



MURRAY  
CITY COUNCIL

## MURRAY CITY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

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The Murray City Municipal Council met as a Committee of the Whole on Tuesday December 12, 2017 in the Murray City Center, Conference Room #107, 5025 South State Street, Murray Utah.

### Council Members in Attendance:

Diane Turner, Chair	District #4
Dave Nicponski, Vice-Chair	District #1
Pam Cotter	District #2
Jim Brass	District #3
Brett Hales	District #5

### Others in Attendance:

Blair Camp	Interim Mayor	Jan Lopez	Council Administrator
Doug Hill	Public Services Director	Jennifer Kennedy	City Recorder
Pattie Johnson	Council Office	Dale M. Cox	Resident
Janet Towers	Deputy Mayor	Frank Nakamura	City Attorney
		Jim McNulty	Development Services Manager
Danyce Steck	Finance Director	Kory Holdaway	KMH Consultants
Madison Mahon	City Intern	Mitzi Remy	Resident
Jennifer Brass	Resident	Richard Crangle	Resident
Janice Strobell	Resident	Brent Barnett	Resident

Ms. Turner called the Committee of the Whole meeting to order at 5:00 p.m. and welcomed those in attendance. Mr. Nicponski would be delayed.

1. Approval of Minutes - None scheduled.

2. Discussion Items

2.1 **Introduction of Legislative Intern Madison Mahon and 2018 Legislative Session Briefing** – Janet Towers, Kory Holdaway, Madison Mahon

Ms. Towers was glad to announce the city's legislative team going forward in 2018 as: Kory Holdaway, Dave Stewart, and Madison Mahon. She stated the team felt their combined efforts would be great, and were excited to face critical issues during the upcoming session. Ms. Towers acknowledged the presence of Mr. Holdaway, and introduced Ms. Mahon. Mr. Stewart could not be in attendance.

Ms. Mahon is the legislative intern for Murray City, holds a Bachelor degree in Political Science, and currently attends the University of Utah for Master in Public Administration. Her experience includes working in Congressman Stewart's office, both in Salt Lake City, and Washington, D.C., she shared her excitement to tackle the upcoming legislative session, and was eager to get started.

Ms. Turner welcomed Ms. Mahon and shared she too participated in the same program 25 years ago.

Mr. Holdaway complimented the city and was looking forward to working with the mayor, and Mr. Hill. He felt the resignation of Senator Shiozawa was a huge loss to the city, who had a great voice in the senate related to Murray issues. It was unclear who would replace the senator at this time, but the process was underway.

A Utah League of Cities and Towns (ULCT), and Utah Association of Counties (UAC) Legislative brochure was shared, and Mr. Holdaway noted it was the first document he had seen formulated together by the two groups. The guide provided information about important issues related to transportation and infrastructure, taxation, finance, and public safety.

Mr. Holdaway said the 2018 session would be interesting with a record number of over 1,000 pre-filed bills. Last year pre-filed bills totaled 800. Generally, of those bills filed, one quarter to one third were related to city government. Therefore, the ULCT, would be depended upon very much to provide tracking those bills. Ms. Mohan would work directly with the ULCT as a liaison to Murray and as his conduit to the ULCT. This was crucial in the matter of the cooperation between the UAC and ULCT.

Mr. Holdaway discussed specific issues regarding transportation. He reported the Transportation Task Force was formed during the past interim session. Meetings were held regularly during the year and a variety of things were accomplished.

Mr. Holdaway shared the Salt Lake County Roadway Project Map, provided by the Wasatch Front Regional Council. The Transportation Task Force spent much time in governance, and economic development regarding transportation concerns. Time was also spent determining finance and prioritization given past gainsmanship, the legislature desired to formalize the prioritization more. It remains to be seen where the task force succeeded until the end of the next legislative session. He felt it would be an ongoing process in making sure that the gainsmanship of the past, did not play a significant role as before, and hopefully less politics would influence priorities.

Mr. Holdaway explained a 25-year Project Plan which would occur between 2018 and 2040. The document was significant because of main corridor planning, where Murray is the main thoroughfare for much of what goes on in transportation corridor plans. In addition, the Wasatch Front Regional Council was successful in getting the Tiger Grant, which would affect the corridor plan. Therefore, he said Murray

would need to monitor closely all corridor planning, especially given the future plans related to the development of the Murray City Center District (MCCD).

A UTA Project Map was discussed, which contained great momentum with regard to UTA governance. Mr. Holdaway felt it would be interesting to see how it played out, considering the legislature's interest in redefining the governance model for UTA, and mentioned the possibility of changes to the UTA board, by making it smaller, appointing positions. He believed better communication and improved transparency would occur with regard to UTA. For example, if the UAC, or the ULCT had an appointee on the UTA board – more emphasis would be placed on that individual to report back to those entities.

Ms. Turner wondered if UTA board members had term limits. Mr. Holdaway said board members could serve up to two terms, however he was not sure the length of the term.

Ms. Towers reported Gina Chamness, City Manager at Holiday City, recently became a UTA board member, and would serve as Murray's UTA representative.

Mr. Holdaway reported Greg Bell was appointed new UTA chair. Mr. Holdaway expressed his great respect for Mr. Bell and felt he would do a tremendous job.

Another map noted was the South Bike and Pedestrian Map – with projects planned up to the year 2040.

Mr. Holdaway explained a briefing paper, provided by the Office of Legislative Research and General Counsel (OLRGC) from the October 2017 issue, which described the history of sales tax, including when it began, and historical changes. Sales tax was a significant issue for the city. He believed there would be a lot of push for reworking distribution, but he said he would be surprised if adjustments were made to sales tax revenue sharing during this legislative session.

Federally, tax reform, could stimulate the legislature to make changes at the state level. This meant Ms. Mahon, the ULCT, and he would monitor the situation very closely. He clarified indications were made recently during a ULCT meeting, changes to sales tax would be minimal.

Additional issues discussed at the recent ULCT meeting, related to the possibility of small cell-phone tower legislation, solid waste increases impacting tipping fees, and employee retirement for public safety and fire, in order to attract employees.

Mr. Hales thanked Ms. Towers for her amazing and dedicated work over the years – she would be greatly missed. Everyone in the room concurred.

Ms. Turner stated for the record, she acknowledged the arrival of Mr. Nicponski during the legislative presentation.

## **2.2 Accessory Structures in the Murray City Center District (MCCD) – Tim Tingey**

Under Murray City Code 17.170.080 (D) (2) accessory structures include a variety of types, such as, carports, structured parking, additional small buildings, or structures beyond the core building located on

a site. Mr. Tingey explained, building owners recently submitted an application that was moving forward through the process, and therefore, the council would need to consider the proposed text amendment to the MCCD ordinance - as it related to accessory structures. He said the proposal was recently presented to the planning commission.

Current limitations existing on accessory buildings, was noted as being not greater than 25% of an existing footprint of a structure. Therefore, accessory structures are allowed, however, they are limited. Mr. Tingey explained a variety of reasons for limitations, such as, district requirements. This particular area was noted as urban, consisting of strict design standards, in addition to walkability and aesthetics, which applies to the entire area. The proposal came from owners of the Center Court Apartment project, who suggest increasing the accessory structure footprint to 50%.

Mr. Tingey shared pictures, depicting potential carports covering the entire parking lot area – which required the increase. He reminded the council, as the amendment goes forward, the proposal would affect and impact this entire zone, including the Hilton Home II Suites project, all future development projects, and not just the apartment complex.

Mr. Tingey said concerns were communicated to the planning commission weeks ago. He informed the council, size and square footage restrictions exist on accessory structures throughout residential and mixed use areas and were not something new. He explained more dense development was the focus in the MCCD, as a result, site requirements and coverage limits were considered vital, to effective and appropriate development patterns. In addition, the goal for attractive and compatible architecture and streetscape in the MCCD, included specific design elements, right down to specific signage restrictions. He stressed the area was not a residential, high-density apartment zoning area, where complexes provide abundant carports, which was not envisioned for this area.

Explaining further, as focus remains on the use of parking structures in the area, a huge sea of parking lots is not desirable. He stressed, if the plan moves away from that concept, and allows for carports, there is not much incentive to construct structured parking, which is what the city needs to achieve best utilization of land in an effective way.

The planning commission, and the RDA reviewed the proposal extensively, which would come before the council on January 2, 2018. Both recommendations were noted - which was to deny the text amendment.

Mr. McNulty added, the proposal went to the MCCD Design Review Committee, consisting of planning and landscape architects, prior to the planning commission review. Their recommendation to the planning commission was for denial as well, in order to protect the highest and best use of the downtown core area of 97 acres. He confirmed any change would affect the policy in the city and all properties in the area.

Mr. Brass felt increasing the footprint to 50% would clutter up the area, which would not be positive for the district.

Ms. Turner appreciated the helpful information.

## **2.3 Murray City Downtown Update – Tim Tingey**

Progress and status on a variety of things were noted. The approval process was completed by the MCCD Review Committee, and the planning commission to tear down structures in the area. Demolition occurred after permits were issued. A map was shared to point out areas representing properties the city owns, and those demolished. Two structures were torn down between 4<sup>th</sup> and 5<sup>th</sup> Avenues, behind the chapel. The Murray Chapel would remain part of MCCD planning. Mr. Tingey noted the importance of removing those structures, due to a common concern related to transients utilizing abandoned buildings, as well as, fire concerns. The area now appears cleaned up and tremendously improved. Mr. Tingey explained a second phase of demolition was not expected until summer of 2018, due to leasing contracts that are still in place.

#### Property Acquisition Update

- The Verizon property is on hold. The cell tower, could be relocated but contingent upon what happens with acquiring the UTA site. Mr. Tingey is in contact monthly with the property owner who lives in Boston.
- The Strauser Property. Negotiations have not been successful, primarily due to a disagreement in appraisal value, and title issues on the two properties. The structure was boarded up, due to transient issues, and negotiations would continue.
- The Fraternal Order of Eagles property. Negotiations continue due to relocation challenges - they have not been able to find a new location. The city has a good working relationship with them and would continue to work with them regarding the issue.
- The Day Law Office Building. Area planned for the extension of Hanauer Street, requires the acquisition of their parking lot. Thoughts and negotiations with owners involve a possible land exchange. Parking schemes have been created, although, it is likely a portion of 4<sup>th</sup> Avenue would be vacated to replace their parking as negotiations continue.

Mr. Nicponski asked if Poplar Street could be utilized in place of extending Hanauer Street. Mr. Tingey explained Hanauer was part of a larger plan with the county and state, where extensive planning efforts were completed five years ago. Creating a couplet, as a north south access; Hanauer would take traffic pressure from State Street, by connecting Main Street north of 4500 South, southward to the Cottonwood overpass. Therefore, connectivity with Poplar, due to its offset, could not achieve the same result.

#### City Hall

The procurement process with HKS Architects was completed - establishing them as the official firm to assist the city with the development of a new city hall. With the assistance of the city attorney's office, an agreement was drafted for design work. However, a challenge remains with a fee schedule, and an overall cost must be firmly established first.

Mr. Tingey explained the steps for achieving a set cost. Discussions with MOCA, the city's construction management group, consisting of architects and planners, would continue as they evaluate different site scenarios in the area. Two or three sites are possible for the council to consider, related to feasibility, parking needs, and many other elements needed for the project. The hope is to complete this process as soon as possible, get results to the council in due time, and conclude a definite cost for HKS Architects so they can begin designing the facility.

Ms. Turner wondered the timeline for those steps. Mr. Tingey explained there were challenges in knowing the exact time frame, due to property acquisition issues. However, he felt the layout scenarios would be provided by MOCA by December 25, 2017, with or without property acquisition. He stated, once options were determined, and the council and mayor approve of a preference- that path could be clearer. Overall, he expected to bring location options before the council early in 2018.

He reminded the council to keep in mind, if for some reason the council was not comfortable with any sited area, or the public was adamant against any scenario in the area, there were other options to consider. The area would remain a redevelopment zone, and acquiring the noted properties was essential for any development that should occur in the future. Going public with the choices was very important, however, it would not mean the city was obligated to utilizing property for the city hall facility.

#### Private Development

Two private development proposals exist in the MCCD area:

- An assisted living project, located on Jones Court and Vine Street.
- A senior living facility, located at Box Elder Street and Vine Street, in place of the indoor soccer building including property to the west. The five story complex is moving forward and would house 84 residential units of senior living space. The lower level includes 25,000 square feet of commercial use space.

Ms. Turner wondered about the definition of a senior living facility. Mr. Tingey explained the building would be an apartment complex for residents 55 years of age and over – which was not an assisted living facility.

#### **2.4 Discuss the purchase of real property located at 1595 E. Vine Street, DiSera Property – Mayor Camp, Doug Hill, and Danyce Steck**

Mayor Camp said the possibility of purchasing the property was discussed previously, many times. He noted residents who visited council meetings to voice their request for the development of a park on the property. He reported his administration had been working on due diligence, however, they were not prepared to make a recommendation to the council during this particular meeting. He noted the issue was scheduled for a second discussion during the next Committed of the Whole meeting. Therefore, Mayor Camp provided information and thoughts regarding the purchase, in hopes to aid in the manner of which to move forward.

Mayor Camp discussed pro-aspects, and concerns related to developing a park.

Pros - The open space is available now for purchase. It is premium property, and located in a desirable portion of Murray. He made the point that while it was mentioned in public meetings, that the DiSeria Family would favor having a park constructed on the property – they did not convey to the city specifically that a park was the only development they would settle for. It was clear selling the property for the asking price, was the primary interest. He noted two offers from developers had recently failed.

Mr. Hales thanked Mayor Camp for clarifying the details because he had the impression from previous meetings that the family preferred a park.

Mayor Camp noted the packet containing a petition with numerous pages offering signatures of residents who favored park construction. He explained, the appraisal was just received, therefore, he did not have an opportunity to evaluate it thoroughly. However, he stated the total was fairly close to what the family requested, and the title report was clean.

Concerns - The cost was rather high for the city, and the size of the property was less than half of the recommended minimum size requirement, by national standards. The cost of the purchase would not include the cost to develop the land accordingly. A determination of how long the property would be land-banked, or whether development expenses could be funded immediately was addressed.

The project has not yet been considered by the Murray City Parks Advisory Board, however, a review of the details was anticipated during the December 13 a board meeting.

Mr. Camp invited Ms. Steck to discuss funding concerns related to the park proposal.

Ms. Steck reminded the council of the last Committee of the Whole meeting when she presented financial year-end reports, and provided a futuristic five-year plan for the Capital Improvement Projects (CIP) Fund. Estimates reflected, with all current budgeted projects considered, there was an ending fund balance of \$3.3 million - by the end of 2018. Therefore, if the lot was purchased for the asking price, the ending fund balance in the CIP would be reduced significantly.

In addition, she reminded the council about several projects currently listed on the books, in need of attention, such as: remodeling the Murray Theater, remodeling the Murray Mansion, and Murray Chapel. Land acquisition and construction of the new city hall, and various redevelopment in the MCCD were noted as well. She said all of these projects need to be funded with a limited amount of money available.

Ms. Steck noted her concerns, and felt the purchase of this lot would divert attention away from pressing projects listed as 'priority' for a number of years. She stressed the cost to purchase the lot was 50% of the CIP balance for 2018, which would limit the number projects placed on the books - whether for transportation, sidewalks, or other city needs. With that in mind, she strongly recommended, the council make a conscious decision knowing one small piece of property could be acquired with funds would certainly be diverted away from priority projects.

In addition, she stated it was interesting and enlightening, because it was her experience that every county, and municipality she worked with in her past, required developers to contribute land for free – in order for a city to develop a park. Only then would a city develop and maintain an open space forever. It was her understanding Murray City does not make that requirement, where most cities do not pay for land to provide open spaces. These areas are typically contributed by owners, who then request an honorary mention be given in that development.

Mr. Nicponski asked the size of the lot. Mr. Brass stated it was 2.37 acres. Ms. Steck reported the national standard for a community park was five acres.

Mr. Nicponski asked the preferred price. Mr. Camp replied the published price was \$1.788 million. Ms. Brass and Ms. Turner affirmed the expensed did not include development, maintenance or park improvements.

Mr. Brass stated one of the arguments for developing the park was to provide parking at the end of the canal trail, therefore, it could be conceived the city would spend almost \$2 million for a parking lot.

Ms. Turner felt most of her community did not want to see a parking lot for people to come from other areas to access the canal trail. Mr. Hales felt a parking lot was something the community did want, so that neighborhood streets weren't lined with parked cars – which was one their biggest concerns.

Ms. Steck stated adding impervious surface to green space was not part of the intention for open spaces.

Mrs. Turner had concerns about buying the property, and not being able to develop and maintain it. She said it would be nice to have the park in the area, however, she felt it would be irresponsible of the city to purchase something it could not currently afford.

Mr. Brass agreed, and pointed outside the window, where stand-by generators were sitting all day in the city hall parking lot. Generators were running to assist unexpected issues related to the boiler located in the basement, which would confirm the need for a new city hall facility.

Mayor Camp stated the council could continue the discussion at the next Committee of the Whole meeting if necessary.

**3. Announcements:** Ms. Lopez made the following announcements:

- Friday, December 15, 2017 – Council Holiday party from noon until 2:00 p.m.
- Monday, December 19, 2017 – Basketball game held at Cottonwood High School, meet at 6:00 p.m.
- Kids Eat – Donation boxes are located in hallways at City Hall for particular food items in need. Items are packed into backpacks that children take home weekly. See attached flyer.

**4. Adjournment:** 5:58 p.m.

**Pattie Johnson**  
**Council Office Administrator II**