

# **Murray City Municipal Council**

## **Chambers**

## **Murray City, Utah**

---

The Municipal Council of Murray City, Utah, met on Tuesday, the 12<sup>th</sup> day of December, 2017 at 6:30 p.m., for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

The meeting was conducted by Brett Hales

**Council Members Present:**

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

**City Staff Present:**

Blair Camp, Mayor  
Jennifer Kennedy, City Recorder  
Janet Lopez, Council Administrator  
Janet Towers, Executive Assistant to the Mayor  
Frank Nakamura, City Attorney  
G.L. Critchfield, Deputy City Attorney  
Jordan Knight, Attorney's Office  
Lauree Roberts, Attorney's Office  
Sierra Christensen, Attorney's Office  
Beatriz Mayorga, Attorney's Office  
Craig Burnett, Police Chief  
Gil Rodriguez, Fire Chief  
Mike Dykman, Administrative Assistant Chief  
George Zboril, Fire Department  
Doug Hill, Public Services Director  
Mary Ann Kirk, Cultural Arts Director  
Tricia Cooke, Heritage Center Director  
Maureen Gallagher, Program Coordinator  
Danyce Steck, Finance Director  
Brenda Moore, Controller  
Tim Tingey, Administrative and Development Services (ADS) Director  
Mike Terry, Human Resources Director

**Other's in Attendance:**

Citizens

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

**5. Opening Ceremonies**

**5.1 Pledge of Allegiance**

The Pledge of Allegiance was led by Mike Terry, Human Resources Director

**5.2 Approval of Minutes**

**5.2.1 Council Meeting – November 21, 2017**

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

**5.3 Special Recognition**

**5.3.1 Murray City Council Employee of the Month, Maureen Gallagher, Program Coordinator at the Murray City Heritage Center.**

Staff Presentation: Brett Hales, Councilmember  
Doug Hill, Public Services Director

Mr. Hales said the Council started the Employee of the Month program because they felt it was important to recognize the City’s employees. He presented Ms. Gallagher with a certificate, a \$50 gift card and told her that her name would appear on the plaque located in the Council Chambers. He expressed his appreciation to Ms. Gallagher for all she does for the City.

Mr. Hill spoke about Ms. Gallagher’s time with the city and thanked her for all that she does.

**5.3.2 Consider a Joint Resolution of the Mayor and Murray City Municipal Council in Appreciation for Mary Ann Kirk.**

Staff Presentation: Mayor Blair Camp  
Doug Hill, Public Services Director

Mayor Camp read the Joint Resolution.

MOTION: Mr. Brass moved to adopt the resolution. The motion was SECONDED by Mrs. Cotter.

**Council roll call vote:**

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

Motion passed 5-0

Mayor Camp presented the Joint Resolution to Ms. Kirk and Ms. Kirk spoke about her career with the city.

**5.3.3 Consider a Joint Resolution of the Mayor and Murray City Municipal Council in Appreciation for Frank Nakamura.**

Staff Presentation: Mayor Blair Camp  
Diane Turner, Councilmember

Mayor Camp read the Joint Resolution.

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

Council roll call vote:

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

Motion passed 5-0

Mayor Camp presented the Joint Resolution to Mr. Nakamura and Mr. Nakamura spoke about his career with the city.

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

**7. Consent Agenda**

**7.1 None scheduled.**

**8. Public Hearings**

**8.1 Public Hearing #1**

**8.1.1 Staff presentation and public comment on the following matter:**

**Public hearing to receive input with respect to (a) the issuance of approximately \$5,800,000 of sales tax revenue bonds and (b) any potential economic impact that the project to be financed with proceeds of said bonds may have on the private sector.**

Staff Presentation: Danyce Steck, Finance Director

Ms. Steck said the main purpose for this bond is to preserve the city's reserve levels, to try to increase the city's credit rating when the new city hall is built, and to preserve interest rate risk.

Mr. Nicponski asked why the city is looking at a sales tax bond versus a property tax based bond (general obligation bond).

Ms. Steck replied that a public vote is required to issue a general obligation bond. General obligation bonds have a lower interest rate because they are a guaranteed revenue source. Sales tax revenue bonds are the next safest for interest rates because they are fairly stable.

Mr. Hales opened the public hearing for public comment. No comments were given, and the public hearing was closed.

**MOTION:** Mr. Nicponski moved that a public hearing was held to receive input on the sales tax revenue bonds. The motion was **SECONDED** by Ms. Turner.

Council roll call vote:

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

Motion passed 5-0

**8.1.2 Consider a resolution acknowledging the holding of a public hearing to receive public input with respect to (A) the issuance of the Series 2018 Bonds and (B) any potential economic impact that the project described herein to be financed with the proceeds of the series 2018 Bonds may have on the private sector.**

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

Council roll call vote:

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

Motion passed 5-0

**8.2 Public Hearing #2**

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

**Consider an ordinance relating to land use; amends the Zoning Map for a portion of the property at approximately 1187 West Bullion Street, Murray City, Utah from R-1-10 (Low Density Single-Family) to R-1-8 (Low Density Single-Family).**

Applicant: Ivory Development

Staff Presentation: Tim Tingey, ADS Director

Mr. Tingey said this zone change, to go from R-1-10 (Low Density Single-Family) to R-1-8 (Low Density Single-Family), is consistent with the general plan. This area had a zone change done a few months ago, however the applicant at that time had a different legal description, which is what prompted this change.

Mr. Tingey noted that after a public hearing was held at a Planning Commission meeting, the Planning Commission unanimously recommended this zone change be considered and approved by the Council.

Ms. Turner asked if this change would allow for more homes in the area.

Mr. Tingey replied that it could. He added that the property owner has indicated that there is no plan for additional units. The actual plan has already gone through a preliminary plat approval through the Planning Commission. This is just a clean-up of the property description. He reminded the Council they are not approving a specific plan, just the zone change.

Bryon Prince – Ivory Development

Mr. Prince said this rezone change was voted on last October. However, there was an error and the legal description of the property that was put in the staff report at that time was incorrect. This error wasn't recognized until much later. Since that time, Ivory Development has received a preliminary and final plat and have built the first phase of the development.

Mr. Prince said Ivory Development has not asked for an adjustment to the plat and are not adding more units. He reiterated this zone change is due to an error that was made.

The public hearing was opened for public comment.

Jacquelynn Morgan – Murray City, Utah

Ms. Morgan said she lives on the corner of Pitchfork Road and Haystack

Way and this zone change will impact her life greatly. She has heard rumors that the developer is going to put in additional units which is why they want to reduce the lot sizes. She spoke about the density of the area and said she heard that the sewer and water for the development will impact her current services.

Ms. Morgan expressed her concern that only four homes on her street were notified about this rezone. There are already 30 homes on Bullion Street and she is concerned that adding another 80 homes will have an impact on the traffic flow in the area.

Rich Martinez – Murray City, Utah

Mr. Martinez said he's hearing generalities about the clerical error and he would like more specific information. He would like to know what clerical error was made, why it was made, and why was it not caught prior to the first rezone. He assumes a developer would not make an investment in this sort of endeavor without having a very detailed grand plan with lot sizes and specific homes. He asked what size the current lots are compared to what the developer wants to change them to. He also asked if the developer gets this rezone approved is there a guarantee that they won't come back and ask for more units at a later date.

Clive Romney – Murray City, Utah

Mr. Romney is concerned about the lack of transparency. He only knows of one home that had a flier delivered telling about this meeting. He supports what Ms. Morgan and Mr. Martinez have said.

Mr. Romney noted that in the winter time, the road going up Bullion Street that connects with Canal Street is disastrous when it snows. Adding more traffic on that road is very concerning to him.

Mr. Hales closed the public hearing.

Mr. Tingey addressed some of the issues that were brought up during the public comment period. He reiterated this is not a proposal for a specific project, it is only for a rezone. Per state law, rezone issues have to be addressed prior to projects coming in and that Murray City is going through the correct process at this point.

A rezone occurred several months ago that rezoned this area to low density single-family which included a portion of it being R-1-10 (10,000 square foot lots) and a portion of it being R-1-8 (8,000 square foot lots). Both of those designations are low density. Mr. Tingey thinks that sometimes there is a perception that going from 10,000 square foot lots to 8,000 square lots means that the density is being increased to high density; which is incorrect. He explained that about 3/4 of the homes in low density single-family

neighborhoods are R-1-8, 8,000 square foot lots.

Mr. Tingey said the original applicant was not Ivory Development, it was Citadel. Citadel came in with a legal description that went through the process, but that legal description didn't match up with the description that Ivory Development brought in with their plans. This cleanup is about; matching the preliminary subdivision, which was already approved by the Planning Commission, with the correct zoning designation.

Mr. Tingey stated the city takes great consideration when it comes to transparency. State law requires that the city provides a legal notice to property owners within a 300-foot radius. That is what the city did. The city does not deliver notices to every single resident in adjacent subdivisions. Mr. Tingey noted that the Council has been provided with the names and addresses of the residents that were sent notices for this rezone.

Mr. Tingey said the preliminary subdivision has already been approved and Ivory Development will have to come back to the city for final approval on other phases. That is when the city will take input from the public on the specifics related to water, sewer, roads, and the subdivision. This is not the venue to have those conversations because this is strictly for the rezone.

Mr. Prince said that noticing for hearings is not done by the applicant, it is done by the city. He reiterated that Ivory Homes was not the original applicant, and they did not ask to come back and rezone this; that was a request made by city staff. He said the original presentation for this rezone, that was done last year when the Council voted on it, showed the correct boundaries of R-1-8 and R-1-10. The only error was that the legal description of the property was incorrect. He stated that Ivory Development does not plan to request a revision to the preliminary plat that has already been approved.

Mr. Brass said essentially, the Council voted on a picture but the legal description that went along with that picture was incorrect. All that is being done tonight is legally making the description match the intent.

Mr. Tingey replied that is correct.

### **8.2.2 Council consideration of the above matter.**

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

Council roll call vote:

Mr. Nicponski Nay  
Mrs. Cotter Nay

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

Motion passed 3-2

**9. Unfinished Business**

**9.1 None scheduled.**

**10. New Business**

**10.1 Consider a resolution approving an Interlocal Cooperation Agreement between the City and Salt Lake County (“County”) for the transfer of County Transportation Funds for certain transportation projects within Salt Lake County.**

Staff presentation: Doug Hill, Public Services Director

Mr. Hill said last year the Utah State Legislature set aside money for transportation projects and awarded Salt Lake County \$47,000,000 to go towards transportation needs within the county. The county recently sent out notices to the cities within Salt Lake County asking what projects they would like funded with the money. Murray City submitted an application to help fund the Hanauer Street project. Mr. Hill showed a picture of the project area (See Attachment 1). Salt Lake County is willing to award the city \$1,500,000 as soon as we sign an Interlocal Agreement with them.

Hanauer Street is a new road that goes between Vine Street and 4800 South. This is part of the larger plan to extend Main Street through Murray City to 7200 South in Midvale. These are reimbursement funds, so the city would have to front the money for the project design and construction the project. The city will receive a reimbursement form the county once the project is completed.

Mr. Brass asked if Poplar Street will get closed at Vine Street and 4800 South because that intersection and the Hanauer Street intersection are very close together.

Mr. Hill said he thinks the idea of vacating Poplar Street in the future has been contemplated. By vacating the right-of-way on Poplar Street property, would become available for future development.

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

Council roll call vote:

Mr. Nicponski	Aye
Mrs. Cotter	Aye

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

Motion passed 5-0

## **10.2 Consider a resolution approving the Water Master Plan.**

Staff presentation: Doug Hill, Public Services Director

Mr. Hill said the city's Water Master Plan was recently updated by Bowen Collins and Associates (BC&A), a professional engineering firm. They looked at the city's water system and identified certain deficiencies within the system. They looked at things like pipe sizes, the growth of the city, and old pipes that are corroding and need to be replaced.

Based on the deficiencies found during the examination of the city's water system, BC&A identified areas where the water system needs to be improved. The city will use this information to budget and fix the deficiencies. BC&A also identified the actual projected costs associated with these projects; breaking the projects down into capital costs and annual costs.

Mr. Hill said the Council is being asked to adopt the Water Master Plan tonight. This Master Plan becomes the city's planning guide for the future. This Master Plan will be used to determine what the fees to the city's citizens will be. The city is in the process of looking at the water rates, what projects need to be accomplished and when they need to be accomplished so a determination can be made as to whether the rates that are currently being charged or sufficient or whether a rate adjustment needs to be done.

The Water Master Plan is also the basis for the impact fees that are charged by the city. Mr. Hill explained that impact fees are fees that are charged to new developments to buy into the city's water system because new developments impact the city's current water system.

Mr. Hill said the city has to change its water rates even if the rates don't go up. About two years ago, the Utah State Legislature passed a bill that required all water providers to implement a conservation tier rate structure. In other words, the more water someone uses, the higher their water rate will be. The purpose of this rate structure is to try to get people to conserve water. The city will be looking at implementing a conservation tier rate structure in conjunction with the recommendations made in the Water Master Plan.

**MOTION:** Mr. Brass moved to adopt the resolution. The motion was **SECONDED** by Mrs. Cotter.

Council roll call vote:

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

Motion passed 5-0

**10.3 Acknowledge completion and receipt of the independent audit for Fiscal Year 2016-2017 and order that notice be published pursuant to Section 10-6-152 of the Utah Code**

Staff presentation: Danyce Steck, Finance Director

Ms. Steck said the city's independent auditors were Keddington and Christensen and the audit is ready to be published.

MOTION: Ms. Turner moved an acknowledgement of the completion and receipt of the independent audit. The motion was SECONDED by Mrs. Cotter.

Council roll call vote:

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

Motion passed 5-0

**11. Mayor**

**11.1 Report**

Mayor Camp expressed his appreciation to the Council for all they accomplished throughout the year.

**11.2 Questions for the Mayor**

There were no questions for the Mayor.

**12. Adjournment**

The meeting was adjourned at 8:02 p.m.

# Attachment 1

