high-rise, multi-family residential buildings – one four-story and one five-story. As a land use, high-rise multi-family requires Conditional Use approval in the M-U Zone. Development approval for the first phase of the project then requires both the Master Site Plan and Conditional Use approvals for the residential buildings. As new commercial buildings are proposed, they will be reviewed for site plan and/or conditional use permit approval as required according to the Master Site Plan. There are a total of 723 parking stalls on the site to accommodate the commercial and the residential units. There will be some shared parking situations with the different hours of use. The project as a whole meets the minimum parking requirements. One of the components for a Master Site Plan is that there be central feature of some kind to tie the commercial and residential portion of the project together. There is a landscaped plaza connected by the pedestrian connections throughout the project which also create a visual connection. The thought is that people living in the residential units will frequent the commercial establishments. Throughout the residential and commercial portions of the project the accesses are designed to look and feel more like streets with park strips and sidewalks and parking along the sides.

The total residential density of the project is 40 units per acre as proposed. Section 17.146.040 allows a density of 40 units per acre for projects located more than one mile from the nearest transit station. The subject property is located 1.42 miles from the Murray Central Station.

During the general plan amendment and zone change application process, it was indicated that access for the residential neighborhood on the west needed to remain open so there is open access for those residents out onto 900 East. The developers have agreed to keep that access open. It will not be a dedicated road, but will be part of the project. The interior sidewalks are not required to be 7 feet wide as they are along the 900 East frontage.

A Memorandum of Understanding (MOU) is required for horizontal mixed-use developments in order to govern the timing of the installation of improvements, ensure performance on critical development components, and memorialize the requirements for development of the various parcels and buildings. The applicants will be required to enter into the MOU with the City Council, with a recommendation from the Planning Commission. A draft MOU will be provided for your review. The chief components are:

- Timing of Construction (Phasing). The phasing plan that was previously reviewed in this report is memorialized by the MOU. No commercial buildings are required in Phase 1 (although they are not necessarily precluded), but the utility infrastructure for those buildings will be installed. This represents a significant commitment both monetarily and in terms of overall design and will more than suffice to guarantee that retail and commercial components will be constructed.
- Access Management. The accesses that have been provided to the west (residential neighborhood in Millcreek) and to the south (Ivy Place shopping center) are considered critical development components by planning, engineering, and emergency service providers in both Murray and Millcreek. Because the access is not proposed as a dedicated public right-of-way, the MOU will serve to memorialize the requirement that the access remain open in perpetuity.
- Continued compliance with the requirements of the M-U Zone.

Horizontal mixed-use projects are required to include commercial components totaling a minimum of the equivalent area of 75% of the project frontage with a depth of 40'. Applying this formula to the 687 feet of project frontage along 900 East results in a required commercial component of 20,610 square feet. The proposed development includes 21,000 square feet of commercial space. The project frontage along 900 East will be improved with the 7' wide sidewalks and 8' wide park strips that are required by the M-U Zone. 900 East carries a high volume of vehicle traffic, and the larger sidewalks and park strips will help to buffer the site and protect the potential of pedestrian activity. The proposed commercial elements are located along the 900 East frontage, and the applicants have proposed well-defined pedestrian connections from the project site to the right-of-way improvements.

Vehicle access to the site is provided from 900 East near the north and south ends of the property. The 25' wide north access is secondary and will provide limited ingress and egress. The principal access to the site is the existing, signalized intersection with 900 East near the south end of the property. This access is proposed to run east and west through the subject property and continue the historic connection of 900 East to 4680 South, a public right-of-way. 4680 South connects the subject property to a single-family residential neighborhood in

Millcreek, where the only other vehicular access is limited to the Van Winkle Expressway. The applicants have agreed to keep the access open through to 900 East, which will also allow an open access between the subject property and the Ivy Place shopping center. Both vehicular and pedestrian circulation benefit from this access. The roundabout is 20 feet in width accessing the residential neighborhood to the west. The roundabout was originally proposed to be a central feature, but the planning division did not agree.

Pedestrian circulation has been provided throughout the site, connecting both the residential and commercial components, as well as connecting the subject property to the public improvements on 900 East. Staff is recommending that the improvements to the west portion of the principal east/west vehicular access be modified to mirror those closer to 900 East – including sidewalks, landscaping, and appropriate parking to accommodate pedestrian access and activity between the subject property, the adjacent neighborhood, and the Ivy Place shopping center.

A traffic impact study of the development has been provided and is under further review by the City Engineer. The study summary indicates that the accesses proposed will accommodate the development without necessitating any additional infrastructure. The study included the intersections of 900 East with Van Winkle and with 4500 South and concluded that the inclusion of traffic from the residential neighborhood to the west would not impact site function.

The applicant proposes to construct four (4) residential buildings in this project with a total of 421 rental units, with 32 of the units being three-bedroom units with the balance being studio, one-bedroom and two-bedroom units. Two (buildings A and B) are included in phase one with a total of 301 units. The only height requirements within the Mixed-Use Zone are when a property is adjacent to a single-family residential zone and limits the height to fifty feet (50') when located within 100 feet of a residential boundary. This project is bounded on the West and a small corner on the North by Single-Family Residential zoning in Millcreek City.

Building A is the closest to the west property line and is four (4) stories. The applicant has stated that the buildings will not be higher than fifty feet at this location. The plans submitted to Staff indicate up to fifty-three feet (53') this will need to be modified to reduce the height slightly. Building B is the largest of the buildings proposed on this site. It is proposed to be five (5) stories with the exception of the northwest corner of the 5th story, which will be used as rooftop amenity terrace in order to meet the 100-foot distance requirement. The remainder of the building is appropriately located to allow the 5-story height.

Buildings C and D will be constructed as a part of Phase 2 for this development and will include approximately 120 units. These are the smaller buildings located on the south and east side of the project. The proposed buildings meet the intent of the ordinance with no additional conditions proposed.

For the commercial component, as referenced previously, the total required space to be designated as commercial is 20,610 ft². The applicant has laid out potential sites for these commercial buildings but has not addressed the building specifics. Because of the nature of commercial development as the pad sites are sought by tenants and the applicants are ready to construct commercial buildings those buildings will be brought to the Planning Commission for review and approval.

Based on the information presented in this report, application materials submitted, and a site review, staff recommends approval subject to conditions.

Ms. Milkavich asked what the likelihood is of the commercial buildings being built where the public feature is shown. Mr. Hall responded that requirement could be part of the MOU and that the site improvements proposed are tied as exhibits to the MOU.

Mr. Markham asked if the roundabout could potentially be eliminated. Mr. Hall responded that all the city departments wanted the roundabout in the project and the access to the residential neighborhood to the west to remain open.

Ms. Milkavich clarified that the mixed-use zone is similar to the European idea of a high-density community where everybody hopefully walks because everything is within walking distance and that is why it is ideally located near a transit system. Mr. Hall responded that yes, ideally they are located by a transit system which would lend itself to a higher density. When the community is more of an outlying area such as what is being presented, the density is decreased. Murray City's Mixed-Use Zone includes components to downgrade the density and allow a horizontal mixed use that is much more appropriate when in a "village" or outlying area such as this, but where mixed uses should still be allowed. There will obviously be a trip reduction with the decreased density and the likelihood that some of the residents will use the services offered in the mixed-use development, but not as much of a trip reduction as there would be closer to a transit station where residents are more likely to utilize the transit system.

Height limitations are based on proximity to residential zones. Within the first 100 feet of a residential zone, the maximum height is 50 feet. Building A is only allowed 50 feet of height and is four-stories. Building B, the larger building in the middle, is five-story structure because it is farther from the residential zone.

Ms. Milkavich asked how close is building A in comparison to the existing K-Mart building. Mr. Hall responded the existing K-Mart building is a little closer than building A will be. Building A is taller than the K-Mart building.

Ms. Wilson asked the height of the masonry wall adjacent to the residential zone. Mr. Hall responded the minimum required is a 6-foot height and could be up to 8 feet in height. The planning commission can determine what height is appropriate.

Mr. Markham asked about construction hours and expressed concern with impact on the residential neighborhood. Mr. Hall responded normal construction hours are based on the noise ordinance which is imposed from 10 p.m. until 7 a.m. Mr. Hall stated typically those hours are not adjusted because they come from County Health Code.

Mr. Hacker asked if the access will remain open during the construction period. Mr. Hall responded the access is to remain open during construction and needs to be large enough for emergency services as well. The site will need to have a perimeter fence as well during construction. A land disturbance permit and SWPPP is required prior to construction.

Mr. Smallwood indicated the distance from the fence line to the K-Mart building is 38 feet. The proposed Building A is approximately 100 feet from the fence line. Along the westerly side of the property there will be 18 feet of buffer landscaping, a row of parking, a drive aisle, another row of parking and landscaping, and then the building which is approximately 100 feet total width.

Ms. Milkavich stated this project makes a lot of people nervous, including herself. She expressed concern with the traffic, but that Murray City and Millcreek do a great job solving the issues of traffic and development. Most of the traffic concerns will be on 900 East and not the traffic into the residential neighborhood to the west. Mr. Hall stated most of the traffic will be from the development onto 900 East and not to the west into the residential neighborhood because that is an indirect route and takes you northbound only. Ms. Milkavich stated that the city is growing and there is no stopping that, but that the only way to address traffic is to improve the traffic patterns and the traffic study does that with right-in right-out, left turn lanes, the timing of the traffic lights including the light at 4500 South 900 East and Van Winkle 900 East.

Mr. Nay commented that the traffic study indicates that the traffic light at 4705 South 900 East is going to be basically be the same level of service and the points of impact will be the Wal-Mart access will decrease and further up at the top of the hill intersection will be more difficult to do left hand turns. The traffic study did project future growth out to 2025 and 2030.

Mr. Hall stated a mixed-use project on this site does more than a regular development such as a straight multi-family development would for the region.

Mr. Nay asked for explanation with regards to the sewer, water, etc. Mr. Hall responded that the question with entitlements such as this is if the project can be accommodated with infrastructure and not just can traffic be accommodated. Mr. Hall stated Murray City does not provide all those utilities. Murray City Power is provided here and has indicated they can accommodate the project and provided a will-serve letter. Will-serve letters are letters from utility companies indicated they can accommodate the proposed project. Murray City staff has received letters from the utilities for this proposed project. Olympus Sewer is the sewer district in this area and have given a will-serve letter. Jordan Valley Water Conservancy and Dominion Energy have also given will-serve letters.

Mr. Hall stated this area will be in the Murray City School District. Mr. Hall stated that the school district has also indicated that they can accommodate school children in this development even if it requires some busing of children.

Mr. Hall stated that Millcreek City has been consulted with this proposal because it will impact their residents and businesses more than Murray. Millcreek Council representative Silvia Catten has had conversations with our staff and her main concern was that the access remains open for the residents west of the project. Millcreek City Engineering indicated requirements similar to those of the Murray City Engineer, which can be addressed. Frank Lily with Millcreek City Planning indicated similar concerns as Murray City that can be addressed with conditions of approval. Unified Fire and Unified Police did not have any objections to this proposal but indicated that the open access to the residential neighborhood was critical. Mr. Hall commented that there were no objections from Millcreek City.

Ryan Kimball, 1000 South Main Street, Salt Lake City, stated he is representing the developer for this proposal. He stated he has reviewed the recommended conditions of approval. He asked for clarification with regards to the condition stating to move the east access on 4750 South 100 feet. He stated they had already responded to that condition with the current site plan because the City Engineer had brought it up before. Jared Hall concurred with the correction.

Mr. Kimball stated one of the access points that benefits this development is the south access

through Ivy Place and provides a right-hand turn straight on to Van Winkle. He stated he wanted to make the residents aware that from a practical standpoint on egress, drivers will likely go straight out to the signal or short cut through Ivy Place onto 900 East. There is no good reason for drivers to drive through the neighborhood to the west. He stated the owners of Ivy Place Commercial are excited about this development and feel it will benefit their businesses that have recently suffered a downturn. He stated they plan to work with planning staff on the access road remaining open 100% of the time, but that during construction that may be an impractical promise because there will need to be resurfacing that has to be considered.

Mr. Markham stated that he is inclined to change condition #8 to include an 8-foot high buffer masonry wall rather than the standard 6-foot buffer wall. Mr. Kimball stated that is not a problem if it is a true benefit, and they will comply given the large distance of the project from the residential neighborhood.

Mr. Nay suggested that there is good quality pedestrian access for people to get through the development to the southern access out of the neighborhood through their development.

Ms. Milkavich asked what the time frame of construction might be. Mr. Kimball replied that it is hard to know for sure, but a guess would be about a 22 to 24 month first phase, total construction. Phase two for the commercial is market driven so it could be anybody's guess how long that could take. Ms. Milkavich replied that she had concerns about the market based commercial space. Mr. Nay stated that he feels it is a realistic time frame based on a recent project that took four years to start phase 2. Mr. Kimball responded that the residents won't want to live in a construction zone, so they'll button up the future commercial site during the initial lease out of the apartments. Future tenants won't want to commit to leases until there are a good number of residents.

The meeting was open for public comment.

Deborah Hoyt, 814 Green Valley Dr., Millcreek, stated she has lived in her home for 41 years and has concerns about the vehicle access staying open, increased traffic from future residents and commercial uses, buildings that exceeding 3-stories, population density, strain on infrastructure, and inadequate parking.

Peter Meslik, 4654 Namba Way, stated he has lived in his home for 40 years, and has concerns about how many cars and people would be allowed per unit, access to the neighborhood, and how many total parking spaces are planned for the development.

Rob Bennett, 4700 South Namba Way, stated everybody is concerned about increased traffic in the neighborhood, the project name, access through the neighborhood, insufficient parking, noise, emergency services, infrastructure capacity, density, no benefit to the neighborhood and it should be stopped or reduced.

Renee Matsuura, 4679 Greenvalley Drive, stated she is concerned about the height of the building on the west side, privacy, strain on the infrastructure, and density.

Steve Enomoto, 4628 South Greenvalley Drive, stated that he believes the "will serve letters" that promise the ability to develop the infrastructure to serve the project is not a guarantee that there will not be sewer problems in the future. The Greenvalley subdivision already has known sewer problems. There are additional concerns about traffic accessing the neighborhood, height

of the buildings, privacy, lack of promise of indemnity for possible problems, and lack of communication from Millcreek City to Murray City.

Lydia Kane, 4622 Greenvalley Drive, stated that she uses the egress from her neighborhood onto Van Winkle because it is the quickest way out of the neighborhood. She also believes that others will use this access and cause too much congestion in front of her home.

Christian Mansfield, 4626 South Mamba Way, stated that he appreciates the concerns mentioned tonight as well as the effort to develop the area, which will be of great value. He has concerns that the proposed height of the buildings is out of character with the area, even though they are within the legal maximums. Also, he believes that the access from 900 East through the development is wider than the access that is currently present which is good to move traffic efficiently but the dip in the road will also slow the traffic. Mr. Mansfield recommended that the developer regrade the road.

Sally Steel, 716 East 4660 South, stated she just learned of this proposal and any of the weird traffic coming from the development will pass directly in front of her house. Ms. Steel added that she believes all the neighbors who have jobs will use the street that she lives on to get to work and that the traffic study has not taken this concern into consideration. Ms. Steel also has concerns that the four-story building is too tall, and an 8-foot high fence is barley tall enough.

Kelly Mansfield, 4626 S Namba Way, stated she has concerns that the building is too tall, privacy for the existing homes, that the 900 East access will become too congested during rush hour to exit, and that the approval of this development will be detrimental to the lives of the children who live in the neighborhood because of traffic concerns.

Julie Price, 4621 Greenvalley Drive, stated she agrees with the idea that people will not use the 900 East egress to exit, instead they will use the neighborhood street to get to 4500 South.

Sylvia Catten, 1026 Hillview Drive, stated she is on the Millcreek City Council and is familiar with this neighborhood. Ms. Catten asked if the proposed 723 parking stalls includes retail parking counts, will residents be allowed to use the retail parking stalls after hours, will the traffic roundabout be taken out, and if so will it be replaced by speed bumps, are the units going to be rentals or owner occupied, will there be on-site management, what will happen to Java Joe's, will the traffic signal going onto 900 East have adjusted timing for the increased traffic, what developments are included in phase 1 and phase 2, and is there a development agreement for the MOU. Ms. Catten stated that she is glad that this property will be developed and believes that a lot of the crime in Millcreek comes from the Wal-mart and the empty K-Mart property. She is also concerned about the building height, the disruption to the neighborhood, traffic using the neighborhood to cut through, increased use of the already deteriorating roads of Millcreek, the need for signage to direct traffic away from the neighborhood, and that there is a security concern due to the population of homeless people who live in the area.

Susan Alva, 753 Tina Way, stated that she concerned about the height of the four story building and increased traffic.

Dave Brown, 4623 Namba Way, stated that he believes that traffic study is total garbage. He also has concerns about increased traffic in the neighborhood, crowding of Ivy Place shopping Center, the pothole at the light onto 900 East, height of the building, refusal of Murray City to annex the neighborhood, privacy of the homeowners, overcrowded parking, and the size of the

round-a-bout.

Wendy Fagre, 4705 Greenvalley Drive, stated that she is concerned about more apartments, the turnover of renters, the decrease of test scores in schools, and decreased home values.

Rachael Tanni, unknown address, stated she works at the Ivy Place complex and is very excited about the development; however, she is concerned about the height of the buildings, overcrowded parking, traffic, and increased crime from lower income renters.

The public comment portion was closed for this agenda item.

Ms. Milkavich asked if there is a new road proposed through the development or if the existing egress is going to be used. Mr. Hall explained that they are keeping the existing access into Ivy Place from the neighborhood open as part of the access agreement. Mr. Hall addressed the public comments about the sewer and stated that Murray City is not providing the sewer to the existing neighborhood or the new development, but that it will be provided by Mount Olympus Sewer. The concerns about the existing sewer can be better addressed by Mount Olympus Sewer. Mr. Markham stated that the sewer provider is responsible for making sure the system works and we have to trust that they know how to regulate their systems.

Mr. Hall addressed the traffic concerns and stated the traffic study indicates that there is no likelihood people will use the neighborhood to get to Van Winkle; however, there is no way to guarantee that no car will ever use the through the neighborhood. The developer would be happy to close off the access, but several different public entities have demanded that it stay open. We can explore the idea of signage as we move forward with the MOU. The proposed MOU does function like a development agreement and will guarantee that those improvements happen. Phase 1 will allow the first two residential buildings for 300 units and all of the utilities and the infrastructure for the commercial and residential units. Phase two would allow the construction of the two remaining residential structures. Neither phase includes the commercial portion specifically because commercial development may happen before phase 1 is finished depending on the interest in this site. The improvements to the dip in the intersection are already on the list of improvements needed. Currently, the site consists of a big empty parking lot which is an invitation for vehicles to travel at any rate of speed. The installation of the roundabout will slow traffic, which is good for safety reasons. The round-about will be kept if the size can be reduced but still allow emergency vehicles to pass. If it can't be kept, the other improvements and changes to visual cues alone will reduce the speed of vehicles. The Mixed-Use Zone allows 50-foot buildings at a distance of 100-feet from residential and would not be appropriate to recommend the reduction to height at this time. The proposed density is also allowed, and the traffic study shows that the site will accommodate the proposed parking as well. The parking that is provided does slightly exceed the required parking under code. There will naturally be some shared parking between the residential and commercial uses as night falls. The units are going to be two and three bedroom units and the likelihood that all these units will have two or more vehicles is nil.

Mr. Markham asked what type of involvement the Murray City Staff has had with the Millcreek City Staff. Mr. Hall answered that Murray City Staff has had communication with Millcreek about this proposal through phone and email but didn't receive the feedback in time to include it in the Staff report tonight. Millcreek City was noticed on November 21, 2019 of this project and all communication has been with Frank Lilly, the Planning Director. The residential units are proposed to be rental units, with on-site management. Rental product today compared to 10

years ago has changed significantly and it is not feasible to have only two-story developments. We also need to have 4 and 5 stories for a true mixed-use project. The school district does have some concern with renters possible coming and going but that will hopefully be limited due to the market today, which makes it challenging for people to buy houses, so they are staying longer in this type of housing than previously. Ms. Wilson asked if these are market rate rental units. Mr. Hall replied yes, they are market rate units and the market is expensive. Until this point the project has not been identified as lower-income housing. Murray needs to support this project because we need to increase our ability to provide affordable housing, and if it were lower income housing the city should still support it. Mr. Hall stated that there were some concerns about crime, and that his response is that activity in an area is always a deterrent to crime. The redevelopment of this site from a big empty parking lot to a 421 market rate units and new commercial on 900 East should decrease incidents and concerns. The City does everything that we can to assure that the problems that can be mitigated are mitigated. The same thing goes for utilities: when they give the will-serve letters, that they are committing that they are going to make this work. That's as much of an indemnification as they can give anybody, but no one can ensure you will never suffer an impact because they can't control all of those variables. Mr. Nay added that he believes much of the criminal activities that were expressed as concerns during the rezoning will most likely go away with the development of this property. Mr. Markham noted that there was a concern about the impact to schools and that this development will feed into Murray City Schools and they have examined the plan, seen the density, the size of the apartments and they have indicated they can handle this with the existing school set up. Mr. Hall added that there is the possibility for cross over into Granite School District, but we have only been contacted by Murray City School District. Zac Smallwood summarized the letter received from Frank Lilly of Millcreek City and stated they had concerns about the access being preserved in perpetuity and formalized thought some type of agreement. It was noted that the proposed access onto 900 East will be improved over what it is now and that curb and gutter to match the regrading of the road to mitigate the dip in the road and meet ADA requirements. The west abutting residential property lines should include landscaping including trees. Murray City shows at least 18 feet of proposed landscaping. They were also in agreement that most traffic would use Ivy Place to access 900 East after reviewing the traffic report.

Ms. Milkavich suggested if there are any existing trees in the proposed buffer area that they be preserved. Mr. Hall stated that if there any trees that it would be a good idea to preserve them as best as they can. [public clamor] Mr. Hall addressed the question from the unidentified public about traffic and stated that the traffic study does indicate that it is not likely drivers would wander into the farther neighborhood to get out of the shopping area when they can simply access a traffic signal nearer to the shopping area to exit the development. {public clamor} Mr. Hall responded to the unidentified public and stated that we always ask for traffic studies. If we had not asked for one, then people would ask why a traffic study was not done. Now we have one and it is not accepted. Ms. Wilson stated that when she was reading the traffic study she was impressed with the efforts and lengths they went through to investigate the benefit of having the light at 4680 South at 900 East and making additional turn lanes to help mitigate any possible traffic. The City has done a very good job with researching all the contingencies with this project. Ms. Milkavich stated that she also had concerns about traffic but after reading through the packet in detail she appreciates the traffic study more and yes, there will changes to traffic but there are plans in place to address them. Mr. Hall stated that although nothing is final, the developers are trying to work out something with Java Joe's to keep them as a tenant if they are able to. Mr. Hacker stated that traffic is always a contentious subject and there will be something that the study gets perfect and some things that are not accurate but, they are

generally pretty good. Millcreek City can try to use some other traffic calming methods inside the neighborhood to slow traffic if needed. Mr. Markham clarified that because that street is in Millcreek City, Murray City cannot mandate change for the area, but Millcreek residents can become involved to propose changes that may be needed in the future. Mr. Nay added that this is a high-quality development that is being proposed and is a big investment on the part of the builders and not everybody will be able to afford living in this type of development. The builders are trying to incorporate this into the broader context of the area and it actually improves large aspects of this area like the frontage along 900 East because it will have a larger park strip, larger sidewalks, a sidewalk network that will incorporate it into the neighborhood, and the greater neighborhood and will be safer for pedestrians. The access is a contentious situation, but the Millcreek residents will be using this access as much as the Murray Residents. Ms. Milkavich mentioned that she was glad we had so many Millcreek residents come out to participate and hoped it helped them to gain some understanding.

It was suggested to amend the conditions to add a mandatory 8-foot masonry wall.

Mr. Nay made a motion to approve the Master Site Plan Approval to allow the proposed mixed-use development on the property addressed 4670 South 900 East, subject to the following amended conditions:

Seconded by Phil Markham.

Call vote recorded by Mr. Hall.

 A Travis Nay
 A Phil Markham
 A Lisa Milkavich
 A Sue Wilson
 A Ned Hacker

Motion passed 5-0

Mr. Markham made a motion to approve a Conditional Use Permit to allow the proposed mixed-use development on the property addressed 4670 South 900 East, subject to the following amended conditions:

1. The applicant shall meet all requirements of the City Engineer in development of the project, including but not limited to the following:
 - a) Meet City storm drainage requirements, on-site detention/retention is required. Implement Low Impact Development (LID) practices where applicable.
 - b) Install Mixed Use right-of-way improvements along the 900 East frontage.
 - c) Replace damaged curb, gutter and sidewalk along the 900 East frontage.
 - d) Obtain utility service approvals from JVVCD and Mount Olympus Sewer.
 - e) Provide a traffic impact study and implement recommendations. Move east access on 4750 South 100 feet to the west.
 - f) Eliminate parking stalls from the north side of the south building pad near 900 East.
 - g) Provide and maintain open access to the west neighborhood, preferably by

- dedicated city road.
- h) Develop a site stormwater pollution prevention plan (SWPPP) and implement prior to site work.
 - i) Obtain a Land Disturbance Permit prior to beginning any site work.
 - j) Obtain a City Excavation Permit for work in the City right-of-way.
2. The applicant shall work with the Murray Power Department to provide and implement plans for lighting and electrical service, meeting all department requirements.
 3. The applicant shall work with Murray City Fire Department and the Unified Fire District personnel to assure appropriate emergency services access throughout the site, and to the adjacent residential and commercial neighborhoods to the west and south.
 4. The applicant shall meet all requirements of the Jordan Valley Water Conservancy District and Mount Olympus Sewer District.
 5. The project shall comply with all applicable building and fire code standards.
 6. The applicant shall enter into a Memorandum of Understanding with Murray City governing the development of the property as outlined in the Staff Report.
 7. The applicant shall work with Planning Division staff to review and modify the improvements to the west portion of the principal east/west vehicular access include sidewalks, landscaping, and appropriate parking as indicated in the staff report.
 8. The landscape plans shall be modified to include an 8-foot masonry wall as a part of the required landscape buffer where the project is adjacent to residential zoning.

Seconded by Travis Nay.

Call vote recorded by Mr. Hall.

 A Phil Markham
 A Travis Nay
 A Lisa Milkavich
 A Sue Wilson
 A Ned Hacker

Motion passed 5-0

OTHER BUSINESS

Mr. Smallwood confirmed attendance for the December 19, 2019 and the January 2, 2020 Planning Commission Meetings.

Travis Nay made a motion to adjourn. Seconded by Phil Markham.

A voice vote was made, motion passed 5-0.

The meeting was adjourned at 7:56 p.m.



Jared Hall, Planning Division Manager



MURRAY
CITY COUNCIL

Discussion Item #4



MURRAY

Murray City Council

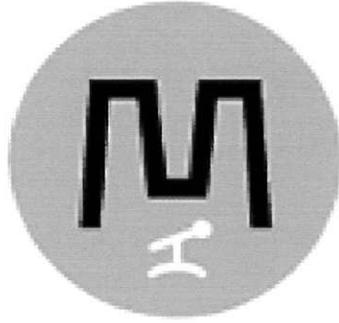
Title: Sharing of City Business News

Council Action Request

Committee of the Whole

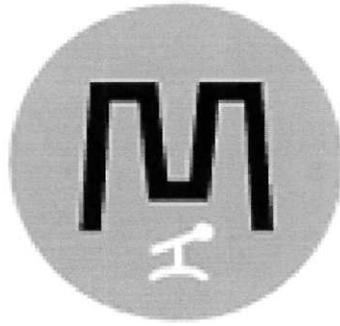
Meeting Date: August 4, 2020

<p>Department Director Janet M. Lopez</p> <p>Phone # 801-264-2622</p> <p>Presenters Kat Martinez, City Council Member District 1 Bryant Brown</p> <p>Required Time for Presentation 10 Minutes</p> <p>Is This Time Sensitive No</p> <p>Mayor's Approval</p> <p>Date July 15, 2020</p>	<p>Purpose of Proposal Sharing of City Business News</p> <p>Action Requested Information Only</p> <p>Attachments None</p> <p>Budget Impact None</p> <p>Description of this Item Bryant Brown was a part of bringing MasterCard's headquarters to Murray. In this time of a great deal of negative and challenging news, he offered to share with us this important and exciting business news for our Murray community.</p>
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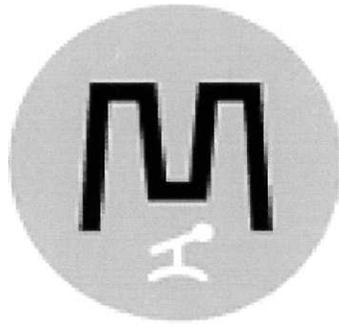
MURRAY
CITY COUNCIL

Adjournment



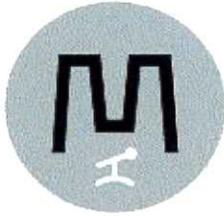
MURRAY
CITY COUNCIL

Budget & Finance Committee



MURRAY
CITY COUNCIL

Budget & Finance Committee Minutes



MURRAY CITY MUNICIPAL COUNCIL

DRAFT

BUDGET AND FINANCE COMMITTEE

FISCAL YEAR 2020-2021

NOTICE OF MEETING

Electronic Meeting Only

Monday, May 15, 2020

The Murray City Municipal Council met as the Budget and Finance Committee Tuesday, May 15, 2020, to hold its Budget and Finance Committee meeting electronically in accordance with Executive Order 2020-5 Suspending the Enforcement of Provisions of Utah Code 52-4-202 and 52-4-207 due to Infectious Disease COVID-19 Novel Coronavirus issued by Governor Herbert on March 18, 2020 and Murray City Council Resolution #R20-13 adopted on March 17, 2020.

Members in Attendance:

Diane Turner	Budget Chair - Council District 4
Kat Martinez	Budget Vice-Chair - Council District 1
Dale Cox	Committee Member - Council District 2
Rosalba Dominguez	Committee Member - Council District 3
Brett Hales	Committee Member - Council District 5

Others in Attendance:

Blair Camp	Mayor	Jan Lopez	Council Director
Doug Hill	Mayor's CAO	Brenda Moore	Finance Director
Pattie Johnson	Council Office	Jennifer Heaps	Mayor's CCO
G.L. Critchfield	City Attorney	Bill Francis	Imagination Company

Call to Order: 1:00 p.m. Ms. Turner welcomed all with the following statement: The public may view the meeting via live stream at www.murraycitylive.com or <https://www.facebook.com/MurrayCityUtah/>. No physical meeting location would be available. All Council Members are present; this is the third budget meeting meant to reconcile the budget. Ultimately it is the job of the Council to protect and ensure the wellbeing of Murray citizens, and provide services while dealing with the reality of a pandemic and economic repercussions that are yet to be known.

Ms. Turner expressed appreciation to the City Council, all department directors, and Council Director, Jan Lopez for her assistance; she hoped the Council would reconcile all information received the past week.

Discussion Items:

Report on Revised Estimate Fiscal Year 2019–2020 GF (General Fund) Ending Fund Balance; and Use of Reserves - Ms. Moore reviewed the original Mayor's tentative budget. (Attachment #1)

In FY 19, with no crisis and normal operations, City departments saved 13% of their operating budgets; or, \$1.3 million. Ms. Moore said some may think budgets are set too high to begin with; but as a reminder she explained she sets the revenue, and staff does their best to keep expenses down to match the set amount. Budgets are set conservatively, because her goal is to see revenue higher than what she initially budgeted. Within reason, revenue budgets are increased in a normal year. Most years, department heads are instructed to leave budgets flat, knowing increases occur only for necessary items like contracts. She explained why departments save money, and why budgets are not fully spent; staff is aware that by the end of the fiscal year unspent money will either go towards rebuilding the City's reserves, or, rolled forward into capital projects for things like buying equipment, purchasing vehicles, and fixing roads. She said a consequence of the Mayor's philosophy of continuous improvement is that department heads are always looking for ways to provide better services at a lower cost and find ways to save money to keep the same services. The practice is well engrained into all department directors.

Ms. Moore recapped the tentative budget first presented reflected a final amount of 12.1% of revenue for reserves, (the *Estimated Actual* was 20.2%, a worst-case scenario). According to what the Council requested, the total savings reported by department heads was combined with adjusted payroll savings, to estimate the City would save \$2.3 million. This would bring the reserves balance up to 24.7% - use of \$954,000 in reserves to get through the immediate economic downturn. Extra calculations were made with the possibility that the Park Center and outdoor pool would open in June. Ms. Moore included part-time wage adjustments and reviewed new FY 20-21 savings, summarized as follows:

- Unspent Funds = \$2.3 million.
- Travel and Training = \$57,017.
- Operation Cuts of 4% = \$272,587.
- Overtime = \$69,043.
- Non-departmental = \$30,000.

By considering no possible growth in property tax revenue, Ms. Moore did not budget for that revenue; the amount would not be realized on the day the budget was approved. Last year property tax revenue for growth was \$92,000. Her estimate was slightly below that at \$80,000. In conclusion, with all adjustments discussed, the FY 20-21 ending fund balance (or reserves) would now be 17.9%. She felt this was much better than 12.1%, and hoped it would have been closer to 25%. She said compared to other cities, Murray did well over many years to stay close 25%.

FY 2020 Savings by Department GF Operations: The list was observed. (Attachment #2)

FY 2020-2021 4% Budget Adjustments: (Attachment #3)

Ms. Moore discussed police funding of \$1,300 for the DARE program; and fire funding of \$5,500 for cancer testing and mental health programs. She asked if the Council planned to leave items funded.

- Ms. Turner favored funding cancer and mental health programs.
- Ms. Dominguez agreed. She noted the budget cut to DARE was because schools were not in session, and it was uncertain if they would re-open in the fall.
- Ms. Moore said funding for the DARE program was for supplies only, like t-shirts; if school did not re-open, money would remain unspent.
- Mayor Camp clarified the budget cut would not eliminate the DARE program; it would still carry on without supplies whether funded or not.
- Mr. Cox supported funding cancer testing and mental health programs.
- Mr. Hales agreed with funding health programs for firefighters.

- Ms. Turner thought the DARE program would be fine without \$1,300.
- Ms. Moore would remove DARE funding and reinstate fire fighter health programs funding.

Ms. Moore noted Public Services - *Seasonal Part-time Wages* in the Streets division. She expressed concern about increased summer construction and favored hiring part time help to avoid full time staff accruing overtime. Comments followed:

- Mr. Hales asked if the budget cut affected all seasonal part-time help.
- Ms. Moore recanted, recalculated; after the cut, the remaining budget would provide \$25,000 in part-time wages, which was adequate and included social security benefits.
- The budget cut would be implemented.

Mr. Cox addressed cuts of \$8,000 to *SWAT supplies*; he said when SWAT is utilized, it is for the worst of situations and hated to see officers be short of even one necessary supply. He thought the budget should remain funded. Ms. Moore confirmed the amount and asked for additional input. Council Members commented:

- Mr. Hales agreed SWAT supplies should remain fully funded.
- Ms. Turner said Chief Burnett reported the department would be fine without the \$8,000 for SWAT supplies.
- Mr. Cox felt the Chief was merely trying to reach his 4% budget cut request. Mr. Cox said SWAT supplies should remain funded in case of emergency; and if money was not utilized funds would be unspent; he preferred they not come up short.
- Ms. Dominguez recalled police budget cuts were slightly over 4%; she asked the total amount.
- Mayor Camp responded the overall cut 4.3%.
- Ms. Moore said if SWAT funding remained, the overall reduction would be slightly less than 4%.
- Ms. Dominguez agreed SWAT supplies should be funded.
- Ms. Moore would reinstate SWAT supplies and the overall cut would be reduced.

Ms. Martinez requested \$5,000 be reinstated in Non-departmental for the Boys and Girls Club. Feedback was noted:

- Ms. Moore noted the donation was usually \$100,000; she reported when revising the budget, an additional savings of \$30,000 was found, which could help fund the \$5,000 Boys and Girls Club contribution. Savings of \$10,000 was located in miscellaneous, used for emergencies; and due to the CARES Act, \$20,000 from reduced unemployment benefits.
- Ms. Dominguez agreed; and suggested leaving contributions of \$1,000 for the Chamber of Commerce; and \$2,200 for the Youth Chamber, as well. She hated to see struggling non-profits, continue to struggle.
- Mr. Cox approved of all the suggestions.
- Mr. Hales agreed funding non-profits was important.
- Ms. Moore was comfortable to reinstate \$5,000, as well as, other non-profits, as initially budgeted.

Mr. Cox analyzed the \$29,000 cut to the *utilities* budget for Parks. He understood the cost was for watering City parks; he thought by letting park lawns go, a greater expense would result later to bring grass back over the following years. The conversation was noted:

- Ms. Moore explained City water bills run through the City's billing system, like power expenses. She confirmed if money was not spent on watering lawns, the funds remain unspent in reserves.
- Mr. Cox said he did want to see City parks suffer; and understood if utility funding was removed, money would still available to address the need when necessary. He reiterated parks should be maintained through the pandemic.

- Ms. Moore noted the original budget for Parks - *utilities* was \$425,000, which if decreased by \$29,000, adequate funding remained. She explained watering is dependent on weather, and with a dryer April this year, watering started earlier; she confirmed if the cut was made, a close watch would determine when an adjustment was needed.
- She would plan the budget cut, assured the Parks division would pay close attention; and said they are very careful with their water budget.

Mr. Hales left the meeting shortly, due to technical issues.

Ms. Dominguez said IT made budget cuts above 4% also. Ms. Moore agreed the computer replacement program was cancelled for one year, in addition to the 4% request. Computers are rotated every five years, so the City would utilize older technology longer, which was not problematic.

Ms. Moore noted the updated total of the 4% budget adjustments amounted to reductions of \$250,000.

Proposed budget adjustments were reviewed:

Category savings were discussed:

- *Travel and Training* = \$ 57,017. It was agreed that all cuts were sufficient.
 - Ms. Dominguez affirmed police training budget cuts were appropriate.
 - Ms. Turner quoted Chief Burnett as saying he was careful in considering his cuts, which would still provide training; she trusted his decisions.

Mr. Hales returned to the meeting.

- *Overtime* = \$69,043.
 - Ms. Moore noted some overtime funding would remain in the Parks Department, Cemetery and other small budgets.
 - Mr. Cox appreciated department heads carefully analyzing overtime. However, he thought flexibility should remain to provide overtime for employees who plow snow on Christmas Eve; work weekends to restore power and resolve urgent problems like broken water lines. He said employees must be compensated accordingly; and if overtime budgets run out, it should be made clear to departments heads they can approach the Council, who would consider additional overtime needs.
 - Ms. Moore noted GIS with a \$4,000 overtime budget. She said it is all hands-on deck when it comes to plowing snow in Murray; two GIS employees who worked in Streets previously, still assist with snow removal.
 - Mr. Hales supported flexible overtime. He appreciated Murray typically being first to have streets cleared of snow.
 - There was a consensus that overtime budget cuts were sufficient.

Report on Fiscal Year 2020-2021 General Fund Expenditures with the department reductions applied; Ending Fund Balance; and Use of Reserves. Ms. Moore calculated changes; the summary sheet now reflected 17.9% of revenue for reserves. Discussion followed:

- Ms. Dominguez asked what the percentage goal was initially.
- Ms. Turner desired to see 20%, which she felt would make the City strong. She said usually in the past reserves were as high as 25%. But without knowing the future, she thought having as much money in reserves would be helpful to the City for the long run.

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- Ms. Moore said 17.9% was lower than the goal; and described one way to achieve the 20% goal. By withholding some of the .2% optional sales tax transfer from the CIP Fund. (\$500,000) (Attachment #1 page 2, and page 5) This would create a CIP budget in FY 2023 with \$500,000 less.
- Mr. Hales felt if sales tax revenue was uncertain and reserve levels were concerning six months from now, a transfer from the CIP could occur at any time - if funding was needed. Therefore, he requested the funds be left in the CIP.
- Ms. Moore agreed the transfer was possible at any time, however, budgeted reserves would still remain at 17.9%.
- Ms. Turner felt with more options to consider, they could revisit that idea afterward the review.

Other Possible Budget Revisions – Another possible way to save money in the future was discussed:

- Ms. Moore explained money could be saved next year, and the next by paying off a callable bond early this year. She said if three principal payments were made from reserves on July 1, 2020, (totaling \$295,000), the City could save up to \$35,000 in interest payments over two years.
- Ms. Turner disapproved of dropping reserves any further.
- Ms. Moore stressed payments must be made anyway, and this would reduce owed interest.
- Ms. Dominguez clarified the City would save on interest and asked the interest rate.
- Ms. Moore confirmed and explained the coupon rate was 4.4%, which would only drop the percentage of reserves by one point.
- Ms. Turner did not favor using reserves, with so much uncertainty, and felt the City did not have the money to spend.
- Mr. Hales discussed benefits of saving interest, as one would experience with a personal loan. He disagreed; the City had the money; Ms. Turner did not want to spend the money. He noted payments were required anyway; and spending money to save money was a valuable means. He thought saving the City \$30,000 was significant, if possible.
- Mr. Cox said it depends on what was decided with the possible \$500,000 allocation from the CIP transfer.
- Ms. Moore assured paying off the bond early was only a possible idea; she asked the Council to think about it and noted if the optional sales tax transfer of \$500,000 did not occur the reserves would remain at 17.9%. The budget analysis continued.

Streets Division – Professional Services: \$100,000.

Ms. Moore noted a memo from Public Works Director, Mr. Astill dated May 11, 2020, to explain the needed expense, which included updated software, and the pavement management program. She asked if Council Members came to a decision about funding. Comments and a lengthy conversation ensued:

- Ms. Turner asked if the program was necessary this year.
- Ms. Moore said any time old software can be updated, it should be; especially when the program held significant value to the engineering of the City's roadways and sidewalks; it would provide survey software to address all sidewalk and road projects in the City. In addition, there is currently only one person who is trained to operate the outdated program.
- Mr. Hill said in the past, the city received lawsuits from those who tripped or fell over damaged sidewalks or had accidents because of road maintenance issues. In all cases, the plan was used to show an active repair plan was in place to address issues; the plan is considered an important risk management tool used by city attorneys to defend the city against those incidents.
- Ms. Martinez asked if there was a way to phase-in implementation of the plan, or was the \$100,000 cost a package deal for both roads and sidewalks.
- Mr. Hill confirmed sidewalk and road projects could be done separately, or at the same time. However, an active plan should be updated for both. He said there is no statutory requirement to

repair sidewalks, or roads, but the plan was a valuable tool conveying the City is working to fix issues. For example, the ADA (Americans with Disabilities Act) requires constant improvements must be made to ramps. If a city cannot show in a court of law that there is an improvement plan in place, and if it cannot prove progress is taking place, a city is penalized in a greater way, than if the city had a plan to display.

- Ms. Turner asked if the City currently had a plan.
- Mr. Hill said the current plan was ten years old, which is why the program needs updating. All work is complete, but there is no plan going forward.
- Mr. Critchfield confirmed the significance of having a plan because when a call comes in, the City must legally address the problem. However, if the cost is not afforded all at once to repair raised sidewalks immediately, the plan assures the matter will be resolved in a timely manner. But the plan must be current.
- Ms. Turner asked if the plan could be delayed until next year.
- Mr. Critchfield said from his perspective he would defer to expert engineers in the Public Works/Streets division. If staff thinks an updated plan is needed, he would defer to that.
- Mr. Cox understood the cost for new software would update and develop a needed plan, in a more user-friendly way. He thought it was important to make work accessible to more than one person.
- Mr. Hill confirmed the way data is compiled, technology provides photos and graphic images in the software, which helps to prioritize projects by providing a score to each need; it also determines the cost of the project, and determines which ones are of poorest condition.
- Mr. Hales asked if it was a required guideline. He expressed concern about only one person held more liable to the current program.
- Ms. Turner affirmed there was a plan in place, it was just an old plan.
- Mr. Hill explained the current software is no longer supporting the old plan. An updated software package would work better than what is currently used.
- Ms. Dominguez asked if projects and repairs were regulated by the State.
- Mr. Critchfield confirmed sidewalk trip and fall issues are resolved in court; a civil type of case. From years of experience, experts stay on top of it. He said clearly things can change over a debate, but from his perspective, updated information was better so they can defend the City in these issues.
- Ms. Turner polled the Council for a decision:
 - Mr. Hales said, due to outdated software, and only one knowledgeable person using the current program, he supported funding the item. He asked if sidewalk projects took priority, due to the trip and fall legal issues.
 - Ms. Martinez asked about cutting the cost in half; by funding sidewalk projects one year, and roads the following year.
 - Ms. Moore said a split was possible; however, with other cities pulling out of these projects, Murray is receiving a discount on the software.
 - Mayor Camp confirmed the cost for street projects was \$45k; and \$55k for sidewalks. He noted Mr. Astill preferred critical road projects be done first this year.
 - Ms. Turner called for a vote to either fund the program: fully, partially, or not at all.
 - Ms. Martinez: Partially.
 - Mr. Cox: Fully; he thought it was best to move forward with all projects, he trusted and supported the City's experts who felt the upgrade was needed.
 - Ms. Dominguez: Partially; she agreed with Ms. Martinez road and sidewalk projects should be funded separately.
 - Mr. Hales: Fully. He expressed favor in support of Mr. Astill.
 - Ms. Turner: Partially. Ms. Turner confirmed partial funding won, which would be \$45,000.
 - Ms. Moore confirmed and noted the adjustment.

Mayor's Office – Car Allowance.

Ms. Turner compared car allowances of department heads (\$350 per month) with car allowance in the Mayor's office. Ms. Moore agreed department heads earn \$4,200 per year, and Mayor Camp, and CAO, Mr. Hill receive \$6,600 per year. She said it was decided as part of the FY 19 budget, when a comparison and comp study was conducted to discover what cities in the area pay for car allowances; it was found Murray staff reimbursements were not consistent. As a result, all car allowances were made uniform, and Mayor Camp, and Mr. Hill received adjustments of \$6,600. Input followed:

- Mayor Camp corrected Ms. Moore that car allowance for him and Mr. Hill was \$6,000 per year. Ms. Moore agreed, and noted the council director also received car allowance like department heads.
- Ms. Dominguez asked for a copy of the comp study to realize what other mayors in the area receive for car allowance.
- Ms. Moore would provide the information. She said it would make sense to conduct a new study, since results were implemented 2018-2019. She noted both the human resource director and finance director from that time are no longer employed with Murray; she was unaware of how allowances were determined.
- Mr. Cox stated the extensive compensation study of surrounding cities also provided the current step plan for all Murray employees.
- Ms. Turner was not aware of the study results; and asked Ms. Lopez if the Council received a copy.
- Ms. Lopez said the Council office did not receive a copy.
- Ms. Turner expressed concern about the Mayor's excessive car allowance. She recommended reducing all administration car allowances to \$350 per month- equal to department heads. She noted this would provide a possible savings of \$3,900. She proposed putting that amount towards the Boys and Girls Club, which was reduced, before Ms. Martinez reinstated it. Ms. Turner asked for input:
 - Ms. Dominguez thought the decrease would help increase the percentage of reserves.
 - Ms. Moore disagreed; it would not help at all.
- Mr. Hales asked if the Council reduced the Mayor's car allowance, could the Mayor opt to keep the set amount, and choose to cut funds elsewhere.
- Ms. Lopez said the Council is the budget authority of the City. She did not believe the administration could oppose the car allowance reduction if the Council specifically lowered it. She asked Mr. Critchfield to provide a ruling.
- Ms. Moore was unsure if shifting budget allocations was possible; she would research the issue.
- Mr. Critchfield stated he did not have a ruling and could not speak for the Mayor; he confirmed it is always possible to transfer funding within the same department.
- Mayor Camp addressed the issue, saying he was fine with cutting car allowances to \$350 per month.
- Ms. Turner noted since funds were reinstated to the Boys and Girls Club earlier by Ms. Martinez, savings would occur naturally affecting the bottom line total.

City Council Office: Mr. Hales proposed the items for discussion and led the conversation:

- *Travel and Training:* Mr. Hales stressed that travel to Washington, D.C. should not occur next year. Ms. Lopez confirmed.
- *Meals:* Mr. Hales asked if all evening meals for the Council were cancelled. Ms. Lopez lowered the budget by half, so if physical meetings are reinstated meals could be offered again. It was up to the Council to cut the budget further.
 - Mr. Hales said to help save more money he favored all meals be cancelled; he requested input from others:

- Mr. Cox enjoyed visiting during meals with City staff before council meetings; however, he favored funding the Christmas luncheon more for all City employees, and agreed all other meals be cancelled - except that one – if it was affordable.
- Ms. Martinez noted \$1,500 would fund meals when it was safe to meet in person again.
- Ms. Turner said meals were initially designed to invite department heads who must stay into the evening waiting on council meetings and did not have time for dinner. Meals also helped staff feel comfortable and provided visits the Council otherwise did not have. She favored meals, and asked for feedback:
 - Ms. Dominguez suggested potluck meals in the future to help council staff and the budget. She thought in person visits were beneficial, however, in person meetings were cancelled indefinitely, due to COVID-19, so she was not comfortable sharing food in the near future. She agreed it was a good opportunity to cut the expense from the budget.
- Ms. Lopez confirmed \$1,200 would be adequate for a Christmas luncheon; she instructed Ms. Moore to cut another \$2,100 from the council meal budget.
- *Car Allowance*: Mr. Hales proposed all Council Members drop \$100 per month from their own car allowance to help provide more savings. The response was noted as follows:
 - Ms. Turner said no.
 - Ms. Dominguez felt indifferent either way.
 - Ms. Martinez recalled the workshop discussion to possible council pay increases, where it was affirmed that car allowances were part of their overall salary package. At that time Ms. Martinez suggested moving the car allowance into the regular pay to provide better transparency about council pay details; however, there was no support at the time. She reminded the Council their salary was only comparable to other cities with a car allowance. Therefore, she did not favor the decrease.
 - Mr. Cox was pleased with the existing budget cuts and did not favor the additional decrease.
 - Mr. Hales thanked the Council for their input; car allowances would remain the same.

Enterprise Funds Travel and Training; and 4% Expense Decreases – Hold Harmless.

Ms. Lopez reminded the Council that during the first two budget meetings there was concern about whether or not fees would be coming in- the way we expect during COVID-19. The Council requested department heads of enterprise funds go through the exercise of 4% cuts, as well. However, the way Ms. Moore increased bad debts, she covered any problems they may encounter. The discussion was to decide whether travel and training budgets for enterprise funds should be held harmless on proposed cuts presented on Monday, and Tuesday. Council Members shared opinions as such:

- Mr. Cox said enterprise funds should be held harmless; money would only go back into enterprise budgets, not helping the GF.
- Mr. Turner confirmed; and said the Library would also be held harmless.
- Ms. Dominguez agreed.
- Mr. Hales concurred.

Citywide Sick Leave Payout – Human Resource Report

Ms. Turner said the question was whether funding should be eliminated or remain. Feedback and comments were encouraged:

- Ms. Dominguez recalled finding out if the City was bound by the URS (Utah Retirement System) was a determining factor.
- Ms. Moore confirmed it was part of the arranged benefit.

- Ms. Martinez clarified she initially put the item on contingency, with possible thoughts of suspending the payout– to help fund the step-plan. However, after hearing Ms. Colton explain the employee benefit, she no longer supported suspending sick leave payouts.
- Mr. Hales supported funding the payout.
- Mr. Cox said even if funding was cut, it would need to be addressed later, due to the obligation.
- Ms. Turner agreed sick leave payout should not be eliminated.
- Ms. Dominguez concurred; if next year's budget looked challenging, it was important to be aware that they may need to look more deeply into this type of budget cut, and others in the future.
- Ms. Moore agreed if things continue as they are, employees may better understand if the benefit is cut next year. By then, one year's worth of data would support more significant budget cutting. By conducting more studies, other ways to save could be realized first, before cutting salaries. She said this was why the City's reserves are usually at 25% and not 12% in order to hold employees harmless in situations like this one; it was best to wait to see what happens next year.

General Fund Revenue Transfers In – Power Department

Ms. Lopez conducted research to compare various cities that are similar to Murray City Power. Currently, Murray City Power transfers 8% in four of six enterprise funds. Changes would mean ordinance updates.

Ms. Turner read the findings:

- Bountiful: FY 2021 10% transfer from power \$2.5 million.
- Provo: FY 2021 11% transfer from all enterprise funds – Power, \$7.4 million; Water, \$1.7 million; Wastewater, \$2.3 million; Sanitation, \$700,000; Storm Drain, \$600,000; Debt Service and other, \$450,000.
- Logan: FY 2021 transfers 11% from all enterprise funds – Total \$5.7 million; Water, \$1 million; Sewer, \$500,000; Power, \$2.8; Environmental, \$1.2 million.

She thought the information was helpful when looking at possible increases to Murray enterprise fund transfers; she noted Murray transfers the least amount comparatively. If the Power Fund transfer was increased by 1% it would provide an additional \$374,030 that would adequately fund the step-plan.

Comments followed:

- Mr. Hales considered the comparisons.
- Ms. Moore gave a history for newer Council Members; a few years ago the Utah Taxpayers Association and the State Legislature proposed to eliminate the enterprise funds transfers. Thanks to the ULCT (Utah League of Cities and Towns) and good lobbyists, the City ended up keeping the transfers, and adding disclosure notices to citizens inside utility bills. Her biggest fear with adjusting transfer amounts was that by using enterprise funds in this manner, it could alert the Utah Taxpayers Association and legislators again to rethink eliminating transfers. She said if the transfer was eliminated a property tax of 42% would be necessary to make up for lost revenue provided by transfers. Therefore, even for the small amount of \$374,030 and a minor tick in the reserve balance - that transfer could send a message that is very tenuous with the Utah Tax Payers Association and State legislature. She discussed city comparisons and noted Murray is much smaller than Provo, which was why Murray does not transfer as much as other power companies. Murray likes having a low power rate; if the transfer amount was increased, rates could be affected. She reminded the Council that six months ago the concern was what level of reserves enterprise funds should have, which everyone established was right where they need to be; operations are running great as they are. She thought such a decision should be carefully considered next year, and they should not react quickly right now. She strongly

opposed increasing transfers at this time, and was more comfortable changing the percentage going into the CIP instead to cover the step plan.

- Mr. Dominguez asked if an ordinance amendment would be necessary to change the percent from 9% to 10%.
- Mr. Critchfield presented two questions; legally do you need to; and, practically should you. He reminded the Council notices already went out conveying to taxpayers exactly what the transfer would be, and what it is for, so it would be confusing if the transfer was changed with an increase. Regarding State Law, the biggest issue is transparency because certain organizations believe cities should be more transparent in terms of the cost of government. Prior to sending current notifications, citizens did not know about the transfers, and transfers occurred without a public hearing. Citizens now know how funds are used, when they are transferred, because enterprise fund transfers are still allowed. He believed the situation was similar to approving a budget; residents know exactly what the Council intends, therefore, the Council should stick to what they intend to do. He felt technically a change could be implemented without a public hearing; however, he thought it was an unwise decision because customers are expecting a specific amount and nothing more; it would be a challenge to change it without an ordinance.
- Ms. Dominguez noted this year notices were already sent to citizens in April.
- Ms. Moore confirmed notices must go out 10 days prior to the public hearing, typically in April. Then, a second notice is sent with the information after the final budget approval.
- Ms. Lopez clarified the first notice goes out based on the Mayor's tentative budget. Then, after the Council has a chance to consider or change the budget –the second notice is sent related to what was actually approved.
- Ms. Turner agreed the second notice would go out to convey what was actually transferred, and a public hearing is required regardless, whether transfers are increased or not.
- Mr. Critchfield confirmed.
- Ms. Dominguez noted a transfer and public hearing could occur in six months, if enterprise fund transfers were needed later, which Ms. Moore did not prefer. She confirmed utility rates would not be increased.
- Ms. Moore agreed but that could spark attention with the assumption that the City uses enterprises fund money whenever they want. She likes the fact that the 8% transfer was set in place, which was essentially taking money from rate payers, who are the same people the budget is balanced for. She agreed rates would not increase, but the City would basically be taking money from the Power Fund, a separate business/entity. It would not greatly affect the Power Fund, however, \$377,000 would be taken from power reserves to support the GF. She said all tools should be considered in next year's budget, but it was premature at this point; and her greatest concern was transferring money without a long deliberate process behind it.
- Ms. Turner argued these are unprecedented times, and the Council must consider all tools helpful to resolve current matters. She stressed that was the point – we don't know that the action would be premature; and the Council should still consider it an available tool.
- Ms. Dominguez asked how much the GF balance would increase with a 1% Power Fund transfer, and would the GF be fine without it.
- Ms. Moore noted reduced car allowances for the Mayor's office, and the council's increased reductions; as of now, this would be 18% of revenue fund balance, which included funding the step plan and not changing enterprise fund transfers. If the power transferred occurred the percent would increase to 18.9%, which was only .9%.
- Ms. Martinez asked the difference between the proposed 1% increase from the Power Fund, which was held harmless from 4% operation cuts; and when looking at reducing the percentage

transferred into the CIP fund – was it impacting more departments that were not held harmless; and did have budgets cut by 4%.

- Ms. Moore said reducing the CIP transfer would only impact the ability to purchase equipment, which is what the CIP is for. She did not consider the comparison as an either-or decision; she said the decrease would eliminate unnecessary equipment purchases this year. She was comfortable having an 18.8% GF balance, which was the envy of other cities. She understood concerns about next year, however, next year they would have a full year to plan better. She reiterated it was not worth the risk for \$374,000 to start revising the transfer, and next year good data would support a more deliberate increase.
- Ms. Turner did not see the increase as a risk, she persisted the Power Fund was a good tool. She inquired the Council for further comments; lengthy conversation occurred:
 - Mr. Cox said from his experience, Ms. Moore was spot on with what could happen. He recalled legislators and the Utah Taxpayers Association proposing to eliminate the transfers; it was his opinion that for the amount of money to fund the step plan, they would be playing with fire by changing enterprise fund transfers- which would backfire. In addition, he revisited the decision of only funding roads in Streets - *professional services*. He was nervous that without a plan in place, just one lawsuit, related to a trip and fall sidewalk incident could wipe out the City's savings. He felt by getting into the weeds of things, money was found by department heads, which he greatly appreciated - but next year, \$2 million might not be found. He noted projections for sales tax revenue was down 17%; and legislators are budgeting for over a billion dollars less than before. Therefore, Murray should be aware of those things moving forward.
 - Mr. Dominguez felt comfortable with the 1% Power Fund increase, despite hearing Mr. Critchfield speak. She suggested looking into it further to understand the history. She appreciated Mr. Cox and his experience with legislator; however, she wanted to go even further into the weeds. She agreed with Ms. Turner utilizing the enterprise funds as a tool should be an option if there was an opportunity to use them.
 - Ms. Turner agreed the decision to increase transfers could be discussed at mid-year, after more research.
 - Mr. Hales agreed it was wise to wait.
 - Ms. Martinez said enterprise funds could be useful tool; she did not have the legislative history of specific battles at the Capitol, but she agreed it would be crushing to lose the transfers completely. She favored looking at the possibilities in six months.
 - Mr. Turner confirmed the final result would be 18.8%. The situation should be watched closely each month, because she did not want to see it go any lower.
 - Ms. Moore favored delaying those decisions until next year and confirmed a \$500,000 transfer from .2% option sales tax revenue would be allocated to fund the step plan, after the revenue total was realized at the end of the fiscal year.

Citywide – Step Plan Increases. Ms. Turner noted the step plan would be funded for the next year and the item was reconciled.

City Council Decisions – Ms. Turner asked if Council Members were comfortable with all discussions and final decisions; she encouraged further comments:

- Mr. Hales said in nine years of processing the budget this one was most challenging. He appreciated the extensive exercise, respected and agreed with Ms. Martinez and Ms. Dominguez about Council car allowances being part of their pay. For the record, he expressed frankly, more communication is needed in the future from both sides of the City's governing bodies. He stressed the lack of

communication was more than he had seen in the past, and said it was not just a fault of the Council, or fault of the administration. He stated it was difficult trying to make decisions, when staff was not available to talk to the Council; he hoped others would agree the situation needed to improve. He appreciated hard work by the Council, Ms. Lopez; Mayor Camp and his team, and was satisfied with final decisions.

- Ms. Martinez thought great progress was made on savings. She said having everything on the table was uncomfortable and scary but appreciated all department heads for hard work in considering their cuts. She tediously reviewed the budget and grieved every line item that was cut from budgets. She hoped City staff would understand the idea of having to lay off even one employee in the next three years, kept her up at night –but the Council was taking it seriously. She agreed getting in the weeds was a productive muscle they must keep working on- to get through possibly a rough couple of years. She reviewed positive conversations with city employees and constituents. She thanked everyone for taking the time to analyze the budget, and trusted that every cut was made because the Council cares and is greatly concerned.
- Mr. Cox said a great deal was accomplished; savings were found and that was not easy; he apologized to employees that the Council was worried about the budget - because a great deal of time was spent finding money to fund the Mayor’s proposed budget. With success this year, they would work harder to be as fiscally responsible as possible; it was their priority to not lose any Murray City employees, at any time. He recalled his first year as Council Member when a property tax was implemented with team effort, and continued communication throughout the process. However, he agreed wholeheartedly with Mr. Hales, better communication is needed in the future between the two governing bodies, which was important to future budget decisions. He said the City requires men, women, talent, and machinery to service the City properly, which all comes with a cost; therefore, it was essential to pinch every dime the City had to achieve meeting those needs. He thanked all department heads, Council Members, Ms. Lopez, the Mayor’s office, and especially Ms. Moore for hard work, He was pleased that funding many items was possible this year; but tomorrow, the hard work begins to find money for next year’s budget.
- Ms. Dominguez echoed and thanked participants who worked hard to make departments better for City staff. She felt it was one of the hardest times to be a Council Member, and the week was challenging. She was pleased with the outcome and hoped to continue to hear from residents, as related to spending money. She was comforted in knowing that raising taxes was not an option, and would hate for residents to feel agitated about their own finances in that manner. She thought the Council should support the well-being of its citizens, and would continue to do so. She was not certain about communication in the past, but from her perspective it was off. She hoped for improvements in this area and wanted staff to know the Council was here to support them also. With the unknown future, budget cuts might necessary, so she hoped staff would be aware of that. She appreciated a great learning experience and noted her many questions and concerns were ultimately for her own understanding to best answer questions of her constituents.
- Ms. Turner resounded all previous comments; and appreciated the City Council; she thanked Ms. Martinez for being a supportive Vice Chair to the Budget and Finance Committee. She looked forward to completing the budget process, with a public hearing during the council meeting; as well as, meeting with Ms. Moore in the future.

Adjournment: 3:01 p.m.

Pattie Johnson
Council Office Administrator II

ATTACHMENT #1

GENERAL FUND SUMMARY

FY2020-2021

Original Mayor's Tentative

	Prior Year Actual FY 18-19	Estimated Actual FY 19-20	Amended Budget FY 19-20	Tentative Budget FY 20-21
FUND BALANCE				
Beginning Fund Balance	10,336,986	11,452,715	11,452,715	8,575,622
Revenues	45,650,839	42,438,322	46,125,423	41,408,185
Expenditures	(41,530,809)	(45,216,988)	(45,625,636)	(44,842,604)
Transfers In	4,094,732	4,335,618	4,335,618	4,196,880
Transfers Out	(7,099,033)	(4,434,044)	(5,194,937)	(4,325,356)
Ending Fund Balance	11,452,715	8,575,622	11,093,183	5,012,727
% of Revenue	25.1%	20.2%	24.1%	12.1%
Change in fund balance	1,115,729	(2,877,093)	(359,532)	(3,562,895)
Savings (Reserves Used)				

Adjust Unspent FY2020 budget

	Prior Year Actual FY 18-19	Estimated Actual FY 19-20	Amended Budget FY 19-20	Tentative Budget FY 20-21
FUND BALANCE				
Beginning Fund Balance	10,336,986	11,452,715	11,452,715	10,498,187
Revenues	45,650,839	42,438,322	46,125,423	41,408,185
Expenditures	(41,530,809)	(45,625,636)	(45,625,636)	(44,842,604)
Estimated unspent budget		2,331,212		
Transfers In	4,094,732	4,335,618	4,335,618	4,196,880
Transfers Out	(7,099,033)	(4,434,044)	(5,194,937)	(4,325,356)
Ending Fund Balance	11,452,715	10,498,187	11,093,183	6,935,292
% of Revenue	25.1%	24.7%	24.1%	16.7%
Change in fund balance	1,115,729	(954,528)	(359,532)	(3,562,895)
Savings (Reserves Used)				

ATTACHMENT #2

FY2020 savings by department General fund
Operations

Department/division	Gross	after allocation	
101 Council	17,400.00	6,960.00	
201 Court	55,000.00	55,000.00	
301 Mayor	23,500.00	9,400.00	
401 Finance & Administrat	133,233.69	16,417.68	
501 Human Resources	41,700.00	16,680.00	
601 City Attorney	6,000.00	2,400.00	
602 Prosecution	7,100.00	7,100.00	
701 Police	69,989.00	69,989.00	
801 Fire	18,000.00	18,000.00	
1001 Streets	34,475.00	34,475.00	
1002 Engineering	18,850.00	18,850.00	
1101 Parks & Rec	459,700.00	459,700.00	
1301 Com dev	4,295.00	2,147.50	
1304 IT	24,550.00	9,820.00	
1305 GIS	18,450.00	12,915.00	
1306 planning & Zoning	2,108.00	2,108.00	
1307 Building division	14,250.00	14,250.00	
		<u>756,212.18</u>	6.8%
Payroll Savings		<u>1,575,000.00</u>	5%
Savings		<u>2,331,212.18</u>	

ATTACHMENT #3

Murray City

FY 2020-2021 Proposed budget adjustments

Part of 4% adjustment

Travel & Training

			Original		Necessary	Reduction	GF effect
			Proposed				
10	0101	Council	42125	33,000	11,200	21,800	13,080
10	0201	Court	42125	11,000	11,000	-	-
10	0301	Mayor	42125	5,000	5,000	-	-
10	0401	Finance	42125	10,000	5,000	5,000	2,500
10	0403	Treasury	42125	2,500	1,500	1,000	50
10	0501	HR	42125	12,000	4,000	8,000	4,800
10	0601	Attorney	42125	7,600	7,600	-	-
10	0602	Procecutor	42125	5,092	5,000	92	37
10	0701	Police	42125	30,000	23,000	7,000	2,800
10	0801	Fire admin	42125	6,000	6,000	-	-
10	0802	Fire Supression	42125	23,000	18,000	5,000	5,000
10	0803	Fire Ambulance	42125	18,000	18,000	-	-
10	1001	Streets	42125	12,000	12,000	-	-
10	1002	Engineering	42125	4,000	2,500	1,500	1,500
10	1101	Parks	42125	8,000	4,000	4,000	4,000
10	1102	Park Center	42125	3,200	-	3,200	3,200
10	1103	Recreation	42125	3,700	-	3,700	3,700
10	1104	Arts	42125	500	-	500	500
10	1106	Sr Rec	42125	4,000	-	4,000	4,000
10	1107	Cemetery	42125	1,500	-	1,500	1,500
10	1301	CED	42125	2,000	-	2,000	1,000
10	1302	Utility Billing	42125	1,000	1,000	-	-
10	1303	Recorder	42125	10,000	4,000	6,000	3,600
10	1304	IT	42125	9,000	9,000	-	-
10	1305	GIS	42125	8,500	8,500	-	-
10	1306	Building	42125	7,000	5,500	1,500	1,500
10	1307	Planning	42125	9,500	9,000	500	500
10	1308	Facilities	42125	5,000	-	5,000	3,750
				252,092	170,800	81,292	57,017

Enterprise Funds & Internal Service Funds

23	2301	42125	7,000		
51	5101	42125	14,000	12,000	2,000
51	5103	42125	1,500		
52	5202	42125	10,000	9,000	1,000
53	5301	42125	40,000		
53	5302	42125	25,000		
53	5303	42125	25,000		
53	5304	42125	10,000		
53	5305	42125	15,000		
53	5307	42125	5,000		
53	5308	42125	5,000		
54	5401	42125	2,000	500	1,500
54	5402	42125	3,200	2,400	800
57	5702	42125	10,000		10,000
61	6101	42125	5,000		
62	6201	42125	6,000		

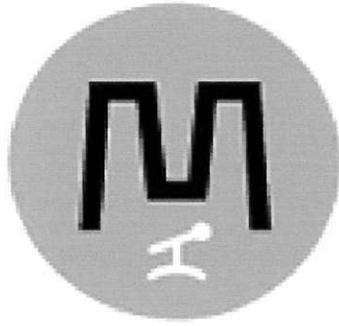
Murray City
 FY 2020-2021
 Overtime Adjustment

Part of 4% adjustment

			Original Proposed	Department Amount needed	Department Proposed reduction	Taxes & Retirement	Total Reduction	General Fund Adjustment
10	0401	Finance	1,000	500	500	152	652	391
10	0501	Human Resources	500	500	-		-	-
10	0701	Police	173,000	160,000	13,000	995	13,995	13,995
10	0801	Fire	425,000	385,000	40,000	3,060	43,060	43,060
10	1001	Street	63,000	63,000	-		-	-
10	1002	Engineering	7,500	7,500			-	-
10	1101	Parks	35,000	35,000			-	-
10	1102	Park Center	2,000	1,000	1,000	303	1,303	1,303
10	1103	Recreation	3,000	1,500	1,500	454	1,954	1,954
10	1107	Cemetary	10,000	10,000	-		-	-
10	1302	Utility Billing	500	500	-		-	-
10	1303	Recorder	500	-	500	151	651	391
10	1304	IT	7,000	3,500	3,500	1,061	4,561	2,737
10	1305	GIS	4,000	4,000	-		-	-
10	1306	Building	4,000	4,000	-		-	-
10	1307	Planning	4,000	-	4,000	1,213	5,213	5,213
10	1308	Facilities	8,000	8,000	-		-	-
			748,000	684,000	64,000	7,389	71,389	69,043

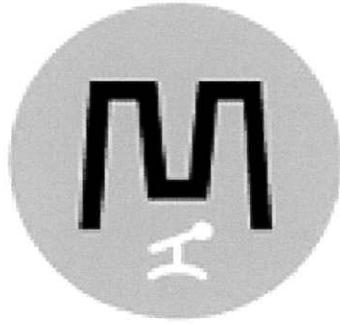
Enterprise & Internal Service Funds

51	5101	Water	4,500	4,500				
51	5102	water operation	75,000	75,000				
51	5103	water meter readers	7,000	7,000				
52	5202	WasteWater	34,000	34,000				
53	5301	Power	15,000	15,000				
53	5302	Power	25,000	25,000				
53	5303	Power	120,000	111,000	9,000			
53	5304	Power	65,000	60,000	5,000			
53	5305	Power	50,000	45,000	5,000			
53	5307	Power	10,000	10,000				
56	5602	Solid Waste	7,000	7,000				
57	5702	Storm Water	21,630	21,630				
61	6101	Fleet	1,000	1,000				
62	6201	Risk	500	500				



MURRAY
CITY COUNCIL

Adjournment



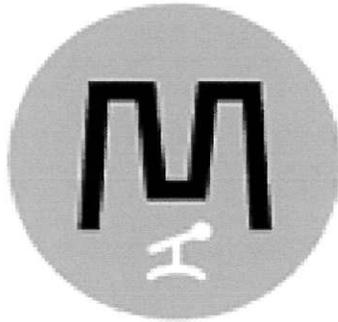
MURRAY
CITY COUNCIL

Council Meeting

6:30 p.m.

Call to Order

Pledge of Allegiance



MURRAY
CITY COUNCIL

Council Meeting Minutes

**Murray City Municipal Council
Chambers
Murray City, Utah**

The Murray City Municipal Council met on Tuesday, July 21, 2020 at 6:35 p.m. for a meeting held electronically in accordance with the Governor and Utah Department of Health's *Phased Guidelines for the General Public "Utah Leads Together"*, and the Utah Legislature's House Joint Resolution 504, adopted on June 17, 2020, extending the *State of Emergency Due to the Infectious Disease COVID-19 Novel Coronavirus*. I have determined that to protect the health and welfare of Murray citizens, an in person City Council meeting, including attendance by the public and the City Council is not practical or prudent.

The Center for Disease Control states that COVID-19 is easily spread from person to person between people who are in close contact with one another. The spread is through respiratory droplets when an infected person coughs, sneezes or talks and may be spread by people who are non-symptomatic.

Considering the continued rise of COVID-19 case counts in Utah, meeting in an anchor location presents substantial risk to the health and safety of those in attendance because physical distancing measures may be difficult to maintain in the Murray City Council Chambers.

It is my intent to safeguard the lives of Murray residents, business owners, employees and elected officials by meeting remotely through electronic means.

The public may view the meeting via the live stream at www.murraycitylive.com or <https://www.facebook.com/MurrayCityUtah/> . No physical meeting location will be available.

If you would like to submit comments for the citizen comment time or the public hearing you may do so by sending an email in advance or during the meeting to city.council@murray.utah.gov. Comments are limited to less than 3 minutes, include your name and contact information, and they will be read into the record.



Rosalba Dominguez, Council Chair
Murray City Council

Council Members in Attendance:

Kat Martinez	District #1
Dale Cox	District #2 – Council Chair
Rosalba Dominguez	District #3 – Council Vice-Chair
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
Melinda Greenwood	Community & Economic Development (CED) Director	Jennifer Heaps	Chief Communications Officer
Joey Mittelman	Assistant Chief	Brenda Moore	Finance Director
Danny Astill	Public Works Director	Pattie Johnson	City Council Office

Opening Ceremonies

Call to Order – Councilmember Martinez called the meeting to order at 6:35 p.m.

Pledge of Allegiance – The Pledge of Allegiance was led by Councilmember Martinez and Joe.

Approval of Minutes

Council Meeting – July 7, 2020

MOTION: Councilmember Turner moved to approve the minutes. The motion was SECONDED by Councilmember Hales.

Council roll call vote:

Ayes: Councilmember Cox, Councilmember Dominguez, Councilmember Turner, Councilmember Hales, Councilmember Martinez

Nays: None

Abstentions: None

Motion passed 5-0

Citizen Comments – Comments are limited to 3 minutes unless otherwise approved by the Council.
No citizen comments were given.

Public Hearings

Staff and sponsor presentations and public comment will be given prior to Council action

on the following matters.

1. Consider an ordinance relating to land use; amends the Zoning Map for the property located at 296 East 4500 South, Murray City, Utah from G-O (General Office Zoning District) to C-D (Commercial Development Zoning District) (Janet Wall/Sacred Energy LLC, applicant).

Staff Presentation: Melinda Greenwood, CED Director

Ms. Greenwood said this property is located on the southwest corner of 4500 South and Atwood Boulevard. The property is .36 acres. The future land use for this property is general commercial. The G-O Zone is targeted toward professional office uses where the C-D Zone is targeted more towards commercial and retail uses. The applicant is asking for the zone map amendment because she would like to move a retail business that she has to this property and consolidate that business with a Bed and Breakfast that she was recently approved for. The Planning Commission held a public hearing on this item on May 21, 2020. The Planning Commission and staff are both recommending approval of this item.

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

MOTION: Councilmember Cox moved to adopt the ordinance. The motion was SECONDED by Councilmember Turner.

Council roll call vote:

Ayes: Councilmember Cox, Councilmember Dominguez, Councilmember Turner, Councilmember Hales, Councilmember Martinez

Nays: None

Abstentions: None

Motion passed 5-0

2. Consider an ordinance permanently closing a public alleyway and vacating the right-of-way located at approximately 15 West Fifth Avenue, between Fourth and Fifth Avenue, Murray City, Salt Lake County, State of Utah.

Staff Presentation: Danny Astill, Public Works Director

Mr. Astill said the City has been working on this for some time. The right-of-way that is located at approximately 15 West Fifth Avenue needs to be vacated so it can be used as part of the parking mitigation.

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

MOTION: Councilmember Dominguez moved to adopt the ordinance. The motion was SECONDED by Councilmember Cox.

Council roll call vote:

Ayes: Councilmember Cox, Councilmember Dominguez, Councilmember Turner, Councilmember Hales, Councilmember Martinez

Nays: None

Abstentions: None

Motion passed 5-0

3. Consider a resolution declaring certain real property located at approximately 15 West Fifth Avenue, Murray City, Salt Lake County, State of Utah, as surplus.

Staff Presentation: G.L. Critchfield, City Attorney

Mr. Critchfield said this is a follow-up to the 15 West Fifth Avenue vacation. The ordinance to vacate the alleyway will be recorded at the Salt Lake County Recorder's office. That will trigger a division of that alleyway where half will go to the Fraternal Order of Eagles and half will go to the City. The City will then take their half of the alleyway and convey it to the Fraternal Order of Eagles in order to make up for the parking the City took as a result of the Hanauer Street extension.

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

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

Council roll call vote:

Ayes: Councilmember Cox, Councilmember Dominguez, Councilmember Turner, Councilmember Hales, Councilmember Martinez

Nays: None

Abstentions: None

Motion passed 5-0

Business Items

1. Consider a resolution adopting the Salt Lake County Multi-Jurisdictional Multi-Hazard Mitigation Plan.

Staff Presentation: Joey Mittelman, Assistant Chief

Mr. Mittelman said the mitigation process helps prevent hazards to people, such as an earthquake, a flood or a pandemic. Murray has a great mitigation plan for earthquakes and floods. This plan aligns everything from the FEMA level to the City level.

MOTION: Councilmember Hales moved to adopt the resolution. The motion was SECONDED by Councilmember Cox.

Council roll call vote:

Ayes: Councilmember Cox, Councilmember Dominguez, Councilmember Turner, Councilmember Hales, Councilmember Martinez

Nays: None

Abstentions: None

Motion passed 5-0

Mayor's Report and Questions

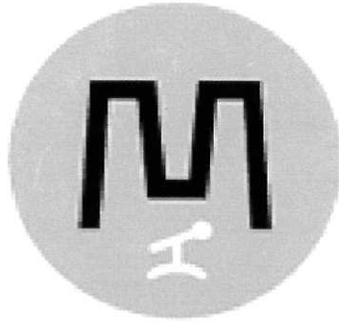
Mayor Camp reported on the following items:

- The City offices will be closed on Friday, July 24, 2020, to observe Pioneer Day.
- The Farmers Market will open this Saturday in Murray Park from 8:00 a.m. to 2:00 p.m. It is scheduled to be open every Friday and Saturday through October.
- The construction of Hanauer Street has begun to the south of 4800 South.
- The City has signed the contracts with ATC and Verizon. The contracts have been sent back to them for their signatures.
- Moody's has renewed the City's bond rating for the new City Hall at a Aa3.

Adjournment

The meeting was adjourned at 6:55 p.m.

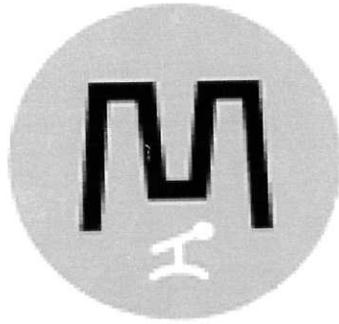
Jennifer Kennedy, City Recorder



MURRAY
CITY COUNCIL

Citizen Comments

Limited to three minutes, unless otherwise approved by Council



MURRAY
CITY COUNCIL

Public Hearing #1

Murray City Corporation

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 4th day of August 2020, at the hour of 6:30 p.m., the Murray City Municipal Council will hold and conduct a hearing on and pertaining to the consideration of amending the General Plan from Low Density Residential to Medium Density Residential and amending the Zoning Map from the R-1-8 (Low Density Single Family) zoning district to the R-M-10 (Medium Density Residential) zoning district for the properties addressed 388 East and 398 East 4800 South, Murray, Utah.

The purpose of this hearing is to receive public comment concerning the proposed amendment to the General Plan and Zoning Map as described above.

Considering the continued rise of COVID-19 case counts in Utah, meeting in an anchor location presents substantial risk to the health and safety of those in attendance because physical distancing measures may be difficult to maintain in the Murray City Council Chambers. Therefore, the City Council Chair has determined that to protect the health and welfare of Murray citizens, an in person City Council meeting, including attendance by the public and the City Council is not practical or prudent. In order to safeguard the health of residents, business owners, city employees and elected officials, the hearing will be conducted electronically as authorized by the Governor's Executive Order 2020-5 (suspending the enforcement of certain provisions of the Open and Public Meetings Act) issued March 18, 2020 and by City Council Resolution No. 20-13 adopted March 17, 2020. The public may view the meeting via the live stream at www.murraycitylive.com or <https://www.facebook.com/MurrayCityUtah/>. No physical meeting location will be available.

Members of the public may provide public comment by sending an email in advance or during the meeting to city.council@murray.utah.gov. Comments are limited to less than 3 minutes, include your name and contact information, and they will be read into the record.

DATED this 16th day of July, 2020.

MURRAY CITY CORPORATION


Jennifer Kennedy
City Recorder

DATE OF PUBLICATION: July 24, 2020
PH 20-27



ORDINANCE NO. _____

AN ORDINANCE RELATING TO LAND USE; AMENDS THE GENERAL PLAN FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL AND AMENDS THE ZONING MAP FROM R-1-8 TO R-M-10 FOR THE PROPERTIES LOCATED AT APPROXIMATELY 388 EAST AND 398 EAST 4800 SOUTH (REAR), MURRAY CITY, UTAH. (Dawndi Reichman)

BE IT ORDAINED BY THE MURRAY CITY MUNICIPAL COUNCIL AS FOLLOWS:

WHEREAS, the owner of the real properties located at approximately 388 East and 398 East 4800 South (rear), Murray, Utah, has requested a proposed amendment to the General Plan of Murray City to reflect a projected land use for the property as Medium Density Residential and to amend the zoning map to designate the property in an R-M-10 zone district; and

WHEREAS, it appearing that said matter has been given full and complete consideration by the Planning and Zoning Commission; and

WHEREAS, it appearing to be in the best interest of Murray City and the inhabitants thereof that the proposed amendment of the General Plan and the Zoning Map be approved.

NOW, THEREFORE, BE IT ENACTED:

Section 1. That the Murray City General Plan be amended to show a Medium Density Residential projected use for the following described properties located at approximately 388 East and 398 East 4800 South (rear), Murray City, Salt Lake County, Utah:

Tax Parcel #22-07-202-034

Beginning South 360.83 feet and East 379.137 feet from the North $\frac{1}{4}$ corner of Section 7, Township 2 South, Range 1 East, Salt Lake Base and Meridian; thence South 89° East 142 feet; thence South 2° West 20.81 feet; thence North 89° West 142 feet; thence North 2° East 20.81 feet to the point of beginning.

Section 2. That the Zoning Map and the zone district designation for the property described in Section 1 be amended from the R-1-8 zone district to the R-M-10 zone district.

Section 3. This Ordinance shall take effect upon the first publication and filing of copy thereof in the office of the City Recorder of Murray City, Utah.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council
on this ____ day of August, 2020.

MURRAY CITY MUNICIPAL COUNCIL

Rosalba Dominguez, Chair

ATTEST:

Jennifer Kennedy, City Recorder

Transmitted to the Office of the Mayor of Murray City on this ____ day of
_____, 2020.

MAYOR'S ACTION:

DATED this ____ day of _____, 2020.

D. Blair Camp, Mayor

ATTEST:

Jennifer Kennedy, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance was published according to law on the ____
day of _____, 2020.

Jennifer Kennedy, City Recorder

The meeting was open for public comment. No comments were given and the public comment was closed.

A motion was made by Sue Wilson to approve the proposed Lot Line Adjustment for Lot 1 and Lot 4 of the Wild Rose Estate Subdivision at the property addressed 5668 South Bullion Street and 1057 West Aaron Park Circle, subject to the following conditions:

1. The project shall meet all requirements of the City Engineer, and City requirements for Lot Line Adjustments.
2. Public Utility Easements must still be provided on existing lots.
3. Proof of recordation and Notice of Approval of Lot Line Adjustment documents must be submitted to the Community & Economic Development Department.

Seconded by Scot Woodbury.

Call vote recorded by Mr. Hall.

 A Ned Hacker
 A Lisa Milkavich
 A Travis Nay
 A Sue Wilson
 A Maren Patterson
 A Scot Woodbury
 A Phil Markham

Motion passed 7-0.

DAWNDI D. REICHMAN – 388 & 398 East 4800 South – Project #20-056 & 20-057

Hunter Curtis was present to represent this request. Jared Hall reviewed the location and request to amend the General Plan from Low Density Residential to Medium Density Residential. The subject property is located behind 388 and 398 East 4800 South and has been used as a part of those two parcels for years. The address given to the parcel is 388 East 4800 South, just like the lot in front of it and it is 3,049 sq. ft. The subject property is in the R-1-8 Zone. However, the properties located at 388 and 398 East 4800 South, which just in front of it, are in the R-M-10 Zone. The applicant is trying to combine the subject property to the two other lots so she can sell her home. Staff would like to see all of the property in the same zone before the properties are combined and advised the applicant to apply for this application. The zone change and General Plan amendment would not increase the land enough to put additional units on the properties.

Mr. Hacker asked if the property owners already owned the property behind their homes. Mr. Hall replied, yes they do.

Mr. Nay asked how this happened. Mr. Hall said he thinks the previous owner's intent was to combine all the properties, but it was never done.

Hunter Curtis, 1307 South 1800 East, said nothing will change with these properties.

The meeting was open for public comment.

Susan Nixon read the following comments:

Carol and Harry Niehus, 4864 Cross Creek Lane, "As a concerned resident living within 300 feet of the subject property, I am very upset that this parcel of land is being concerned to change from low density single-family to medium density multi-family.

My biggest concerns are crime, noise, street parking and more traffic on 4800 South.

When we moved here over 20 years ago 4800 South was busier than we expected. Now with the main municipalities being moved to lower 4800 South traffic has increased even more. Changing zoning doesn't help with the problem.

Street parking has always been a problem. Turning left off of Stone Crest Dr. is now dangerous because of parked cars and poor view of approaching cars because of the multi-family building's fence. Between the noise on State Street and the increased traffic on 4800 South the noise level has increased.

I am afraid that 4800 South in the future will become another 4500 South, high in crime caused by the number of apartments and movement of residents. In conclusion I am dead set against rezoning."

Dr. Frances Dolloph and Dr. Sharon Teabo, 4873 South Crest Drive, "I strongly oppose rezoning two parcels of land on 4800 from single family property to multi-family residence. These two properties are in the heart of the single family zone and rezoning would substantially change the neighborhood. While you are asking for two small parcels to be changed, in essence, since those two strips are part of two large plots, you would be allowing multi-family building in a dense zone with high traffic.

The Cross Creek area is one of the few well-kept single family neighborhoods in Murray. It is adjacent to the historical area as well. Do not spoil the Cross Creek neighborhood area by allowing multi-families use, most likely to eventually be high rise with high traffic and parking in the area, and little or no green space.

Consideration needs to be made of the water running through the property as well. Substantial new building could cause flooding to existing properties. Please do not change zoning for these properties as it will lead to multiple changes and rezoning on 4800 to the detriment of current single family property owners. The Cross Creek area properties are a credit to the City of Murray; do not do anything to change that status."

The public comment portion was closed.

Mr. Curtis said that adding this small pieces of land to these two parcels would not allow enough space for additional units to be added. All the owner is trying to do is sell her home. Mr. Hall said the lots at 388 and 398 East 4800 South are already in the R-M-10 Zone and are not the lots that are being rezoned. Neither lot is big enough, individually, for even a duplex. Mr. Woodbury asked if someone were to buy all six of the lots, how big could a project be. Mr. Hall said the height limit

would be 35 feet. Mr. Hacker added that someone could build something that is 35 feet high today. Mr. Woodbury said this rezone is more of a clean-up of the lots in the area. Ms. Milkavich agreed with Mr. Woodbury. Mr. Woodbury said he understands why what is happening can seem scary to the residents. However, what is being considered today, doesn't change what could have been done for the past fifteen years. He added the City Council would be making the final decision on this, the Planning Commission is just making a recommendation.

A motion was made by Ned Hacker forward a recommendation of approval to the City Council for the requested amendment to the General Plan Future Land Use Map, re-designating the property located immediately adjacent to the south of the properties addressed 388 East and 398 East 4800 South from Low Density Residential to Medium Density Residential.

Seconded by Travis Nay.

Call vote recorded by Mr. Hall.

 A Ned Hacker
 A Lisa Milkavich
 A Travis Nay
 A Sue Wilson
 A Maren Patterson
 A Scot Woodbury
 A Phil Markham

Motion passed 7-0.

A motion was made by Scot Woodbury forward a recommendation of approval to the City Council for the requested amendment to the Zoning Map designation of the property located to the south of the properties addressed 388 East and 398 East 4800 South from R-1-8, Single Family Low Density Residential to R-M-10, Multi-Family Low Density Residential.

Seconded by Travis Nay.

Call vote recorded by Mr. Hall.

 A Ned Hacker
 A Lisa Milkavich
 A Travis Nay
 A Sue Wilson
 A Maren Patterson
 A Scot Woodbury
 A Phil Markham

Motion passed 7-0.

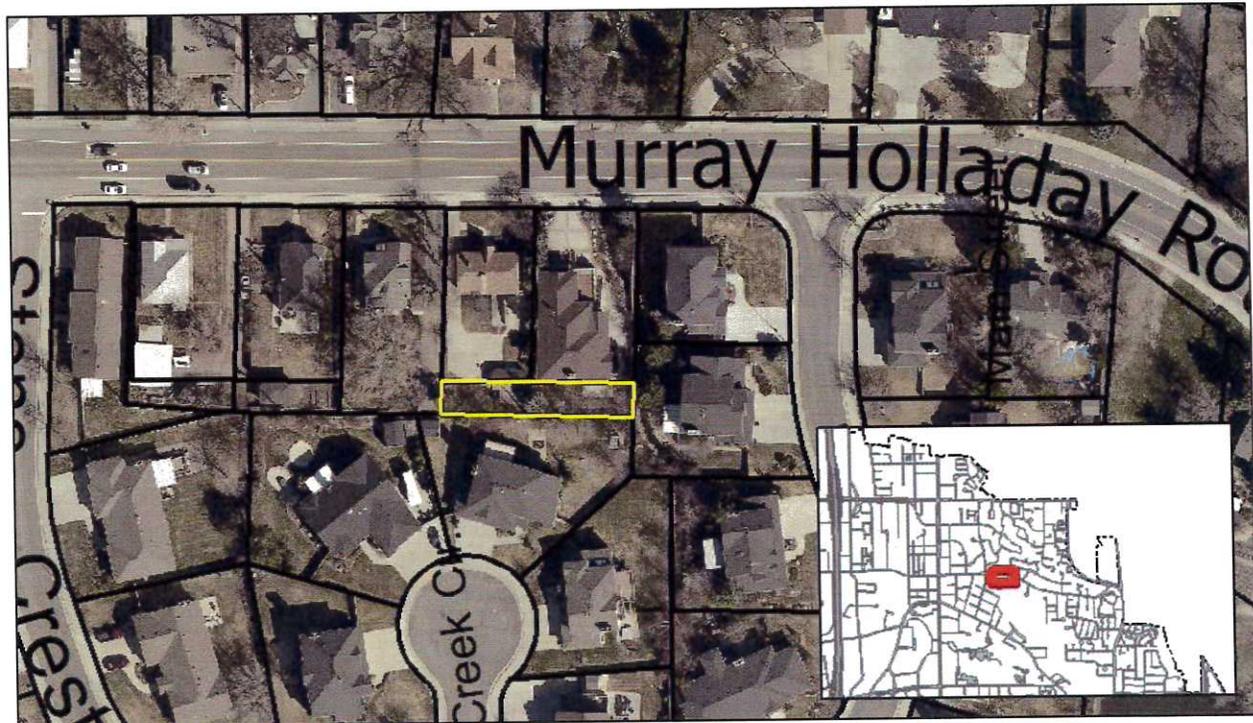
OTHER BUSINESS

Sue Wilson made a motion to adjourn. Seconded by Travis Nay.



AGENDA ITEMS #6 & #7

ITEM TYPE:	General Plan Amendment / Zone Map Amendment		
ADDRESS:	388 E., 398 E. 4800 South (parcel to the rear)	MEETING DATE:	June 4, 2020
APPLICANT:	Dawndi Deniro Reichman	STAFF:	Jared Hall, Planning Division Manager
PARCEL ID:	22-07-202-034	PROJECT NUMBER:	20-056 20-057
CURRENT ZONE:	R-1-8, Single-Family Low Density Residential	PROPOSED ZONE:	R-M-10, Multi-Family Low Density Res
LAND USE DESIGNATION	Low Density Residential	PROPOSED DESIGNATION	Medium Density Residential
SIZE:	.07 acres 3,049 ft ²		
REQUEST:	The applicant would like to amend the Future Land Use Map designation and Zoning of the subject property to align with the designations of her adjacent properties at 388 East and 398 East 4800 South.		



I. BACKGROUND & REVIEW

Background

The subject property is a parcel located behind two existing single-family homes at 388 and 398 East 4800 South. The property has been owned and used as part of those two lots for many years but has never been combined with them. The subject parcel was not included with the properties it is associated with when the Zoning and the Future Land Use designations were applied to properties with frontage on 4800 South. As a result, the lots are in the Medium Density Residential land use category, and in the R-M-10, Multi-Family Zone, but the parcel (not having frontage on 4800 South) was left in the Low Density Residential land use category, and the R-1-8 Zone. The applicant has inherited the properties, and the discrepancy was discovered as she has prepared to sell one of the lots. Because the parcel has been historically used in conjunction with the lots at 388 and 398 East 4800 South and has always been in the same ownership as those two properties, Staff views the proposed amendments as corrections to an oversight. In turn, once those designations are corrected the subject parcel can be appropriately combined with the associated lots.

Surrounding Land Uses & Zoning

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Single Family Residential	R-M-10
South	Single Family Residential	R-1-8
East	Single Family Residential	R-1-8
West	Single Family Residential	R-M-10



Figure 1: Segment of the Zoning Map, subject parcel highlighted

Zoning Districts & Allowed Land Uses

- Existing: The existing R-1-8 Zone allows single family detached dwellings on 8,000 ft² lots, utilities, charter schools, residential childcare, and apiaries (bee-keeping) as permitted uses. Conditional uses include attached single-family dwellings in PUDs, cemeteries, radio and television transmitting stations, protective functions, schools, parks, churches and libraries.
- Proposed: The proposed R-M-10 allows single-family detached dwellings on 8,000 ft² lots, two-family dwellings on 10,000 ft² lots, utilities, charter schools, and residential childcare as permitted uses. Conditional uses include attached single-family dwellings, multi-family dwellings (7 units per acre), bed and breakfasts, retirement homes, cemeteries, radio and television transmitting stations, protective functions, schools, parks and churches.

Regulations

The regulations for setbacks, height, parking, buffering and other considerations are distinct between the R-1-8 and proposed R-M-10 zones. A brief summary of some of the more directly comparable requirements is contained in the table below.

	R-1-8 Zone (existing)	R-M-10 Zone (proposed)
Height of Structures	35' max	35' max
Minimum Lot Size, Single Family Dwelling	8,000 ft ²	8,000 ft ²
Minimum Lot Size, Two-Family and Multi-Family Dwellings	Not applicable – not allowed	Two-family – 10,000 ft ² Multi-family – 7 units/acre max
Building Setbacks	Front Yard: 25' Rear: 25' Side Yard: 8' min, total 20' Corner Side Yard: 20'	Front Yard: 25' Rear: 25' Side Yard: 8' min, total 20' Corner Side Yard: 20'

General Plan & Future Land Use Designations

Map 5.7 of the Murray City General Plan (the Future Land Use Map) identifies future land use designations for all properties in Murray City. The designation of a property is tied to corresponding purpose statements and zones. These “Future Land Use Designations” are intended to help guide decisions about the zoning designations of properties. The subject property is currently designated as “Low Density Residential”.



Figure 2: Future Land Use Map segment, subject property highlighted

Although the subject property is designated Low Density Residential, the properties it is associated with are designated Medium Density Residential. Staff finds that the request to amend the land use designation to match that of the associated properties is appropriate. The designation of this property should have been changed when the map was updated as a part of the 2017 General Plan.

The designation of a property is tied to corresponding purpose statements and zones. These “Future Land Use Designations” are intended to help guide decisions about the zoning designation of properties.

- Existing: The subject property is currently designated as “Low Density Residential”. Densities range between 1 and 8 dwelling units per acre. Corresponding Zones are:
 - A-1, Agricultural
 - R-1-12, Low Density Single Family
 - R-1-10, Low Density Single Family
 - R-1-8, Low Density Single Family
 - R-1-6, Low/Medium Density Single Family
 - R-2-10, Low Density Two Family

- Proposed: The applicants have proposed amending the Future Land Use Map designation of the subject property to “Medium Density Residential” to match the designation of their associated lots, and to support subsequently amending the Zoning Map from R-1-8 to R-M-10 to match their associated lots. Densities should range between 6 and 15 units per acre. Corresponding Zones are:
 - R-1-6, Low/Medium Density Single Family
 - R-M-10, Medium Density Multiple Family
 - R-M-15, Medium Density Multiple Family

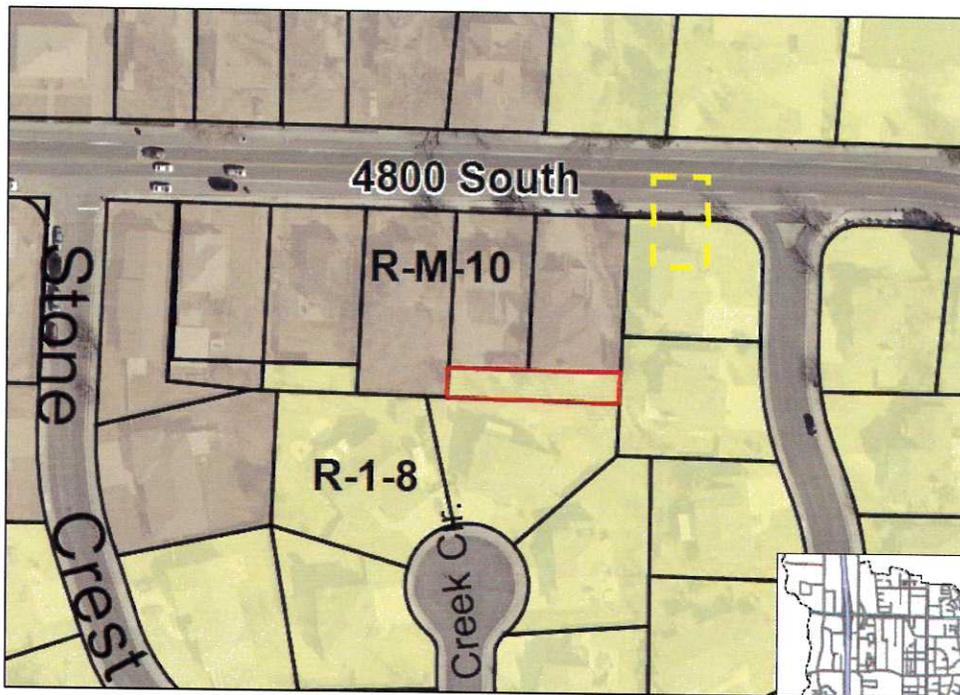


Figure 3: Zoning Map segment, subject property highlighted

II. CITY DEPARTMENT REVIEW

The application was made available for review by City Staff from various departments on May 18, 2020. There were no comments from the City Departments, and all recommended approval without conditions or concerns.

III. PUBLIC COMMENTS

54 notices of the public hearing for the requested amendments to the Future Land Use map and Zone Map were sent to all property owners within 300 feet of the subject property and to affected entities.

As of the date of this report staff has received a phone call from an adjacent property owner with an inquiry about the purpose of the request. It had been expressed to him by another property owner in the area that the request represented a step toward removing the single family homes and building apartments. It is important to remember that the requested rezone is for a 3,049 ft² parcel. While it is true that the requested designation (R-M-10) supports multi-family housing uses, the larger properties with which the subject parcel is associated are already located within the R-M-10 Zone, and the applicant could apply to build multi-family housing without combining the subject parcel or rezoning it. In fact, the request to rezone has been made specifically to satisfy requirements of processing to combine the parcel with the subject lots in order to allow the applicant to sell one of the two associated lots, which further removes the likelihood of multi-family development.

IV. ANALYSIS & CONCLUSIONS

A. Is there need for change in the Zoning at the subject location for the neighborhood or community?

The proposed change in zoning from R-1-8 to R-M-10 will allow the combination of the subject parcel with the larger lots with which it has always been used. This will help to assure the continued care and maintenance of the property. Because the parcel has been associated with the properties which have frontage on 4800 South, Staff finds that the requested change in zoning to R-M-10 is also in harmony with the Future Land Use Map and with goals of the General Plan.

B. If approved, how would the range of uses allowed by the Zoning Ordinance blend with surrounding uses?

The subject property has been used as a part of two lots located in the R-M-10 Zone, which have been used for single-family homes. The change of zoning will not impact the range of uses on the subject property because it is too small to be used alone: the request to change the zoning is necessary to allow the subject property to be appropriately combined with the adjoining lots. The combination of the additional land will not impact the allowable uses or existing uses on those properties.

C. What utilities, public services, and facilities are available at the proposed location? What are or will be the probable effects the variety of uses may have on such services?

Available utilities and services at this location are not impacted by the proposed change in zoning. Reviewing service providers including sewer, power, fire, and engineering department personnel have indicated that there are no impacts from the proposed change.

V. FINDINGS

1. The General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances.
2. The requested amendment to the Future Land Use Map of the 2017 Murray City General Plan represents a correction to bring the designation of an existing parcel into harmony with the designations of the lots with which it shares ownership and with which it has been developed and utilized.
3. The proposed Zone Map Amendment from R-1-8 to R-M-10 has been considered based on the characteristics of the site and surrounding area, the potential impacts of the change, and on the policies and objectives of the 2017 Murray City General Plan.

4. The proposed Zone Map Amendment from R-1-8 to R-M-10 conforms to the goals and objectives of the 2017 Murray City General Plan and will allow the appropriate combination of the subject property with the applicant's adjacent single family lots.

VI. STAFF RECOMMENDATION

The requests have been reviewed together in the Staff Report and the findings and conclusions apply to both recommendations from Staff; however, the Planning Commission must take actions on each request individually. Two separate recommendations are provided below:

REQUEST TO AMEND THE MURRAY CITY GENERAL PLAN

Based on the background, analysis, and the findings in this report, Staff recommends that the Planning Commission **forward a recommendation of APPROVAL to the City Council for the requested amendment to the General Plan Future Land Use Map, re-designating the property located immediately adjacent to the south of the properties addressed 388 East and 398 East 4800 South from Low Density Residential to Medium Density Residential.**

REQUEST TO AMEND THE MURRAY CITY ZONING MAP

Based on the background, analysis, and the findings within this report, Staff recommends that the Planning Commission **forward a recommendation of APPROVAL to the City Council for the requested amendment to the Zoning Map designation of the property located to the south of the properties addressed 388 East and 398 East 4800 South from R-1-8, Single Family Low Density Residential to R-M-10, Multi-Family Low Density Residential.**

Attachments



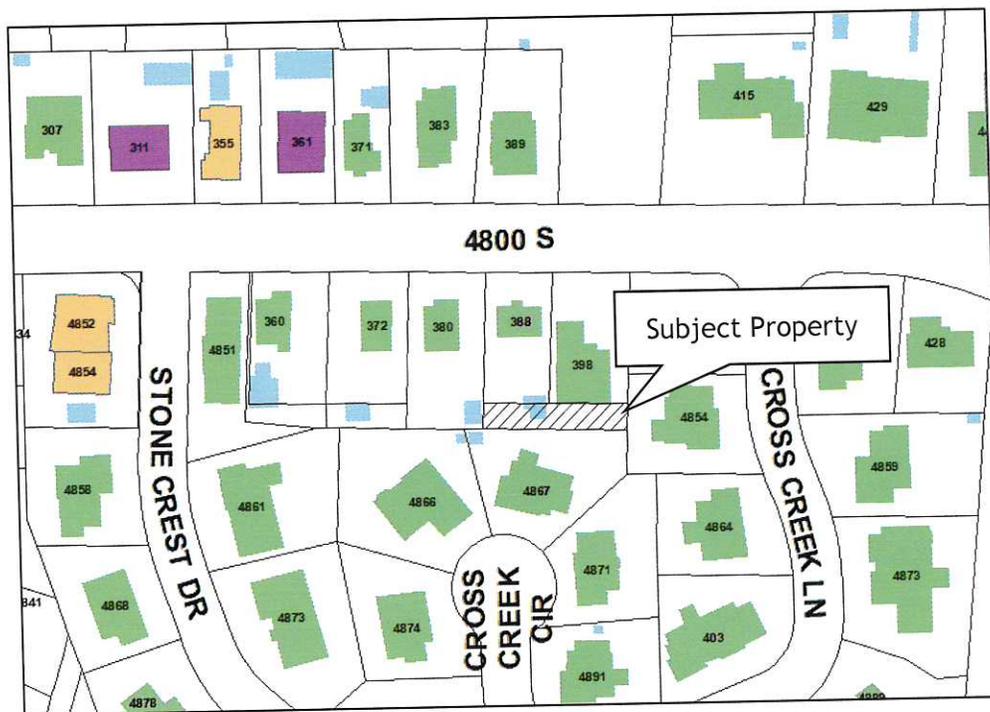
NOTICE OF PUBLIC MEETING

****In support of the Governor's "Stay Safe, Stay Home" directive as well as the Salt Lake County and Salt Lake County Health Department directive to limit spread of COVID-19, the Planning Commission meeting will be CLOSED to the general public. However, participation is encouraged through viewing a live stream of the meeting at www.murraycitylive.com. Please submit your comments by email at planningcommission@murray.utah.gov up to and during the meeting. You may also call the Planning Division at 801-270-2420 up until 5:00 p.m. on the Thursday, June 4.****

The Murray City Planning Commission will hold a public hearing on Thursday, June 4, 2020 at 6:30 p.m. on the following application:

Dawndi DeNiro Reichman is requesting the following amendments to the Murray City General Plan and to the Zoning Map for a parcel located adjacent to the rear of the properties at 388 East 4800 South and 398 East 4800 South:

- 1.) Amend the Future Land Use Map designation of the property from Low Density Residential to Medium Density Residential.
- 2.) Amend the Zoning Map Amendment for the property from R-1-8, Low Density Single-Family Residential to R-M-10, Medium Density Multi-Family Residential.



This notice is being sent to you because you own property within 300 feet of the subject property. If you have questions or comments concerning this proposal, please call Jared Hall with the Murray City Planning Division at 801-270-2420, or e-mail to jhall@murray.utah.gov.

Public Notice Dated | May 21, 2020

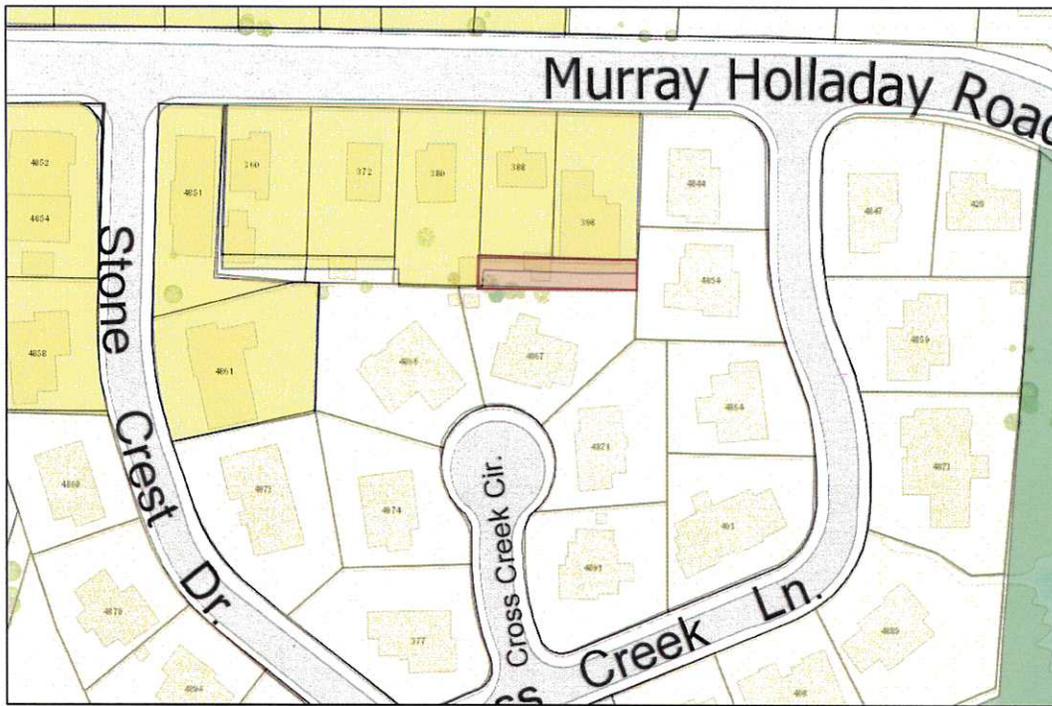


Figure 1: Future Land Use Map segment, subject property highlighted

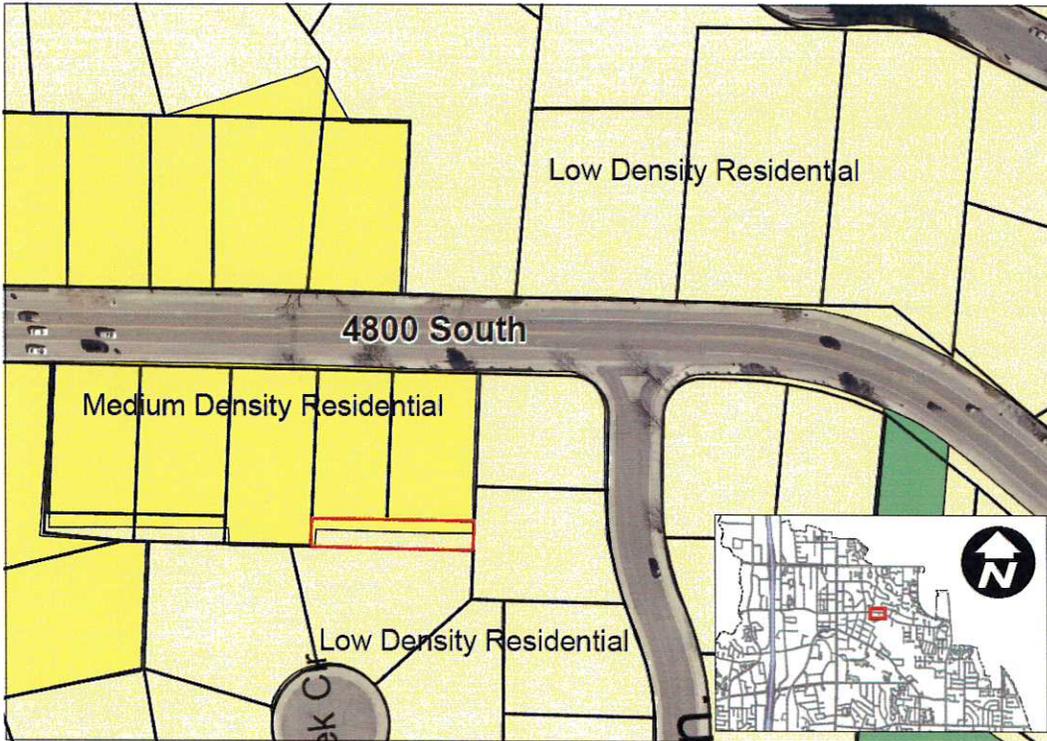


Figure 2: Zoning Map segment, subject property highlighted

GENERAL PLAN AMENDMENT APPLICATION

Type of Application (check all that apply):

Text Amendment

Map Amendment

Project # 20-056

Subject Property Address: 388 E. 4800 S. and 398 E. 4800 S.

Parcel Identification (Sidwell) Number: 202-007 202-008 202-034

Parcel Area: _____ Current Use: residential homes

Land Use Designation: _____ Proposed Designation: _____

Applicant Name: Dawndi DeNiro Reichman

Mailing Address: 2191 E. Pheasant Way

City, State, ZIP: Holladay UT 84121

Daytime Phone #: 801 403 3124 Fax #: none

Email Address: dawndireich@gmail.com

Business Name (If applicable): _____

Property Owner=s Name (If different): _____

Property Owner=s Mailing Address: _____

City, State, Zip: _____

Daytime Phone #: _____ Fax #: _____ Email: _____

Describe your request in detail (use additional page if necessary): _____

Continue the property line through 202-007 and 202-008, eliminating parcel 202-034

Authorized Signature: Dawndi DeNiro Reichman Date: 5-13-2020

Property Owners Affidavit

Project # _____

I (we) Dawndi DeNiro Reichman, being first duly sworn, depose and say that I (we) am (are) the current owner of the property involved in this application: that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge.

Dawndi DeNiro Reichman
Owner's Signature Owner's Signature (co-owner if any)

State of Utah
County of Salt Lake §

Subscribed and sworn to before me this 14th day of May, 20 20.

Jessie Mikezell
Notary Public

Residing in Salt Lake, UT
My commission expires: 8/1/2023



Agent Authorization

I (we), Dawndi Reichman, the owner(s) of the real property located at 388 e 4800s Murray, 84107, in Murray City, Utah, do hereby appoint Hunter Curtis, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize Hunter Curtis to appear on my (our) behalf before any City board or commission considering this application.

Dawndi DeNiro Reichman
Owner's Signature Owner's Signature (co-owner if any)

State of Utah
County of Salt Lake §

On the 14 day of May, 20 20, personally appeared before me ~~_____~~ ~~_____~~ Dawndi Reichman the signer(s) of the above Agent Authorization who duly acknowledge to me that they executed the same.

Jessie Mikezell
Notary public

Residing in: Salt Lake, Utah
My commission expires: 8/1/2023



ZONING AMENDMENT APPLICATION

Type of Application (check all that apply):

Project # 20-057

- Zoning Map Amendment
 Text Amendment
 Complies with General Plan
 Yes No

Subject Property Address: 388 E. 4800 S. and 398 E. 4800 S. Murray

Parcel Identification (Sidwell) Number: 202-007 202-034 202-008

Parcel Area: _____ Current Use: residential

Existing Zone: _____ Proposed Zone: _____

Applicant Name: Dawondi DeNiro Reichman

Mailing Address: 2191 E. Pheasant Way

City, State, ZIP: Holladay Utah 84121

Daytime Phone #: 801 403 3124 Fax #: none

Email address: dawondireich@gmail.com

Business or Project Name : _____

Property Owner's Name (If different): _____

Property Owner's Mailing Address: _____

City, State, Zip: _____

Daytime Phone #: _____ Fax #: _____ Email: _____

Describe your reasons for a zone change (use additional page if necessary):

Parcel 202-034 is zoned for a subdivision and in reality it needs to be zoned as the backyard to my homes at 388 parcel # 202-007 and my home at 398 parcel # 202-008

Authorized Signature: Dawondi DeNiro Reichman Date: 5-13-2020

Property Owners Affidavit

I (we) Dawondi DeNiro Reichman, being first duly sworn, depose and say that I (we) am (are) the current owner of the property involved in this application; that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge.

Dawondi DeNiro Reichman
Owner's Signature

Co-Owner's Signature (if any)

State of Utah

§

County of Salt Lake

Subscribed and sworn to before me this 14 day of May, 20 20.

Jessie Mikezell
Notary Public
Residing in Salt Lake, UT



My commission expires: 8/1/2023

Agent Authorization

I (we), Dawondi Reichman, the owner(s) of the real property located at 388e 4800 s Murray, 84107, in Murray City, Utah, do hereby appoint Hunter Curtis, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize

Hunter Curtis to appear on my (our) behalf before any City board or commission considering this application.

Dawondi DeNiro Reichman
Owner's Signature

Co-Owner's Signature (if any)

State of Utah

§

County of Salt Lake

On the 14th day of May, 20 20, personally appeared before me

Dawondi Reichman ~~and Hunter Curtis~~ the signer(s) of the above Agent Authorization who duly acknowledge to me that they executed the same.

Jessie Mikezell
Notary Public
Residing in Salt Lake, UT



My commission expires: 8/1/2023

Tax Parcel # 22-07-202-034, bearing a street address of 398 East 4800 South

and more particularly described as follows:

Beginning South 360.83 feet and East 379.137 feet from the North 1/4 corner of Section 7, Township 2 South, Range 1 East, Salt Lake Base and Meridian; thence South 89° East 142 feet; thence South 2° West 20.81 feet; thence North 89° West 142 feet; thence North 2° East 20.81 feet to the point of beginning.

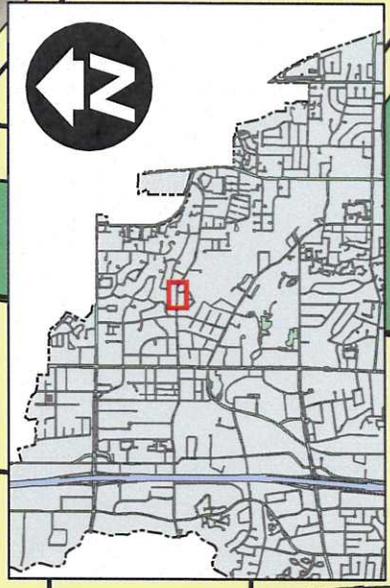


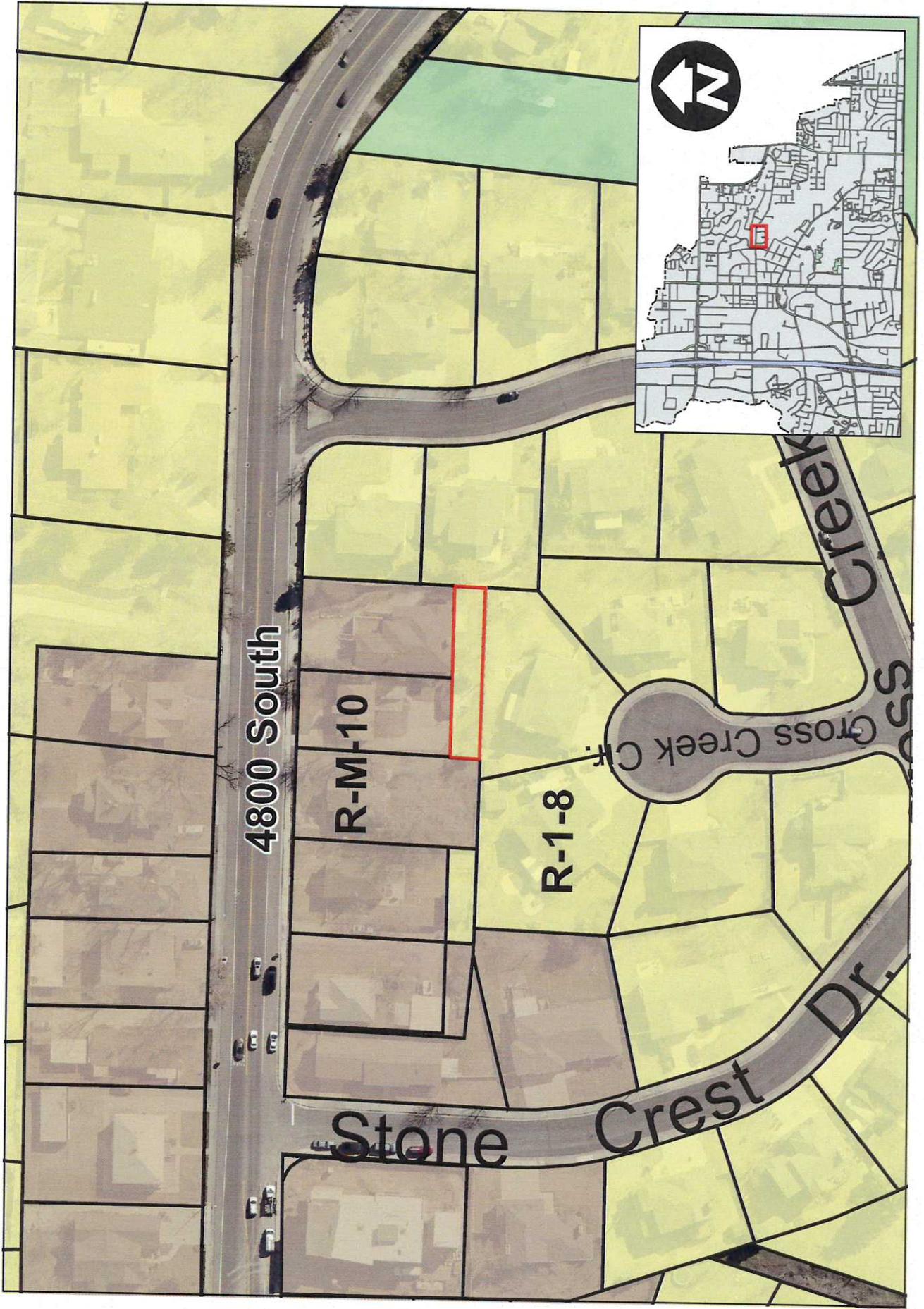
Low Density Residential

4800 South

Medium Density Residential

Low Density Residential





4800 South

R-M-10

R-1-8

Stone Crest Dr.

Cross Creek Dr.





Order Confirmation for 0001290225

Client	MURRAY CITY RECORDER	Account #	9001341938
Client Phone	8012642660	Ordered By	SUSAN
Address	5025 S STATE, ROOM 113	Account Exec	ltapuso2
	MURRAY, UT 84107	PO Number	PUBLIC HEARING NO
Email	snixon@murray.utah.gov		

Total Amount	\$73.88
Payment Amt	\$0.00
Amount Due	\$73.88

Text: PUBLIC HEARING NOTICE

<u>Ad Number</u>	0001290225-01	<u>Ad Type</u>	Legal Liner
<u>Ad Size</u>	1 X 41 li	<u>Color</u>	

WYSIWYG Content

**MURRAY CITY CORPORATION
NOTICE OF
PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that on the 6th day of June 2020, at the hour of 6:30 p.m. of said day the Planning Commission will hold and conduct a Public Hearing for the purpose of receiving public comment on and pertaining to General Plan Amendment from Residential Low Density to Residential Medium Density and a Zone Map Amendment from R-1-8 to R-M-10 for the properties located at 388 East & 398 East 4800 South (rear), Murray City, Salt Lake County, State of Utah. The public may view the meeting via the live stream at www.murraycitylive.com. If you would like to submit comments for this agenda item you may do so by sending an email in advance or during the meeting to planningcommission@murray.utah.gov. No physical meeting location will be available.

Jared Hall, Manager
Planning Division
1290225 UPAXLP

<u>Product</u>	<u>Placement</u>	<u>Position</u>
Salt Lake Tribune	Legal Liner Notice	Public Meeting/Hear
<u>Scheduled Date(s):</u>	05/24/2020	
utahlegals.com	utahlegals.com	utahlegals.com
<u>Scheduled Date(s):</u>	05/24/2020	
Deseret News	Legal Liner Notice	Public Meeting/Hear
<u>Scheduled Date(s):</u>	05/24/2020	

Agenda Item # 6 & 7
Dawndi Reichman

From: Susan Nixon
To: ["lisamilk3@gmail.com"](mailto:lisamilk3@gmail.com); [Maren Patterson \(makasa84@hotmail.com\)](mailto:Maren.Patterson@makasa84@hotmail.com); [Ned Hacker](#); [Phillip J. Markham](#); [Scot Woodbury](#); [Sue Wilson](#); [Travis Nay \(Travis.Nay@imail.org\)](mailto:Travis.Nay@imail.org)
Subject: Amend Use & Zoning Map (rear of properties 388 E 4800 So)
Date: Wednesday, June 3, 2020 8:14:00 AM

Hi Commissioners:

We have received Public Comments for the Zone Map/Gen Plan Amendment:

Dear Mr Hall:

As a concerned resident living within 300 feet of the subject property, I am very upset that this parcel of land is being concerned to change from low density single-family to medium density multi-family.

My biggest concerns are crime, noise, street parking and more traffic on 4800 South.

When we moved here over 20 years 4800 South was busier then we expected. Now with the main municipalities being moved to lower 4800 South traffic has increased even more. Changing zoning doesn't help with the problem.

Street parking has always been a problem. Turning left off of Stone Crest Dr is now dangerous because of parked cars and poor view of approaching cars because of the multi-family building's fence.

Between the noise on State Street and the increased traffic on 4800 South the noise level has increased.

I am afraid that 4800 South in the future will become another 4500 South high in crime caused by the number of apartments and movement of residents.

In conclusion I am dead set against rezoning.

Sincerely,

Carol & Harry Niehus
4864 Cross Creek Lane

Agenda Item #6 & 7
Dawndi Reichman

From: [Frances Dolloph](#)
To: [Planning Commission Comments](#)
Cc: [Jared Hall](#)
Subject: Rezoning DDReichman property
Date: Wednesday, June 3, 2020 8:51:28 AM

I strongly oppose rezoning two parcels of land on 4800 from single family property to multi-family residence. These two properties are in the heart of the single family zone and rezoning would substantially change the neighborhood. While you are asking for two small parcels to be changed, in essence, since those two strips are part of two large plots, you would be allowing multi-family building in a dense zone with high traffic.

The Cross Creek area is one of the few well-kept single family neighborhoods in Murray. It is adjacent to the historical area as well. Do not spoil the Cross Creek neighborhood area by allowing multi-families use, most likely to eventually be high rise with high traffic and parking in the area, and little or no green space.

Consideration needs to be made of the water running through the property as well. Substantial new building could cause flooding to existing properties. Please do not change zoning for these properties as it will lead to multiple changes and rezoning on 4800 to the detriment of current single family property owners. The Cross Creek area properties are a credit to the City of Murray; do not do anything to change that status.

Dr. Frances Dolloph
Dr. Sharon Teabo
4873 S Stone Crest Dr
Murray, UT 84107

DAWNDI REICHMAN
P/C 6/4/2020
Project #20-056 & 20-057
300' radius + affected entities

Calvin R Nakamura;
Tammy K Nakamura (Jt)
4854 S Cross Creek Ln
Murray , UT, 84107-4982

Carol H Bentley
398 E Cross Creek Ln
Murray , UT, 84107-4984

Charles Godfrey;
Teresa Corrine Godfrey (Jt)
429 E 4800 S
Murray , UT, 84107-4906

David B Jenson;
Raquel Jenson (Jt)
383 E 4800 S
Murray , UT, 84107-4904

Dawndi D Reichman Trust 02/01/2016
2191 E Pheasant Wy
Holladay , UT, 84121-1310

DDN Tr
4861 S Stone Crest Dr
Murray , UT, 84107-4988

E & L Campbell Properties, Llc
2023 Ridgewood Wy
Bountiful , UT, 84010-

Gary V Price
371 E 4800 S
Murray , UT, 84107-4904

H & CN Trust
4864 S Cross Creek Ln
Murray , UT, 84107-4982

John G Weston; Lauri R Weston (Jt)
4844 S Cross Creek Ln
Murray , UT, 84107-4982

John Hellgeth
389 E 4800 S
Murray , UT, 84107-4904

Larry A Pond; Jamie T Pond (Jt)
4867 S Cross Creek Cir
Murray , UT, 84107-4981

Linda M Wilde; David A Wilde (Jt)
4851 S Stone Crest Dr
Murray , UT, 84107-4988

Lynn Y Shimada;
Marilyn Shimada (Jt)
4874 S Cross Creek Cir
Murray , UT, 84107-4900

Nicholas J Angelidas;
Aphrodite Angelidas (Jt)
408 E Cross Creek Ln
Murray , UT, 84107-4984

Ricardo Madrigal;
Erin I Madrigal (Jt)
377 E Cross Creek Ln
Murray , UT, 84107-4985

Robert D Mckean;
Sandra Mckean (Jt)
4873 S Cross Creek Ln
Murray , UT, 84107-4983

Scott Pexton; Lori Pexton (Jt)
4859 S Cross Creek Ln
Murray , UT, 84107-4983

Seth C Miner; Shelly Miner (Jt)
409 E 4800 S
Murray , UT, 84107-4906

Shaheen Hamid;
Parveen S Hamid (Jt)
4847 S Cross Creek Ln
Murray , UT, 84107-4983

Sharon L Teabo;
Frances M Dolloph (Jt)
4873 S Stone Crest Dr
Murray , UT, 84107-4988

Shellene Tucholski
372 E 4800 S
Murray , UT, 84107-4905

Tom C Morse;
Samuel R Nattress (Jt)
428 E 4800 S
Murray , UT, 84107-4907

Steven Mogleston;
Diane Mogleston (Jt)
403 E Cross Creek Ln
Murray , UT, 84107-4986

Thomas R Wistrill;
Kelly Wistrill (Jt)
4866 S Cross Creek Cir
Murray , UT, 84107-4900

Trust Not Identified
4871 S Cross Creek Cir
Murray , UT, 84107-4981

Travis Potter
360 E 4800 S
Murray , UT, 84107-4905

Vikki Trujillo; Herbert R Trujillo; Jacklyn
B Trujillo
4889 S Cross Creek Ln
Murray , UT, 84107-4983

William M Geving;
Megan D Sawyer (Jt)
380 E 4800 S
Murray , UT, 84107-4905

Vap Tr
4891 S Cross Creek Cir
Murray , UT, 84107-4981

UDOT - REGION 2
ATTN: MARK VELASQUEZ
2010 S 2760 W
SLC UT 84104

UTAH TRANSIT AUTHORITY
ATTN: PLANNING DEPT
669 West 200 South
SLC UT 84101

TAYLORSVILLE CITY
PLANNING & ZONING DEPT
2600 W TAYLORSVILLE BLVD
TAYLORSVILLE UT 84118

WEST JORDAN CITY
PLANNING DIVISION
8000 S 1700 W
WEST JORDAN UT 84088

CHAMBER OF COMMERCE
ATTN: STEPHANIE WRIGHT
5250 S COMMERCE DR #180
MURRAY UT 84107

MURRAY SCHOOL DIST
ATTN: ROCK BOYER
5102 S Commerce Drive
MURRAY UT 84107

MIDVALE CITY
PLANNING DEPT
7505 S HOLDEN STREET
MIDVALE UT 84047

SALT LAKE COUNTY
PLANNING DEPT
2001 S STATE ST
SLC UT 84190

GRANITE SCHOOL DIST
ATTN: KIETH BRADSHAW
2500 S STATE ST
SALT LAKE CITY UT 84115

ROCKY MOUNTAIN POWER
ATTN: KIM FELICE
12840 PONY EXPRESS ROAD
DRAPER UT 84020

DOMINION ENERGY
ATTN: BRAD HASTY
P O BOX 45360
SLC UT 84145-0360

COTTONWOOD IMPRVMT
ATTN: LONN RASMUSSEN
8620 S HIGHLAND DR
SANDY UT 84093

JORDAN VALLEY WATER
ATTN: LORI FOX
8215 S 1300 W
WEST JORDAN UT 84088

CENTRAL UTAH WATER DIST
1426 East 750 North, Suite 400,
Orem, Utah 84097

HOLLADAY CITY
PLANNING DEPT
4580 S 2300 E
HOLLADAY UT84117

COTTONWOOD HEIGHTS CITY
ATTN: PLANNING & ZONING
2277 E Bengal Blvd
Cottonwood Heights, UT 84121

SANDY CITY
PLANNING & ZONING
10000 CENTENNIAL PRKWY
SANDY UT 84070

UTOPIA
Attn: JAMIE BROTHERTON
5858 So 900 E
MURRAY UT 84121

COMCAST
ATTN: GREG MILLER
1350 MILLER AVE
SLC UT 84106

MILLCREEK
Attn: Planning & Zoning
3330 South 1300 East
Millcreek, UT 84106

OLYMPUS SEWER
3932 500 E,
Millcreek, UT 84107

CENTURYLINK
250 E 200 S
Salt Lake City, Utah 84111

WASATCH FRONT REG CNCL
PLANNING DEPT
41 North Rio Grande Str, Suite 103
SLC UT 84101

UTAH AGRC
STATE OFFICE BLDG #5130
SLC UT 84114

General Plan Amendment & Zone Map Amendment

Address: 388 East 4800 South

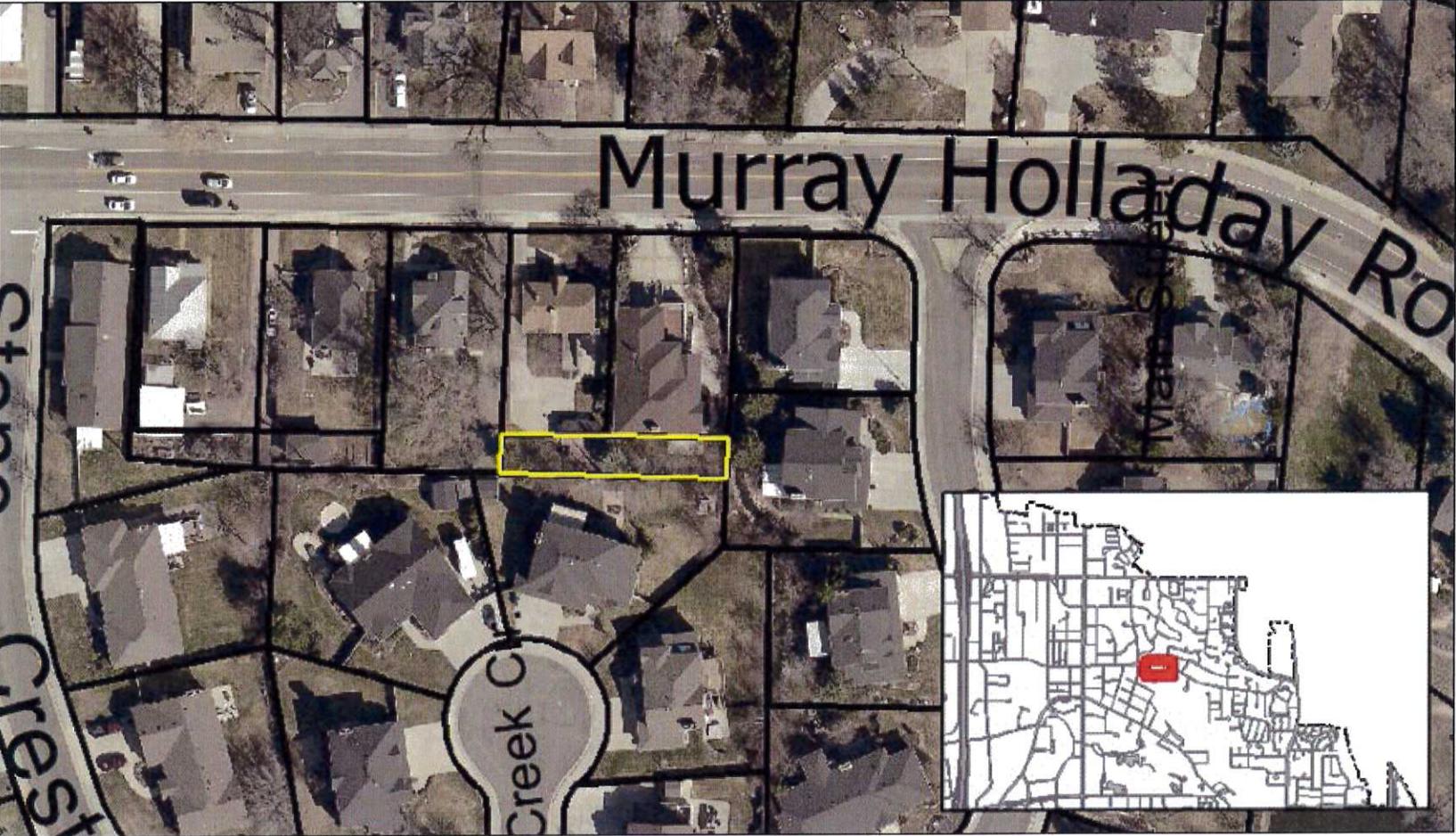
.07 acres | 3,049 ft²

(parcel to the rear of 388 East and 398 East 4800 South)

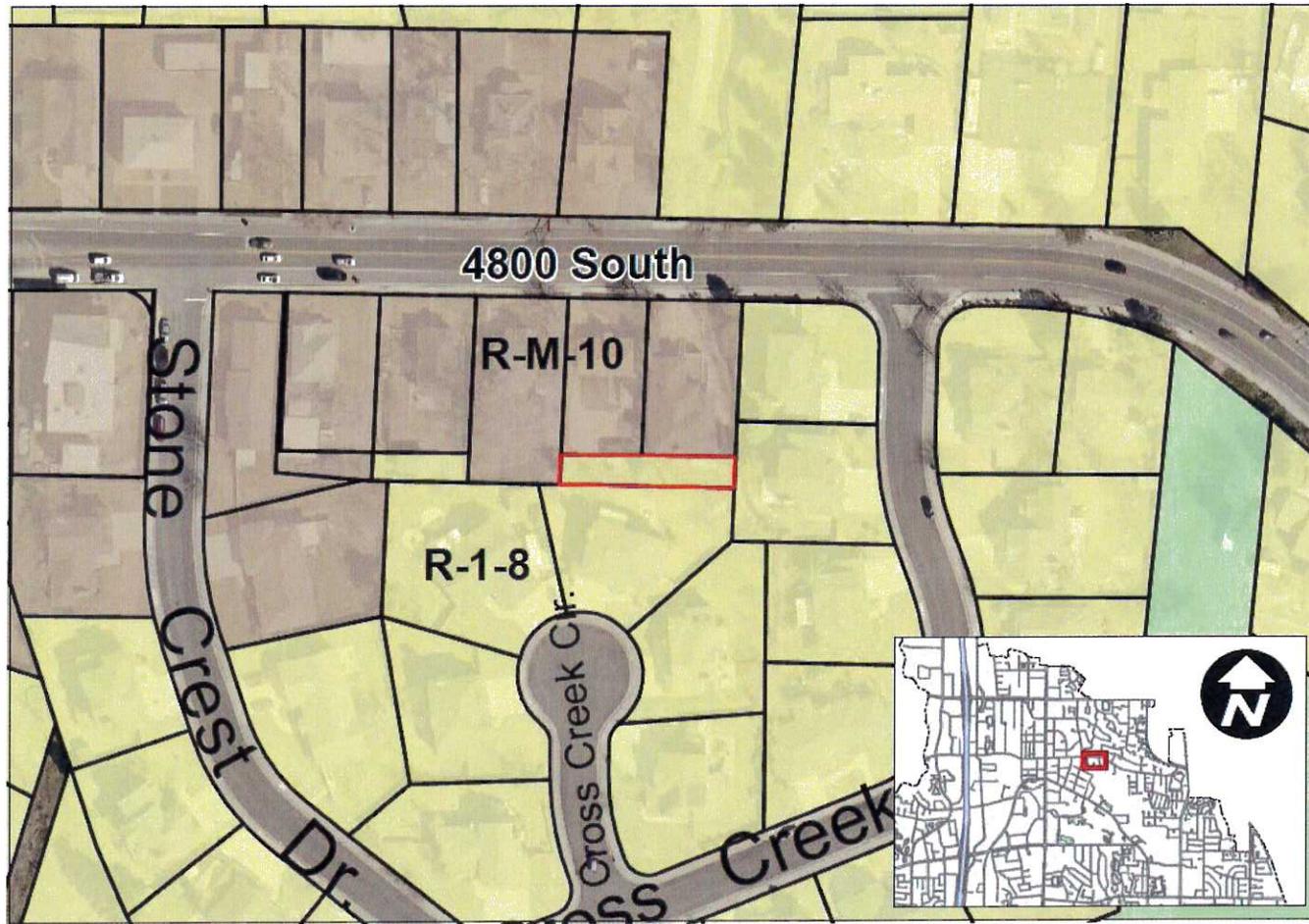
Applicant: Dawndi D. Reichman



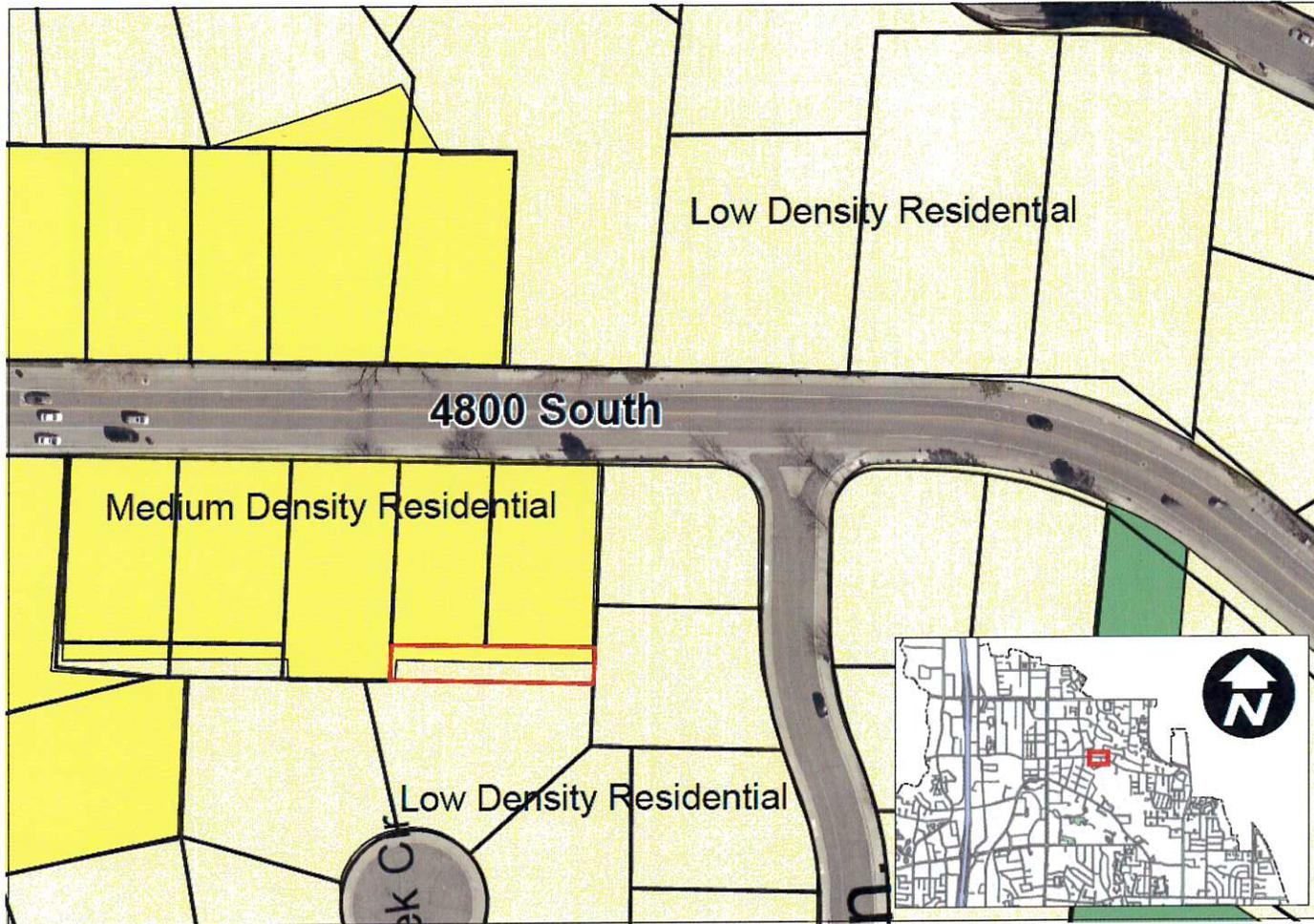
Aerial Map, Subject Property



Zoning Map Segment, Subject Property



Future Land Use Map Segment, 2017 General Plan



Aerial & Street Views



388 East and 398 East 4800 South, looking south

Allowed Uses

(Existing & Proposed Zones)

Existing (R-1-8 Zone)

- Single family detached dwellings on 8,000 s.f. lots
- Charter schools
- Residential childcare
- Apiaries (bee-keeping)
- Conditional uses include attached single-family dwellings in PUDs, cemeteries, radio and television transmitting stations, schools, parks, churches and libraries.

Proposed (R-M-10)

- Single-family detached dwellings on 8,000 s.f. lots
- Two-family dwellings on 10,000 ft² lots
- Charter schools
- Residential childcare
- Conditional uses include attached single-family dwellings, multi-family dwellings (7 units/acre), bed and breakfasts, retirement homes, cemeteries, radio and television transmitting stations, schools, parks and churches.

Planning Commission Meeting

- On **June 4, 2020**, the Planning Commission reviewed the application and held a public hearing on this item.
- 54 public notices were mailed (300' radius of the property).
- Two public comments were received and both were stating concern regarding multi-family housing.
- The Planning Commission voted unanimously (7-0) to send City Council a recommendation for approval.



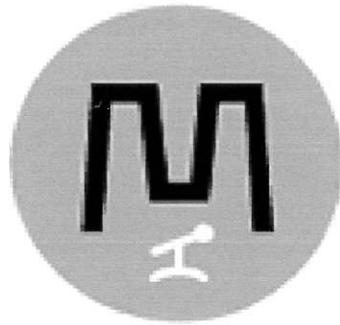
Recommendation

Request to Amend the Murray City General Plan

- Staff recommends the City Council APPROVE the requested amendment to the General Plan Future Land Use Map, re-designating the property located immediately adjacent to the south of the properties addressed 388 East and 398 East 4800 South from Low Density Residential to Medium Density Residential.

Request to Amend the Murray City Zoning Map

- Staff recommends the City Council APPROVE the requested amendment to the Zoning Map designation of the property located to the south of the properties addressed 388 East and 398 East 4800 South from R-1-8, Single Family Low Density Residential to R-M-10, Multi-Family Low Density Residential.



MURRAY
CITY COUNCIL

New Business #1



MURRAY

Murray City Council

Animal Control Ordinance Revisions

Council Action Request

Council Meeting

Meeting Date: August 4, 2020

<p>Department Director Janet M. Lopez</p> <p>Phone # 801-264-2622</p> <p>Presenters Kat Martinez City Council Member District 1</p> <p>Required Time for Presentation 10 Minutes</p> <p>Is This Time Sensitive No</p> <p>Mayor's Approval</p> <p>Date July 21, 2020</p>	<p>Purpose of Proposal Revise and update Animal Control Ordinance</p> <p>Action Requested Requesting adoption of proposed language</p> <p>Attachments Proposed Ordinance</p> <p>Budget Impact None</p> <p>Description of this Item The proposed language changes the limitations regarding cats and dogs from "two (2) dogs and two (2) cats" to "four, in any combination". The proposed language adds an allowance for the fostering of animals, a service during the initial pandemic lock down, which was greatly needed, but unavailable in Murray due to current ordinance language. The proposed language also brings Murray closer in alignment with state law, which requires litters (puppies and kittens) to stay with their mother for 8 weeks after birth, before requiring them to be separated and/or adopted out. All of these changes still include language requiring all pet owners to maintain basic health and safety standards for their pets, as well as refrain from becoming a nuisance.</p>
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ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS 6.04.010 AND 6.16.015 OF THE MURRAY CITY MUNICIPAL CODE RELATING TO LIMITATIONS ON THE NUMBER OF DOGS AND CATS ALLOWED.

BE IT ENACTED BY THE MURRAY CITY MUNICIPAL COUNCIL:

Section 1. Purpose. The purpose of this ordinance is to amend Sections 6.04.010 and 6.16.015 of the Murray City Municipal Code relating to limitations on the number of dogs and cats allowed.

Section 2. Amendments. Sections 6.04.010 and 6.16.015 of the Murray City Municipal Code shall be amended to read as follows:

**Chapter 6.04
DEFINITIONS**

6.04.010: DEFINITIONS ENUMERATED:

As used in this title:

...

ANIMAL FOSTER PROVIDER: A person that accepts responsibility for stewardship of an animal (dog or cat) that is the obligation of an animal shelter. Proof to operate as an animal foster provider through the affiliation with an animal shelter shall be issued through the animal shelter.

....

**Chapter 6.16
DOGS AND CATS**

...

6.16.015: REGULATION OF DOGS AND CATS/LIMITATIONS:

A. The total number of dogs and cats that may be owned, harbored, licensed and maintained by any person at any one property or residence of the City shall not exceed ~~two (2) dogs and two (2) cats~~ **four, in any combination (i.e., the maximum combined total is four animals)**, except as otherwise provided in this chapter.

B. In accordance with State law, a person shall be allowed to keep a police service canine, a retired police service canine, or both in addition to the limits set forth in subsection A ~~of this section.~~

C. An animal foster provider is exempt from the limitation imposed pursuant to

subsection A provided that all dogs and cats are properly cared for and do not become a nuisance as defined in section 6.12.090 of this chapter.

D. A person may harbor no more than one litter of animals (puppies or kittens) in any one calendar year. If the litter exceeds the limitation imposed pursuant to subsection A, the person will have eight weeks from the day the litter was born to reduce the number of animals to comply with subsection A.

Section 3. Effective date. This Ordinance shall take effect upon first publication.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this ____ day of _____, 2020.

MURRAY CITY MUNICIPAL COUNCIL

Rosalba Dominguez, Chair

ATTEST:

Jennifer Kennedy, City Recorder

MAYOR'S ACTION: Approved

DATED this ____ day of _____, 2020.

D. Blair Camp, Mayor

ATTEST:

Jennifer Kennedy, City Recorder

CERTIFICATE OF PUBLICATION

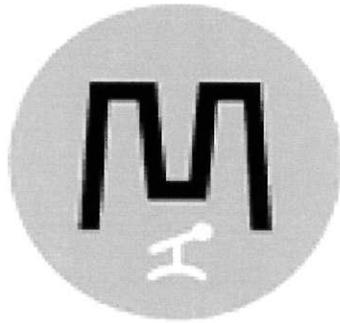
I hereby certify that this Ordinance, or a summary hereof, was published according to law on the ___ day of _____, 2020.

Jennifer Kennedy, City Recorder

"The total number of dogs and cats that may be owned, harbored, licensed and maintained by any person at any one property or residence of the City shall not exceed [four (4)] in any combination.

Animals temporarily housed as foster animals for a registered 501(c)(3) non-profit organization or municipal shelter are exempt from limitation, provided that all dogs and cats are properly cared for and do not become a nuisance as defined under section 6.12.090 of this chapter.

In the event a resident's dog or cat has a litter, they may exceed the aforementioned limit for 8 weeks in order for the animals to reach the age where they may be legally separated from their mother according to Utah state law."



MURRAY
CITY COUNCIL

**New
Business Item #2**



MURRAY

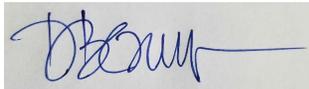
Mayor's Office

Proposed ordinance creating a Public Safety Advisory Board

Council Action Request

Committee of the Whole

Meeting Date: July 21, 2020

Department Director Mayor Blair Camp Phone # 801-264-2600 Presenters Mayor Blair Camp	Purpose of Proposal Discuss a proposed ordinance establishing a Public Safety Advisory Board Action Requested Discussion Attachments Proposed ordinance Budget Impact None Description of this Item Discuss proposal to add Chapter 2.70, Public Safety Advisory Board, to the city code. Draft of the ordinance is attached.
Required Time for Presentation 15 Minutes Is This Time Sensitive No Mayor's Approval  Date July 7, 2020	

**CHAPTER 2.70
PUBLIC SAFETY ADVISORY BOARD**

2.70.010: CREATION OF BOARD:

2.70.020: MEMBERSHIP:

2.70.030: APPOINTMENT:

2.70.040: TERM:

2.70.050: OFFICERS:

2.70.060: MEETINGS:

2.70.070: FUNCTIONS:

2.70.080: TRAINING:

2.70.010 CREATION OF BOARD:

There is hereby created and established an advisory body to be known as the Public Safety Advisory Board, hereafter referred to as the "Board."

2.70.020 MEMBERSHIP:

It is the intent of this chapter that the Board represent the concerns of diverse citizen groups, as well as the broad interests of the community as a whole. Board membership should provide balanced representation in terms of professional, neighborhood, and community interests. Suggested backgrounds, from which expertise might be selected, may include: owner or manager of a business located in the City, member of the Murray City School District, urban planning, prior experience in law enforcement, prior experience as a firefighter, experience or involvement in public service activity, and mental or behavioral health. Such experience is not a prerequisite for appointment. It is intended that the composition of the Board represent a cross section of the community.

A member of the Board may not be a current employee of the City. The Police Chief and Fire Chief, or designees, shall serve as advisors to the Board.

2.70.030: APPOINTMENT:

The Board shall consist of seven (7) members appointed by the Mayor with the advice and consent of the City Council. All seven (7) members shall be at large members. Five (5) of the members shall be residents of the City; and the remaining two members shall live or work in the City.

2.70.040: TERM:

Members shall serve for a term of three (3) years, provided that not less than two (2) nor more than three (3) of the terms of members of this Board shall expire each year. In the event a term of a member shall expire without his/her having been reappointed or a successor having been appointed, the member shall continue to serve until a successor has been appointed. Members of this Board shall not serve more than two (2)

consecutive terms. "Term" as used in this section shall mean serving on such Board for at least eighteen (18) months.

2.70.050: OFFICERS:

The Board shall elect a chairperson whose duties shall be to preside over the meetings of the Board. The Board shall also elect a vice-chairperson whose duties will be to serve in the chairperson's absence.

2.70.060: MEETINGS:

A. The Board shall meet as necessary to perform its duties. It is expected that the Board will hold regular monthly meetings, but in any event, the Board shall meet no less than three (3) times per year. Meetings shall be held at such time and place within the City as shall be designated by the chair of the Board. All meetings of the Board shall be open to the public and held in accordance with the Utah Open and Public Meetings Act. Roberts Rules of Order shall act as the guide for rules of procedure.

B. Attendance of four (4) members of the Board at any duly authorized meeting shall constitute a quorum. An affirmative vote of four (4) members of the board shall at all times be necessary to pass any motion or matter of business brought to the Board.

C. The Board shall keep a written record of the proceedings which shall be kept in the City Recorder's office.

D. Board members shall serve without compensation.

2.70.070: FUNCTIONS:

The Board shall have the following functions:

A. To become acquainted with the operation and activities of the public safety departments.

B. To foster understanding and communication between the residents and businesses of the City and the public safety departments.

C. To review community needs and concerns, expectations, and responses relative to police and fire services.

D. To advise and provide support for enhanced communication and education between the community and the public safety departments.

E. To encourage the highest ethical standards in the public safety departments.

F. To review periodic reports prepared by the public safety departments regarding training completed.

G. To promote the provision of quality public safety services to all residents with sensitivity, cultural understanding and racial equity.

H. To strengthen throughout the community, the application of equal protection under the law.

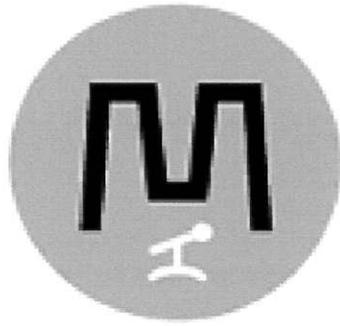
2.70.080: TRAINING:

A. Within the first six months of appointment, Board members shall be required to complete training that shall include:

1. the Utah Open and Public Meetings Act;
2. confidentiality, privacy and due process rights of officers and civilians;
3. rights of victims, criminal defendants, and suspects;
4. police department policies and procedures;
5. fire department standard operating guidelines;
6. racial equity;
7. trauma-informed interview skills.

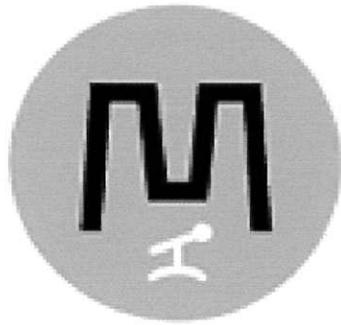
B. Board members shall participate in:

1. a fire department ride-a-long in accordance with established program policies and procedures;
2. Fire Operations 101 training;
3. a police department “ride-a-long,” at a minimum two shifts, in accordance with established program policies and procedures.
4. a twelve-week Citizens Academy; and
5. a virtual simulator training.



MURRAY
CITY COUNCIL

**Mayor's
Report
And Questions**



MURRAY
CITY COUNCIL

Adjournment