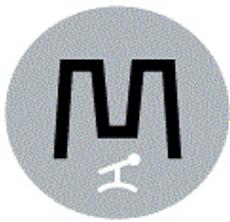


**MURRAY**  
CITY COUNCIL

# Council Meeting September 3, 2019



# Murray City Municipal Council

## Notice of Meeting

September 3, 2019

Murray City Center

5025 South State Street, Murray, Utah 84107

Revised

### Meeting Agenda

**5:00 p.m.** **Committee of the Whole** - Conference Room #107  
Dave Nicponski conducting

### Approval of Minutes

Committee of the Whole – May 7, 2019  
City Council Workshop – May 14, 2019

### Discussion Items

1. Storm Water Rate Review and Discussion – Danny Astill (30 minutes)
2. Quarterly Power Department Update – Blaine Haacke (30 minutes)
3. Rezone 284 East 4500 South – Melinda Greenwood (10 minutes)
4. Land Use Text Amendment Small Wireless Facilities – Melinda Greenwood (10 minutes)

### Announcements

### Adjournment

The Council Meeting may be viewed live on the internet at <http://murraycitylive.com/>

**6:30 p.m.** **Council Meeting** – Council Chambers  
Dave Nicponski conducting.

### Opening Ceremonies

Call to Order  
Pledge of Allegiance

### Approval of Minutes

1. Council Meeting - August 6, 2019

### Special Recognition

1. Swearing-In New **Murray City Firefighters, Mitchel McClure, Skylar Van Ekelenburg, Kevin Davis, and Jordan Guccione**. Chief Harris and Jennifer Kennedy presenting.
2. Consider a Joint Resolution of the Mayor and Municipal Council of Murray City, Utah Declaring September 9-13, 2019 **Public Power Week**. Mayor Camp and Blaine Haacke
3. Presentation of the **2019 Jim and Jean Hendrickson Beautification Awards**. Matt Erkelens presenting.

### **Citizen Comments**

Comments will be limited to three minutes, step to the microphone, state your name and city of residence, and fill out the required form.

### **Public Hearings**

Staff and sponsor presentations, and public comment 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 5920 South Fashion Boulevard, Murray City, Utah from the C-D (Commercial Development) and G-O (General Office) Zoning Districts to the P-O (Professional Office) Zoning District. Melinda Greenwood presenting; Roderick Enterprises applicant.
2. Consider an ordinance relating to land use; amends the Zoning Map for the property located at 871 Tripp Lane, Murray City, Utah from the A-1 (Agricultural) Zoning District to the R-1-8 (Low Density Single-Family) Zoning District. Melinda Greenwood presenting; Salt Lake Neighborhood Housing Services, Inc., applicant.
3. Consider an ordinance amending the City's Fiscal Year 2019 – 2020 Budget. Brenda Moore presenting.

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

### **Adjournment**

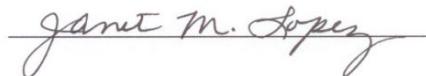
#### **NOTICE**

Supporting materials are available for inspection in the City Council Office, Suite 112, at the City Center, 5025 South State Street, Murray, Utah, and on the Murray City internet website.

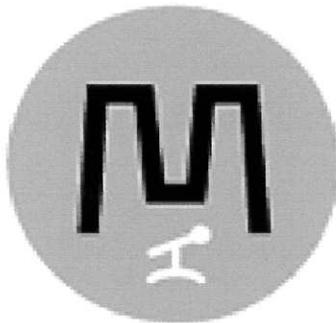
**SPECIAL ACCOMMODATIONS FOR THE HEARING OR VISUALLY IMPAIRED WILL BE MADE UPON A REQUEST TO THE OFFICE OF THE MURRAY CITY RECORDER (801-264-2663). WE WOULD APPRECIATE NOTIFICATION TWO WORKING DAYS PRIOR TO THE MEETING. TDD NUMBER IS 801-270-2425 or call Relay Utah at #711.**

**Council Members may participate in the meeting via telephonic communication. If a Council Member does participate via telephonic communication, the Council Member will be on speaker phone. The speaker phone will be amplified so that the other Council Members and all other persons present in the Council Chambers will be able to hear all discussions.**

On Thursday, August 29, 2019, at 3:40 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](http://www.murray.utah.gov), and the state noticing website at <http://pmn.utah.gov>.

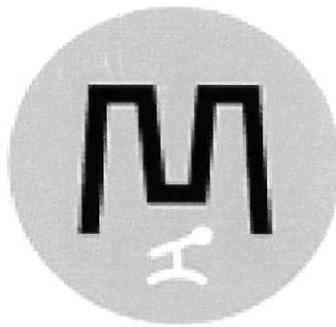


Janet M. Lopez  
Council Executive Director  
Murray City Municipal Council



**MURRAY**  
CITY COUNCIL

# Committee of the Whole



MURRAY  
CITY COUNCIL

# Committee of the Whole Minutes



MURRAY  
CITY COUNCIL

DRAFT

## MURRAY CITY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

The Murray City Municipal Council met as a Committee of the Whole on Tuesday, May 7, 2019 in the Murray City Center, Conference Room #107, 5025 South State Street, Murray Utah.

### Council Members in Attendance:

Dave Nicponski - Chair	District #1
Diane Turner	District #4
Brett Hales	District #5

### Council Members Excused:

Dale Cox – Vice Chair	District #2
Jim Brass	District #3

### Others in Attendance:

Blair Camp	Mayor	Jan Lopez	Council Director
G.L. Critchfield	City Attorney	Jennifer Kennedy	City Recorder
Doug Hill	Chief Administrative Officer	Jim McNulty	CED Manager
Jennifer Heaps	Comm. & PR Director	Pattie Johnson	Council Office
Rob White	IT Director	Danny Astill	Public Works Director
Melinda Greenwood	CED Director	Danny Hansen	IT
Jon Harris	Fire Chief	Cory Wells	Water Superintendent
LeAnn Saldivar	Murray Boys & Girls Club	Ben Ford	Field Supervisor- Sewer
Brenda Moore	Finance	Kat Martinez	Resident

Mr. Nicponski called the Committee of the Whole meeting to order at 5:00 p.m.

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

- ° Committee of the Whole – February 5, 2019

Ms. Turner moved approval. Mr. Hales seconded the motion. (Approved 3-0)

### Discussion Items

**Boys & Girls Club Report** – LeAnn Saldivar, President & CEO

Ms. Saldivar provided a recap of the Boys & Girls Club Annual Report, which the council reviewed prior to the meeting. She discussed ways the club extends itself by serving children in Murray; she reviewed programs, and shared new initiatives to define how the club is best meeting the needs of children. In addition, she shared an Impact Report (See Attachment #1), specific to the Murray Boys & Girls Club location, initially prepared for the organization itself and general donors.

She said the Murray Boys & Girls Club was the shining star of all clubs in the state; it is the highest attended, largest staff, and largest budget of all seven clubs. Highlights of her presentation included, statewide needs, demographics, attendance, program goals, and details about the Murray Club:

- Meals served = 10,000+ daily, for breakfast, lunch and snacks, apart from Kids-Eat backpack program.
- The club works with the non-profit organization, Head-Start, to provide meals for childcare division.
- The club focuses on healthy snacks by working with local food banks, community gardens, and other partnerships that provide a variety of snacks and fresh fruit to support high calorie, no nutrition children.
- By Murray zip code, 67% of children attend Murray School District schools; the club serves and transports from all Murray schools, and the Granite School District, located in Murray.

Ms. Saldivar outlined the operating budget for the FY 2018-2019 school year, which was \$4.5 million for the entire organization. Of that, approximately \$850,000 to \$1 million was allocated to the Murray club. She noted a slight reduction in Murray's budget from the previous year, due to less staff, a lack of teachers and a competitive market. One initiative, provided by the human resource committee, hopes to analyze how to recruit and retain staff better. The club believes children's lives are positively influenced by good staff members and not so much by programs or food served. Therefore, staff should be consistent, to provide lasting guidance, and long-term relationships.

Ms. Saldivar was delighted with Mayor Camp's recommendation to allocate \$100,000 to the Murray Boys & Girls Club in this year's budget; however, she encouraged the council to increase the amount back to \$125,000, given in prior years.

She understood the city faced important challenges in the past, when cutbacks were implemented; however, with the current construction project to expand the facility, the additional funding would help remove 20 children from a waiting list. She stated for every 20 children in attendance, one part-time youth development professional was needed, who moves into full time during the summer; and 20 additional vehicle seats are needed during the school year to transport children from schools. With limited vehicle and staffing capacities, it would be those operational costs that prevent the club from serving more students. City funding provides \$800 per child, per year.

Ms. Turner asked the total number of staff members at the Murray location. Ms. Saldivar said 17, which includes three full-time directors, various part-time teaching positions, two drivers who also help with food service, as well as, two front desk workers and other miscellaneous support staff.

Ms. Turner noted the Murray Club received a total of \$125,000 last year; \$100,000 from the city, and \$25,000 from the Murray Power Department for in-kind services. Ms. Saldivar confirmed.

Mayor Camp confirmed cash in \$25,000 was issued as a gift to be applied for building permit fees and associated costs for the new expansion. Ms. Saldivar agreed, however, she noted contributions of \$75,000 in prior years, increased to \$125,000 from the city's budget alone during 2004-2015.

Ms. Turner stated councilmembers would consider a to provide \$100,000 to the Murray Boys and Girls Club. In addition, monthly rent of \$1,000 would be waived for the year that provided a \$12,000 savings. Ms. Saldivar confirmed.

Mr. Nicponski asked the location of other associated Boys and Girls Clubs. Ms. Saldivar said besides Murray, six others in: Midvale, Tooele, Price, Sugarhouse, Poplar Grove, and one near West High School in Salt Lake City. Mr. Nicponski thanked Ms. Saldivar for her presentation and appreciated her work for the community. Ms. Saldivar invited the council to tour the new area. A ribbon cutting for the grand re-opening would be held in the Fall of 2019.

**Solid Waste Fees** – Mayor Camp, Danny Astill, and Russ Kakala

Mr. Astill discussed solid waste fees to meet budget requirements, provided a rate review spread sheet, a draft solid waste fee study, the proposed ordinance modification, and a public notice. He noted the proposed FY 2020 budget was based on the rate increase just to remain balanced.

He explained cost increases to recycling began in 2018, which effected all local communities that participate in the Trans-Jordan Landfill, as well as, every community across Utah. Recycling fees skyrocketed and continue to rise, not to mention increased costs for just general trash disposal. For example, tipping fees for recycling went from \$25-\$30 per ton, up to \$50 per ton. Although, based on the current contract the city has with ACE Disposal – Ace Disposal is responsible for paying half of the \$50 fee. Moreover, he reported another recent notification that the \$50 tipping fee would increase to \$70 per ton. Therefore, not only was the \$50 increase not budgeted into the FY2019 budget, a new \$70 increase, was not accounted for in the FY 2020 budget.

Mr. Nicponski asked the current tipping fee for general garbage disposal. Mr. Astill said \$17 per ton.

Mr. Astill explained solid waste fees were recently reviewed. Staff realized the city was only in year three, of a five-year rate increase plan, and since the increased tipping fee was not factored into the FY2019 budget, the fund would be roughly \$214,000 in the red by the end of FY 2019, due to steady recycling inflation.

ACE would continue to pay half of the tipping fee until December of 2020. The current disposal contract expires in two years, which allows the city time to reevaluate actual increased costs for the next year. Mr. Astill said it is uncertain how often or how much more tipping fees will rise, or when they would ever decrease. The market is unpredictable and changes rapidly from week to week.

He said to meet and stay within the proposed budget and still provide garbage and recycling services to city residents, the cost of \$14.50 per month, per can, would jump to \$19.50. The increase would eliminate a deficit of \$214,000 and provide a surplus of \$37,000 by the end of FY 2020.

Ms. Turner noted a 2019 Garbage Service Comparison chart and confirmed the increase to \$19.50 per can, per month, as higher than other cities listed. Mr. Astill explained other city's increases were not reflected on the chart, but all cities would be dealing with this issue and would be forced to make up the financial difference somehow - either by General Fund transfers to meet high costs, or fee increases like Murray. Ms. Turner affirmed the city was not being charged more than other cities.

Mr. Astill stated other cities treat their recycling and garbage disposal as a function of the city and used tax dollars to fund the whole service.

Mr. Hales stated Murray was different in how services are budgeted. He confirmed Murray has lower property taxes comparatively, and noted friends living in other cities express paying higher service fees was more favorable than paying higher property taxes. Mr. Astill confirmed the \$5 monthly increase was less significant than extreme property taxes.

Ms. Turner asked about an increase to the line item *Administration Fee – Wages*. Ms. Moore explained a finance allocation change occurred this year, due to a department split. She explained because the Murray City Utility Billing Department only provides services like billing, operations, and maintenance services for utility departments, such as, power water, stormwater, and solid waste, 100% of their expenses were reallocated to those utility funds. Allocations are based on the number of accounts involved for each service and utilized mostly for wages. As a result, the Solid Waste Fund would see an increase of \$2,000.

Ms. Turner noted a 10% increase to *recycling collection*. Mr. Astill explained the bill from ACE Disposal was broken-out into categories; garbage, recycling, and extra cans. A 40% increase reflected recycling inflation. He agreed the situation was not a good thing, but it was the reality of the industry with an uncertain future. He shared the idea of changing the pick-up schedule from weekly, to bi-weekly, which would provide a savings of approximately \$35,000 per year. This would reduce the number of tipping scale visits by ACE Disposal when transporting tonnage. The proposed schedule change would provide a savings of about 37 cents per person, per month, for over 7,800 customers. Tonnage amounts would remain the same.

Another proposed option is an opt-in, opt-out recycling program other cities adopted. It is uncleaned, and unrecyclable material that causes contamination by the truck load. Trucks must divert to landfills instead, where the \$70 per ton tipping fee was established for contaminated recycling loads.

He explained once a week ACE Disposal audits one truck, to determine levels and frequency of contamination, which is determined by hand picking through truck loads. The result was 30% contamination, based on what was found, however, other times contamination was as low as 22%.

Another suggestion is to provide a mixed-paper-only dumpster, similar to glass recycling located in Murray Park. Mr. Astill said the service would generate revenue to pay for itself, although, one concerning inconvenience was the requirement of residents transporting their own paper to a dumpster location. One cause of contamination is the few drops of soda that leak from aluminum cans onto paper when placed together in a recycling can; this completely contaminates an entire truck load of recycling.

Ms. Turner thought recycling paper separately and generating revenue from it, would help defray the reality of increased recycling costs.

Education and outreach are key for proper recycling as the city makes changes to address the challenges. Additional staff might be considered to provide a continuing education program throughout the city. He said the \$5 increase could place the city among the highest in recycling fees, but there was no other apparent choice to address the significant increase. Mr. Astill said the investigation would be ongoing and he would return to the council on June 4<sup>th</sup> when the council would consider the fee increase. Ms. Lopez confirmed the fee increase was already built into the draft budget under review.

#### **MWPP (Municipal Wastewater Planning Program) Report** – Danny Astill, and Cory Wells

Mr. Astill introduced Water Superintendent, Mr. Wells; and Field Supervisor, Mr. Ford from the sewer division. Portions of the 2018 MWPP report were reviewed about to the city's wastewater collections system. Mr. Astill said there was no impact to the budget, and the report also pertained to the city's responsibilities with the Central Valley Water Reclamation Facility, where there are associated capital costs at the treatment plant.

Mr. Astill explained as a condition for receiving State of Utah financial assistance loans for the city's wastewater collections system, all survey questions were answered completely. The resulting report conveyed no concerning issues, as related to the following information:

- Overall condition of the city's collection system and general system operations.
- Facility Maintenance – Reviewed and audited every five years.
- Sufficient staffing.
- Funding: Average yearly residential bill = \$403.92.
- Financial health of the Wastewater Fund, including debt service and collections.
- Capital improvement projects – 10 years
- Finance Division Compliance.
- New development connections.
- Population Served = 36,500.
- Sewer system overflows = Zero.
- Operator Overview = 8 employees, fully State certified in collection systems, including one Chief Operator, Mr. Ford, who attains DRC (Direct Responsible Charge) certification.

Mr. Ford reported most employees hold Grade-4 Certification, even though the city maintains a Grade-3 Collection System; having over certified employees was positive.

Mr. Astill said the system was built in 1917, so there are many parts of the system that are still that old, but well taken care of with regular cleaning and monitoring of repairs. Mr. Ford is responsible to ensure overflow does not occur.

Mr. Astill reiterated there were zero overflow instances to report caused by the city. Mr. Ford confirmed it was two years since the city caused an overflow incident; he attributed that record to having adequate funding for high tech equipment necessary for maintaining clear lines. He thanked the council for

approving funds for ongoing maintenance. Mr. Astill agreed residents experience lateral problems, which cause sewer overflow, but those situations are not the city's fault.

Mr. Hales confirmed recent news reports about other cities having constant overflow issues, which Murray was not experiencing.

Mr. Astill noted minor concerns like root intrusion, manhole structural issues, and manhole lid failures, which would be repaired. He identified certain areas that need special maintenance, such as, pipelining, to be fixed over time, based on the budget. He said the city had no pressing issues and the system was in very good shape overall.

Mr. Ford gave a brief report on the Walden Glen project, which is the city's oldest lift station on 5300 South near Cottonwood Creek. He said the rebuild would produce a more reliable lift station with completion expected the first of July.

Ms. Turner appreciated important work to keep city pipelines well maintained. All others agreed.

#### **Sign Code Regulations – Jim McNulty**

Mr. McNulty said the council would consider the pending sign ordinance in two weeks, during a public hearing in a council meeting. On December 11, 2018, the council learned about and reviewed proposed new sign code graphics to replace outdated illustrations, and an improved user-friendly document.

He explained replacing 30-year old hand drawings would help business owners, contractors, and sign code companies better understand city regulations. He said Murray City staff worked on revisions for 12 months with the city's attorney's office to rewrite of the *Murray City Municipal Code* - Section 17.48 and proposed sign code regulations were presented at two public hearings, held during Murray City Planning Commission meetings on March 7, 2019, and April 4, 2019.

The planning commission was informed that staff requested the planning commission forward a positive recommendation to the city council. Public comments were allowed at both planning commission meetings, with no comments or concerns. As a result, the planning commission forwarded a positive recommendation to the city council for them to adopt the sign ordinance.

A recent law case (*Reid v. the Town of Gilbert*) was discussed briefly in an effort to understand compliance related to EMC's (electronic message center's/signs). Therefore, the city intends to regulate signs in a manner that is consistent with free speech protections, and provisions of the United States Constitution, and the Constitution of the State of Utah.

Mr. McNulty noted EMC's located at National Security, on 5300 South, west of I-15 (Interstate 15), and at Fashion Place Mall. Current code allows a one-foot candle above ambient light, which is very bright. Industry standards are .03-foot candles above ambient light, which is 1/3 of the one-foot candle lighting; the change from one-foot candles occurred because bright messages are hard to read by drivers on freeways and roads. In addition, an automatic dimmer switch would be required so that different levels of lighting could be adjusted for day and night; noted in the proposed ordinance.

Another proposed regulation would change the distant EMC's are located to nearby residential areas. Mr. McNulty explained there was a suggestion to change the current distance of 500-feet, to 200-feet, which the planning commission was not comfortable with, so, it was decided to propose 300 feet, which would still prevent light from shining into neighborhoods.

Ms. Turner asked how the proposed distance was determined. Mr. McNulty said staff studied other cities, and related conditional use ordinances. As a result, 300-feet was decided upon as a good compromise, which was better for Murray, compared to a 200-foot distance approved by many cities.

Mr. McNulty described Fashion Place Mall as the only planned commercial center in the city, and recently requested two pedestal signs, which is a 35-foot EMC board. The mall qualifies for signs of this nature because it is over 20 acres in size. The hope is to locate one sign at the I- 215 freeway exit, on the corner of Fashion Boulevard; and the other at the State Street and Winchester intersection.

Currently, in the MCCD (Murray City Center District), the T-O-D (transient oriented development) zone, and the M-U (mixed-use) zone, externally illuminated signs are allowed, but not signs with internal illumination or neon lighting. Mr. McNulty explained the goal is to allow these types of signs, in all three zones, should the opportunity present itself; the draft ordinance was noted likewise.

Ms. Turner asked why signs with internal illumination were not allowed anymore. Mr. McNulty said there was a notion in the past that they appeared too bright, causing distractions; he was not certain when they were dismissed, but the hope was to allow them again.

Mr. Hales inquired if pedestal signs advertise only for a related commercial center. Mr. McNulty confirmed on-premise signage was different from off-premise signage, which was also approved weeks ago, by resolution. He noted there would be no change to outdoor advertising on billboards at this time, however, City Code would inevitably accommodate changes made in State Code last year. Provisions were made for outdoor advertising companies, such as, Reagan and others, to change existing static signs to EMCs. He said there was little concern for related signs along I-15 or I-215, although, there is worry about signs located along State Street, 5300 South, and 900 East, where signs could eventually become EMC type signs, which did not seem fitting, because of close neighborhoods.

Mr. McNulty concluded the proposed City Code re-write presented was relative only to on-premise signs. The city would do its best to regulate signage, handle the ordinance correctly, and legally, and allow people their first amendment and free speech rights, which was most important.

#### **Governing Board Representatives** – G.L. Critchfield

Mr. Critchfield led a brief discussion about amending Murray City Municipal Code, Chapter 2.5: Governing Board Representatives, to be considered later by the city council. He explained six boards were presently listed in code, however, twelve exist; therefore, the amendment would add the following six interlocal entities:

- Wasatch Front Waste and Recycling District Board
- Intermountain Power Agency Board

- Metro Fire Agency Board
- Neighborworks Salt Lake Board
- Community Action Program Board
- Jordan River Commission

**Holiday Ordinance – Mayor Camp**

Mr. Nicponski announced the Holiday Ordinance discussion would be rescheduled for June 4, 2019, when all council members would be present.

**Announcements:** Ms. Lopez made several announcements related to coming events for the council members.

**Adjournment:** 6:08 p.m.

**Pattie Johnson  
Council Office Administrator II**

# ATTACHMENT #1



Murray  
Boys & Girls Club

## Our Mission

is to inspire and empower youth to realize their full potential as productive, responsible, and caring citizens.

2018

# IMPACT REPORT



## The Club Experience

Boys & Girls Clubs fill the gap between school and home. We provide welcoming, positive environments in which kids and teens have fun, participate in life-changing programs, and build supportive relationships with peers and caring adults.



## The Need in Our State

Every day 99,148 kids in Utah leave school with nowhere to go.<sup>1</sup> They risk being unsupervised, unguided and unsafe.

## Our Reach



**1,282** = **768** + **514**  
Youth Served      Registered Members      Youth Served Through Community Outreach

## Member Demographics

77%

Ages 12 and Younger

23%

Teens

54%

Minority Races or Ethnicities

66%

Qualify for Free or Reduced-Price School Lunch

52%

Live in Single-Parent Households

**“** I love Club! It's a place to be, to work, and to have fun. **”**

### Shawnti D.

2018 Murray Club Youth of the Year

Shawnti has always worked hard. As the oldest child of immigrant parents, she has had to assume a lot of responsibility around the home, and she takes pride in helping her family. Still, she has had difficulty going outside of her comfort zone to put that excellent work ethic to good use outside of the home.

That changed when Shawnti came to the Murray Boys & Girls Club. At Club, she got to participate in lots of new activities and make lots of new friends. She began to love the feeling of trying new things and taking on new challenges. She is now a varsity athlete, editor for her school yearbook, and avid volunteer around her community. Shawnti has really expanded her horizons, a positive example in everything she does.



# Demonstrating Our Positive Impact



## The Need

15% of young people in Utah fail to graduate from high school on time.<sup>2</sup>

## What We Do

Help Club members graduate high school with a plan for the future.  
Provide daily homework help and tutoring.  
Provide high-quality STEM education.  
Provide unique arts experiences.

## Our Impact

Among our teen-aged Club members, **92%** expect to graduate from high school, and **78%** expect to complete some kind of post-secondary education.



## GOOD CHARACTER AND CITIZENSHIP

## The Need

24% of high-school youth in Utah were involved in a physical fight in the past year.<sup>3</sup>

## What We Do

Provide opportunities for leadership and community service.  
Encourage and recognize youth for good character through the Youth of the Month and Youth of the Year programs.

## Our Impact

**67%** of Club teen members volunteer in their community at least once per year, while **45%** volunteer in their community at least once per month.



## HEALTHY LIFESTYLES

## The Need

19% of young people ages 10-17 in Utah are overweight or obese.<sup>4</sup>

## What We Do

Provide 30 minutes of physical activity each day, plus nutritious snacks and hot meals.  
Help kids become healthy physically, emotionally, and socially.

## Our Impact

**62%** of Club members ages 9 and older report getting at least an hour of physical activity on five or more days per week.

## How You Can Help



With your generous support, Boys & Girls Clubs of Greater Salt Lake will create opportunities to help more kids and teens achieve great futures. To make a donation or to learn about other ways you can help, contact LeAnn Saldívar, President/CEO, Boys & Girls Clubs of Greater Salt Lake, **801.322.4411**. [www.gslclubs.org](http://www.gslclubs.org)

## GREAT FUTURES START HERE.



BOYS & GIRLS CLUBS  
OF GREATER SALT LAKE

P.O. Box 57071  
Murray, UT 84157  
801.322.4411  
[www.gslclubs.org](http://www.gslclubs.org)

<sup>1</sup> America After 3PM, Afterschool Alliance, <http://afterschoolalliance.org/AA3PM/>

<sup>2</sup> [datacenter.kidscount.org/UT](http://datacenter.kidscount.org/UT)

<sup>3</sup> <https://www.childtrends.org/indicators/physical-fighting-by-youth/>

<sup>4</sup> [datacenter.kidscount.org/UT](http://datacenter.kidscount.org/UT)



## CLUB ATTENDANCE

The Murray Boys & Girls Club is one of the largest in the state!

**Number of schools we serve:** 15, and around 25% of members attend Title 1 schools.

**Number of kids we serve:** 768 each year with 230 kids attending every day.

## OUR PROGRAMS

The Murray Boys & Girls Club offers a wide variety of prevention programs, helping kids get healthy and prepare for success. These programs include:

**Money Matters:** a financial literacy program for teens and their parents.

**Protecting You, Protecting Me and Keepin' it REAL:** evidence-based, age-appropriate substance abuse prevention programs for elementary-aged youth and teens, respectively.

**Making a Difference:** a program designed to help pre-teens and young teens navigate the difficult changes they're going through and build the confidence they need to resist negative peer pressure.

**Safe Dates:** evidence-based dating violence program for teens, teaching young adults to recognize the difference between healthy and unhealthy relationships for themselves and their friends.

**All4You:** evidence-based program for teen pregnancy and STI prevention.

In addition to our prevention and education programs, the Murray Boys & Girls Clubs offers a lot of other ways for members to learn and grow:

**Healthy snacks and meals served to over 200 youth each day,** with breakfast, lunch, and a healthy snack served during the summer and dinner and a snack served during the school year. Kids learn to prepare these healthy meals themselves and often have the opportunity to take fresh fruits and vegetables home to their families.

**Community service opportunities:** Murray Club kids perform over 250 hours of community service each month!

**Homework help and credit recovery:** we help kids catch up on school work, including giving kids a chance to make up class credits that they may be missing in order to help all members graduate on time.

**Sports and outdoor activities:** in the past year, Murray Club members have gone on field trips that include boxing, axe throwing, rock climbing, indoor surfing, roller skating, hiking, and more! The Murray Boys & Girls Clubs give kids the opportunity to fall in love with fitness and explore the rich outdoor opportunities Utah presents.

## BUDGET AND FUNDING REQUEST

### 2018-19 Murray Club Budget

Salaries/Benefits	634,917
Program Supplies & Equipment	120,554
Furniture & Equipment	2,500
Office Supplies, Dues, Postage	2,908
Telephone & Internet	1,860
Utilities	29,025
Building Maintenance/Repairs, Janitorial	42,421
Vehicle Expense	10,000
<b>Total</b>	<b>844,185</b>

Our staff and Board of Directors are very grateful for the unparalleled support we receive from Murray City every year. We are respectfully requesting \$125,000 to continue our work serving the youth and families of Murray. From 2004-2015 we received this amount and are hopeful the Council will approve restoring funding to this level to help up serve additional kids waiting on our waiting list! The return on investment in the Boys & Girls Club is nearly \$10 for every \$1 invested. This return comes in the form of taxes on wages earned by parents, less dependence on social safety net programs and reduced costs related to crime and delinquency.

FY 2018 75,000  
2017 75,000  
2016 118,750



MURRAY  
CITY COUNCIL

DRAFT

## MURRAY CITY MUNICIPAL COUNCIL WORKSHOP

The Murray City Municipal Council met for a workshop on Tuesday, May 14, 2019, in the Council Chambers of the Murray City Center at 5025 South State Street, Murray, Utah.

### Council Members in Attendance:

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

### Others in Attendance:

Blair Camp	Mayor	Jan Lopez	Council Executive Director
Pattie Johnson	Council Office	G.L. Critchfield	City Attorney
Jennifer Heaps	Comm. and PR Director	Russ Kakala	Public Works
Melinda Greenwood	Community & Econ Dev Director	Charles Turner	Power
Mark Hooyer	Trans Jordan Landfill	Pam Roberts	Wasatch Front Waste
Kathleen Riebe	State Senator	Jani Iwamoto	State Senator
Phyllis Wall	Utility Billing	Dave Davis	Retail Merchants Asso
Business Owners		Residents	

1. **CALL TO ORDER** - Council Chair Nicponski called the Council Workshop to order at 6:30 p.m. and welcomed those in attendance. He introduced the Murray City Council Members and Mayor Camp.

### **2. DISCUSSION ON SINGLE USE PLASTIC BAGS**

#### a. **Mark Hooyer, Executive Director, Trans Jordan Landfill**

Mr. Hooyer said the City of Murray had been a faithful member of Trans Jordan for many years. The issue of plastic bags is a littering problem, especially on windy days, when much of a load of garbage is thrust away by the wind. The landfill spends a lot of money each year cleaning up plastic bags. He has completed a survey of landfills along the Wasatch Front. He spends \$55,000 for temporary labor crews to pick up the litter, 85% of which is plastic bags. Salt Lake County Landfill spends \$74,000 per year. The North Point Transfer Station in Lindon spends \$35,000 per year. From Logan to St. George \$435,000 is spent each year in just picking up plastic bags. Who pays for that? All the residents in the associated cities.

Trans Jordan is part owner of the Bayview Landfill. Mr. Hooyer displayed some photos of Bayview's "dinosaur fence", which is a 45-foot-tall litter fence that was constructed solely for the control of litter. Eighty-five percent of the litter consists of plastic and plastic bags. These fences are very expensive – Trans Jordan has \$1.5 million on a capital fund project to erect a similar fence on three sides of the landfill to control this litter. It will take about a year to build to be a good neighbor to residents and businesses nearby.

Of the landfills surveyed, the average spent on litter control is \$54,000 per year and the average capital expense is \$512,000 per year. Each one of the eight landfills spend over \$550,000 on average to control the plastic of all kinds.

Several pictures were shown of the "dinosaur fences" used at the Bayview and Trans Jordan landfills, which are very effective. Also pictured were machinery from a materials and recovery facility (MECF) where plastic bags completely shut down processing machinery. (Attachment #1)

Single-use plastic bags have become an icon in the US, typical of our throwaway society. They are not recyclable – even though they are collected by retail stores. Many stores end up dumping those into garbage cans. They do litter the landscape and when the Jordan River Commission was cleaning up the river, much of the garbage collected was plastic. They are easily preventable sources of pollution.

At the legislature, plastic industry representatives will complain that the industry will be negatively impacted by plastic bag bans, however, studies show that only .32% of all plastic production is from plastic bags. Reusable bags can be used safely as revealed by Consumer Reports. The argument siting the cost of reusable bags for low income people assumes that they do not care about the environment. The cost of the bags is already being added to the grocery prices. One trillion single-use bags are used worldwide on an annual basis, with one billion used here in Utah. The average American family takes home about 1,500 plastic bags per year, five a day and less than 5% are recycled. At this time about the only use for recycled bags is Trex decking material.

Mr. Hooyer said that he is proud to be associated with Murray because they are a little more forward thinking. He talked about the methane gas energy project at Trans Jordan that was created by Murray City where about five MWs of electricity are put on the grid every day. That is enough to power 24 homes. This is also done at the Salt Lake Landfill, sponsored by Murray Power and these dangerous greenhouse gases are taken out of the air to create electricity. That demonstrates some visionary leadership and the plastic bag initiative is another step in the right direction.

**b. Pam Roberts, Executive Director, Wasatch Front Waste and Recycling District**

Ms. Roberts mentioned that WFWRD expends about \$200,000 per year in education and materials to train people in responsible use of plastic bags and events to help promote recycling. There are only two recycling companies in the Salt Lake Valley where materials are delivered, and they have experienced increased costs that are passed on. When there was a revenue source for recycling, they were making quite a bit of profit on the commodities market. Plastic

bags really aren't recyclable, but when revenues were high, they didn't mind having to spend money on unclogging machines because they could recoup the cost and still make money. Ms. Roberts previewed a slide show with advertising for "no plastic bags in blue containers" campaign on the side of the WFWRD trucks. (Attachment #2)

She said there are two factors in recycling to look at, one is contamination. If there is garbage in the recycling, vendors are sorting through the load. She explained the process where materials on the conveyer belt are sorted and pickers are pulling out plastic bags and anything that is dirty and cannot be recycled. Processors must slow down their process to capture the most valuable commodities, such as metals, that had a very high price at one time. Now that is no longer true. WFWRD tries to manage those increased costs as best as they can.

The other thing that is difficult is single-stream collection, where nothing is sorted at the source. The commodities recycling market has changed tremendously where the revenue has become a huge expense instead. People are trying to manage the costs.

China was the biggest buyer of recycling commodities from the US, however, they got so overwhelmed with the thin plastics on everything that now China companies refuse to take plastics unless they are 90% pure. Because a few items slipped in anyway, the second phase of restrictions have come, called the "Green Sword". Campaigns were launched to clean up the plastics and contamination. The price per ton for recyclables received used to be \$40 and now the price for processing costs up to \$95 or \$100 as a base fee. You can reduce that fee according to what is being delivered.

Municipalities are paying as much as \$67 per ton to have recycling processed for their respective residents; landfill costs are at \$32.75 per ton. The WFWRD board decided to fund the recycling to keep it going and a big piece of that was a customer survey. There was nearly 80% support for continued recycling services and based on the increased cost of about one dollar per month per home, 70% would support the fee increase to maintain recycling services. Since the survey was taken, those costs are already increasing.

Other cities have taken steps such as increased fees, opt out services, or suspending services. She is very supportive of Murray City banning bags to help with this problem, as has been done in Park City and Moab. A US map showed by color coding what other states in the nation have done on banning plastic bags.

#### **Senator Jani Iwamoto**

Senator Iwamoto distributed some pictures, again, showing the problems with plastic bags. She said that when she first introduced state legislation to ban plastic bags, she had cities, counties and others come together to enact a statewide 10 cent fee. She dropped the bill just as it was approved in committee, however, then there was legislation to ban bills from banning plastic. She noted the idea is to change behaviors; she had considered different fee amounts, settling on 10 cents per bag. The retailers input included a preference for statewide legislation and a fee rather than a ban.

She explained her visit to Rocky Mountain Recycling and how plastic bags slow the recycling process; in more than one place the machinery had to be stopped to clean plastic from the rollers.

Senator Iwamoto has had a lot of communication with constituents over this bill and both Republicans and Democrats have voiced their support for this bill. She concluded that it was something the local authorities must decide rather than on a statewide basis.

She remarked how easily she adjusts when in other cities or states where bags are banned and voiced her support to the city on this issue. (Attachment #3)

c. **Diane Turner, Murray City Council District 4**

Ms. Turner stated that this discussion meeting was the first part of looking at charging for plastic bags or a ban on plastic bags. It had not been decided either way. This way we get input from citizens and the impact on residents and businesses. Then research would continue.

About five years before, Ms. Turner had been vacationing in Italy and when shopping for groceries they were asked if they wanted a bag, which would cost the equivalent of 25 cents. They did get a bag and noticed the landscape, parking lots, and trees were not littered with plastic bags. When she returned home, she talked with the city attorney who suggested she do her due diligence to research the issue and he would investigate the legal side. Now G.L. Critchfield was assisting her with the ordinance details.

Ms. Turner went through a power point presentation for background and to explain the ordinance that is being considered. (Attachment #4)

- Murray City has an obligation to protect the public health, safety and welfare of residents and visitors. The City seeks to promote policies which will preserve and conserve natural resources, and promote a cleaner, healthier environment.
- Disposable single use plastic bags pollute the environment; litter our streams, lakes, landscapes and highways; adversely impact wildlife and water quality; clog storm drains; and whirl around landfills.
- Disposable single use plastic bags pollute the environment; negatively impact recycling equipment; are a source of recycling contamination; are seldom recycled; made of nonrenewable resources – commonly petroleum and natural gas.
- The Murray City Council is considering an ordinance to prohibit distribution of single use plastic bags. (Ms. Turner expressed her desire to charge for plastic bags, rather than a complete ban.)
- Nothing in the ordinance precludes a retail store from making reusable bags available for sale to customers or from customers using their own reusable bags.

- If a retail establishment provides a checkout bag to customers, it must be reusable, recyclable paper bag, or compostable.
- A reusable bag means at least 3.0 mils with a capacity of 125 or more uses, able to carry 22 or more pounds over a distance of 175 feet, and capable of being washed so as to clean and disinfect multiple times. (Ms. Turner said this puts the responsibility on the customer, and she is confident Murray residents are up to it.)
- Recyclable paper bag means 100% recyclable, including the handles, contains at least 40% post-consumer recycled content, and displays the words "recyclable" and "made from 40% post-consumer recycled content" in a visible manner.
- Compostable plastic bag means it conforms to the current ASTM D6400 standard, is certified and labeled as above standard, and capable of undergoing biological decomposition consistent with known compostable materials.
- Single-use checkout bag does not include pharmacists' bag for prescription drugs, newspaper bags, door hanger bags, laundry dry cleaning bags, or bags sold in packages; packages containing multiple bags intended for food storage, garbage, pet waste or yard waste; bags used by consumers inside retail establishments to package bulk items such as produce, nuts, grains, candy or small hardware items to take to the point of sale or checkout area; bags that wrap frozen foods or meat, fish or poultry; or bags that wrap flowers, potted plants or items with moisture.
- The penalty for non-compliance for the first offense is a written warning and the second offense is an infraction with up to a \$750 fine.

Ms. Turner noted that many retailers have been contacted and they indicated their ability to comply with the ordinance, should it be approved. Smith's Food Stores, Kroger, told us that they are beginning a program to eliminate plastic bags and that Murray would be affected in 2025 anyway.

If the ordinance is approved there would be a delay of several months before going into effect.

**Dave Davis, President of the Utah Retail Merchants Association**

Mr. Davis represents hundreds of retail companies across the state and thousands of retail locations. He stated his agreement on the issue, however, moving to paper bags is not really the answer because of the carbon footprint. What it means to a retailer is a 500% increase in the cost of bags. This, of course, would affect only those stores in Murray City. They must operationally do things different in Murray. Park City and Moab are very closed communities and you must drive a distance to get out from under the restrictions. Murray City is in close proximity to other cities where plastic bags are not banned. Consumers have many options here.

He asked if it will make a difference if Murray City does this alone.

What are some of the solutions? Senator Iwamoto had a solution to have a statewide ban. He suggested the cities reach out to the Utah League of Cities and Towns for statewide support. Much has been done on education, however, there could be a better partnership with retailers. We would like to reach out as retailers to be part of the solution. There are programs with credits when people bring in their own reusable bags. Citizens are usually not willing to pay an additional fee for bags. He noted that the city could pass the ordinance but not have it go into effect unless a certain number of neighboring cities passed a similar ordinance. That would give it some critical mass.

In closing, Mr. Davis said customers using reusable bags would be a positive step - for the environment, the cities, the landfills and the retailers, as well. It is always difficult to effect a major change without imposing a significant hardship on either side.

### **3. CITIZEN COMMENTS – LIMITED TO THREE MINUTES**

Scott Glauser – Murray, Utah      Mr. Glauser said that the Murray Police are the nicest around. He has lived where plastic bags are totally banned and it is awful. If you stop on your way home and don't have your own bags, they go all over the car. Paper bags are not strong enough. The ban is not a good idea. If the machinery gets clogged, he doesn't care. Murray has 50,000 residents so the cost at the landfill is one dollar per person. They take up no space either when waded into a small ball. He is against the ban.

Mark Timothy – Murray, Utah      Mr. Timothy remarked that both positions should be heard equally. He related that to the railroad industry and the Chinese labor. He likes to hear from the businesses, and he noted that we all agree we don't like the nuisance of plastic bags, but he feels someone will come along and invent a machine to take care of plastic bags. If they are eliminated, he is willing to drive a little farther for the convenience.

Bruce Cutler – Murray, Utah      Mr. Cutler said he was in Los Angeles last summer and when shopping had to pay a quarter for a bag. He would like some alternatives. And that bag was just thrown away. One of the largest retailers in the city is Costco and he has never taken a plastic bag from Costco because they provide an alternative, boxes. He proposed an incentive, like the five or ten cent rebates for using his own bag. In South America everyone brings their own bags and it is a pattern of behavior. He likes the discount and agrees with a positive motivation rather than the ban. He stated that plastic bags are a disaster, but we got to this point because they are cheap.

Bill Strong – Murray, Utah      Mr. Strong is opposed to this ordinance, he hates a law that punishes people and prefers the reward system. He noted Park City and Moab and dislikes their politics and what they do. He doesn't live in California because he opposes government that controls everything they do. He doesn't want Utah to become like this. He said he will not support Murray businesses if the council passes this ordinance.

Kat Martinez – Murray, Utah      Ms. Martinez stated that she is a mother of three and works for the health department. She supports this ordinance because they are hard to recycle, they are hard on the machines, they are harmful to animals and fish in water. She walks the parkway and picks up

garbage, most being plastic bags. She is in favor of changing behavior, when it is found that something is harmful, we should change our behavior. She compared it to the food pyramid, which now has new research showing different breakdowns, so we change our behavior. At Costco there are other alternatives, and she believes in choosing better alternatives. Counties across the country are banning plastic bags. She does not want to be Park City or Moab – she wants to be Murray; to set an example for Salt Lake County. It is hard as a community, but she believes we can do hard things and set the standard for the environment.

Jeff Evans - Murray, Utah Mr. Evans told the group how proud he is of Murray City that this conversation is going on. On his own he discontinued use of plastic bags some time before and carries his totes into the store. At Smith's he gets extra fuel points per bag for using them. It could create a reverse shopping trend, where people will come to Murray to shop because they want to feel good about themselves and reduce their carbon footprint. They want to shop in a city that is forward thinking about the environment. It doesn't matter about other communities. Tonight, everyone is watching Murray to see what we do. His own poll on Face Book shows that 63 say "no ban" and 157 say "ban the bag". He is proud to be a Murrayite and thanks the council for this conversation.

Adam Thompson – Murray, Utah Mr. Thompson represents the HOA of Three Fountains, which is a complex of mostly older residents and he represents their interests. He said if people want to reduce the carbon footprint and help the environment, they should not be for a ban of plastic bags. He said the presentations were propaganda and the carbon footprint is actually much higher with alternative use bags. Nothing is meant to degrade in the landfill, it is meant to be a self-contained system. An alternative material will increase oil production, carbon footprint and waste management costs. Single use bags are a by-produce of ethane; the alternative is the carbon footprint bag. What kind of city does Murray want to be – do we want to be a community that reduces free agency and the capability to make free choices. Litter from plastic bags is less than 1% and weight is less than 4%. Weight and costs increase with other choices. It is an emotional issue. To be environmentally friendly, you would not ban plastic bags. Further, this will affect lower income residents.

Bryant Larsen - Murray, Utah Mr. Larsen said anytime a state (Murray City) enforces a fee it is called a tax not a fee. He is also offended at the term single-use because every bag that comes into his house from the grocery store is bagged for recycling; he uses them for dog poop, trash cans, etc. If these are gone, he will need to purchase bags for use in his home. He feels this is a moral issue forced on residents, like global cooling in the 1970s or global warming now. If they cannot be recycled, they can be thrown away with other trash.

Jeff Glauser – Murray, Utah Mr. Glauser is against more government regulation, more taxes, or more fees. He does not think this is a legislative issue and if people wanted to use reusable bags, they would; people do not need to be forced into it by a city council. It is also interesting that the main presenters were all in favor of a ban. If we wanted more regulation, we could move to California or Venezuela. Let the citizens choose – don't make everything government regulation. He does not agree that fees change behavior. No one wants a higher cost of living. He asked if the council had already decided to push this forward.

Mr. Hales said this was the first discussion and it was a new concept for him.

Mr. Nicponski clarified that the presenters were selected based on their involvement in waste disposal and not because they were in favor or against use of plastic bags.

Marie Christman – Murray, Utah Ms. Christman thanked the council for looking at this issue. One thing she likes about Murray is that elected officials are not afraid to consider the hard questions. She appreciates all the information. She lives in Murray because Murray really cares about its citizens. This is a grass roots issue and sometimes you must take a step forward, take the lead and others will come along. She shops at stores that do not offer plastic bags and she feels we need to continue striving forward and that we can figure out the hard issues. She thanked the city for looking at a plastic bag ban.

Mr. Nicponski thanked residents for their participation and comments and stated his appreciation for everyone's involvement.

**4. ADJOURNMENT**

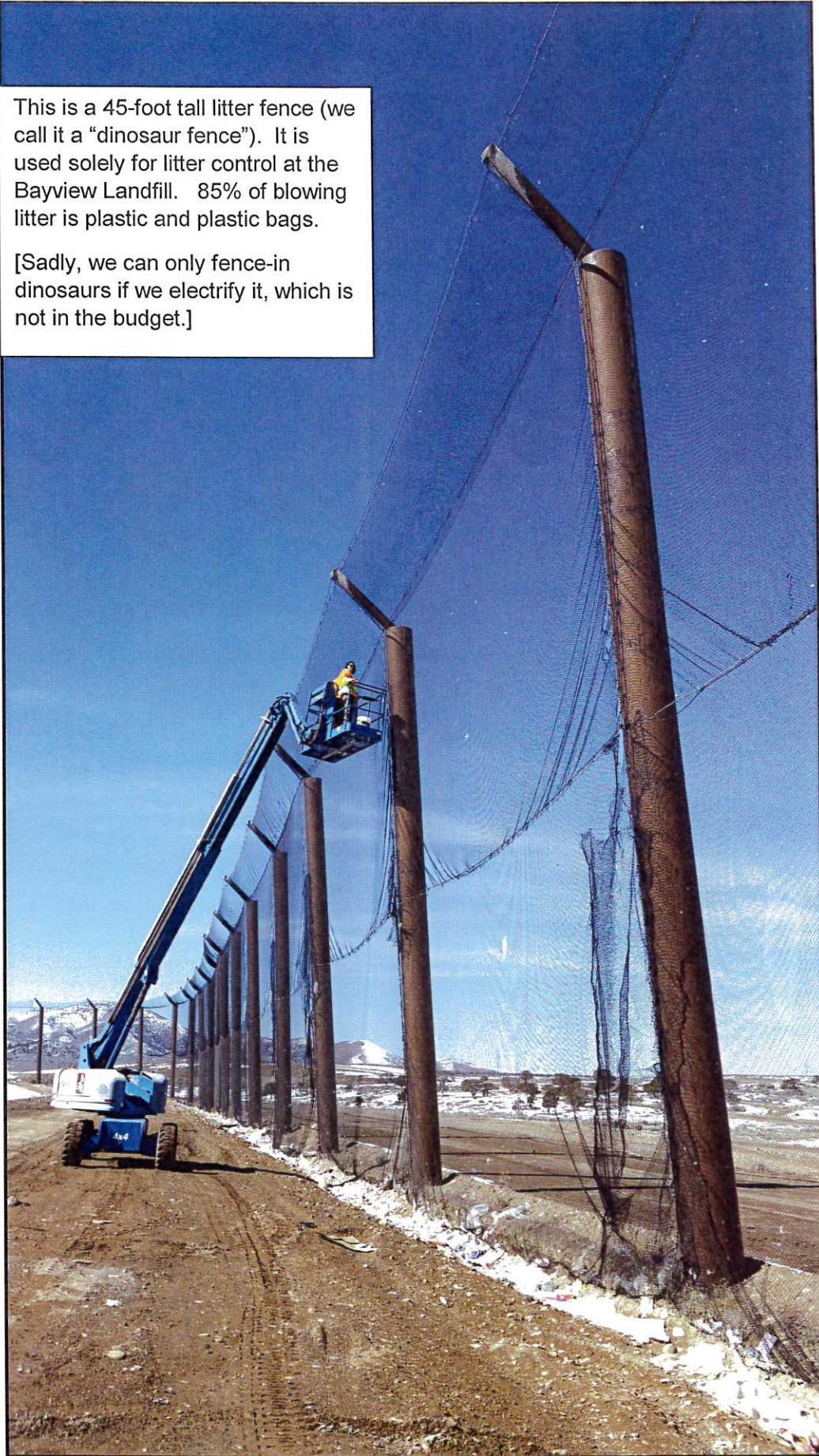
Mr. Nicponski adjourned the meeting at 7:53 p.m.

Janet M. Lopez  
Council Executive Director

# ATTACHMENT # 1

This is a 45-foot tall litter fence (we call it a "dinosaur fence"). It is used solely for litter control at the Bayview Landfill. 85% of blowing litter is plastic and plastic bags.

[Sadly, we can only fence-in dinosaurs if we electrify it, which is not in the budget.]





Our Bayview dinosaur fence in action on a windy day.





The human scale added to show you how large and heavy this fence is. Trans-Jordan Cities (of who Murray is a member) is constructing one of these fences this summer, at a cost estimated at approximately 1.5 million dollars.



Film bags jam up machines at the MRF's. Rocky Mtn. Recycling shuts down several times per day to cut bags out of machinery. This results in high costs to contain this "litter". These costs are part of the fees that cities must pay to process their recycling.



## Costs to Primary Utah Municipal Solid Waste Facilities for Litter Control (Plastic Bags) FY 2018

Facility	County	Direct Costs (Yearly)	Add'l Capital Costs (2-year period)	Notes	Respondent	Response Date
North Pointe Transfer	Utah	\$35,000		\$30k is for seasonal labor. More handled "in house".	Rodger Harper	21-Nov
Bountiful	Davis	\$15,000		\$15k includes "fencing, labor, and equipment time". \$50k for one employee and vehicle to supv. Inmates; \$50k on fencing upgrades	Todd Christensen	21-Nov
Salt Lake Valley	Salt Lake	\$74,000	\$50,000		Yianni Ioannou	20-Nov
Trans-Jordan	Salt Lake	\$55,000	\$1,500,000	\$40k/year, Litter fence: \$450k in FY19, \$1.1MM to continue fence	Mark Hooyer	22-Nov
Wasatch Integrated	Davis	\$33,000	\$150,000	\$33k/year in juve court/seasonal, \$150k for litter fencing.	Preston Lee	27-Nov
Washington County	Washington	\$42,000		Includes inmate pickups.	Neil Schwendiman	27-Nov
SUVSWD Transfer	Utah	\$40,000		Transfer Station only	Terry Ficklin	6-Dec
NUERA/ Bayview	Utah	\$121,000	\$350,000	10% of labor to pickup (71k)+50k /yr for fence maintenance	Terry Ficklin	6-Dec
Logan	Cache	\$20,000		Litter crew pick ups.	Issa Hamud	
	Total	<b>\$435,000</b>	<b>\$2,050,000</b>			
	Avg cost/ea	<b>\$54,375</b>	<b>\$512,500</b>	*Avg between four facilities that have capital expenses in next 2 years.		

## Cost for one of two primary Material's Recovery Facilities (MRF's) to clean out and control plastic bags caught in equipment

Rocky Mountain Recyclir Salt Lake	<b>\$257,802</b>	<b>\$773,406</b>	Operational costs to control plastic bags (litter).	Larry Gibbons	22-Nov
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Note: Litter control fees for both landfills and MRFs are charged back to municipalities as part of facility fees.

Chart researched and prepared by Mark Hooyer, Executive Director, Trans-Jordan Cities

Updated 5-8-19



# ATTACHMENT # 2



# Wasatch Front Waste and Recycling District

How Plastic Bags Effect the  
Collection and the Processing of  
Recycling



**There are two important factors when it comes to recycling and the associated costs.**

**1. Contamination in a recycling container.**

- Any material that is not recyclable, dirty materials even if they are recyclable, garbage, and green waste.
- Plastic bags are considered contamination due to the thin film plastic causing many issues in a single stream collection program.

**2. The recycling commodities markets.**

These are commodity markets where recycling materials are sold by the companies that process recycling.



## The Increasing Costs for Processing Recycling

As of January 1, 2017, China, the biggest buyer of recycling commodities refused to take “dirty” plastics; i.e.: garbage mixed in the commodities, thin film plastics overwhelming the Country.

There was not a means to process the volumes of the commodities being delivered to China.

Plastic bags have always been costly to process. However, when the markets were paying well, vendors could off-set the costs with the revenue being generated.

- The District launched the Bring Your Own Bag (B.Y.O.B.) campaign to help promote reusable grocery bags. Efforts are taken to help reduce contamination and keep costs low.

The recycling commodity markets continue to decline and remain volatile related to the decreased values for the commodities that are being collected globally and sold on the open markets.

- Throughout the U.S., there are some vendors who are charging over \$100.00 per ton for processing.
- Depending on market pricing, municipalities are paying as much as \$67.00 per ton to have recycling processed for their respective residents.
- Nationwide, the recycling processing vendors are needing to increase their price per ton for processing to capture the commodities that still have dollar values and are easier to sell.
- Vendors needed to slow down their sort lines and the processing machines, which drives up costs.

## Local Effects and Efforts to Manage the Increased Costs for Recycling

The District conducted customer surveys to find out the level of support for continued weekly collections.

Included in the survey: The increased cost per home, per month of \$1.00 to continue recycling versus landfilling that materials for \$.75 increased cost per home/month. (\$750,000 increased annual costs for landfilling versus \$980,000 increased annual cost for recycling) Survey results:

- 79.91% support continued recycling services.
- 1.54% do not recycle.
- 70.5% would support a fee increase to maintain recycling services.

The two recycling processing vendors in the Salt Lake Valley, Waste Management (WM) and Rocky Mountain Recycling's (RMR) price per ton for processing increased up to \$67.00 per ton in March and April.

Draper City has released a Request For Proposal for recycling processing due to the increased costs for recycling.

Ogden City “suspended” their recycling efforts for approximately 2 weeks in March while they negotiated with their current vendor on a price that could work for their residents while still keeping the services going.

West Valley City (WVC) is offering an “op-out” of their bi-weekly recycling services. Their residents are given a choice to op-out and reduce their monthly fee by \$2.50 per month.

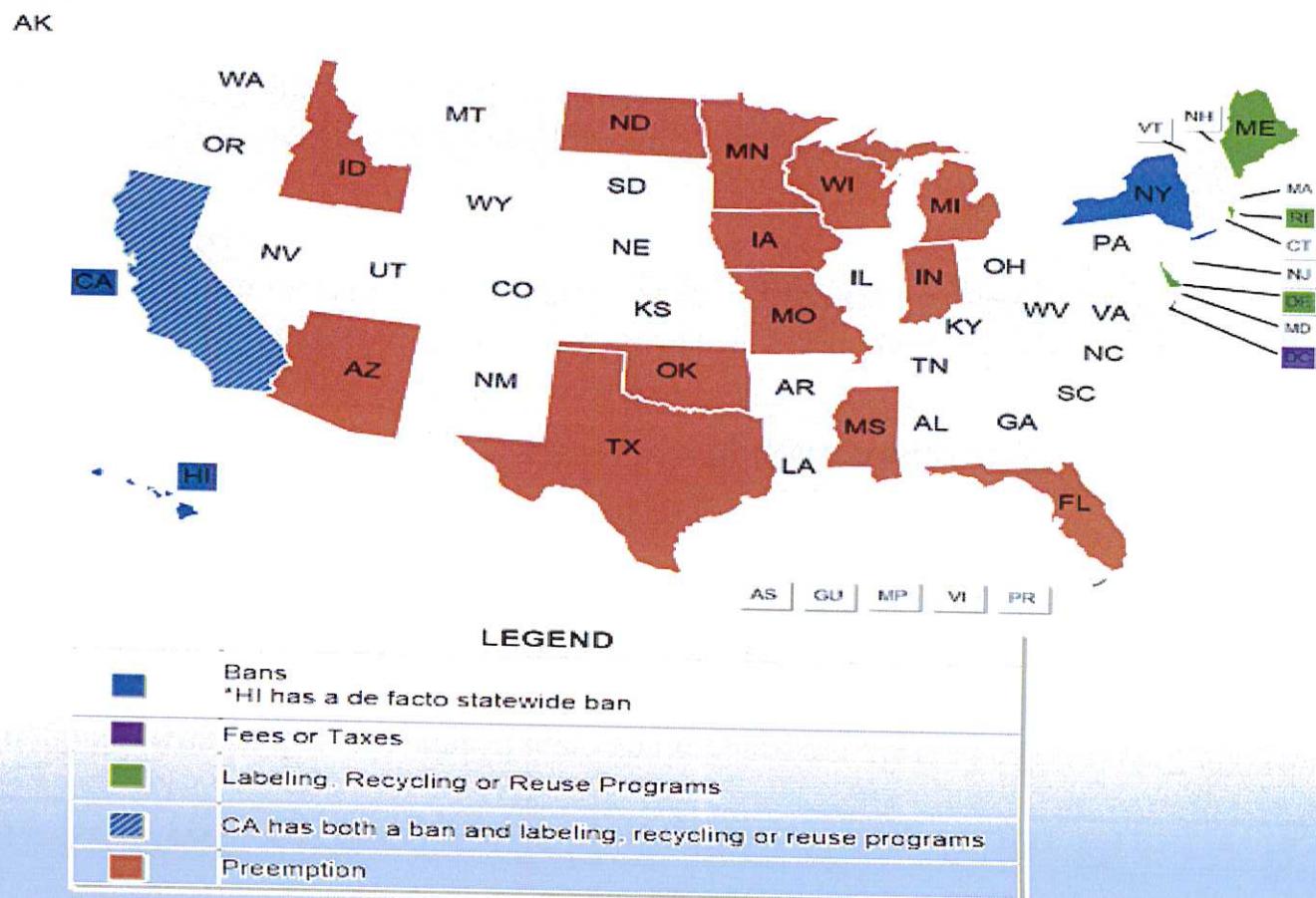
- **WVC has one of the highest contamination rates in the Valley.**
- WVC is a bi-weekly recycling collection.

## Efforts in Utah to Reduce Contamination from Plastic Bags

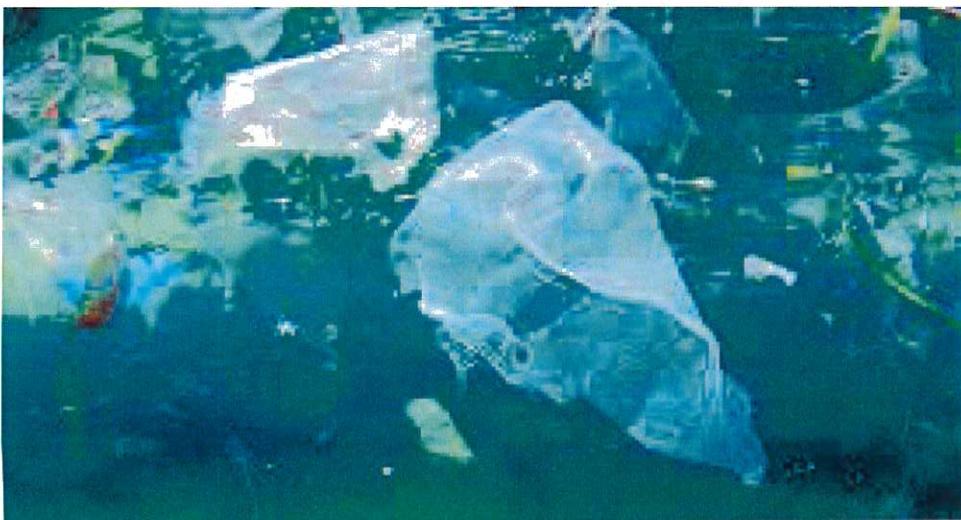
- Kroger's plans, though last August they announced they would phase out plastic bags at their 2,800 stores by 2025. (<https://money.cnn.com/2018/08/23/news/companies/kroger-plastic-bags/index.html>)
- Park City (in 2017) and Moab (2018) have banned retailers from distributing single-use plastic bags, in an effort to reduce litter and promote the use of more durable reusable bags.
  - Park City's ban is on grocery stores exceeding 12,000 sq. ft. within city limits.
  - Moab's ban includes all plastic bags less than 2.25 mils in thickness issued at checkout.
- Spanish Fork Representative, Michael K. McKell introduced H.B. 320 in the 2019 legislative session to prohibit local gov't entities from regulating or imposing fees on containers (plastic bags). **It was not passed. Similar regulation bills failed in 2018 (SB218 & SB192).**
- Park City Council Member Tim Henney commented about the “failed attempt to prohibit Park City’s plastic bag ordinance in the context of local control.” (<https://www.kpcw.org/post/rep-tim-quinn-addresses-park-city-council-legislative-recap#stream/0>)
- Logan City delayed a vote on a plastic bag ordinance on March 19, 2019. Logan Councilman Jess Bradford: “All along I’ve been saying plastic bags are not the issue, we have a plastics problem.” (<https://www.deseretnews.com/article/900061322/logan-city-council-shelves-vote-to-ban-plastic-bags.html>)

# States with Enacted Plastic Bag Legislation

<http://www.ncsl.org/research/environment-and-natural-resources/plastic-bag-legislation.aspx>.



# ATTACHMENT # 3



# Plastic Bags

## Quick Facts:

- Americans throw away 100 billion plastic shopping bags annually<sup>1</sup>
- It takes 12 million barrels of oil to produce that amount of plastic bags<sup>2</sup>
- Utahans throw away 940 million plastic shopping bags annually<sup>3</sup>
- It takes 112,800 barrels of oil to produce that amount of plastic bags<sup>4</sup>  
The natural gas and oil wells in Uinta County are responsible for high levels of Ozone<sup>5</sup>
- The average American family takes home 1,500 plastic bags a year
- Most plastic bags used in the west are produced in Asia- transportation requires more fossil fuels than it is used to make them
- It takes approximately 1,000 years for a plastic bags to “decompose”
- Only 1-3% of plastic bags get recycled worldwide<sup>6</sup>
- Plastic bags are not accepted for curbside recycling<sup>7,8</sup>

## Plastic Bags and Curbside Recycling

Plastic bags are not accepted for curbside recycling and in fact become a problem at Material Recovery Facilities (MRFs). MRFs are designed to separate rigid materials like cans, bottles and paper products. Plastic bags are so thin and flexible that they get caught up and jam the sorting machinery—causing down time. Our local MRF suggests taking plastic bags back to the grocery store.

## Plastic Bags at Landfills

Plastic bags become a nuisance at landfills. Being so lightweight, they are easily blown away. The Salt Lake Valley Landfill has a 20 foot fence surrounding the landfill with the purpose of catching any garbage that may be blown away from the tipping face (the area where garbage is unloaded). The number one item collected from these fences are plastic bags.

## Degradation of Plastics in Landfills

Plastic bags and other plastic materials do not “decompose,” instead they break down into smaller pieces. When exposed to the elements, this degradation occurs slightly faster. At a landfill, no sunlight,

<sup>1</sup> <http://www.worldwatch.org/node/5565>

<sup>2</sup> <http://www.livestrong.com/article/159961-plastic-bag-pollution-facts/>

<sup>3</sup> US Pop x .92% (UT pop % to US pop) = 2,951,600  
(100 billion/ 314 million) (bag per person) x 2,951,600 = 940 million

<sup>4</sup> 12 million/100 billion = .00012 (barrels per bag)  
.00012 x 940 million = 112,800

<sup>5</sup> <https://www.sltrib.com/news/environment/2018/01/04/feds-say-utah-has-another-serious-air-quality-problem-ozone/>

<sup>6</sup> [http://www.westminstercollege.edu/pdf/environmental\\_center/Plastic%20Bag%20Facts%20.pdf](http://www.westminstercollege.edu/pdf/environmental_center/Plastic%20Bag%20Facts%20.pdf)

<sup>7</sup> <http://rockymountainrecycling.com/what-we-recycle/>

<sup>8</sup> <http://www.wm.com/thinkgreen/what-can-i-recycle.jsp>

oxygen or water is reaching the garbage to aid in its degradation. Daily, the Salt Lake Valley Landfill receives three million pounds (1,500 tons) of garbage a day. At the end of each day, the garbage is covered with six inches of dirt. The deeper the garbage is, the harder it is for the elements to reach the garbage, if at all. It takes thousands of years for plastic to completely decompose--we have yet to see that happen.

## Paper Bags

Facts about paper bags and their role in greenhouse gas production. These gases include both methane and CO<sub>2</sub>.

- Americans use 10 billion paper bags a year
- The largest component of a landfill is paper (26%)
- While paper will decompose within weeks in the natural environment, it can take centuries for it to decompose in a landfill.
- The paper grocery bags in landfills that do decompose release methane gas
  - Methane is a greenhouse gas that has to be managed per EPA standards at a landfill
- About 14 million trees are cut down annually for the production of paper bags.
- The production of paper bags generates 70% more air pollutants than plastic bags
- The production of paper bags generates 50 times more water pollutants than plastic bags
- Degradation in landfills produces methane a greenhouse gas with 25 times the heat trapping capacity of carbon dioxide.
- Landfills are the source of **34% of methane releases**—the single largest source in the U.S.<sup>9</sup>
- The pulp and paper industry is the **4th largest emitter** of greenhouse gases among U.S. manufacturing industries.
- The paper industry contributes **9% of total carbon dioxide emissions** from manufacturing.<sup>10</sup>

The gases generated by paper in the two SL County landfills is equal to the carbon generated by driving a passenger car **117,915,098.08 miles**.<sup>11</sup>

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<sup>9</sup> <http://www.greenpressinitiative.org/impacts/climateimpacts.htm>

<sup>10</sup> <http://www.greenpressinitiative.org/impacts/climateimpacts.htm>

<sup>11</sup> The methane generated from our Salt Lake Valley landfill is equivalent to a passenger car being driven 293,252,451 miles. The emissions from the Trans-Jordan landfill is equivalent to 160,267,157 miles driven.

## Retail Bag Impact Reduction Bill

### Landfill Litter Costs – Wasatch Front & Washington County

Facility	County	Direct Costs (Yearly)	Capital Costs (2-3 year period)	Respondent
North Pointe	Utah	\$35,000		Rodger Harper
Bountiful	Davis	\$15,000		Todd Christensen
Salt Lake Valley	Salt Lake	\$74,000	\$50,000	Y. Ioannou/Ashlee Y.
Trans-Jordan	Salt Lake	\$50,000	\$300,000	Mark Hoyer
Wasatch	Davis	\$33,000	\$150,000	Preston Lee
Integrated				
Washington	Washington	\$42,000		Neil Schwendiman
County				
SUVSWD	Utah	\$40,000		Terry Ficklin
NUERA / Bayview	Utah	\$121,000	\$350,000	Terry Ficklin
	<b>Total</b>	<b>\$410,000</b>	<b>\$850,000</b>	
	<b>Avg cost/ea</b>	<b>\$51,250</b>	<b>\$212,500</b>	*Avg between 4 that have capital expenses in next 2-3 years

Trans-Jordan Landfill is in support of this ill. We are looking for other solid waste entities to join the support.

### Recycling Costs – Wasatch Front Region

Rocky Mountain Recycling	Salt Lake	\$257,802	\$773,406	Larry Gibbons
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# ATTACHMENT # 4

# Murray City Council Single-Use Plastic Bag Discussion



Murray City has an obligation to protect the public health, safety and welfare of residents and visitors. The City seeks to promote policies which will preserve and conserve natural resources, and promote a cleaner, healthier environment.

## Disposable Single Use Plastic Bags

- 树木 Pollute the environment
- 树木 Litter our streams, lakes, landscapes and highways
- 树木 Adversely impact wildlife and water quality
- 树木 Clog storm drains
- 树木 Whirl around landfills



## Disposable Single Use Plastic Bags

- Tree Negatively impact recycling equipment
- Tree Are a source of recycling contamination
- Tree Are seldom recycled
- Tree Made of nonrenewable resources – commonly petroleum and natural gas



The Murray City Council is considering an ordinance to prohibit distribution of single use plastic bags.

### Ordinance Details



## Approved Carryout Bags

Nothing in the ordinance precludes a retail store from making reusable bags available for sale to customers or from customers using their own reusable bags.

If a retail establishment provides a checkout bag to customers, it must be:

- Reusable



- Recyclable Paper Bag



- Compostable



## Reusable Bag means:

- At least 3.0 mils with a capacity of 125 or more uses
- Able to carry 22 or more pounds over a distance of 175 feet
- Capable of being washed so as to clean and disinfect multiple times





## Recyclable Paper Bag means:

- 100% recyclable, including the handles
- Contains at least 40% post-consumer recycled content
- Displays the words "Recyclable" and "made from 40% post-consumer recycled content" in a visible manner



## Compostable Plastic Bag means:

- Conforms to the current ASTM D6400 standard
- Certified and labeled as above standard
- Capable of undergoing biological decomposition consistent with known compostable materials





## Single use checkout bag does not include:

- Pharmacists bag for prescription drugs
- Newspaper bags
- Door hanger bags
- Laundry dry cleaning bags
- Bags sold in packages



## Single use checkout bag does not include:

- Packages containing multiple bags intended for food storage, garbage, pet waste or yard waste
- Bags used by consumers inside retail establishments to package bulk items such as produce, nuts, grains, candy or small hardware items to take to the point of sale or checkout area
- Bags that wrap frozen foods or meat, fish or poultry
- Bags that wrap flowers, potted plants or items with moisture



## Penalty for Non Compliance

First Offense:

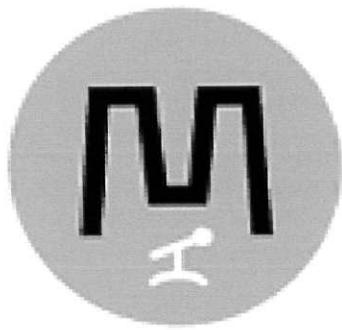
- Written Warning

Second Offense:

- Infraction
- Up to a \$750 fine



## Questions?



**MURRAY**  
CITY COUNCIL

# Discussion Item #1



**MURRAY**

**Council Action Request**

# Public Works Department

## Storm Water Rates

**Committee of the Whole**

Meeting Date: September 3, 2019

<b>Department Director</b> Danny Astill	<b>Purpose of Proposal</b> Review of Storm Water Rates
<b>Phone #</b> 801-270-2404	<b>Action Requested</b> Review and discuss the findings and recommendations contained in the attached report.
<b>Presenters</b> Trae Stokes - City Engineer, Susie Becker - Vice President, Zions Public Finance, Inc.	<b>Attachments</b> Murray Storm Water Rates draft report, proposed ordinance
<b>Required Time for Presentation</b> 30 Minutes	<b>Budget Impact</b> During FY20 budgeting it was recognized that some increases would need to happen to keep the fund from going negative. This report shows the preferred option.
<b>Is This Time Sensitive</b> No	<b>Description of this Item</b> In February of this year the Council approved an update to our storm water master plan. At that time we let the Council know that we would be reviewing our storm water rates based on the priorities of the division and this plan. We now desire to share our findings and recommendations. The attached report outlines the needs and different options that were identified.
<b>Mayor's Approval</b> <b>Doug Hill</b> <b>Date</b> August 20, 2019	<p>Digital signature by Doug Hill DNI: cm-Doug Hill, o-Murray City Corporation, ou-Chef Administrative Officer, email:dhill@murray.utah.gov, c=US Date: 2019.08.21 11:26:12 -06'00'</p> <p>This report includes a brief history of our storm water program and how we are responsible to implement and meet all of the permit elements of the NPDES program related to storm water run off. The program was set up to improve water quality in our local waterways and streams.</p>

**Continued from Page 1:**

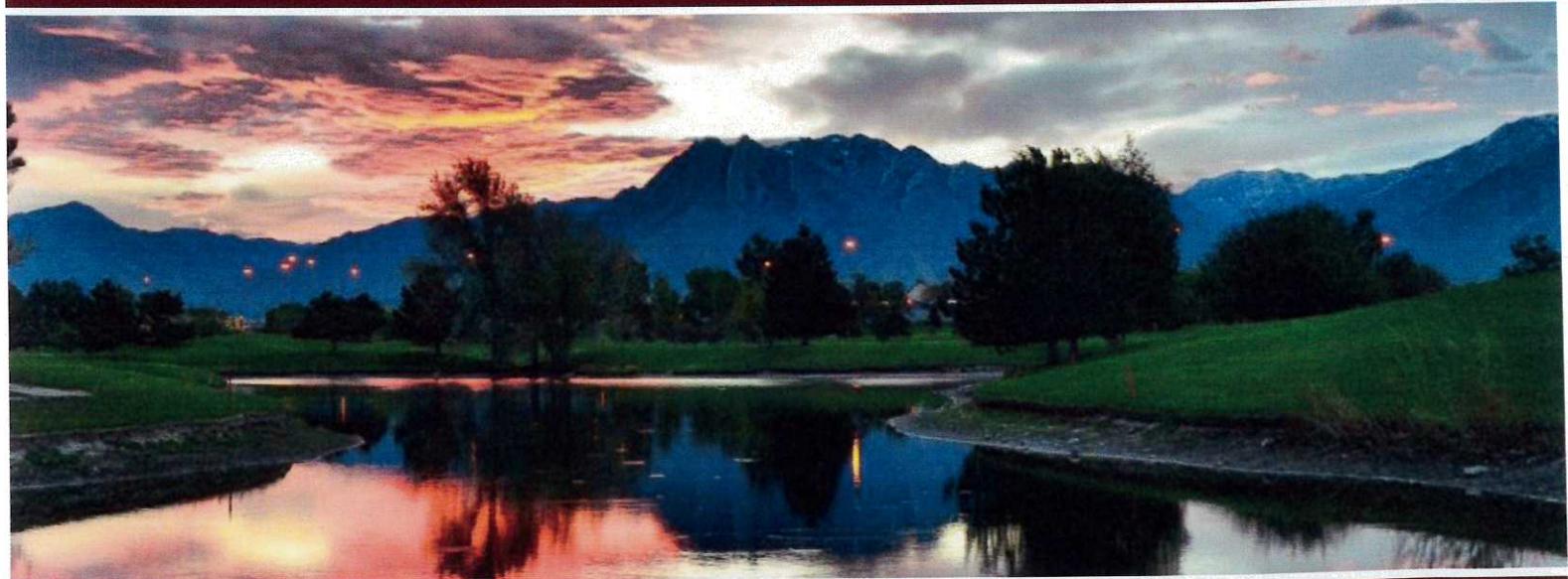
This report also includes the various needs in the Public Works, Storm Water Division related to future projects that have been identified to help resolve flooding issues, and the manpower and equipment needed to meet the required levels for compliance.

The report includes a conservative Equivalent Residential Unit (ERU) growth factor and an inflationary factor for operations, as well as a list of larger projects and equipment purchases in the next five years. This list does not include smaller projects that our crews will take on as necessary.

Finally, the report identifies possible scenarios for funding of multiple options. You will see that there is one option that seems to best meet all of our current and future needs.

We welcome your review of this report, and your comments during this discussion.

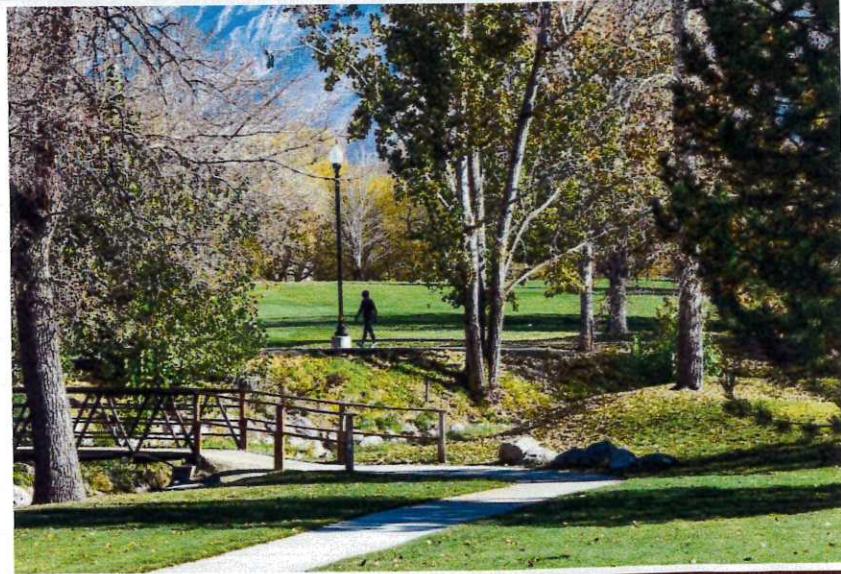
# Murray City



## Murray Storm Water Rates DRAFT



**MURRAY  
CITY** UTAH



Zions Public Finance, Inc.  
August 20, 2019

## Contents

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Contents.....	1
Storm Water Rates.....	2
Background and Approach.....	2
Growth Projections .....	3
Operating Expenses .....	4
Outstanding Debt.....	5
Capital Projects .....	5
Cash Balances.....	6
Rate Structuring .....	6
Proposed Rates .....	6
Impacts on Existing Storm Water Rate Payers.....	8
Benefits from Change in Water Rate Structure .....	8
Debt Coverage Ratios.....	8
Days Cash on Hand.....	8
Appendix A – Storm Water Rate Analysis.....	9

## Storm Water Rates

### Executive Summary

Zions Public Finance, Inc. worked closely with Murray City and Hansen Allen Luce, the City's storm water engineers, to provide a recommended rate schedule that would account for growing operating expenses, capital improvement needs and increasing storm water regulations. The primary objectives of the rate analysis were to ensure sufficient revenues to cover all expenses, maintain existing bond covenants and debt coverage ratios, and to keep at least 180 days cash on hand in the storm water utility fund. The City also desired to minimize impacts on existing ratepayers while also providing desired service levels and funding necessary capital improvements.

A review of projected revenues under the existing rate structure relative to proposed expenses indicated that the City would not have sufficient revenues to fund the needed capital improvements without a rate increase. Many rate and bonding scenarios were evaluated, with emphasis on the following four scenarios. Current rates are \$4.65 per month.

- Option 1 – An increase of \$1.00 per month, followed by increases of \$0.65 per year thereafter and \$1.5 million new debt in 2025
- Option 2 - A one-time increase to \$7.50 per month in 2021 and no new debt
- Option 3 – No rate increases – was not feasible because debt coverage ratios would not cover the \$7.1 million bond required by 2022
- Option 4 – An increase to \$5.00 per month in 2021, followed by increases of \$0.50 per month thereafter and \$3.5 million new debt in 2022

The recommended option is Option 1 which attempts to minimize impacts to ratepayers with gradual increases while, at the same time, minimizing the amount of debt to be issued and delaying the timeframe for issuance of debt.

The recommended rate structure is as follows:

TABLE 1: RECOMMENDED RATE STRUCTURE

	2019	2020	2021	2022	2023	2024	2025
<b>Option 1</b>							
Monthly Rates	\$4.65	\$4.65	\$5.65	\$6.30	\$6.95	\$7.60	\$8.25
Bond							\$1.5M
Days Cash on Hand*	368	529	535	448	352	311	316

\*Days cash on hand is measured at the beginning of each year; without the bond in 2025, days cash on hand would decline to 17 days by year-end of 2025.

A summary of assumptions used in the analysis of each of the options is as follows:

- Operating expenses grow at three percent per year;
- ERUs (equivalent residential units) are projected to grow by about 70 units per year; and
- The City desires to maintain at least 180 days cash on hand.

## Background and Approach

Stormwater utilities are authorized under Utah statute and function as enterprise funds within a City's budget structure. They are defined as being financially self-sufficient and can be designed to furnish a comprehensive set of services related to stormwater quantity and quality management. Services that Murray City's stormwater utility provides not only include the construction and maintenance of facilities necessary to control flooding and improve the character of surface runoff, but also implementation of best management practices (BMPs) designed to address nonpoint source pollution. These BMPs include water quality sampling, public education and plan review, stormwater system maintenance, site inspections and basin planning. All of these program elements are part of the National Pollutant Discharge Elimination System (NPDES) program.

This study addresses the revenues required from stormwater rates to support the construction, operation and maintenance of the City's stormwater system. A key work product in this analysis has been the development of a financial model for future use by City staff. This model – constructed with input from staff – is the tool for quantifying the rates necessary to support the capital, operations and maintenance programs planned by the City. Historical and current budget data figures were obtained from the City and provide the foundation for both the model framework and for developing forecasts. In addition, capital facilities identified in the Master Plan by HAL have been summarized in the model and are fully funded as shown in the rate analysis contained in this report.

Murray City's last rate study was completed in 2011; therefore, the City felt a need to review its storm water rates in order to ensure that it is planning wisely for the future. Murray City has experienced significant development and is a regional retail and commercial destination located in the center of the Salt Lake Valley. It is the home of Fashion Place Mall, Intermountain Medical Center (IMC), numerous car dealerships, hotels, restaurants, the MCDD Redevelopment project west of State Street (between 4800 South and Vine Street) and other commercial and retail space. In order to serve the many demands placed on its storm water system, the City is anticipating significant capital improvements in order to maintain current levels of service, meet storm water regulations and protect its citizens from storm water runoff. Further, inflationary costs are resulting in increased operating expenses. Rates must be designed to keep up with these changes and must be structured to fairly and equitably serve customer needs.

State and federal storm water regulations to improve water quality are increasing operational costs significantly. In fact, the City anticipates the need to add one full-time position by 2021 in order to meet the associated permitting and inspection requirements.

The approach used in this analysis is commonly referred to as a "revenue sufficiency model." All expenses (operating and capital) are first calculated, and then rates are structured to cover annual expenses, maintain sufficient debt service ratios, and to keep at least 180 days cash on hand in the storm water utility fund.

## Growth Projections

Growth in storm water equivalent residential units (ERUs) is based on historical growth in the City and has been projected at a rate of 0.2 percent per year, which equates to approximately 69 ERUs per year. The City currently has 34,469 ERUs.

TABLE 2: PROJECTED STORM WATER ERU GROWTH

Water Growth	ERUs
2019	34,469
2025	34,885

One residential unit is equivalent to one ERU. Non-residential ERUs are determined based on the amount of impervious surface and each nonresidential ERU is calculated based on 3,400 square feet of impervious surface or portion thereof.

### Operating Expenses

Growth in operating expenses is generally projected at an average annual rate of three percent per year. This includes the costs attributable to new development, as well as inflationary expenses. Fleet and administrative expenses are increased by only two percent per year.

TABLE 3: ANNUAL GROWTH IN OPERATING EXPENSES

Operating Expense	AAGR*
Full-time wages	3%
Part-time wages	3%
Overtime	3%
Social Security	3%
Group Insurance Retirement	3%
Retirement	3%
Worker Comp	3%
Admin Fee Wages	3%
Tuition Reimbursement	3%
Service Awards	3%
Dues & Memberships	3%
Public Notices	3%
Travel & Training	3%
Supplies	3%
Fuel	3%
Small Equipment	3%
Miscellaneous	3%
Maintenance	3%
Equipment Maintenance	3%
Vehicle Maintenance	3%
Credit Card Fees	3%
Professional Services	3%
Utilities	3%
Telephone	3%
Cell Phone	3%

Operating Expense	AAGR*
Rents & Leases	3%
Risk Assessment	3%
Fleet Assessment	2%
Admin Fee O&M	2%

\*AAGR = average annual growth rate

These expense projections are shown in detail in Appendix A.

### Outstanding Debt

Outstanding debt that must be covered by the Storm Water Fund include the Series 2013 and Series 2016 Storm Water Bonds. Payments on these two bonds average about \$375,000 per year. Final payments on both the Series 2013 and Series 2016 bonds will be made in 2033.

### Capital Projects

Capital projects anticipated between 2020 and 2025 are shown in the table below.<sup>1</sup>

TABLE 4: STORM WATER CAPITAL PROJECTS, 2020-2025

Project #	Description	Cost*	Year
P1	725 E Repair	\$2,227,000	2025
P2	Walden Meadows Dr	\$628,000	2021
P3	Clover Meadow Dr	\$722,000	2023
P4	Vine Street (Rodeo Ln to Little Cottonwood Creek)	\$500,000	2022
	Replace 1 Ton Truck/Plow	\$55,000	2021
	New Pickup Truck	\$40,000	2021
	Concrete Washout Trailer	\$10,000	2021
P5	Anderson Ave	\$177,000	2023
	Cleaning Truck	\$420,000	2022
	Topcon Lazer System	\$10,000	2022
	New Pickup Truck	\$40,000	2022
P6	Cherry St and Jensen Ln Intersection	\$252,000	2024
	Street Sweeper	\$320,000	2024
	Pickup Truck	\$45,000	2023
	Trailer Mounted Trash Pump	\$35,000	2024
	Pickup Truck	\$45,000	2025
P11	Spring Clover Dr	\$339,000	2024

<sup>1</sup> Projects shown in the table are in \$2019. The spreadsheet analysis adds in the inflationary costs, depending on construction year.

Project #	Description	Cost*	Year
*All costs in this table are shown in \$2019; the spreadsheet analysis uses a construction cost inflator of 3% per year.			

## Cash Balances

The beginning cash balance in the Storm Water Utility Fund as of August 2019 is \$1,298,458.<sup>2</sup> This represents 368 days cash on hand. An absolute minimum level of cash on hand, in order not to negatively impact bond ratings, is 150 days, and 180 days is preferable.

## Rate Structuring

Current monthly rates are \$4.65 per month per ERU.

## Proposed Rates

The consultants met with the City several times to evaluate potential rate structures. Several options are included below, with the preferred option shown as Option #1. General rate objectives considered in this analysis include:

- Ensure sufficient revenues to cover all operating costs and maintain a debt coverage ratio of at least 1.25;
- Maintain at least 180 days cash on hand;
- Maintain existing rate structure that calculates one ERU as one residential unit or, for nonresidential uses, 3400 square feet of impervious surface per ERU;
- Balance minimizing rates with minimizing new debt obligations; and
- Proposed rates should be easy to implement and administer.

### Option #1

The proposed storm water rates are structured to ensure that new capital improvements can be constructed, that storm water regulations are met, that inflationary operating costs can be met and that the storm water utility fund maintains at least 180 days cash on hand.

Under Option #1, rates would be increased beginning in FY2021 by \$1.00 per month and would increase by \$0.65 per month per ERU thereafter through FY2025.

TABLE 5: PROPOSED RATE STRUCTURE

RATE SCHEDULE	2019	2020	2021	2022	2023	2024	2025
Monthly Fee per ERU	\$4.65	\$4.65	\$5.65	\$6.30	\$6.95	\$7.60	\$8.25

With the proposed rate structure, the City would still need to issue a \$1.5 million bond by 2025 mainly to fund the cost of repairs to 725 East. With the issuance of the bond, cash on hand would always stay above 180 days and debt service ratios would always be well above the 1.25 ratio generally required in most bond covenants. Cash on hand and debt service ratios are shown, year-by-year, in Appendix A.

<sup>2</sup> Source: Murray City

### Option #2

Our analyses always include an option that assumes no future debt is issued. If no debt is issued, and the capital improvements schedule and costs remain the same, the City would be reduced to 17 days cash on hand by the end of 2025. In order to keep cash flows positive through the end of 2025 (with at least 180 days cash on hand), rates would need to be increased to \$7.50 in 2021 and then held constant.

### Option #3

The option that would produce the lowest rates would be to issue a larger bond, but more interest costs would be incurred over time. In order to keep rates at current levels (\$4.65 per month), the City would need to issue a \$7.1 million bond by 2022 in order to maintain at least 180 days cash on hand at the end of 2025. However, this is not feasible as debt coverage ratios would go below 1.0. A debt coverage ratio of at least 1.25 is needed.

### Option #4

This option explores the lowest rates that the City can enact, while still issuing new debt to ensure revenue sufficiency. If the City increases rates in 2020 to \$5.00 and by \$0.50 per year thereafter, it would need to issue a bond for \$3.5 million in 2022. Debt service coverage ratios would stay at 1.47 and above under this scenario, thereby ensuring the feasibility of this approach.

### Comparison of Options

TABLE 6: SUMMARY OF RATE STRUCTURE OPTIONS

	2019	2020	2021	2022	2023	2024	2025
<b>Option 1</b>							
Monthly Rates	\$4.65	\$4.65	\$5.65	\$6.30	\$6.95	\$7.60	\$8.25
Bond							\$1.5M
Days Cash on Hand*	368	529	535	448	352	311	316
<b>Option 2</b>							
Monthly Rates	\$4.65	\$4.65	\$7.50	\$7.50	\$7.50	\$7.50	\$7.50
Bond							
Days Cash on Hand*	368	529	535	630	644	647	633**
<b>Option 3 – Not Feasible</b>							
Monthly Rates	\$4.65	\$4.65	\$4.65	\$4.65	\$4.65	\$4.65	\$4.65
Bond					\$7.1M		
Days Cash on Hand*	368	529	535	349	1,787	1,373	964**
<b>Option 4</b>							
Monthly Rates	\$4.65	\$4.65	\$5.00	\$5.50	\$6.00	\$6.50	\$7.00
Bond					\$3.5M		
Days Cash on Hand*	368	529	535	384	1,046	838	672**

2019	2020	2021	2022	2023	2024	2025
*Days cash on hand is calculated based on the beginning of each year						
**Option 2: days cash on hand at year-end declines to 258 days and to 183 days in the year following; Option 3: days cash on hand at year-end declines to 216 days; Option 4: days cash on hand at year-end declines to 196 days						

Based on the above analysis, the consensus was that Option 1 strives to keep rates relatively low, with gradual increases, while also minimizing the need to bond and delaying the timeframe when a bond would be needed. Option 1 is the preferred and recommended option.

### Impacts on Existing Storm Water Rate Payers

This rate structuring was chosen, after extensive discussions with City staff and its consultants, because it has minimal impacts on existing storm water rate payers. A residential unit would initially see an increase of \$1.00 per month, or \$12.00 per year. The City then increases the rate, each year thereafter, by \$0.65 per month, for a total increase of \$7.80 each year.

### Benefits from Change in Water Rate Structure

Benefits from the change in the storm water rate structure are that the City will be able to better meet its capital needs requirements as well as to conform to regulations regarding storm water.

### Debt Coverage Ratios

Debt coverage ratios, with the issuance of the \$1.5 million bond, are shown in Appendix A and never get lower than 1.52. Minimum debt coverage ratios are generally assumed to be 1.25.

### Days Cash on Hand

After 2020, cash on hand never gets lower than 311 days which is well within the 180-day guideline set forth in this report.

## Appendix A – Storm Water Rate Analysis

APPENDIX A	2018	2019	2020	2021	2022	2023	2024	2025
STORM WATER RATE ANALYSIS	0	0	1	2	3	4	5	6
Storm Water Impact Fee								
ERCs	34,400	34,469	34,538	34,607	34,676	34,746	34,815	34,885
Growth Rate	0.2%	0.2%	0.2%	0.2%	0.2%	0.2%	0.2%	0.2%
Growth in ERCs	69	69	69	69	69	69	69	70
Days Cash on Hand (Target 180 days)	-	368	529	535	448	352	311	316
<b>Revenues</b>								
<i>Operational Revenues</i>								
Storm Water Fees	\$1,919,523	\$1,923,370	\$1,927,217	\$2,346,356	\$2,621,523	\$2,897,781	\$3,175,135	\$3,453,585
Write-offs	(\$125)	(\$42,400)	(\$57,817)	(\$70,391)	(\$78,646)	(\$86,933)	(\$95,254)	(\$103,608)
Unbilled Sales	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Miscellaneous	\$5,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Operational Revenues	\$1,924,398	\$1,880,970	\$1,869,400	\$2,275,965	\$2,542,877	\$2,810,848	\$3,079,880	\$3,349,978
<i>Operational Expenses</i>								
Full-time wages	(\$404,159)	(\$450,909)	(\$464,436)	(\$560,369)	(\$577,180)	(\$594,496)	(\$612,331)	(\$630,701)
Part-time wages	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Overtime	(\$20,600)	(\$20,600)	(\$21,218)	(\$21,855)	(\$22,510)	(\$23,185)	(\$23,881)	(\$24,597)
Social Security	(\$31,603)	(\$36,070)	(\$37,152)	(\$38,267)	(\$39,415)	(\$40,597)	(\$41,815)	(\$43,069)
Group Insurance Retirement	(\$92,809)	(\$105,172)	(\$108,327)	(\$111,577)	(\$114,924)	(\$118,372)	(\$121,923)	(\$125,581)
Retirement	(\$94,143)	(\$104,737)	(\$107,879)	(\$111,115)	(\$114,449)	(\$117,882)	(\$121,419)	(\$125,061)
Worker Comp	(\$5,868)	(\$8,785)	(\$9,049)	(\$9,320)	(\$9,600)	(\$9,888)	(\$10,184)	(\$10,490)
Admin Fee Wages	(\$84,630)	(\$123,424)	(\$127,127)	(\$130,941)	(\$134,869)	(\$138,915)	(\$143,082)	(\$147,375)
Tuition Reimbursement	(\$3,000)	(\$5,000)	(\$5,150)	(\$5,305)	(\$5,464)	(\$5,628)	(\$5,796)	(\$5,970)
Service Awards	(\$500)	(\$500)	(\$515)	(\$530)	(\$546)	(\$563)	(\$580)	(\$597)
Dues & Memberships	(\$8,500)	(\$8,500)	(\$8,755)	(\$9,018)	(\$9,288)	(\$9,567)	(\$9,854)	(\$10,149)
Public Notices	(\$5,000)	(\$5,000)	(\$5,150)	(\$5,305)	(\$5,464)	(\$5,628)	(\$5,796)	(\$5,970)
Travel & Training	(\$7,000)	(\$7,000)	(\$7,210)	(\$7,426)	(\$7,649)	(\$7,879)	(\$8,115)	(\$8,358)
Supplies	(\$41,000)	(\$41,000)	(\$42,230)	(\$43,497)	(\$44,802)	(\$46,146)	(\$47,530)	(\$48,956)
Fuel	(\$25,000)	(\$25,000)	(\$25,750)	(\$26,523)	(\$27,318)	(\$28,138)	(\$28,982)	(\$29,851)
Small Equipment	(\$10,000)	(\$10,000)	(\$10,300)	(\$10,609)	(\$10,927)	(\$11,255)	(\$11,593)	(\$11,941)
Miscellaneous	(\$1,000)	(\$1,000)	(\$1,030)	(\$1,061)	(\$1,093)	(\$1,126)	(\$1,159)	(\$1,194)
Maintenance	(\$150,000)	(\$150,000)	(\$154,500)	(\$159,135)	(\$163,909)	(\$168,826)	(\$173,891)	(\$179,108)
Equipment Maintenance	(\$45,000)	(\$45,000)	(\$46,350)	(\$47,741)	(\$49,173)	(\$50,648)	(\$52,167)	(\$53,732)
Vehicle Maintenance	(\$17,000)	(\$17,000)	(\$17,510)	(\$18,035)	(\$18,576)	(\$19,134)	(\$19,708)	(\$20,299)
Credit Card Fees	(\$5,000)	(\$5,000)	(\$5,150)	(\$5,305)	(\$5,464)	(\$5,628)	(\$5,796)	(\$5,970)
Professional Services	(\$94,352)	(\$25,000)	(\$25,750)	(\$26,523)	(\$27,318)	(\$28,138)	(\$28,982)	(\$29,851)
Utilities	(\$1,500)	(\$1,500)	(\$1,545)	(\$1,591)	(\$1,639)	(\$1,688)	(\$1,739)	(\$1,791)
Telephone	(\$500)	(\$500)	(\$515)	(\$530)	(\$546)	(\$563)	(\$580)	(\$597)
Cell Phone	(\$5,000)	(\$5,000)	(\$5,150)	(\$5,305)	(\$5,464)	(\$5,628)	(\$5,796)	(\$5,970)
Rents & Leases	\$0	(\$8,000)	(\$8,240)	(\$8,487)	(\$8,742)	(\$9,004)	(\$9,274)	(\$9,552)
Risk Assessment	(\$55,861)	(\$27,896)	(\$28,733)	(\$29,595)	(\$30,483)	(\$31,397)	(\$32,339)	(\$33,309)
Fleet Assessment	(\$12,515)	(\$14,590)	(\$14,882)	(\$15,179)	(\$15,483)	(\$15,793)	(\$16,109)	(\$16,431)
Admin Fee O&M	(\$28,210)	(\$34,956)	(\$35,655)	(\$36,368)	(\$37,096)	(\$37,837)	(\$38,594)	(\$39,366)
Total Operating Expense	(\$1,249,750)	(\$1,287,139)	(\$1,325,258)	(\$1,446,510)	(\$1,489,390)	(\$1,533,546)	(\$1,579,016)	(\$1,625,839)
<i>Non-Operating Revenues</i>								
Impact Fees	\$6,000	\$10,000	\$12,616	\$12,641	\$12,666	\$12,691	\$12,717	\$12,742

APPENDIX A	2018	2019	2020	2021	2022	2023	2024	2025
Interest Income	\$40,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000
Developer Contribution	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Sale of Capital Assets	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<i>Transfers</i>								
<b>Total Non-Operational Revenues and Expenses</b>	<b>\$46,000</b>	<b>\$30,000</b>	<b>\$32,616</b>	<b>\$32,641</b>	<b>\$32,666</b>	<b>\$32,691</b>	<b>\$32,717</b>	<b>\$32,742</b>
<b>Net Revenues Available for Debt Service</b>			<b>\$576,758</b>	<b>\$862,096</b>	<b>\$1,086,153</b>	<b>\$1,309,994</b>	<b>\$1,533,581</b>	<b>\$1,756,881</b>
<i>Outstanding Debt</i>								
Series 2013 Storm Water Revenue Bonds	(\$179,493)	(\$177,193)	(\$179,893)	(\$182,493)	(\$179,993)	(\$182,180)	(\$179,580)	(\$181,850)
Series 2016 Storm Water Revenue Bonds	(\$194,550)	(\$196,400)	(\$197,000)	(\$192,400)	(\$192,800)	(\$193,000)	(\$193,000)	(\$192,800)
Fiscal Agent Fees	\$0	(\$1,250)	(\$2,500)	(\$2,500)	(\$2,500)	(\$2,500)	(\$2,500)	(\$2,500)
<i>Future Debt</i>								
Bond 1	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Bond 2	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Bond 3	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total Outstanding and Future Debt</b>			<b>(\$379,393)</b>	<b>(\$377,393)</b>	<b>(\$375,293)</b>	<b>(\$377,680)</b>	<b>(\$375,080)</b>	<b>(\$377,150)</b>
<i>Coverage Ratio with Impact Fees (Min = 1.25; Target = 1.5)</i>			1.52	2.28	2.89	3.47	4.09	4.66
<i>Coverage Ratio without Impact Fees (Min = 1.0)</i>			1.49	2.25	2.86	3.43	4.05	4.62
<b>Net Revenues After Debt Service</b>			<b>\$197,366</b>	<b>\$484,703</b>	<b>\$710,861</b>	<b>\$932,314</b>	<b>\$1,158,501</b>	<b>\$1,379,731</b>
<b>Bond Proceeds - Bond 1</b>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,500,000
<b>Bond Proceeds - Bond 2</b>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Bond Proceeds - Bond 3</b>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Bond Proceeds</b>			<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,500,000</b>
	2018	2019	2020	2021	2022	2023	2024	2025
<b>Capital Needs</b>								
P1	725 E Repair	\$0	\$0	\$0	\$0	\$0	\$0	(\$2,659,154)
P2	Walden Meadows Dr	\$0	\$0	\$0	(\$666,245)	\$0	\$0	\$0
P3	Clover Meadow Dr	\$0	\$0	\$0	\$0	(\$812,617)	\$0	\$0
P4	Vine Street (Rodeo Ln to Little Cottonwood Creek)	\$0	\$0	\$0	\$0	(\$546,364)	\$0	\$0
	Replace 1 Ton Truck/Plow	\$0	\$0	\$0	(\$58,350)	\$0	\$0	\$0
	New Pickup Truck	\$0	\$0	\$0	(\$42,436)	\$0	\$0	\$0
	Mini Excavator Trade-In Program	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Concrete Washout Trailer	\$0	\$0	\$0	(\$10,609)	\$0	\$0	\$0
P5	Anderson Ave	\$0	\$0	\$0	\$0	\$0	(\$199,215)	\$0
	Cleaning Truck	\$0	\$0	\$0	\$0	(\$458,945)	\$0	\$0
	Topcon Lazer System	\$0	\$0	\$0	\$0	(\$10,927)	\$0	\$0
	New Pickup Truck	\$0	\$0	\$0	\$0	(\$43,709)	\$0	\$0
	Mini Excavator Trade-In Program	\$0	\$0	\$0	\$0	\$0	\$0	(\$292,137)
P6	Cherry St and Jensen Ln Intersection	\$0	\$0	\$0	\$0	\$0	\$0	(\$370,968)
	Street Sweeper	\$0	\$0	\$0	\$0	\$0	(\$50,648)	\$0
	Pickup Truck	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Mini Excavator Trade-In Program	\$0	\$0	\$0	\$0	\$0	\$0	\$0
P7	6400 South	\$0	\$0	\$0	\$0	\$0	\$0	\$0
P8a	900 E and Woodoak Ln	\$0	\$0	\$0	\$0	\$0	\$0	(\$40,575)
	Trailer Mounted Trash Pump	\$0	\$0	\$0	\$0	\$0	\$0	\$0

APPENDIX A		2018	2019	2020	2021	2022	2023	2024	2025
P8b	Mini Excavator Trade-In Program	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	5600 S and 1080 E	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Street Sweeper	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Pickup Truck	\$0	\$0	\$0	\$0	\$0	\$0	\$0	(\$53,732)
P9	Mini Excavator trade in program	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	5770 S	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
P10a	Riley Ln	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
P10b	5750 S	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Skid Steer	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
P11	Mini Excavator trade in program	\$0	\$0	\$0	\$0	\$0	\$0	(\$392,994)	\$0
P12	Spring Clover Dr	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Vine Street (350 W to Commerce)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
P13	Mini Excavator trade in program	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Woodrow St to Hillcrest Dr	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
P14	Main St from 4500 s to Big Cottonwood Creek	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Street Sweeper	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Mini Excavator trade in program	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
P15	Brown St.	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
P16	Murray Parkway Golf Course	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Mini Excavator trade in program	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Street Sweeper	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Mini Excavator trade in program	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>TOTAL Capital Costs</b>		<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$777,640)</b>	<b>(\$1,059,945)</b>	<b>(\$1,062,480)</b>	<b>(\$1,096,673)</b>	<b>(\$2,712,887)</b>
Beginning Cash Balance		\$1,298,458	\$1,922,289	\$2,119,655	\$1,826,719	\$1,477,634	\$1,347,468	\$1,409,296	\$1,409,296
Ending Cash Balance		\$1,922,289	\$2,119,655	\$1,826,719	\$1,477,634	\$1,347,468	\$1,409,296	\$1,576,140	\$1,576,140
Days Cash on Hand	-	368	529	535	448	352	311	311	316
<b>RATE SCHEDULE</b>		2018	2019	2020	2021	2022	2023	2024	2025
Monthly Fee per ESU		\$4.65	\$4.65	\$4.65	\$5.65	\$6.30	\$6.95	\$7.60	\$8.25

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTION 13.48.050 OF THE MURRAY CITY MUNICIPAL CODE RELATING TO STORMWATER UTILITY FEES

BE IT ORDAINED BY THE MURRAY CITY MUNICIPAL COUNCIL:

*Section 1. Purpose.* The purpose of this Ordinance is to amend Section 13.48.050 of the Murray City Municipal Code relating to stormwater utility fees.

*Section 2. Amendment of Section 13.48.050 of the Murray City Municipal Code.* Section 13.48.050 of the Murray City Municipal Code shall be amended to read as follows:

13.48.050: STORMWATER UTILITY FEE:

...

D. Charge Per ERU: The monthly charge for each ERU shall be in accordance with the following schedule. Monthly rates go into effect as follows on July 1 of each fiscal year:

Fiscal Year	Fee
<u>2018</u> <u>2020</u>	\$4.65
<u>July 1, 2020 to June 30, 2021</u>	<u>\$5.65</u>
<u>July 1, 2021 to June 30, 2022</u>	<u>\$6.30</u>
<u>July 1, 2022 to June 30, 2023</u>	<u>\$6.95</u>
<u>July 1, 2023 to June 30, 2024</u>	<u>\$7.60</u>
<u>July 1, 2024 until amended</u>	<u>\$8.25</u>

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...

*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 \_\_\_\_\_, 2019.

MURRAY CITY MUNICIPAL COUNCIL

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Dave Nicponski, Chair

ATTEST:

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Jennifer Kennedy, City Recorder

Transmitted to the Office of the Mayor of Murray City on this \_\_\_\_\_ day of  
\_\_\_\_\_, 2019.

MAYOR'S ACTION: Approved

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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D. Blair Camp, Mayor

ATTEST:

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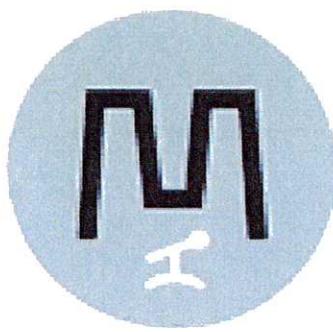
Jennifer Kennedy, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance or a summary hereof was published according to law on the        day of       , 2019.

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Jennifer Kennedy, City Recorder



MURRAY  
CITY COUNCIL

# Discussion Item #2



**MURRAY**

**Council Action Request**

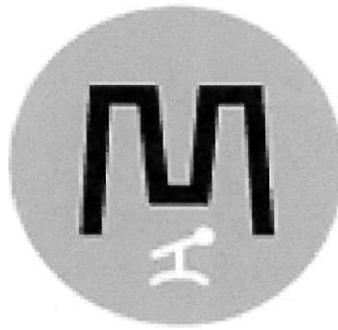
**Murray Power**

**Quarterly Power Report**

**Committee of the Whole**

Meeting Date: September 3, 2019

<b>Department</b> <b>Director</b> Blaine Haacke, General Manager	<b>Purpose of Proposal</b> Quarterly Power Update
<b>Phone #</b> 801-264-2715	<b>Action Requested</b> Informational only.
<b>Presenters</b> Blaine Haacke	<b>Attachments</b> Oral presentation.
<b>Required Time for Presentation</b> 30 Minutes	<b>Budget Impact</b> None
<b>Is This Time Sensitive</b> No	<b>Description of this Item</b>
<b>Mayor's Approval</b>	
<b>Date</b> August 21, 2019	



**MURRAY**  
CITY COUNCIL

# **Discussion Item #3**



**MURRAY**

# Community & Economic Development

Zoning Map Amendment for 284 East 4500 South from G-O, General Office to C-D, Commercial Development

## Council Action Request

Committee of the Whole

Meeting Date: September 3, 2019

<b>Department</b> Director Melinda Greenwood	<b>Purpose of Proposal</b> To amend the zone map for 284 East 4500 South from G-O to C-D.
<b>Phone #</b> 801-270-2428	<b>Action Requested</b> Approve a zone map amendment for 284 East 4500 South.
<b>Presenters</b> Melinda Greenwood	<b>Attachments</b> PowerPoint Presentation
<b>Required Time for Presentation</b> 10 Minutes	<b>Budget Impact</b> None
<b>Is This Time Sensitive</b> No	<b>Description of this Item</b> The applicant, Dana Williams, Hidden Treasures, is requesting an amendment to the Murray City Zoning Map from G-O, General Office to C-D, Commercial Development for the property located at 284 East 4500 South. The applicant proposes to amend the Zoning Map in preparation to apply for a Conditional Use Permit to open a business in that location.
<b>Mayor's Approval</b> Doug Hill	The property is a .35-acre parcel located on 4500 South and west of Atwood Boulevard, and currently hosts a vacant building, though many businesses have previously located there.
<b>Date</b> August 20, 2019	The existing G-O zone allows uses that are related to office buildings, including advertising services, employment services, pharmacies and other professional services.

**Continued from Page 1:**

The proposed C-D Zone allows for a wide range of commercial and retail uses. The applicant has the intention of opening a secondhand / antique retail establishment at this location.

This item was presented at the August 1, 2019 Planning Commission Meeting, where a public hearing was held. The Planning Commission voted unanimously to send a recommendation of approval to the City Council.

**FINDINGS**

The rezoning of the property to C-D is supported by the Future Land Use Map designation of General Commercial and will not have negative impacts to the surrounding properties, infrastructure, or utilities.

The requested rezoning has been carefully considered based on the characteristics of the site and surrounding area and the policies and objectives of the 2017 Murray City General Plan, and have been found to support the goals of the Plan.

The proposed amendment to the Zoning Map from G-O to C-D is a natural expansion of the established Commercial land use designation of the subject property.

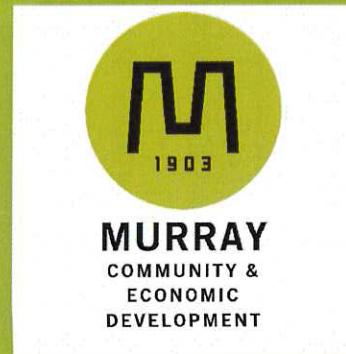
**STAFF RECOMMENDATION**

Based on the background, analysis, findings in the staff report, and the Planning Commission recommendation, Staff recommends the City Council APPROVE the requested amendment to the Zoning Map designation for the property located at 284 East 4500 South from G-O, General Office to C-D, Commercial Development.

# COMMITTEE OF THE WHOLE

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September 3, 2019



# HIDDEN TREASURES

## Zone Map Amendment from G-O to C-D

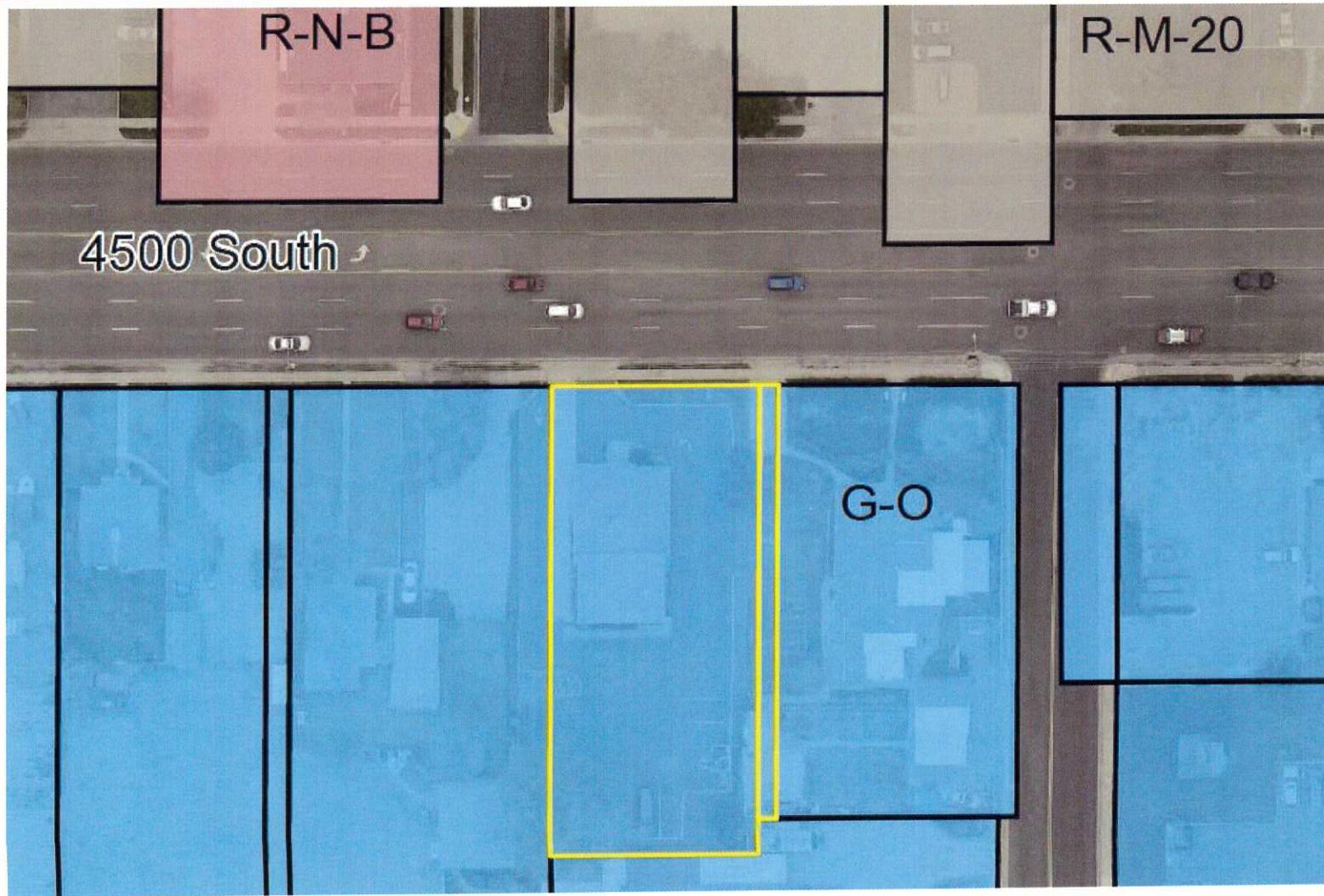
284 East 4500 South

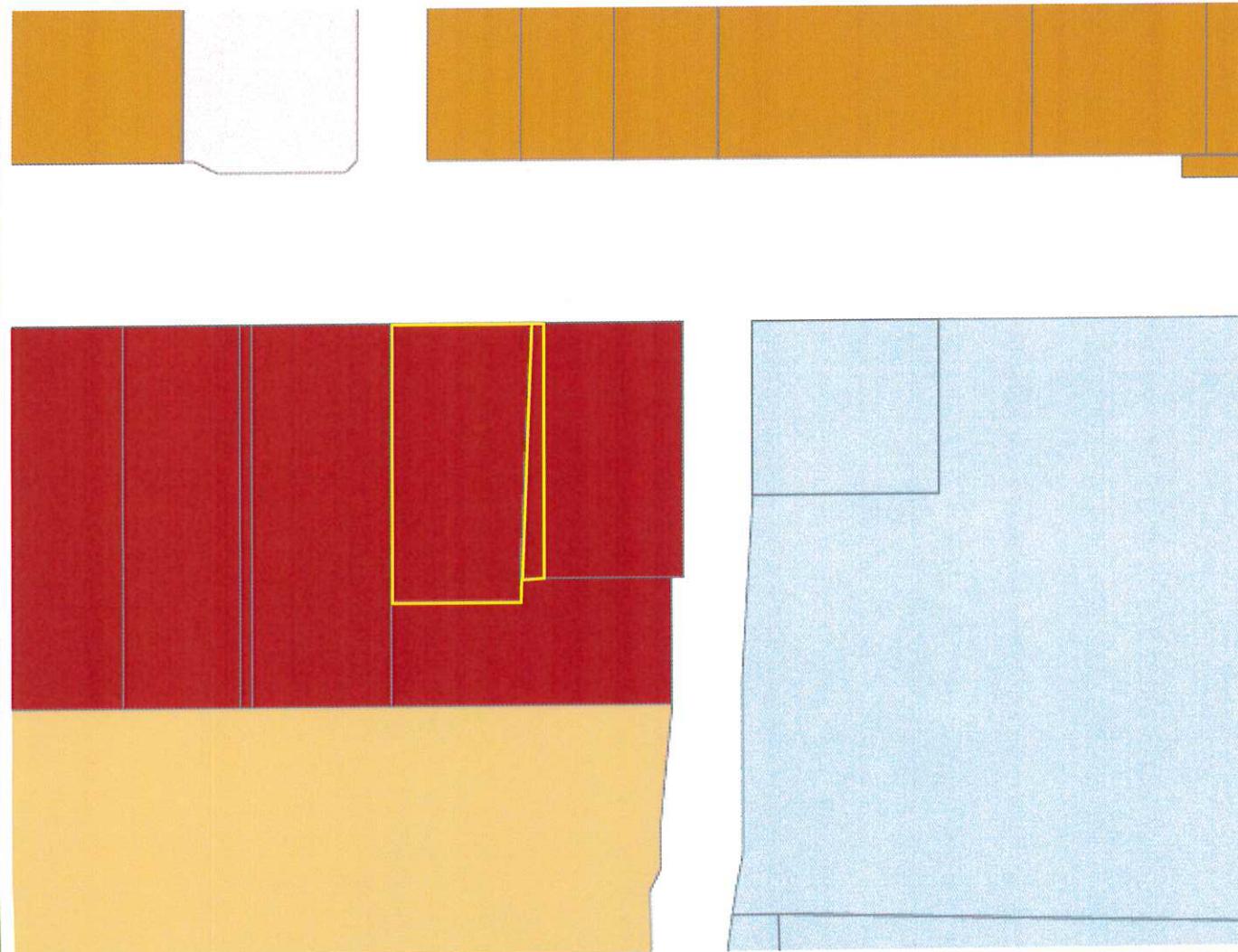




4500 South ↗





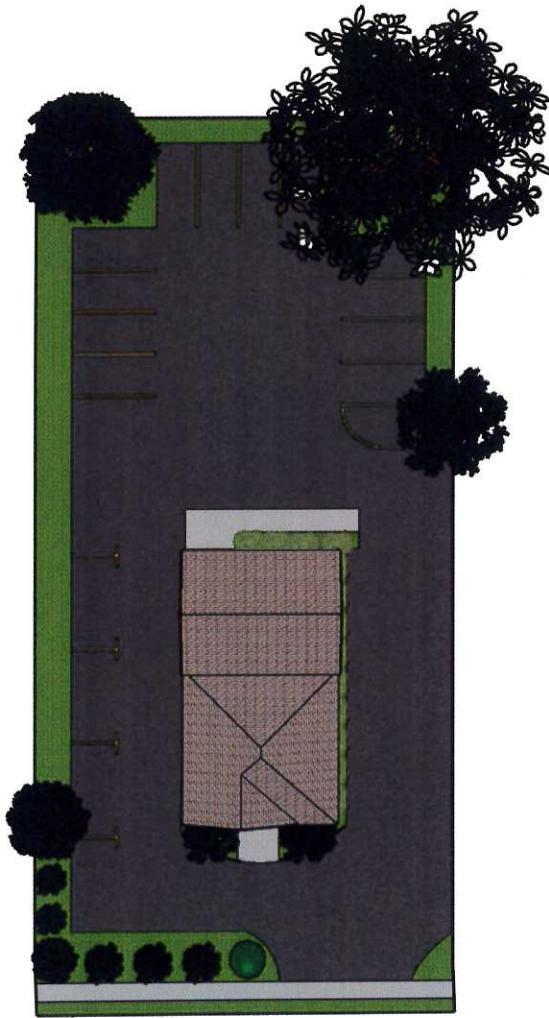


## Future Land Use Categories

- City Center
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Mixed Use
- Neighborhood Commercial
- General Commercial
- Residential Business
- Professional Office
- Office
- Business Park Industrial
- Industrial
- Parks and Open Space

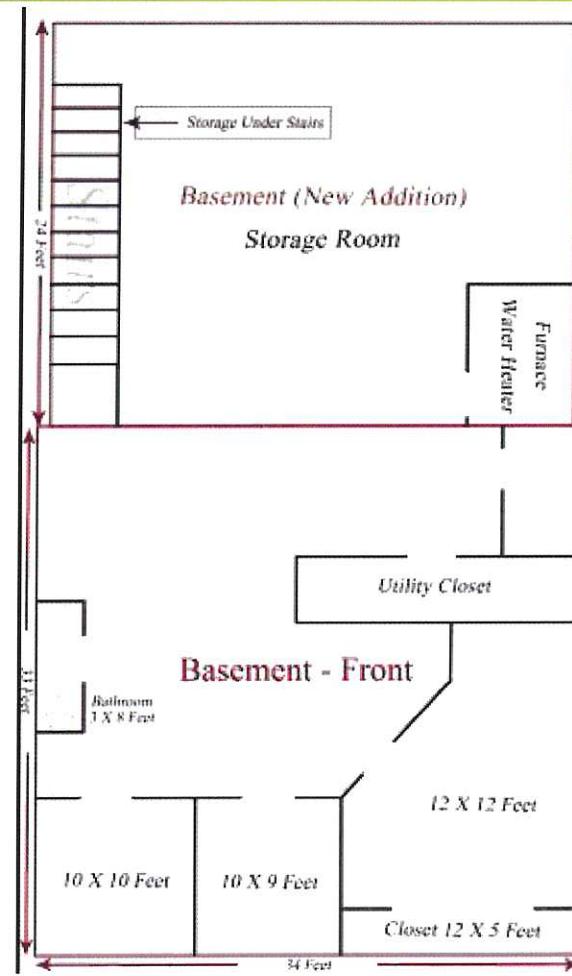
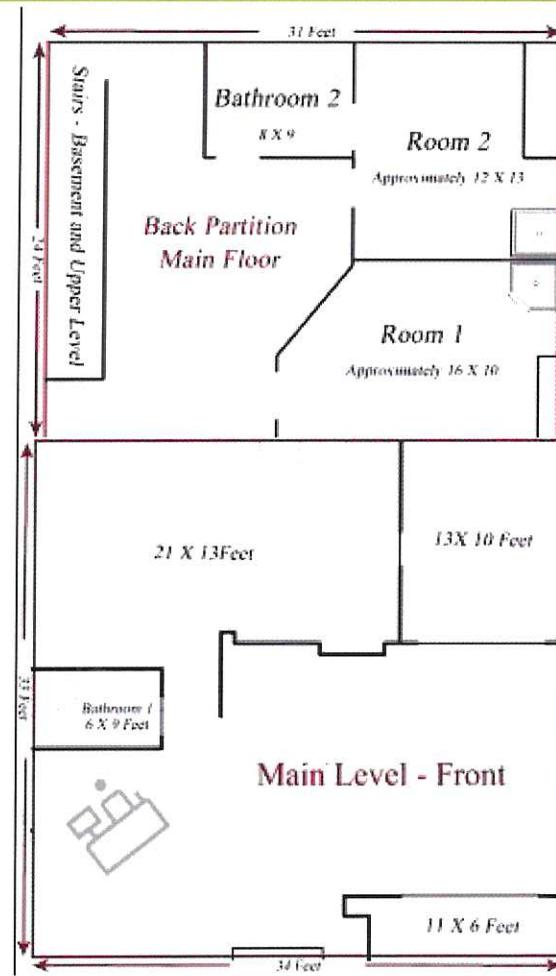
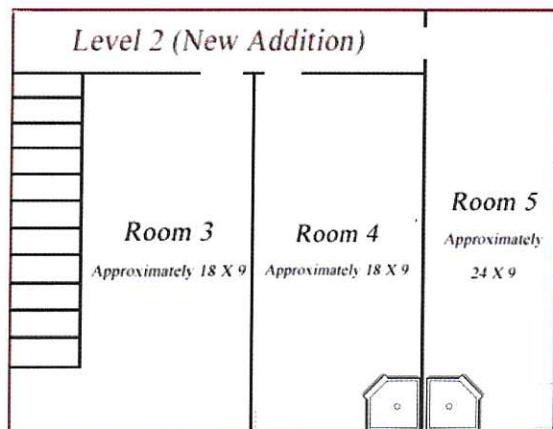
Future Land Use





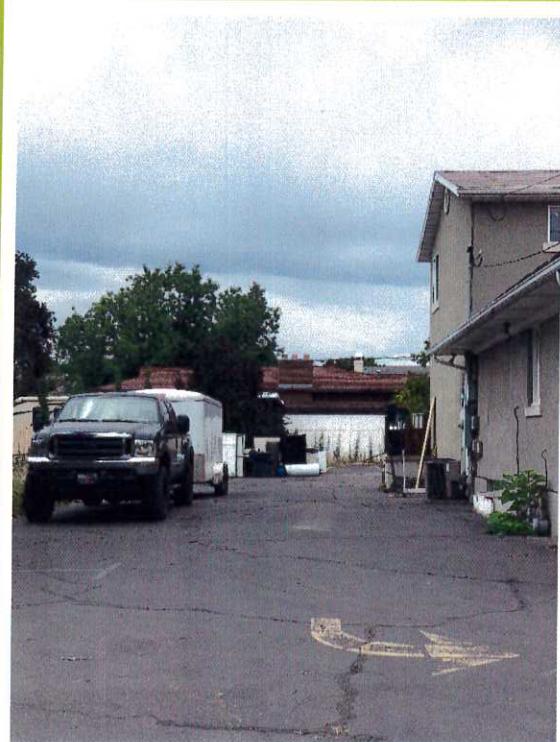
Site Plan





Floorplans





East side of property, facing south



4500 South frontage, facing south east



Front of property, facing south



Rear of property, facing south east



# Findings

1. The rezoning of the property to C-D is supported by the Future Land Use Map designation of General Commercial and will not have negative impacts to the surrounding properties, infrastructure, or utilities.
2. The requested rezoning has been carefully considered based on the characteristics of the site and surrounding area and the policies and objectives of the 2017 Murray City General Plan, and have been found to support the goals of the Plan.
3. The proposed amendment to the Zoning Map from G-O to C-D is a natural expansion of the established Commercial land use designation of the subject property.



# Staff Recommendation

## **Zoning Map Recommendation**

Staff recommends that the City Council APPROVE the requested amendment to the Zoning Map designation for the property located at 284 East 4500 South from G-O, General Office to C-D, Commercial Development.



# Murray City Corporation

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 17<sup>th</sup> day of September, 2019, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will hold and conduct a hearing on and pertaining to amending the Zoning Map from the G-O (General Office) to the C-D (Commercial Development) zoning district for the property located at 284 East 4500 South, Murray, Utah.

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

DATED this 23<sup>rd</sup> day of August, 2019.

MURRAY CITY CORPORATION

  
\_\_\_\_\_  
Jennifer Kennedy  
City Recorder

DATE OF PUBLICATION: September 6, 2019  
PH 19-31



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE RELATING TO LAND USE; AMENDS THE ZONING MAP FOR THE PROPERTY LOCATED AT 284 EAST 4500 SOUTH, MURRAY CITY, UTAH FROM THE G-O (GENERAL OFFICE) ZONING DISTRICT TO THE C-D (COMMERCIAL DEVELOPMENT) ZONING DISTRICT. (Hidden Treasures/Dana Williams)

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

WHEREAS, the owner of the real property located at 284 East 4500 South, Murray, Utah, has requested a proposed amendment to the zoning map to designate the property in a C-D (Commercial Development) zone district; and

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

WHEREAS, it appearing to be in the best interest of the City and the inhabitants thereof that the proposed amendment of the zoning map be approved.

NOW, THEREFORE, BE IT ENACTED:

*Section 1.* That the Zoning Map and the zone district designation be amended for the following described property located at 284 East 4500 South, Murray, Salt Lake County, Utah from G-O (General Office) to C-D (Commercial Development):

*[Legal Description follows on Page 2]*

Parcel 1: [22-06-331-010]

Beginning at a point in the center of 4500 South Street, said point being South 03°12'15" East 265.58 feet (record 4.2 chains South) and North 89°51'51" East (record East) 2164.93 feet from the West 1/4 Corner of Section 6, Township 2 South, Range 1 East, Salt Lake Base & Meridian; thence South 00°09'00" East 213.50 feet; thence South 89°51'00" West 80.65 feet; thence North 00°09'00" West 213.50 feet; thence North 89°51'00" East 80.65 feet to the point of beginning.

Parcel 2: [22-06-331-034]

Beginning at a point in the center of 4500 South Street, said point being South 03°12'15" East 265.58 feet and North 89°51'51" East 2172.10 feet from the West 1/4 corner of Section 6, Township 2 South, Range 1 East, Salt Lake Base and Meridian; thence South 00°43'14" East 213.52 feet (along a line parallel with, and .85 feet West, of an existing fence extended) thence South 89°51'00" West 3.93 feet; thence North 00°09'00" West 213.52 feet; thence North 89°51'00" East 7.17 feet to the point of beginning.

Less and excepting that portion, if any, lying within the property described in deed to George Bilanzich and Doris H. Bilanzich, by deed recorded in Book 4437 at Page 534 of Official Records, described as follows:

Beginning at a point on the westerly side of Atwood Boulevard, said point being South 3°12'15" East 265.58 feet and North 89°52'45" East 825.18 feet to a corner monument at the intersection of 4500 South Street and State Street and North 89°51' East along the 4500 south street monument line 1437.07 feet and South 0°02'45" West parallel with State Street 200 feet and South 89°51' West 6.97 feet from the West Quarter Corner of Section 6, Township 2 South, Range 1 East, Salt Lake Base and Meridian; and running thence South 1°58'45" West along the west side of Atwood Boulevard 90.46 feet; thence South 89°51' West 170.63 feet; thence North 0°02'45" East 76.9 feet; thence North 89°51' East 80.65 feet; thence North 0°02'45" East 13.5 feet; thence North 89°51' East 93.03 feet to the point of beginning.

Tax ID: 22-06-331-010, 22-06-331-034

*Section 2.* This Ordinance shall take effect upon the first publication and filing of copy thereof in the office of the City Recorder.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this 17<sup>th</sup> day of September, 2019.

MURRAY CITY MUNICIPAL COUNCIL

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Dave Nicponski, Chair

ATTEST:

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Jennifer Kennedy, City Recorder

MAYOR'S ACTION: Approved

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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D. Blair Camp, Mayor

ATTEST:

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Jennifer Kennedy, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance was published according to law on the \_\_\_\_\_  
day of \_\_\_\_\_, 2019.

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Jennifer Kennedy, City Recorder

Minutes of the Planning Commission meeting held on Thursday, August 1, 2019, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present:

Sue Wilson, Vice Chair  
Travis Nay  
Scot Woodbury  
Phil Markham  
Maren Patterson  
Zac Smallwood, Associate Planner  
Susan Nixon, Associate Planner  
Briant Farnsworth, Deputy City Attorney  
Citizens

Excused:

Ned Hacker, Chair  
Lisa Milkavich

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.

Sue Wilson opened the meeting and welcomed those present. She reviewed the public meeting rules and procedures.

APPROVAL OF MINUTES

There were no Minutes to approve.

CONFLICT OF INTEREST

There were no conflicts of interest.

APPROVAL OF FINDINGS OF FACT

Mr. Markham made a motion to approve the Findings of Fact for the Ryan Stock Accessory Dwelling Unit. Seconded by Mr. Woodbury.

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

HIDDEN TREASURES – 284 East 4500 South. – Project # 19-096

Dana Williams was the applicant present to represent this request. Zac Smallwood reviewed the location for an amendment to the Murray City Zoning Map for the subject properties from G-O, (General Office) to C-D, (Commercial Development). Mr. Smallwood explained that there are a few medical offices and multi-family housing units in the area and the General Plan calls for those properties to be designated as General Commercial which would also be in harmony with the Commercial Development Zoning. The applicant for the proposed zone change intends to open a Secondhand Antique Store on the property. Some of the past uses have been a residential home, beauty salon, and massage establishment. 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 Zoning Map for the subject properties.

Mr. Markham asked what other uses might be allowed in the Commercial Development Zone. Mr. Smallwood replied that the G-O Zone and the C-D Zone allow many similar uses, but the C-D Zone will allow for a stronger retail component while the G-O would allow only office uses.

Planning Commission Meeting  
August 1, 2019  
Page 2

Dana Williams, 284 East 4500 South, stated she has read the Staff Report and had no additional comments.

The meeting was opened for public comment.

Jim Wickens, 244 East Cottage Glen Lane, stated that most of the lots west of the subject property are very nice residences. Mr. Wickens stated that the subject property is littered with solid waste and hopes that the proposed business will not be approved if they are responsible for the trash on the site. Mr. Wickens stated that he is aware there are some insurance companies, apartments houses, an optical shop, and old homes nearby and does not believe the proposed business is appropriate for this area.

Linda Kessimakis, 4845 South 345 East, stated she has a property owned by a family trust abutting the subject property and her son also owns abutting property. Ms. Kessimakis added that she has issues with the property on the corner (296 East 4500 South) because the properties owners have had junk stored outside and does not want another business in the area that will store a lot of trash outside.

Janet Wall, 296 East 4500 South, stated that she lives in the house on the corner that was previously mentioned. Ms. Wall stated that she has spoken to the applicant who wants to open the business at the proposed location and is aware that there are a lot of items stored on the property, but she said she will keep it clean. Ms. Wall stated that she is in support of the proposal for a zone change.

James Kessimakis, 4520 South Atwood Blvd., asked for clarification about what commercial zoning allows and wondered if the business could operate under the General Office Zoning as a retail shop.

The public comment portion for this agenda item was closed.

Mr. Smallwood addressed the public comments and stated that during a site visit he noticed the items on the property and was concerned as well. Mr. Smallwood added that because this hearing is for a zone change only, that a condition to clean the property can't be added now but a condition for no outside storage can be added when an application comes through for a Conditional Use Permit. The C-D Zone also restricts the use of outside storage. Mr. Smallwood explained that the property located at 284 East 4500 South is zoned General Office and that Staff is aware of the public concerns and will be looking into them. Mr. Smallwood explained that the G-O Zone is strictly office uses and the commercial zone allows for retail uses, which is what the applicant is seeking for her small antique shop.

Ms. Patterson asked if the property was vacant prior to receiving this application. Mr. Smallwood stated that he believes it was vacant and that the applicant is purchasing the property. Mr. Markham added that we are focusing on the potential use of the property, but it is not what can be focused on tonight, we are looking at the re-zoning. The proposed zoning will bring the subject property and the abutting properties in line with the Future Land Use Map. If an application is received for a future business use, many of these concerns will be pre-addressed and there will also be an opportunity for another Public Hearing in which residents can participate again. Mr. Smallwood replied that if this re-zone is approved and the City receives an application for Conditional Use that Staff will review the requirements of the C-D zone for what is allowed to ensure she understands what is expected of her during the Planning Review Meeting.

Ms. Wilson asked if there were a chance that the property might revert to residential rental in the future. Mr. Smallwood replied that he does not believe that would ever be the case because it doesn't make sense since the building and property is completely set up as a commercial store front. Ms. Wilson added that that we are considering re-classifying from one type of commercial use to another.

Dana Williams, applicant, addressed some concerns and stated she is purchasing an empty building and that she has fixed the electrical, plumbing and added some cosmetic upgrades. The business has received donations of broken appliances, which are stored outside and are going to be recycled, which is part of the business plan. The mess that is being commented on by the neighbors is due to us cleaning up. When they first moved in, the weeds were much taller, and vagrants were living in the back yard for past three years. She stated that they immediately installed security cameras to keep the area secure and the weeds will be cleaned up by the time they are in operation. She stated this is just the process in order to get the business ready to operate. They are looking into the possibility of using some sort of storage container to have outside storage. If there any concerns people can stop by, and she will be happy to discuss any concerns.

Mr. Woodbury encouraged all in attendance to place emphasis on the re-zone instead of the intended business use at this time. He stated that even though it has been made aware of the type of business use that is proposed. This re-zone is consistent with the General Plan and the planning commission will have the opportunity to mitigate any issues if a Conditional Use come before them.

Travis Nay made a motion to forward a recommendation of approval to the City Council for the requested amendment to the Zoning Map designation for the property located at 284 East 4500 South from G-O, General Office to C-D, Commercial Development.

Seconded by Ms. Patterson.

Call vote recorded by Mr. Smallwood.

A Travis Nay  
A Maren Patterson  
A Scot Woodbury  
A Phil Markham  
A Sue Wilson

Motion passed 5-0

ORDINANCE TEXT AMENDMENT– Municipal Code Section 17.82 –Small Wireless Facilities  
Ordinance – Project #19-098

Zac Smallwood reviewed the proposed, new ordinance regulating the installation of Small Wireless Facilities (SWFs) in the Murray City for Municipal Code Section 17.82. Mr. Smallwood explained that the Federal Government passed an amendment to set additional guidelines for how Municipalities can regulate SWF's. Murray City has added some changes to our ordinances on order to match what the Federal Government is requiring. Some of the proposed changes to the code are; Aesthetics, Shot Clocks and Fees. Mr. Smallwood explained that aesthetics was not originally addressed in the city's design districts at the time. The design districts in Murray City are MCCD, TOD and the Mixed-Use Zone and the change will indicate what color, shrouding, hardware attachments and conduit should look like. Mr. Smallwood explained that a Shot Clock indicates the turnaround time Staff will have to review



**MURRAY CITY CORPORATION**  
Community &  
Economic Development

Building Division 801-270-240C  
Planning Division 801-270-242C

**TO:** Murray City Planning Commission

**FROM:** Murray City Community & Economic Development Staff

**DATE OF REPORT:** July 25, 2019

**DATE OF HEARING:** August 1, 2019

**PROJECT NAME:** Hidden Treasures

**PROJECT NUMBER:** 19-096

**PROJECT TYPE:** Zone Map Amendment

**APPLICANT:** Dana Williams, Hidden Treasures

**PROPERTY ADDRESS:** 284 East 4500 South

**SIDWELL #:** 22-06-331-010 & 22-06-331-034

**EXISTING ZONE:** G-O, General Office

**PROPOSED ZONE:** C-D, Commercial Development

**PROPERTY SIZE:** .35 acres

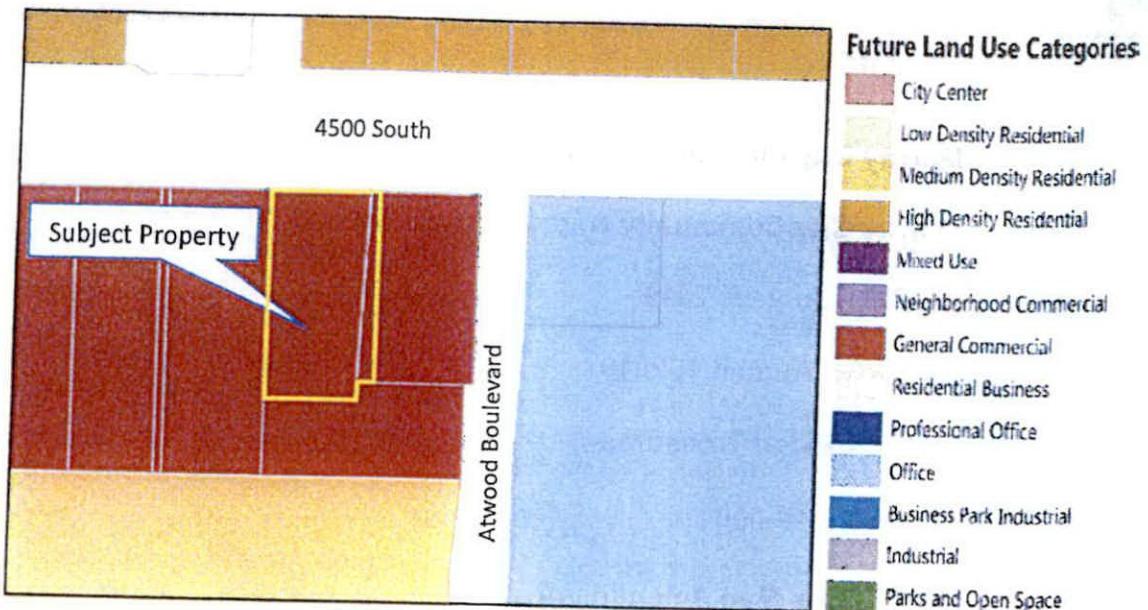
**I. REQUEST:**

The applicants are requesting approval for an amendment to the Murray City Zoning Map for the subject properties from G-O, General Office to C-D, Commercial Development. The applicants propose to amend the Zoning Map in preparation to apply for a Conditional Use Permit to open a business on the subject properties.

**II. BACKGROUND AND REVIEW**

**1. Project Location:**

The subject properties are a .35-acre parcel located on 4500 South and west of Atwood Boulevard. There is a vacant building on the subject properties and multiple businesses have been located here in the past.



Staff finds that the request to amend the Zoning Map is appropriate and in keeping with the Future Land Use Map and General Plan. Additionally, the requested amendment to the C-D Zone is consistent with the pattern of development in the area.

### III. CITY DEPARTMENT REVIEW

A Planning Review Meeting was held on July 15, 2019 to review the application for Zone Map Amendment. All reviewing departments supported the request to amend the Zoning Map to C-D without conditions or concerns.

### IV. PUBLIC INPUT

Notices of the requested rezone were sent to property owners in the vicinity and to affected entities. Community Development Staff has not received any feedback from the approximately sixty (60) notices that were sent.

### V. ANALYSIS & CONCLUSIONS

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

The Future Land Use Map currently identifies the subject property as "General Commercial". This designation supports a rezone to C-D, Commercial Development. Considering the Future Land Use Map designation, Staff finds that there is an appropriate need for the requested change in the zoning of this property to allow the property owner to use the property.

2. *Surrounding Land Uses & Zoning:*

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Multifamily Residential	R-M-20
South	Single Family Residential	G-O
East	Single Family Residential	G-O
West	Single Family Residential	G-O

3. *Analysis:*

Zoning Districts & Allowed Land Uses

- Existing: The existing G-O zone primarily allows uses that are related to office buildings. A few of the uses are: Advertising Services, Employment Services, Pharmacies and Professional Services. This district is intended to include activities normally related to the conduct of office uses. This zone also allows public and quasi-public uses with conditional use permits.
- Proposed: The proposed C-D Zone allows for a wide range of Commercial and Retail uses. The applicant has the intention of opening a second hand/antique retail establishment at this location. Given the size of the properties Staff has determined that it could not become a high traffic use without substantial renovation or reconstruction.

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 designation of properties.

The subject properties are currently designated as "General Commercial". General Commercial is primarily for larger retail destinations such as Fashion Place Mall or big box stores. Mixed-use developments may also be considered if mainly commercial in nature and use. The only corresponding zoning designation included is the C-D zone.

Compatibility

The existing building on the properties has been used as a massage parlor and in the past as a single-family home. The applicant has submitted an application for a Conditional Use Permit to open an Antique/Second Hand retail establishment at this location. This is a separate application from the request to amend the Zoning Map that is being presented at this time. If the Zone Map Amendment is approved, the application for a CUP will be presented.

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

The C-D Zone would allow for a wider range of commercial uses, such as second hand/thrift retail establishments, restaurants, and general retail. 4500 South near State Street already has many of these uses and is zoned C-D. This change would represent a natural expansion of the zone along an arterial corridor.

**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?**

Staff expects no adverse impacts to services as a result of development of the property under the requirements of the C-D Zone. Murray City Public Works has reviewed the application as part of the review and did not see any concerns with the Zone Map Amendment.

## **VI. FINDINGS**

1. The rezoning of the property to C-D is supported by the Future Land Use Map designation of General Commercial and will not have negative impacts to the surrounding properties, infrastructure, or utilities.
2. The requested rezoning has been carefully considered based on the characteristics of the site and surrounding area and the policies and objectives of the 2017 Murray City General Plan, and have been found to support the goals of the Plan.
3. The proposed amendment to the Zoning Map from G-O to C-D is a natural expansion of the established Commercial land use designation of the subject property.

## **VII. STAFF RECOMMENDATION**

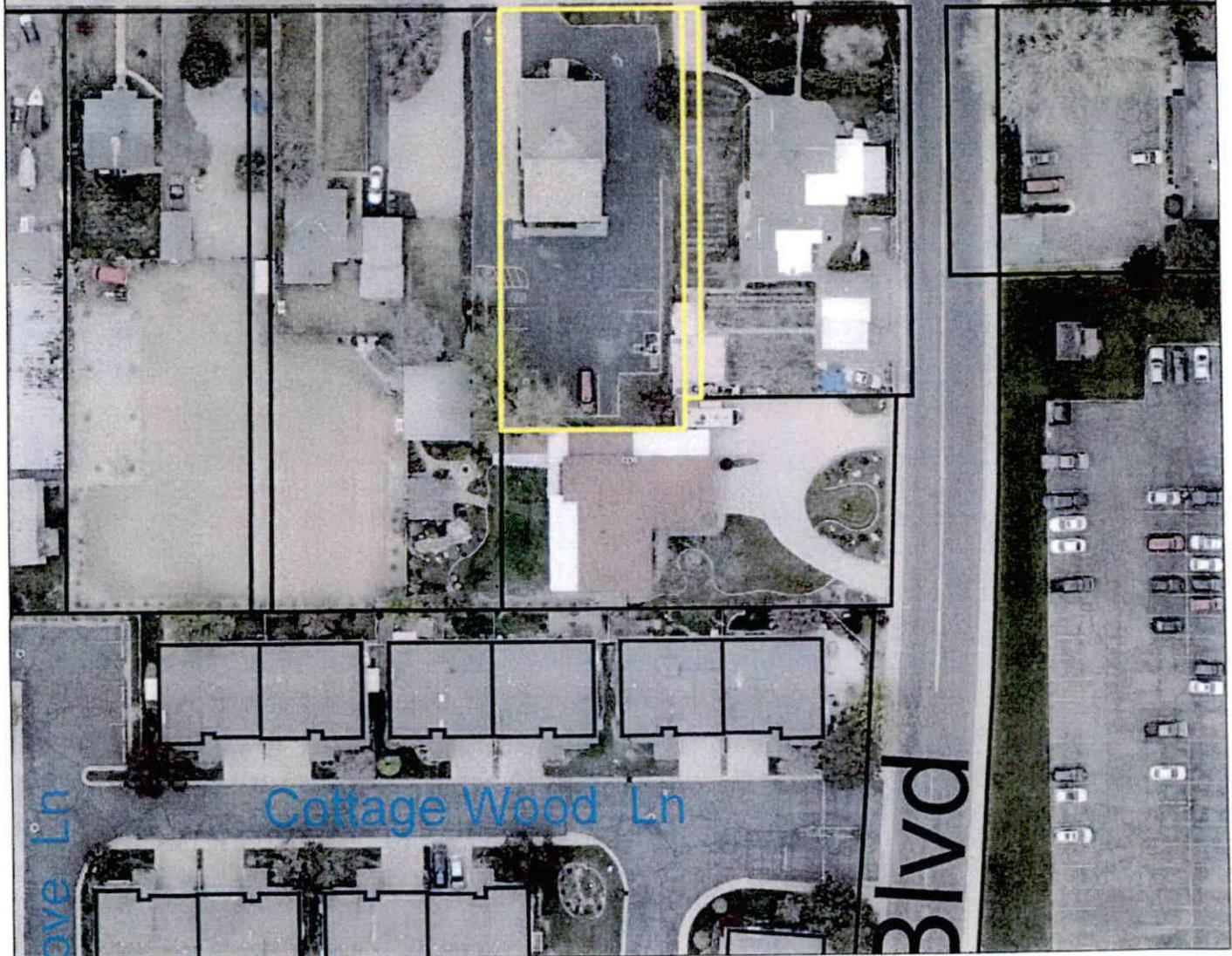
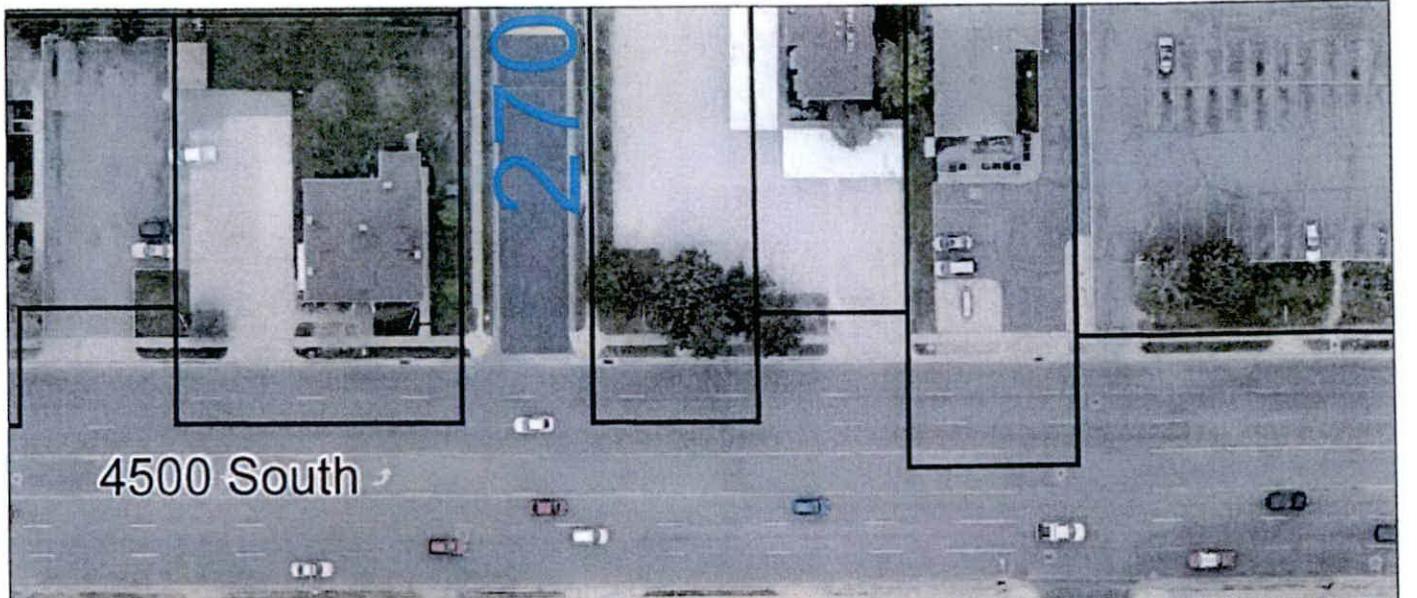
Based on the background, analysis, and the findings in this report, Staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the requested amendment to the Zoning Map designation for the property located at 284 East 4500 South from G-O, General Office to C-D, Commercial Development.

Zachary Smallwood, Associate Planner  
Community & Economic Development  
801-270-2407  
zsmallwood@murray.utah.gov

# **Site Information**



284 East 4500 South





July 18, 2019

### NOTICE OF PUBLIC MEETING

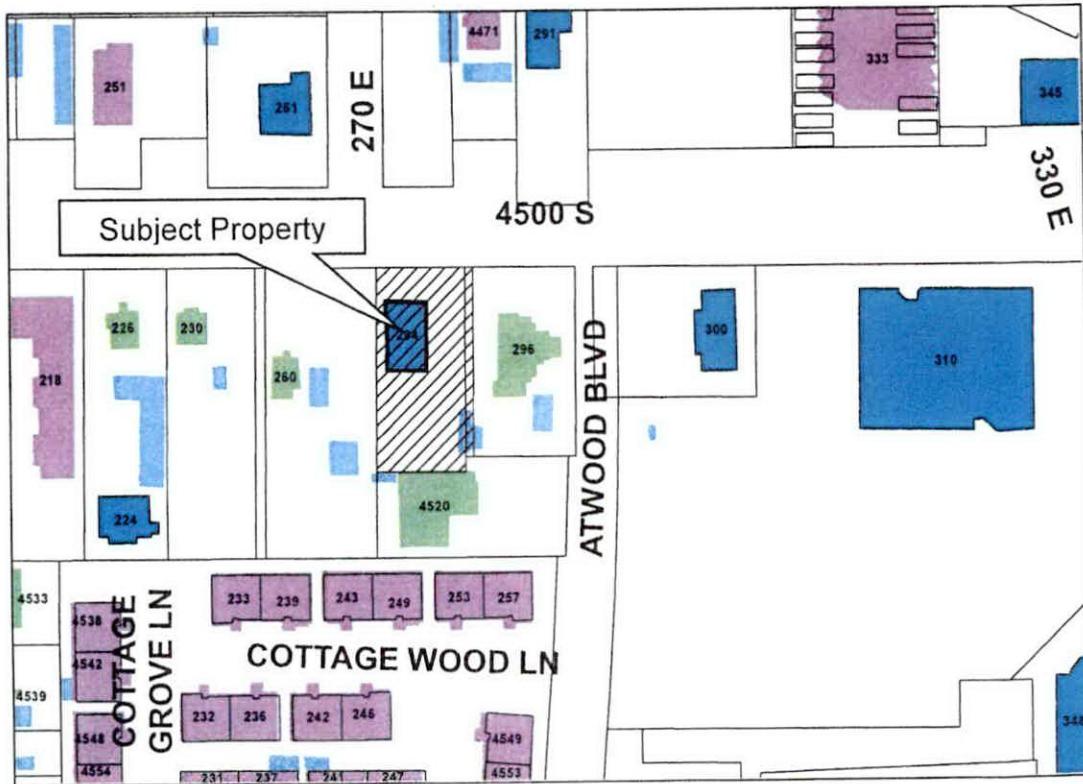
This notice is to inform you of a Planning Commission meeting scheduled for Thursday, August 1, 2019 at 6:30 p.m., in the Murray City Municipal Council Chambers, located at 5025 S. State Street.

Representatives of Hidden Treasures are requesting a Zone Map Amendment from G-O (General Office) to C-D (Commercial Development) for the property located at 284 East 4500 South. Please see the attached map segments.

This notice is being sent to you because you own property within the near vicinity. If you have questions or comments concerning this proposal, please call Zachary Smallwood with the Murray City Community Development Division at 801-270-2420, or e-mail to [zsmallwood@murray.utah.gov](mailto:zsmallwood@murray.utah.gov).

Special accommodations for the hearing or visually impaired will be upon a request to the office of the Murray City Recorder (801-264-2660). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.

#### 284 East 4500 South



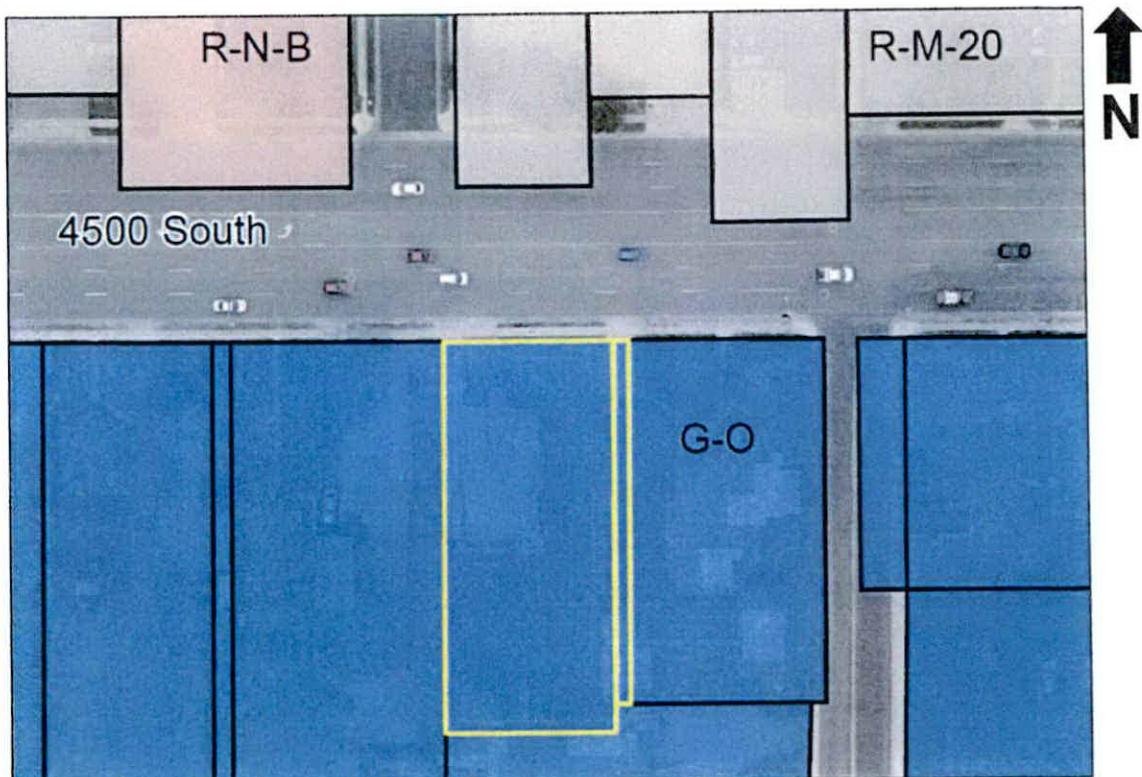


Figure 1: Zoning Map Segment

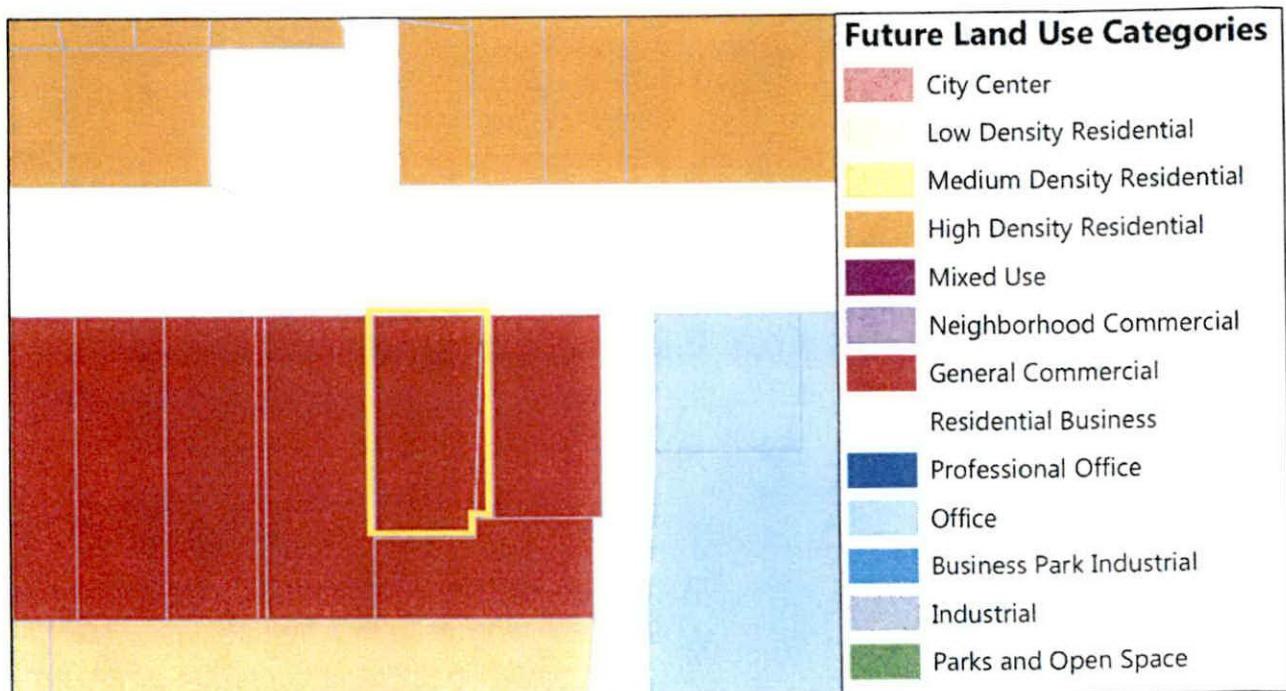


Figure 2: General Plan Segment

MURRAY CITY CORPORATION  
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 1<sup>st</sup> day of August, 2019, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Planning Commission will hold and conduct a Public Hearing for the purpose of receiving public comment on and pertaining to a Zone Map Amendment from G-O (General Office) to C-D (Commercial Development) for the property located at approximately: 284 East 4500 South, Murray City, Salt Lake County, State of Utah.

Jared Hall, Supervisor  
Community & Economic Development

4770 S. 5600 W.  
WEST VALLEY CITY, UTAH 84118  
FED.TAX I.D.# 87-0217663  
801-204-6910

Deseret News

Utah  
Media  
Group

The Salt Lake Tribune

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**CUSTOMER NAME AND ADDRESS**

MURRAY CITY RECORDER,

5025 S STATE, ROOM 113

MURRAY, UT 84107

**ACCOUNT NUMBER**

9001341938

**DATE**

7/22/2019

**ACCOUNT NAME**

MURRAY CITY RECORDER,

**TELEPHONE**

8012642660

**ORDER # / INVOICE NUMBER**

0001261373 /

**PUBLICATION SCHEDULE**

START 07/21/2019      END 07/21/2019

**CUSTOMER REFERENCE NUMBER**

Legal Ad - Hidden Treasures

**CAPTION**

MURRAY CITY CORPORATION NOTICE OF PUBLIC HEARING NOTICE IS HEREBY G

**SIZE**

32 LINES      1 COLUMN(S)

**TIMES**

**TOTAL COST**

3      58.76

MURRAY CITY  
CORPORATION  
NOTICE OF  
PUBLIC HEARING

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Jared Hall, Supervisor  
Community & Economic Development  
1261373      UPA1LP

Hidden Treasures  
Project #1996  
**FILE COPY**

**AFFIDAVIT OF PUBLICATION**

AS NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF MURRAY CITY CORPORATION NOTICE OF PUBLIC HEARING NOTICE IS HEREBY GIVEN that on the 1st day of August, 2019, at the hour of 6:30 p.m. of said day in the Council FOR MURRAY CITY RECORDER, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP, AGENT FOR DESERET NEWS AND THE SALT LAKE TRIBUNE, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINITELY. COMPLIES WITH UTAH DIGITAL SIGNATURE ACT UTAH CODE 46-2-101; 46-3-104.

PUBLISHED ON Start 07/21/2019      End 07/21/2019

DATE 7/22/2019

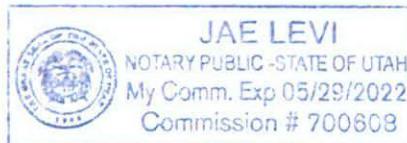
SIGNATURE 

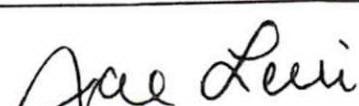
STATE OF UTAH )

COUNTY OF SALT LAKE )

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 21ST DAY OF JULY IN THE YEAR 2019

BY LORRAINE GUDMUNDSON



  
NOTARY PUBLIC SIGNATURE

# **Application Materials**

# ZONING AMENDMENT APPLICATION

Type of Application (check all that apply):

Project # 19-096

Zoning Map Amendment  
 Text Amendment  
 Complies with General Plan  
 Yes       No

Subject Property Address: 284E. 4500S. Murray UT 84107

Parcel Identification (Sidwell) Number: 2206331010

Parcel Area: .33 Current Use: Beauty Clinic

Existing Zone: GO Proposed Zone: CD

Applicant Name: Dana Williams

Mailing Address: 502 E. Mount View Cir

City, State, ZIP: Sandy, UT 84070

Daytime Phone #: 801-687-2332 Fax #: \_\_\_\_\_

Email address: danawgc@gmail.com

Business or Project Name: Hidden Treasures

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):

I am purchasing the building in order to open a retail store. I will be selling second hand items and local Utah items.

Authorized Signature: Dana Williams Date: 05-08-2019

## J+D Williams Enterprises LLC

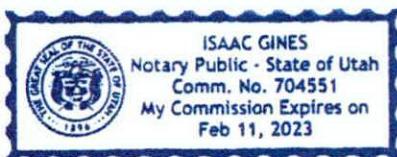
## Property Owners Affidavit

I (we) Dana L. Williams & Jacob D. Williams, 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.

Dana Williams Jacob Williams  
Owner's Signature Owner's Signature (co-owner if any)

State of Utah  
§  
County of Salt Lake

Subscribed and sworn to before me this 15 day of May, 20 19.



Isaac Gines  
Notary Public  
Residing in Salt Lake County  
My commission expires: 2/11/2023

## Agent Authorization

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

Owner's Signature \_\_\_\_\_ Owner's Signature (co-owner if any) \_\_\_\_\_

State of Utah  
§  
County of Salt Lake

On the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, personally appeared before me \_\_\_\_\_ the signer(s) of the above *Agent Authorization* who duly acknowledge to me that they executed the same.

Notary public  
Residing in \_\_\_\_\_  
My commission expires: \_\_\_\_\_

## Exhibit "A"

Parcel 1: [22-06-331-010]

Beginning at a point in the center of 4500 South Street, said point being South  $03^{\circ}12'15''$  East 265.58 feet (record 4.2 chains South) and North  $89^{\circ}51'51''$  East (record East) 2164.93 feet from the West 1/4 Corner of Section 6, Township 2 South, Range 1 East, Salt Lake Base & Meridian; thence South  $00^{\circ}09'00''$  East 213.50 feet; thence South  $89^{\circ}51'00''$  West 80.65 feet; thence North  $00^{\circ}09'00''$  West 213.50 feet; thence North  $89^{\circ}51'00''$  East 80.65 feet to the point of beginning.

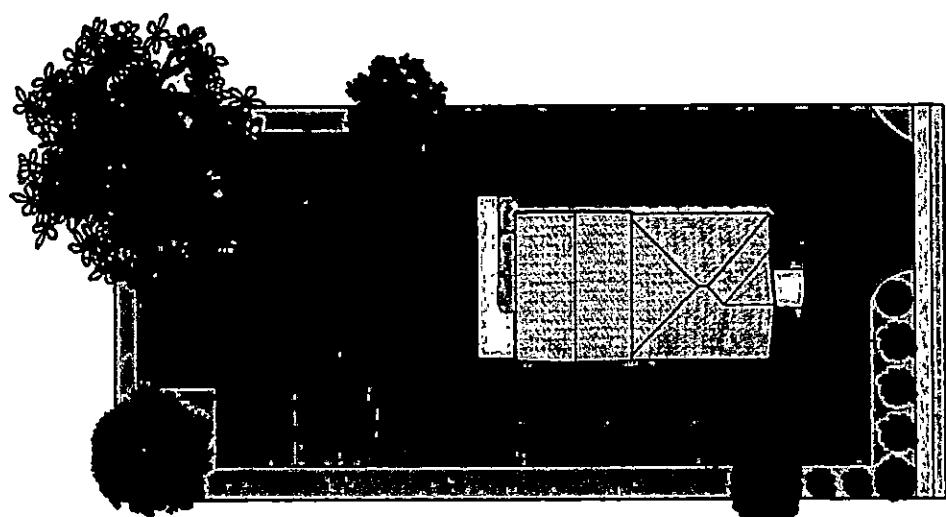
Parcel 2: [22-06-331-034]

Beginning at a point in the center of 4500 South Street, said point being South  $03^{\circ}12'15''$  East 265.58 feet and North  $89^{\circ}51'51''$  East 2172.10 feet from the West 1/4 corner of Section 6, Township 2 South, Range 1 East, Salt Lake Base and Meridian; thence South  $00^{\circ}43'14''$  East 213.52 feet (along a line parallel with, and .85 feet West, of an existing fence extended) thence South  $89^{\circ}51'00''$  West 3.93 feet; thence North  $00^{\circ}09'00''$  West 213.52 feet; thence North  $89^{\circ}51'00''$  East 7.17 feet to the point of beginning.

Less and excepting that portion, if any, lying within the property described in deed to George Bilanzich and Doris H. Bilanzich, by deed recorded in Book 4437 at Page 534 of Official Records, described as follows:

Beginning at a point on the westerly side of Atwood Boulevard, said point being South  $3^{\circ}12'15''$  East 265.58 feet and North  $89^{\circ}52'45''$  East 825.18 feet to a corner monument at the intersection of 4500 South Street and State Street and North  $89^{\circ}51'$  East along the 4500 south street monument line 1437.07 feet and South  $0^{\circ}02'45''$  West parallel with State Street 200 feet and South  $89^{\circ}51'$  West 6.97 feet from the West Quarter Corner of Section 6, Township 2 South, Range 1 East, Salt Lake Base and Meridian; and running thence South  $1^{\circ}58'45''$  West along the west side of Atwood Boulevard 90.46 feet; thence South  $89^{\circ}51'$  West 170.63 feet; thence North  $0^{\circ}02'45''$  East 76.9 feet; thence North  $89^{\circ}51'$  East 80.65 feet; thence North  $0^{\circ}02'45''$  East 13.5 feet; thence North  $89^{\circ}51'$  East 93.03 feet to the point of beginning.

Tax ID: 22-06-331-010, 22-06-331-034



HIDDEN TREASURES  
P/C 8/1/19  
Project #19-096  
300' radius w affected entities

RBM 45Th Tower, LLC  
423 W Broadway St  
Salt Lake City UT 84101

DANA WILLIAMS  
284 E 4500 S  
Murray UT 84107

RFP Properties, LLC  
300 E 4500 S  
Murray UT 84107

Brian Thull  
231 E Cottage Glen Ln  
Murray UT 84107

Donald H Taylor; Colleen Taylor (Jt)  
461 W Murray Blvd  
Murray UT 84123

FT Properties & Trades LLC  
9567 S Glass Slipper Rd  
Sandy UT 84092

Cottage Cove Condo Common Area  
Master Card  
4552 S Cottage Creek Ln  
Murray UT 84107

HI & ERO Tr  
237 E Cottage Glen Ln  
Murray UT 84107

GK & LK TrustL  
4648 S 345 E  
Murray UT 84107

Gary D Jackson; Mekett Jackson (Jt)  
4549 S Cottage Creek Ln  
Murray UT 84107

Jenean Goodsell  
241 E Cottage Glen Ln  
Murray UT 84107

H W Tr  
236 E Cottage Wood Ln  
Murray UT 84107

J J Bakd Partnership  
1370 W Northtemple St  
Salt Lake City UT 84116

Jon B Monson; Janet Wall (Jt)  
296 E 4500 S  
Murray UT 84107

Karen Thorsen Family Trust  
03/02/2018  
2425 E Walker Ln  
Holladay UT 84117

Joanne Reinertson  
246 E Cottage Wood Ln  
Murray UT 84107

LC Consolidated Properties  
7186 S Highland Dr  
Cottonwood Hts UT 84121

LC J-J Bakd  
1370 W Northtemple St  
Salt Lake City UT 84116

Kessimakis Properties LLC  
4648 S 345 E  
Murray UT 84107

Nicholas Kambouris; Konstantinos  
Kambouris (Jt)  
1792 E Lincoln Ln  
Holladay UT 84124

Meleena Morley; Chris Morley (Jt)  
247 E Cottage Glen Ln  
Murray UT 84107

Nancy M Lund  
242 E Cottage Wood Ln  
Murray UT 84107

Richard G Robinson;  
Dolores L Robinson (Jt)  
243 E Cottage Wood Ln  
Murray UT 84107

Platt Holdings Lc  
253 E Cottage Wood Ln  
Murray UT 84107

R Fam Tr  
249 E Cottage Wood Ln # 3  
Murray UT 84107

Trust Not Identified  
239 E Cottage Wood Ln  
Murray UT 84107

Salt Lake County  
Po Box 144575  
Salt Lake City UT 84114

Thomas Christensen  
257 E Cottage Wood Ln  
Murray UT 84107

Trust Not Identified  
4553 S Cottage Creek Ln  
Murray UT 84107

Trust Not Identified 233 E Cottage Wood Ln Murray UT 84107	Trust Not Identified 4542 S Cottage Grove Ln Murray UT 84107	Pacific Shoreline Properties, LLC 315 Hueneme Rd Camarillo CA 93012
Utah Charities 291 E 4500 S Murray UT 84107	Western Odyssey Inc 344 E 100 S # 301 Salt Lake City UT 84111	WEST JORDAN CITY PLANNING DIVISION 8000 S 1700 W WEST JORDAN UT 84088
UTAH TRANSIT AUTHORITY ATTN: PLANNING DEPT PO BOX 30810 SLC UT 84130-0810	TAYLORSVILLE CITY PLANNING & ZONING DEPT 2600 W TAYLORSVILLE BLVD TAYLORSVILLE UT 84118	MIDVALE CITY PLANNING DEPT 7505 S HOLDEN STREET MIDVALE UT 84047
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	UTAH POWER & LIGHT ATTN: KIM FELICE 12840 PONY EXPRESS ROAD DRAPER UT 84020
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	JORDAN VALLEY WATER ATTN: LORI FOX 8215 S 1300 W WEST JORDAN UT 84088
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	COTTONWOOD HEIGHTS CITY ATTN: PLANNING & ZONING 2277 E Bengal Blvd Cottonwood Heights, UT 84121
CENTRAL UTAH WATER DIST 1426 East 750 North, Suite 400, Orem, Utah 84097	HOLLADAY CITY PLANNING DEPT 4580 S 2300 E HOLLADAY UT84117	COMCAST ATTN: GREG MILLER 1350 MILLER AVE SLC UT 84106
SANDY CITY PLANNING & ZONING 10000 CENTENNIAL PRKwy SANDY UT 84070	UTOPIA Attn: JAMIE BROTHERTON 5858 So 900 E MURRAY UT 84121	UDOT - REGION 2 ATTN: MARK VELASQUEZ 2010 S 2760 W SLC UT 84104
MILLCREEK Attn: Planning & Zoning 3330 South 1300 East MILLCreek, UT 84106	OLYMPUS SEWER 3932 500 E, Millcreek, UT 84107	

Trust Not Identified  
233 E Cottage Wood Ln  
Murray UT 84107

Trust Not Identified  
4542 S Cottage Grove Ln  
Murray UT 84107

Pacific Shoreline Properties, LLC  
315 Hueneme Rd  
Camarillo CA 93012

Utah Charities  
291 E 4500 S  
Murray UT 84107

Western Odyssey Inc  
344 E 100 S # 301  
Salt Lake City UT 84111

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

UTAH TRANSIT AUTHORITY  
ATTN: PLANNING DEPT  
PO BOX 30810  
SLC UT 84130-0810

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

MIDVALE CITY  
PLANNING DEPT  
7505 S HOLDEN STREET  
MIDVALE UT 84047

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

UTAH POWER & LIGHT  
ATTN: KIM FELICE  
12840 PONY EXPRESS ROAD  
DRAPER UT 84020

SALT LAKE COUNTY  
PLANNING DEPT  
2001 S STATE ST  
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GRANITE SCHOOL DIST  
ATTN: KIETH BRADSHAW  
2500 S STATE ST  
SALT LAKE CITY UT 84115

JORDAN VALLEY WATER  
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WEST JORDAN UT 84088

DOMINION ENERGY  
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P O BOX 45360  
SLC UT 84145-0360

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ATTN: LONN RASMUSSEN  
8620 S HIGHLAND DR  
SANDY UT 84093

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

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

HOLLADAY CITY  
PLANNING DEPT  
4580 S 2300 E  
HOLLADAY UT 84117

COMCAST  
ATTN: GREG MILLER  
1350 MILLER AVE  
SLC UT 84106

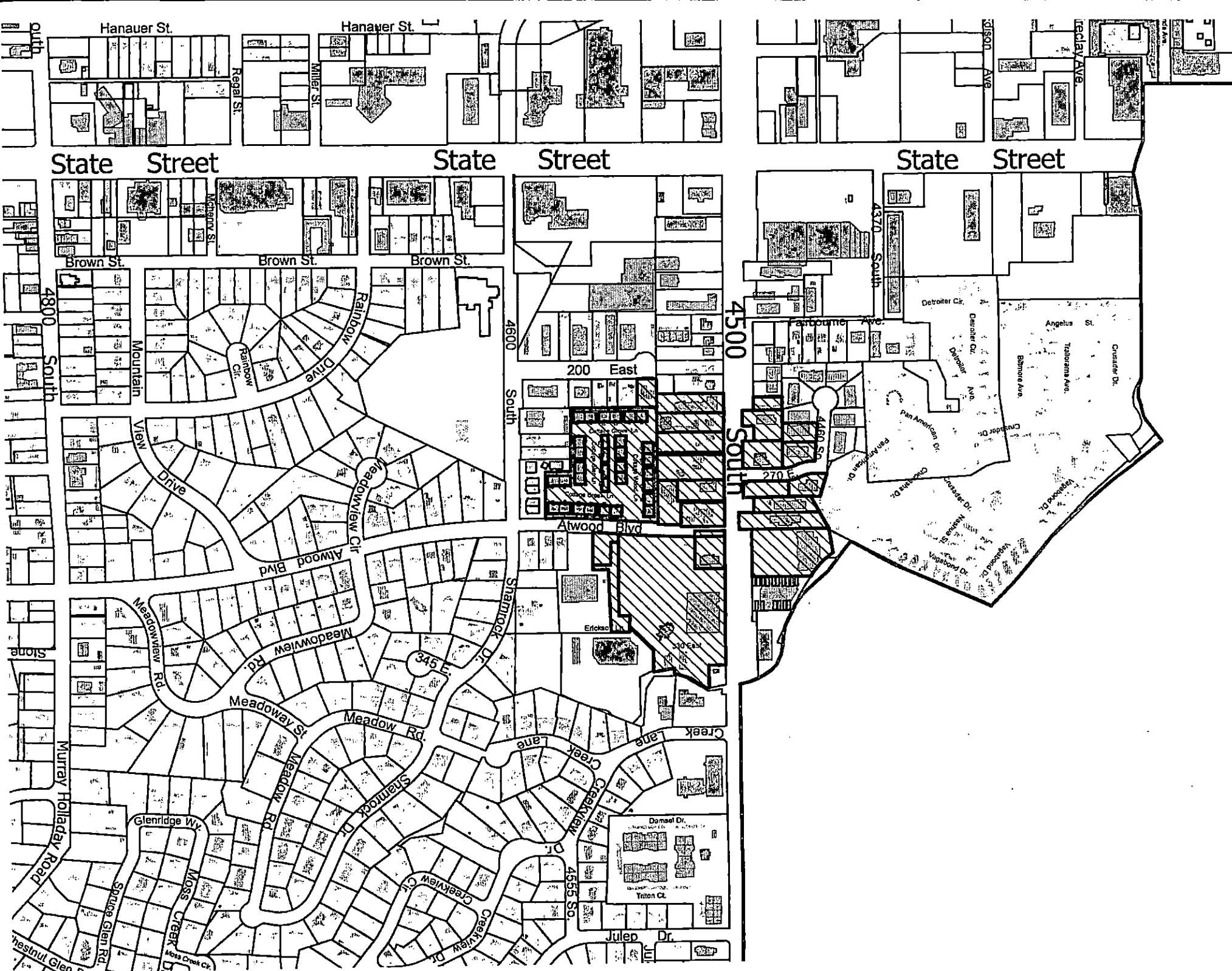
SANDY CITY  
PLANNING & ZONING  
10000 CENTENNIAL PRKwy  
SANDY UT 84070

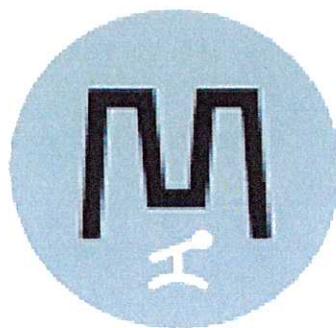
UTOPIA  
Attn: JAMIE BROTHERTON  
5858 So 900 E  
MURRAY UT 84121

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

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

OLYMPUS SEWER  
3932 500 E,  
Millcreek, UT 84107





MURRAY  
CITY COUNCIL

# Discussion Item #4



**MURRAY**

**Council Action Request**

# Community & Economic Development

**Text Amendment for Section 17.82 - Small Wireless Facilities Ordinance**

**Committee of the Whole**

Meeting Date: September 3, 2019

<b>Department Director</b> Melinda Greenwood	<b>Purpose of Proposal</b>  The amendments are proposed in order to comply with updated State and Federal policies.
<b>Phone #</b> 801-270-2428	<b>Action Requested</b>  Approval of amendments to Section 17.82 (Small Wireless Facilities) of the Land Use Code
<b>Presenters</b> Melinda Greenwood	<b>Attachments</b>  PowerPoint Presentation
<b>Required Time for Presentation</b> 10 Minutes	<b>Budget Impact</b>  None
<b>Is This Time Sensitive</b> No	<b>Description of this Item</b>  Amendments to Section 17.82 (Small Wireless Facilities) of the Land Use Code are needed to comply with updated State and Federal policies.
<b>Mayor's Approval</b> <b>Doug Hill</b> <b>Date</b> August 20, 2019	In March 2018, legislation passed requiring municipalities and counties to allow for the installation of new wireless antennas and equipment known as Small Wireless Facilities (SWFs) in the public right-of-way. In response, Murray City adopted Section 17.82 of the Land Use Ordinance, regulating SWFs in the public right-of-way. On September 27, 2018, the Federal Communications Commission (FCC) issued a "Declaratory Ruling and Third Report and Order" (R&O) related to SWFs. The City Attorney's office and Community Development Staff reviewed the R&O and compared it to Section 17.82. Several amendments were needed to maintain compliance.

Digitally signed by Doug Hill  
DN: cn=Doug Hill, ou=Murray City  
Corporation, ou=Chief  
Administrative Officer,  
email=dh@murray.utah.gov,  
c=US  
Date: 2019.08.21 11:25:27 -06'00'

## **Continued from Page 1:**

The changes required to comply with the FCC's R&O can be placed in three categories: Aesthetics, Shot-Clocks, and Fees.

**Aesthetics:** The FCC's R&O states that design standards must "incorporate clearly-defined and ascertainable standards, applied in a principled manner - and must be published in advance." In order to meet that requirement, Staff proposes that references to "concealment" and "camouflaging" should be removed and replaced with a list of specific requirements to match colors, conceal equipment with shrouds or cabinets, and conceal cables and attachment methods (such as bolts or fasteners).

**Shot-Clocks:** The R&O adjusted some of the previously established shot clocks. The time allowed for the City to determine if an application is complete was reduced from 30 days to 10 days, and the time to complete the review of an application for a new monopole or replacement utility pole was reduced from 105 days to 90 days.

**Fees:** A current right-of-way fee in Section 17.82 is based on percentages of gross revenue. Charging based on gross revenue is not permitted by Federal law. In order to comply with new interpretations detailed in the R&O, it is necessary to remove the requirement, and apply the \$250.00 annual fee instead.

This item was presented at the August 1, 2019 Planning Commission Meeting, where a public hearing was held. The Planning Commission voted unanimously to send a recommendation of approval to the City Council.

## **FINDINGS AND CONCLUSION**

The proposed amendments will keep the City's Land Use Ordinance in compliance with Utah State Code and with the Federal statutes that regulate Small Wireless Facilities (SWFs).

The proposed amendments maintain a balance between the requirements of the wireless industry and the goals and objectives of the Murray City General Plan and Land Use Ordinance.

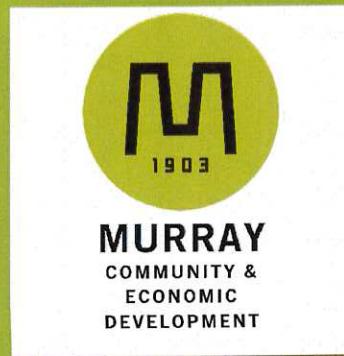
## **STAFF RECOMMENDATION**

Based on the above findings, and the positive recommendation from the Planning Commission, staff recommends the City Council APPROVE the proposed amendments to the Murray City Land Use Ordinance, Section 17.82, Small Wireless Facilities in the Public Right-Of-Way.

# COMMITTEE OF THE WHOLE

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September 3, 2019



**TEXT AMENDMENT**  
**Section 17.82 Small Wireless Facilities**

**Various Amendments**  
**to**  
**Small Wireless Facilities**



# Aesthetics

- MCCD, TOD, M-U Zones. Facility must consider the aesthetics of the streetlights and other infrastructure in the area
- Color
- External Shrouding
- Hardware Attachment
- Conduits



# Shot-Clocks

- Reduced as a result of the Third Declaratory Ruling and Order as follows:
- **10 days** (was 30) to determine completeness and notify the applicant of deficiencies.
- **60 days** (same) to process and review an application for co-location.
- **90 days** (was 105) to process and review an application for a new monopole or replacement utility pole.



# Fees

- Clarifies that fees are assessed for each SWF on the same application.
- Removes the right-of-way fee of 3.5% of the gross revenues for the SWF, and replaces it with an annual fee of \$250. (Federal Law prohibits the percentage based fee.)



# Findings

- i. The proposed amendments will keep the City's Land Use Ordinance in compliance with Utah State Code and with the Federal statutes that regulate Small Wireless Facilities (SWFs).
- ii. The proposed amendments maintain a balance between the requirements of the wireless industry and the goals and objectives of the Murray City General Plan and Land Use Ordinance.



# Staff Recommendation

Staff recommends that the City Council APPROVE the proposed amendments to the Murray City Land Use Ordinance, Section 17.82, Small Wireless Facilities in the Public Right-Of-Way.



# Murray City Corporation

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 17<sup>th</sup> day of September, 2019, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will hold and conduct a Public Hearing to consider land use code text amendments to sections 17.82.050, 17.82.080, and 17.82.090 of the Murray City Municipal Code relating to small wireless facilities.

The purpose of this public hearing is to receive public comment concerning the proposed land use code text amendment as described above.

DATED this 23<sup>rd</sup> day of August, 2019.

MURRAY CITY CORPORATION

*Jennifer Kennedy*  
Jennifer Kennedy  
City Recorder

DATE OF PUBLICATION: September 6, 2019  
PH 19-32



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTIONS 17.82.050, 17.82.080 AND  
17.82.090 OF THE MURRAY CITY MUNICIPAL CODE RELATED TO  
SMALL WIRELESS FACILITIES

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

*Section 1. Purpose.* The purpose of this Ordinance is to amend sections 17.82.050, 17.82.080, and 17.82.090 of the Murray City Municipal Code relating to small wireless facilities.

*Section 2. Amendment.* Sections 17.82.050, 17.82.080, and 17.82.090 of the Murray City Municipal Code relating to small wireless facilities are hereby amended to read as follows:

**17.82: SMALL WIRELESS FACILITIES IN THE PUBLIC RIGHT-OF-WAY**

17.82.050: ALLOWED FACILITIES:

...

E. Zoning Districts.

1. All applications for SWFs must comply with the City Code. SWFs are allowed within public rights-of-way in the different zoning districts according to Table 1 of this chapter.
2. The MCCD, TOD and M-U zoning districts of the City are design mixed-use districts which emphasize the design of public improvements. As a condition for approval in these zones, a provider shall consider the aesthetics of the existing street lights and other city infrastructure near proposed SWF locations and shall adhere to reasonable design or concealment measures for a new SWF, new monopole or replacement utility pole. A provider shall also comply with reasonable camouflage measures implemented by the City in these zoning districts, if to include the following where such camouflage measures are technically and economically feasible consistent with Title 54 Chapter 21 of the Utah Code.

- a. Color. All equipment shall be painted to match pole aesthetic and color. Paint should be powder coated over zinc paint.
- b. External Shrouding. The antenna shall be contained within a cantenna and any other equipment shall be contained in an equipment cabinet or concealed by an equipment shroud colored to match the pole.
- c. Hardware Attachment. Pole mounted equipment shall be securely attached with hardware. All hardware attachments shall be colored to match the pole and hidden to the maximum extent possible.
- d. Conduits. Where cables cannot be installed inside the pole, all cables shall be in conduits and shall be flush with the pole and colored to match.

17.82.080: APPLICATION REQUIRED

...

- E. Response and Timing. Within ~~thirty (30)~~ten (10) days of receiving an application for a SWF, the City shall determine whether the application is complete, and notify the applicant in writing of the determination. If the City has determined that the application is incomplete, the written communication to the applicant shall detail the deficiencies of the application and provide citations from the ordinance and specifying any additional information or documentation needed.
  - 1. Expiration. An application for a SWF will expire if the City notifies the applicant that the application is incomplete and the applicant fails to respond within ninety (90) days after the date of the notification.
  - 2. Complete Application. When an application has been determined to be complete, the City shall process the application in a timely manner, and approve or deny the application within sixty (60) days after the application is complete for an application for co-location of a SWF; or ~~one hundred and five (105)~~ninety (90) days after the application is complete for an application for new monopole or replacement utility pole.
  - 3. If the City fails to either approve or deny an application within the applicable time period, the application is approved.
  - 4. Denial and Revised Applications.
    - a. The City may deny an application to co-locate a SWF or to install, modify or replace a monopole or utility pole that meets the height limitations of this chapter, only if the action requested in the application:

- i. materially interferes with the safe operation of traffic control equipment;
- ii. materially interferes with a sight line or a clear zone for transportation or pedestrians;
- iii. materially interferes with compliance with the Americans with Disabilities Act of 1990, 42 U.S.C. sec. 12101 et seq., or a similar federal or state standard regarding pedestrian access or movement;
- iv. fails to comply with applicable laws or legal obligations;
- v. creates a public health or safety hazard; or
- vi. obstructs or hinders the usual travel or public safety of the public right-of-way.

b. If an application for a SWF is denied under the provisions of this chapter, the City shall document the basis of the denial and send notice including that documentation to the applicant.

c. Within thirty (30) days after the denial of the application, the applicant may cure the deficiency and resubmit the application without additional fees. The City shall approve or deny a resubmitted application within thirty (30) days of the revised application.

...

## 17.82.090 FEES.

### A. Application Fees.

1. The application fee for the co-location of a SWF on an existing or replacement utility pole is \$100 for each SWF on the same application.
2. The application fee for a permitted use to install, modify or replace a utility pole associated with a SWF is \$250 per for each SWF on the same application.
3. The application fee for an activity that is not a permitted use to:
  - (a) install, modify or replace a utility pole; or
  - (b) install, modify or replace a new utility pole associated with a SWF is \$1,000 per for each SWF on the same application.

### B. Application fees for SWFs are in addition to:

1. pole attachment fees that may be charged to a Wireless Provider by the City or another entity which owns a structure upon which the SWF is located;
2. fees required to occupy the public rights-of-way; or
3. fees for excavation, building or other permits required for installation or construction.

C. Co-location Fees. Pursuant to state law, the fee to collocate a SWF on a City utility pole is \$50 per year, per City utility pole.

D. Right-of-Way Rates.

~~1.~~ For the right to use or occupy the public right-of-way, the Wireless Provider shall pay the City ~~the greater of:~~

~~a. 3.5% of all gross revenue related to the Wireless Provider's use of the public right-of-way for its SWF; or~~

~~b. \$250 annually for each SWF.~~

E. the Wireless Provider shall remit the public right-of-way rate payments to the City on a monthly basis.

*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 , 2019.

MURRAY CITY MUNICIPAL COUNCIL

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Dave Nicponski, Chair

ATTEST:

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City Recorder

Transmitted to the Office of the Mayor of Murray City on this \_\_\_\_\_ day of  
\_\_\_\_\_, 2019.

MAYOR'S ACTION: Approved.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
D. Blair Camp, Mayor

ATTEST:

\_\_\_\_\_  
City Recorder

Ms. Wilson asked if there were a chance that the property might revert to residential rental in the future. Mr. Smallwood replied that he does not believe that would ever be the case because it doesn't make sense since the building and property is completely set up as a commercial store front. Ms. Wilson added that that we are considering re-classifying from one type of commercial use to another.

Dana Williams, applicant, addressed some concerns and stated she is purchasing an empty building and that she has fixed the electrical, plumbing and added some cosmetic upgrades. The business has received donations of broken appliances, which are stored outside and are going to be recycled, which is part of the business plan. The mess that is being commented on by the neighbors is due to us cleaning up. When they first moved in, the weeds were much taller, and vagrants were living in the back yard for past three years. She stated that they immediately installed security cameras to keep the area secure and the weeds will be cleaned up by the time they are in operation. She stated this is just the process in order to get the business ready to operate. They are looking into the possibility of using some sort of storage container to have outside storage. If there any concerns people can stop by, and she will be happy to discuss any concerns.

Mr. Woodbury encouraged all in attendance to place emphasis on the re-zone instead of the intended business use at this time. He stated that even though it has been made aware of the type of business use that is proposed. This re-zone is consistent with the General Plan and the planning commission will have the opportunity to mitigate any issues if a Conditional Use come before them.

Travis Nay made a motion to forward a recommendation of approval to the City Council for the requested amendment to the Zoning Map designation for the property located at 284 East 4500 South from G-O, General Office to C-D, Commercial Development.

Seconded by Ms. Patterson.

Call vote recorded by Mr. Smallwood.

A Travis Nay  
A Maren Patterson  
A Scot Woodbury  
A Phil Markham  
A Sue Wilson

Motion passed 5-0

ORDINANCE TEXT AMENDMENT – Municipal Code Section 17.82 –Small Wireless Facilities  
Ordinance – Project #19-098

Zac Smallwood reviewed the proposed, new ordinance regulating the installation of Small Wireless Facilities (SWFs) in the Murray City for Municipal Code Section 17.82. Mr. Smallwood explained that the Federal Government passed an amendment to set additional guidelines for how Municipalities can regulate SWF's. Murray City has added some changes to our ordinances on order to match what the Federal Government is requiring. Some of the proposed changes to the code are; Aesthetics, Shot Clocks and Fees. Mr. Smallwood explained that aesthetics was not originally addressed in the city's design districts at the time. The design districts in Murray City are MCCD, TOD and the Mixed-Use Zone and the change will indicate what color, shrouding, hardware attachments and conduit should look like. Mr. Smallwood explained that a Shot Clock indicates the turnaround time Staff will have to review

an application. The Cities' original code stated that we have thirty (30) days to determine completeness of an application. The Federal Government has now changed the timeline to ten (10) working days to review an application. After the ten days determination time, the City has an additional sixty (60) to ninety (90) days to review up to twenty-five Small Wireless Facilities on one application. The timeline also fluctuates depending if they are co-located or they have a new or replacement utility pole. Lastly, fees guidelines state that instead of a single application fee to be charged it is now based on each SWF, It also removes the Right-Of-Way fee of 3.5 %. Based on the information presented in this report, Staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the proposed text amendment which will keep the Cities Land Use Ordinance in compliance with Utah State and Federal Statues and will maintain a balance between requires of the wireless industry and General Plan.

Mr. Markham asked if the Small Wireless Facilities applications will be processed through the Planning Commission. Mr. Smallwood stated that he believes they will be handled through Administration Staff only.

Mr. Nay asked where the \$250.00 fee originated. Mr. Farnsworth explained that he believes \$250.00 was originated through State Law. Then Federal Law came out with an order from the Federal Communications Commission that a charge of \$270.00 was a reasonable amount, unless you can justify a higher cost to the Jurisdiction, then it maybe ok to charge differently. Since both entities allow different amounts to be charged, Murray City decided to go with the lower of the two so that we are compliant with both.

The public hearing was opened for public comment. There was no public comment and the public hearing portion was closed.

Mr. Woodbury made a motion to recommend that the Planning Commission forward a recommendation of approval to the City Council for the proposed amendments to the Murray City Land Use Ordinance, Section 17.82, Small Wireless Facilities in the Public Right-Of-Way.

Seconded by Mr. Markham.

Call vote recorded by Mr. Smallwood.

A Phil Markham  
A Scot Woodbury  
A Maren Patterson  
A Travis Nay  
A Sue Wilson

Motion passed 5-0.

DISCUSSION ITEM – Consideration of Policies and Procedures for submission of materials to the Planning Commission

Mr. Smallwood presented information to facilitate a conversation with the Planning Commission regarding the submission of material by citizens or applicants during a Public Meeting or Hearing. Mr. Smallwood referred to the memo that reads; "Handouts and materials by the applicants and others will be encouraged to be submitted at least 48 hours prior to the meeting. If materials are submitted within 48 hours and the Commission does not have time to adequately review the material, they may decide to postpone a decision to allow



TO: Murray City Planning Commission

FROM: Murray City Planning Staff

REPORT DATE: July 25, 2019

MEETING DATE: August 1, 2019

PROJECT NAME: Section 17.82 (Changes to the Small Wireless Facilities  
Ordinance)

PROJECT NUMBER: 19-098

PROJECT TYPE: Land Use Ordinance Text Amendment

APPLICANT: Murray City

**I. REQUEST:**

The Murray City Community & Economic Development Department is proposing amendments to Section 17.82 (Small Wireless Facilities) of the Land Use Code. The amendments are proposed in order to comply with updated State and Federal policies.

**II. STAFF REVIEW AND ANALYSIS**

Background

In March 2018, the Utah State Legislature passed legislation requiring municipalities and counties to allow for the installation of new wireless antennas and equipment known as Small Wireless Facilities (SWFs) in the public right-of-way. In response, Murray City prepared and adopted Section 17.82 of the Land Use Ordinance, providing for and regulating SWFs in the public right-of-way.

On September 27, 2018, the Federal Communications Commission (FCC) issued a "Declaratory Ruling and Third Report and Order" (R&O) related to SWFs. The R&O interprets, clarifies, and alters certain aspects and requirements for SWFs. The City Attorney's office and Community Development Staff reviewed the R&O and compared it to Section 17.82. It was determined that several amendments were needed to maintain compliance. This report will briefly review those recommended changes by category. A redline and strikeout version of the proposed amendments to Section 17.82 is also attached for your reference.

### Review

The changes required to comply with the FCC's R&O can be placed in three categories: Aesthetics, Shot-Clocks, and Fees.

- Aesthetics: Section 17.82.050(E)(2) identifies the MCCD, TOD and M-U Zones as "design districts" and requires reasonable concealment and camouflage measures for new monopoles or replacement utility poles in those districts. The FCC's R&O states that design standards like these must "incorporate clearly-defined and ascertainable standards, applied in a principled manner – and must be published in advance." In order to meet that requirement, Staff proposes that references to "concealment" and "camouflaging" should be removed and replaced with a list of specific requirements to match colors, conceal equipment with shrouds or cabinets, and conceal cables and attachment methods (such as bolts or fasteners). Staff also recommends removing the reference to the MCCD, TOD, and M-U Zones as "design districts" in favor of a reference to those same zones as "mixed-use" districts.
- Shot-Clocks: The SWF ordinance is required to define the times allowed for the City to determine if an application is complete, notify applicants, and finish reviews. These kinds of requirements are commonly referred to as "shot-clocks". The R&O adjusted some of the previously established shot clocks. The time allowed for the City to determine if an application is complete was reduced from 30 days to 10 days, and the time to complete the review of an application for a new monopole or replacement utility pole was reduced from 105 days to 90 days. The R&O also clarified that the City's obligation to detail the deficiencies of an application must include citations of the specific law or rule that creates the requirement to submit the documents or information that has been considered deficient.
- Fees: A current right-of-way fee in Section 17.82 is based on percentages of gross revenue. Charging based on gross revenue is not permitted by Federal law. In order to comply with new interpretations detailed in the R&O, it is necessary to remove the requirement, and apply the \$250.00 annual fee instead. Language to uniformly identify the fees for different application types is also proposed.

### III. FINDINGS AND CONCLUSION

- i. The proposed amendments will keep the City's Land Use Ordinance in compliance with Utah State Code and with the Federal statutes that regulate Small Wireless Facilities (SWFs).
- ii. The proposed amendments maintain a balance between the requirements of the wireless industry and the goals and objectives of the Murray City General Plan and Land Use Ordinance.

#### IV. STAFF RECOMMENDATION

Based on the above findings, Staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the proposed amendments to the Murray City Land Use Ordinance, Section 17.82, Small Wireless Facilities in the Public Right-Of-Way.

Jared Hall  
Community Development Supervisor  
801-270-2427  
[jhall@murray.utah.gov](mailto:jhall@murray.utah.gov)

# Application Materials

**FILE COPY**

**MURRAY CITY CORPORATION  
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that on the 1<sup>st</sup> day of August, 2019, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Planning Commission will hold and conduct a Public Hearing for the purpose of receiving public comment on and pertaining to a Land Use Ordinance Text Amendment to Section 17.82, Small Wireless Facilities

Jared Hall, Supervisor  
Community & Economic Development

**Order Confirmation for 0001261374**

Client MURRAY CITY RECORDER  
 Client Phone 8012642660 Account # 9001341938  
 Address 5025 S STATE, ROOM 113 Ordered By Susan  
 MURRAY, UT 84107 Account Exec Itapuso2  
 Email snixon@murray.utah.gov PO Number Legal Ad - Sect 17.82 S

<b>Total Amount</b>	<b>\$50.36</b>
<b>Payment Amt</b>	<b>\$0.00</b>
<hr/>	
<b>Amount Due</b>	<b>\$50.36</b>

Text: Legal Ad - Sect 17.82 Small Wireless Facilities

<u>Ad Number</u>	0001261374-01	<u>Ad Type</u>	Legal Liner
<u>Ad Size</u>	1 X 27 li	<u>Color</u>	

**WYSIWYG Content**

MURRAY CITY  
 CORPORATION  
 NOTICE OF  
 PUBLIC HEARING

NOTICE IS HEREBY GIVEN  
 that on the 1st day of  
 August, 2019, at the hour  
 of 6:30 p.m. of said day  
 in the Council Chambers of  
 Murray City Center, 5025  
 South State Street, Mur-  
 ray, Utah, the Murray City  
 Planning Commission will  
 hold and conduct a Public  
 Hearing for the purpose  
 of receiving public com-  
 ment on and pertaining to  
 a Land Use Ordinance  
 Text Amendment to Section  
 17.82, Small Wireless Fa-  
 cilities

Jared Hall, Supervisor  
 Community & Economic De-  
 velopment  
 1261374 UPAxLP

<u>Product</u>	<u>Placement</u>	<u>Position</u>
Salt Lake Tribune	Legal Liner Notice	Public Meeting/Hear

Scheduled Date(s): 07/21/2019

utahlegals.com	utahlegals.com	utahlegals.com
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Scheduled Date(s): 07/21/2019

Deseret News	Legal Liner Notice	Public Meeting/Hear
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Scheduled Date(s): 07/21/2019

## **17.82: SMALL WIRELESS FACILITIES IN THE PUBLIC RIGHT-OF-WAY**

### **17.82.010: PURPOSE:**

The purpose of this chapter is to reasonably regulate the installation, operation, co-location, modification and removal of small wireless facilities (SWFs) in City public rights-of-way, balancing the benefit of wireless services with other established goals, objectives and values of the City while promoting and protecting the public health, safety and welfare. This chapter is not intended to prohibit or effectively prohibit personal wireless services or to discriminate among providers of personal wireless services.

#### **A. This chapter is intended to meet the following goals:**

1. Promote and protect the public health, safety and welfare by reducing the visibility and adverse impacts of SWFs to the fullest extent possible through the use of integrated design techniques and sensitivity to placement, height, and overall impacts.
2. Provide for the managed development and installation, maintenance, modification and removal of wireless communication infrastructure in the City without discriminating against wireless service providers of functionally equivalent services.
3. Encourage the effective deployment of smaller and less intrusive SWFs in where such facilities will have the greatest value to existing wireless infrastructure and minimize adverse impacts upon other infrastructure, the rights-of-way, and the public health, safety and welfare.
4. Encourage the deployment of SWFs along arterial and collector streets, and limit their deployment along local streets.
5. Encourage the location of SWFs in non-residential areas.
6. Encourage and support the co-location of SWFs wherever possible on both existing and new wireless support structures.
7. Enhance the ability of wireless service providers to provide services to the community quickly and efficiently.
8. Effectively manage SWFs in the public right-of-way.

B. Nothing herein is intended to waive or limit the City's right to enforce or condition approval on compliance with generally applicable building, structural, electrical and safety codes or with other laws codifying standards related to public health and safety.

**17.82.020: APPLICABILITY**

**Applicability.** This chapter shall apply to the construction, modification, removal and operation of Small Wireless Facilities (SWFs) installed in the public rights-of-way. All references to SWFs in this chapter shall refer only to SWFs in the public rights-of-way and not SWFs located anywhere outside of the public rights-of-way. No person shall install, construct, modify, or otherwise place any SWF within the public right-of-way except pursuant to the provisions of this chapter. The definitions used in this chapter apply only to this chapter.

**17.82.030: AUTHORITY:**

In accordance with federal and state law, the City may exercise zoning, land use, planning, placement and permitting authority with respect to wireless support structures and utility poles. This chapter is enacted pursuant and subject to the federal Telecommunications Act of 1996 (47 U.S.C. §332), the Spectrum Act (47 U.S.C. §1455) the rules and regulations promulgated by the Federal Communications Commission ("FCC") under its rulemaking authority related to the installation and siting of wireless communications facilities, and Title 54 Chapter 21 of the Utah Code. To the fullest extent allowed under federal and state law, rules and regulations, the City reserves the right to regulate zoning, land use, planning, placement and permitting related to wireless communication facilities.

**17.82.040 DEFINITIONS:**

For the purposes of this chapter, the following terms and phrases are interpreted to have the meanings ascribed to them in this section:

**Antenna:** Communication equipment that transmits or receives an electromagnetic radio frequency signal used in the provision of wireless service.

**Applicable Codes:** The International Building Code, the International Fire Code, the National Electrical Code, the International Plumbing Code, and the International Mechanical Code, as adopted and amended under Title 15A, State Construction and Fire Codes Act.

**Applicable Standards:** The Structural standards for antenna supporting structures and antenna, known as ANSI/TIA-222, from the American National Standards Institute and the Telecommunications Industry Association.

**Applicant:** A wireless provider or their authorized agent who submits an application.

**Application:** A request submitted by a wireless provider for a permit to co-locate a small wireless facility in a right-of-way or to install, modify or replace a utility pole or a wireless support structure.

**Co-locate:** To install, mount, maintain, modify, operate, or replace a small wireless facility on an existing wireless support structure.

**Design District:** An area that is zoned or otherwise designated by municipal ordinance or city code, and for which the City maintains and enforces unique design and aesthetic standards on a uniform and nondiscriminatory basis.

**Director:** The manager of Development Services.

**Eligible support structure:** Any monopole, utility pole, wireless support structure or related accessory equipment, as defined in this chapter, provided that it is existing at the time the relevant application is filed with the City.

**Local Street:** A right-of-way designed primarily to serve land-access functions and projected trip length less than one mile, with two lanes of ten to twelve feet in width and a design speed of twenty to thirty miles per hour.

**Major Arterial Street:** A right-of-way designed primarily to serve through-traffic movements and projected trip length between one and two miles, with six lanes of twelve feet in width and a design speed forty to forty-five miles per hour

**Major Collector Street:** A right-of-way designed primarily to serve through traffic movements and projected trip length of one mile, with two to five lanes of twelve feet in width and a design speed of forty-five to fifty-five miles per hour.

**Micro-Wireless Facility:** Refers to a type of very small wireless facility that, not including any antenna is no larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height, on which any exterior antenna is no longer than 11 inches, and which only provides Wi-Fi service.

**Minor Arterial Street:** A right-of-way designed primarily to serve through traffic movements and projected trip length of greater than one mile, with four to five lanes of twelve feet in width and a design speed forty to forty-five miles per hour.

**Minor Collector Street:** A right-of-way designed primarily to serve through traffic movements and projected trip length of one mile, with two to three lanes of eleven to twelve feet in width and a design speed of twenty-five to thirty-five miles per hour.

**Monopole:** A structure in the right-of-way erected by an applicant or provider specifically to support SWFs.

**Nondiscriminatory:** Describes the equal treatment of similar situated entities unless there is a reasonable, competitively neutral bases for different treatment.

**Permit:** Written authorization from the City allowing the provider to perform work pursuant to the installation of a small wireless facility.

**Related Accessory Equipment:** Refers to equipment used in conjunction with an antenna or other component of SWFs which may be attached to a wireless support structure or located on the ground at or near the base of a wireless support structure.

**Right-Of-Way:** Refers to any area within, on, below, or above a public road, highway, street or alley, and may include sidewalks, park-strips and other areas associated with them and controlled by the City.

**Small Wireless Facility ("SWF"):** A wireless facility on which each provider's antenna could fit within an enclosure of no more than six cubic feet in volume and for which all Related Accessory Equipment, whether mounted on the pole or the ground, is cumulatively no more than 28 cubic feet in volume.

**Substantial Modification:** A modification to an eligible support structure which: (i) increases the height of the structure by more than 10% or more than ten feet, whichever is greater; (ii) involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure more than 6 feet; (iii) involves the installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; involves the installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure; or involves the installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure; (iv) entails any excavation or deployment outside of the current site; or (v) would defeat the concealment elements of the eligible support structure.

**Technically Feasible:** The demonstrated measure of the feasibility of a proposal as it relates specifically to projected constraints of engineering, impacts to the signal, spectrum, stability, or practical interference with other facilities or properties.

**Utility Pole:** A. A pole or similar structure in the public right of way which is or may be used, in whole or in part, for: (a) wireline communications; (b) electric distribution; (c) lighting; (d) traffic control; (e) signage; (f) functions similar to (a) through (e); or (g) the co-location of a SWF.

B. Utility Pole does not include: (a) a wireless support structure; (b) a structure that supports electric transmission lines; or (c) a City owned structure that supports electric lines used for the provision of the City's electric service. **Wireless Support Structure:** An existing or proposed structure located in the right-of-way and designed to support or to be capable of supporting a SWF. A wireless support structure does not include: (a) a structure designed solely for the co-location of a SWF; (b) a

utility pole; or (c) a City owned structure that supports electric lines used for the provision of the City's electric service.

**17.82.050: ALLOWED FACILITIES:**

- A. All new Small Wireless Facilities (SWFs) are required to make application to the City, providing information and materials as required by Section 17.82.080. Applications for new SWFs will be reviewed for compliance with (1) this section, 17.82.050; (2) an applicable franchise agreement, a form of which is attached to this ordinance as exhibit "A"; and (3) chapter 17.80 of the City Code, where applicable. The following facility types are allowed for SWF applications in the public right-of-way:
  - 1. Omni-Directional Antennas;
  - 2. Radio Units;
  - 3. UE Relays;
  - 4. Power Distribution Modules;
  - 5. Monopoles or utility pole where chapters 17.80 and 17.82 of the City Code will allow;
  - 6. New or Replacement Utility Poles; or
  - 7. Other technology that functions similar to those outlined in subsections 1 through 6 above, as may be subsequently determined by the director.
- B. No SWFs shall be allowed within a sidewalk.
- C. The following SWFs are prohibited in the public right-of-way:
  - 1. SWFs that may materially:
    - a. interfere with the safe operation of traffic control equipment;
    - b. interfere with the clear view for traffic and pedestrian safety as otherwise administered in the Murray City Land Use Ordinances;
    - c. create a public health or safety hazard;

- d. interfere with compliance with the Americans with Disabilities Act, or a similar federal or state standard regarding pedestrian access or movement; or
- 2. Wireless Communication Facilities which do not qualify as SWFs under this chapter.

D. Non-Substantial Modification Permitted. Non-substantial modifications of existing eligible support structures in the public right-of-way, which have been installed in accordance with the provisions of this chapter, are deemed to be allowed if:

- 1. the modification decreases the size or height of the facility;
- 2. the modification does not amount to a Substantial Modification as defined in this chapter; and
- 3. the modified facility will still meet applicable requirements of this section.

E. Zoning Districts.

- 1. All applications for SWFs must comply with the City Code. SWFs are allowed within public rights-of-way in the different zoning districts according to Table 1 of this chapter.
- 2. The MCCD, TOD and M-U zoning districts of the City are design-mixed-use districts which emphasize the design of public improvements. As a condition for approval in these zones, a provider shall consider the aesthetics of the existing street lights and other city infrastructure near proposed SWF locations and shall adhere to reasonable design or concealment measures for a new SWF, new monopole or replacement utility pole. A provider shall also comply with reasonable camouflage measures implemented by the City in these zoning districts, if to include the following where such camouflage measures are technically and economically feasible consistent with Title 54 Chapter 21 of the Utah Code:
  - a. Color. All equipment shall be painted to match pole aesthetic and color. Paint should be powder coated over zinc paint.
  - b. External Shrouding. The antenna shall be contained within a cantenna and any other equipment shall be contained in an equipment cabinet or concealed by an equipment shroud colored to match the pole.

c. Hardware Attachment. Pole mounted equipment shall be securely attached with hardware. All hardware attachments shall be colored to match the pole and hidden to the maximum extent possible.

d. Conduits. Where cables cannot be installed inside the pole, all cables shall be in conduits and shall be flush with the pole and colored to match.

17.82.060: SITING AND DESIGN STANDARDS:

- A. Submittal to Include Site and Area Assessment. Applications for SWFs in the public right-of-way shall include an assessment of the proposed site's position in relation to other sites and SWFs in the larger area. This assessment should include future SWFs and future modifications of existing SWFs which are planned within five (5) years of the application.
- B. Co-location and Application for New Monopoles. Wherever possible, the City encourages the installation of new SWFs in the public right of way be accomplished by co-location with existing utility poles. Where new monopoles are necessary, the City strongly encourages designs which facilitate the co-location of future, additional SWFs.
- C. Integrated Design Consideration Required. SWFs shall be integrated harmoniously into the wireless support structure and generally shall be installed in a manner minimizing or eliminating the visual impact. Such SWFs should not be readily noticed. To the maximum extent possible, the application shall consider the surrounding colors, materials, and architectural features to ensure that the design of the new facility is in harmony with the surrounding area. These treatments shall apply to all new equipment, extensions of height to accommodate equipment, and to new monopoles.
- D. Height and Dimension of New Monopoles and Replacement Utility Poles. Where allowed by this section, the height of new monopoles and replacement utility poles and the antenna they support in the public right-of-way shall not exceed 30 feet above ground level along local streets, and 40 feet above ground level on major and minor collector streets and major and minor arterial streets as identified by the City in the Transportation Master Plan. New monopoles and replacement utility poles for SWFs under this section shall not be greater than two (2) feet in diameter. The antenna of a SWF may not extend more than 10 feet above the top of a utility pole existing on or before September 1, 2018.
- E. Power Supply. Power to the equipment for SWFs in the right-of-way must come through the base of the pole or infrastructure acting as the wireless support structure. Installation shall be accomplished in a manner that reduces visibility to the maximum extent possible.

- F. Installation at Street Corners and Intersections. SWFs shall, where feasible, be located at the corner of street intersections.
- G. New Poles Constructed of Metal. New monopoles and replacement utility poles proposed to be constructed for SWFs under the provisions of this chapter shall be constructed of metal or other structurally similar material which can be painted or finished to appear to be metal. No new wood poles shall be installed or constructed to act as wireless support structures.
- H. Obstruction of Other Facilities. A SWF allowed under this chapter may not obstruct or hinder travel and public safety in the public right-of-way or damage, obstruct or interfere with the facilities of another utility or another utility's use in the public right-of-way. Construction and maintenance of a SWF by the Wireless Provider shall comply with all legal obligations for the protection of underground and overhead utility facilities.
- I. Damage and Repair. If a Wireless Provider's activities of installation or maintenance to a SWF causes damage to a public right-of-way, the Wireless Provider shall repair the public right-of-way to the prior condition. The City shall notify the Wireless Provider of the need for repairs in writing.
  - 1. If a Wireless Provider fails to make a repair required by the City under this section within a reasonable time after written notice, the City may make the repairs or cause the repairs to be made, and charge the Wireless Provider for the cost of the repairs.
  - 2. If the damage described in this subsection causes an urgent safety hazard, the City may make the necessary repairs without notification or time period for response from the Wireless Provider, and may charge the Wireless Provider for the cost of the repairs.
- J. Height of Attached Equipment. SWF equipment on new monopoles, and replacement and existing utility poles, shall be placed higher than eight (8) feet above ground level.
- K. Grounding Rods and Pull Boxes. The grounding rod may not extend above the top of a sidewalk and must be placed in a pull box. The ground wire between a pole and ground rod must be inside an underground conduit. All pull boxes must be vehicle load bearing, and comply with any applicable Utah Department of Transportation standards. A concrete apron must be installed around all pull boxes not located in the sidewalk. No new pull boxes may be located in pedestrian ramps or sidewalks.

- L. Wiring. No exposed wiring is permitted. Above the electric meter and disconnect switch, all wiring shall be located inside the pole or covered by conduit.
- M. Additional Clearance Requirements. Wireless Provider shall comply with the National Electric Safety Code regarding clearances from the City's existing power lines, and shall adhere to a 25% adder to the existing clearance table.
- N. Relocation. In accordance with section 54-21-603 of the Utah Code, and the terms outlined in the franchise agreement, the City may require a provider to relocate or adjust a SWF in a public right-of-way in a timely manner and without cost to the City.

**17.82.070: REQUIRED FINDINGS**

**A.**

**New Poles.** When applying to install or construct new monopoles or replacement utility poles, the applicant must demonstrate to the reasonable satisfaction of the City, and the City must make a finding that alternate locations of antenna, other SWFs on existing utility poles, co-locating with existing SWFs, or use of related accessory facilities will not meet the applicant's reasonable communication needs. The applicant may be required to submit evidence to demonstrate these conditions including but not limited to the following:

1. That no existing poles with a suitable height are located within the geographic area required to meet the applicant's engineering requirements, even if the applicant increases the number of poles and antennas it uses;
2. That existing poles do not have sufficient structural strength to support applicant's proposed SWF;
3. That the applicant's proposed SWFs would cause electromagnetic interference with the SWFs on the existing facilities or the existing SWF would cause interference with the applicant's proposed SWF; and
4. That there are other limiting factors that render existing poles, equipment and other SWFs on or in which applicant might co-locate unsuitable for co-location.

**17.82.080: APPLICATION REQUIRED**

No new SWF shall be installed or constructed, and no initial location, co-location, or modification to any SWF may occur except after submission of a written request from an applicant, reviewed and approved by the City. All SWFs shall be reviewed pursuant to the following:

- A. **Franchise Agreement.** Prior to the City approving a permit, the applicant must have entered into a small cell wireless franchise agreement with the City.
- B. **Application Form.** The applicant shall submit an application for a SWF to the City. The City will provide an application form for use by the applicant. The form must be signed by an authorized official or employee of an applicant, and be accompanied by a signal interference letter, required submittal fees, and the following documents for each proposed SWF:
  - 1. An accurately scaled site plan of all of applicant's proposed SWF on paper and in electronic (pdf) format. The plan shall contain data about the physical aspects of the SWF required by the City, including but not limited to height and dimensions of the SWF, range of transmission, type of transmission, location and dimensions of the pole or support, owner of the pole or support, and similar information;
  - 2. Accurate photo simulation and scaled elevation of the proposed SWF and the new or existing structure it is to be mounted to;
  - 3. Industry standard pole load analysis, including information demonstrating the structural calculations for the supporting structure;
  - 4. Letters, agreements, or other documents showing permissions to locate SWF on the structure or structures of other owners;
  - 5. Letters, reports or memoranda signed by appropriate qualified professionals showing the location and dimension of all improvements, including information concerning topography, radio frequency coverage, pole height, setbacks, drives, parking, landscaping, adjacent uses, drainage, and other information deemed by the City to be necessary to assess compliance with this chapter.
  - 6. An affidavit that the SWF shall be operational for use by a wireless service provider within 270 days after the day on which the City issues the permit.
    - a. In addition to the affidavit submitted under this subsection 6, a provider must also submit either a copy of their FCC license, or a letter signed by an FCC license holder confirming that the SWF will be providing service through their network.
- C. **Inventory of Existing Sites.** Applicants for SWFs shall provide the City an accurate narrative and map description of all of the applicant's existing or proposed SWFs within the City, and outside of the City within one (1) mile of the city boundary.
- D. **Application for New Poles.** Applications to erect new monopoles, replacement utility poles or other wireless support structures in the public right-of-way shall be reviewed by the Director or designee for conformance with the requirements of

this chapter, any applicable portions of franchise agreements or other ordinances of the City. All applications for new monopoles, replacement utility poles or new wireless support structures shall demonstrate the necessity for the new pole or structure, showing that alternative design options or use of existing facilities for co-location is not viable.

E. Response and Timing. Within ~~thirty (30)~~ten (10) days of receiving an application for a SWF, the City shall determine whether the application is complete, and notify the applicant in writing of the determination. If the City has determined that the application is incomplete, the written communication to the applicant shall detail the deficiencies of the application and provide citations from the ordinance and specifying any additional information or documentation needed.

1. Expiration. An application for a SWF will expire if the City notifies the applicant that the application is incomplete and the applicant fails to respond within ninety (90) days after the date of the notification.
2. Complete Application. When an application has been determined to be complete, the City shall process the application in a timely manner, and approve or deny the application within sixty (60) days after the application is complete for an application for co-location of a SWF; or ~~one hundred and five (105)~~ninety (90) days after the application is complete for an application for new monopole or replacement utility pole.
3. If the City fails to either approve or deny an application within the applicable time period, the application is approved.
4. Denial and Revised Applications.
  - a. The City may deny an application to co-locate a SWF or to install, modify or replace a monopole or utility pole that meets the height limitations of this chapter, only if the action requested in the application:
    - i. materially interferes with the safe operation of traffic control equipment;
    - ii. materially interferes with a sight line or a clear zone for transportation or pedestrians;
    - iii. materially interferes with compliance with the Americans with Disabilities Act of 1990, 42 U.S.C. sec. 12101 et seq., or a similar federal or state standard regarding pedestrian access or movement;
    - iv. fails to comply with applicable laws or legal obligations;
    - v. creates a public health or safety hazard; or
    - vi. obstructs or hinders the usual travel or public safety of the public right-of-way.

- b. If an application for a SWF is denied under the provisions of this chapter, the City shall document the basis of the denial and send notice including that documentation to the applicant.
- c. Within thirty (30) days after the denial of the application, the applicant may cure the deficiency and resubmit the application without additional fees. The City shall approve or deny a resubmitted application within thirty (30) days of the revised application.

F. Exceptions to Permitting.

- 1. Except as otherwise provided, applications for permits are not required for:
  - a. Routine maintenance of the SWF or support structures for the SWF;
  - b. The replacement of one SWF with another SWF of substantially similar or smaller size;
  - c. The installation of a micro wireless facility that is strung on a cable between two existing utility poles in compliance with the National Electrical Safety Code; or
  - d. Non-substantial modifications as described in this chapter.
- 2. Notwithstanding the above, a Wireless Provider shall give the City ten (10) days advance notice before conducting any of the activities outlined in subsection 1.

G. Excavation Permits. Notwithstanding the permitting exceptions outlined in subsection E, an applicant or entity must apply for a permit for any work that requires excavation or the closing of sidewalks or vehicular lanes in a public right-of-way.

H. Consolidated Applications.

- 1. The City shall allow an applicant:
  - a. For co-location of SWFs, to file a consolidated application for the co-location of up to 25 SWFs, if all of the SWFs in the consolidated application are substantially the same type, and are proposed for co-location on substantially the same types of structures;
  - b. For installation, modification or replacement of monopoles or utility poles, to file a consolidated application for up to 25 monopoles or replacement utility poles.
- 2. An applicant may not file within a 30-day period more than one consolidated application, or multiple applications that collectively

seek permits for a combined total of more than 25 SWFs and monopoles or replacement utility poles.

3. A consolidated application may not combine applications solely for co-location of SWFs on existing utility poles with applications for the installation, modification or replacement of a monopole or utility pole.

**17.82.090 FEES.**

**A. Application Fees.**

1. The application fee for the co-location of a SWF on an existing or replacement utility pole is \$100 for each SWF on the same application.
2. The application fee for a permitted use to install, modify or replace a utility pole associated with a SWF is \$250 per for each SWF on the same application.
3. The application fee for an activity that is not a permitted use to:
  - (a) install, modify or replace a utility pole; or
  - (b) install, modify or replace a new utility pole associated with a SWF is \$1,000 per for each SWF on the same application.

**B. Application fees for SWFs are in addition to:**

1. pole attachment fees that may be charged to a Wireless Provider by the City or another entity which owns a structure upon which the SWF is located;
2. fees required to occupy the public rights-of-way; or
3. fees for excavation, building or other permits required for installation or construction.

**C. Co-location Fees.** Pursuant to state law, the fee to collocate a SWF on a City utility pole is \$50 per year, per City utility pole.

**D. Right-of-Way Rates.**

1. For the right to use or occupy the public right-of-way, the Wireless Provider shall pay Formatted: Indent: Left: 0" the City the greater of:

a. 3.5% of all gross revenue related to the Wireless Provider's use of the public right-of-way for its SWF; or

b. \$250 annually for each SWF.

- E. the Wireless Provider shall remit the public right-of-way rate payments to the City on a monthly basis.

**17.82.100: REVOCATION OF PERMITS.**

In some circumstances the City may take steps to revoke a permit granted for the installation of a SWF and to cause the removal or modification of such a facility.

- A. The City may revoke any permit granted for installation of a SWF under this chapter if it finds that:
  - 1. The SWF was constructed without a permit or is in operation in violation of the terms of a required franchise agreement.
  - 2. The SWF was constructed or installed at an unauthorized location.
  - 3. There has been a misrepresentation in the application for the SWF.
  - 4. There is a violation of the requirements of this chapter.
  - 5. There is a violation of the terms of the permit.
  - 6. There is a violation of the requirements of other departments of the City or of the terms of permits issued by other departments of the City related to the installation of the SWF.
  - 7. There is a failure to pay fees and taxes as required under this chapter or a pertinent franchise agreement.
  - 8. There is demonstrated insolvency or bankruptcy of the permittee.
  - 9. Facilities, including any pole, in the public right-of-way have been abandoned and have not been removed.
    - i. Abandonment may be presumed to have occurred if the use has been discontinued for a minimum of one year, or the structure remains vacant for a period of one year.
    - ii. The provider may rebut the presumption of abandonment, and has the burden of establishing that any claimed abandonment has not occurred.
- B. In the event that the City finds that there are grounds for revocation of a permit, the City shall give written notice of the apparent violation or noncompliance to the provider or owner of the facility, and provide a period not to exceed thirty (30) days in which the provider or owner of the facility may:
  - 1. Show that corrective actions have been or are being actively pursued in order to remedy the violation or noncompliance.

2. Provide evidence rebutting the City's findings of noncompliance or violation.

- C. City Action. In the event that an applicant holding a permit fails to show corrective actions or successfully rebut the City's findings of noncompliance or violation, the City may revoke the permit and take necessary actions to cause the removal of the SWF or related accessory equipment found to be in violation or noncompliant. When a permit has been revoked by the City under this subsection, it shall be considered an unauthorized facility.
- D. Removal of Unauthorized Facilities. Within 45 days of written notice by the City, an provider or owner of a SWF which has not been authorized by permit or for which a permit has been revoked under this chapter shall, at its sole expense, remove any facilities from the public right-of-way. If the facilities are not removed from the public right-of-way within this time, the City may cause such removal and charge the provider or owner for the costs incurred.

#### 17.82.110 OTHER CONSIDERATIONS:

- A. Lighting. SWFs shall not be lighted. In cases where the equipment is mounted on a light pole, the placement of the equipment shall be considered in order to minimize visibility when the street light is lit.
- B. Noise. Noise generated by small cellular technology wireless facilities shall not exceed level permitted by the City or the Salt Lake County Health Department.
- C. Indemnity and Insurance. A wireless provider shall indemnify the City as set forth in the franchise agreement. A wireless provider shall also obtain and provide proof of insurance coverage as required by the franchise agreement. Each permit issued for a SWF located in the public right-of-way shall be deemed to have as a condition of the permit a requirement that the applicant defend, indemnify and hold harmless the City and its officials, officers, agents, employees, volunteers and contractors from any and all liability, damages, or charges, including attorneys' fees and expenses, arising out of claims, suits, demands or causes of action as a result of the permit process, a granted permit, construction, erection, location, performance, operation, maintenance, repair, installation, replacement, removal or restoration of the SWF.

- D. **Damage.** No provider or wireless facility owner or any person or entity acting on their behalf shall take any action or permit any action to be taken which may impair or damage any public right-of-way or the property of another located in, on, or adjacent to the public right-of-way.
- E. **Pruning of Trees and Shrubs.** If a provider determines that trees and vegetation in the right-of-way interfere with the installation, maintenance, or removal of the provider's SWF or related accessory equipment, a request may be made to the City for such trimming or pruning to be done by the Public Works Department. Such a request shall be made with specificity sufficient for the City's employees to assess the work that may be needed. The provider shall not perform work, or cause work to be performed, relative to the pruning or trimming of trees or vegetation in the public right-of-way unless specifically directed to do so by the City's Public Works Department after consideration of a request and according to established standards.
- F. **Replacement Utility Poles.** When replacing a utility pole, a provider must install or construct the new utility pole in the same location, or as close to the same location as possible, as the pole being replaced unless another location is authorized in writing by the City's Power Department.

Table 1

**SUMMARY OF SMALL WIRELESS FACILITIES AS ALLOWED  
BY ZONING DISTRICT AND MOUNTING TYPES**

Key:

**N = Not Permitted**

P = Permitted

**C = Conditional Use Required**

N\* = Not Permitted, with the exception that in cases where the right-of-way is greater than sixty (60) feet in width, the SWF type is permitted.

**P/C AGENDA MAILINGS**  
**"AFFECTED ENTITIES"**  
Updated 6/2019

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

UTAH TRANSIT AUTHORITY  
ATTN: PLANNING DEPT  
PO BOX 30810  
SLC UT 84130-0810

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

UTAH POWER & LIGHT  
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 UT 84117

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

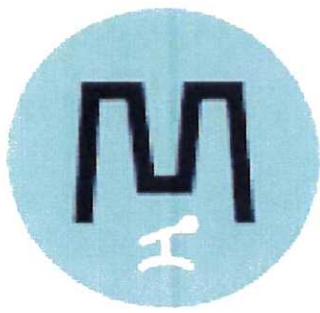
COMCAST  
ATTN: GREG MILLER  
1350 MILLER AVE  
SLC UT 84106

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

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

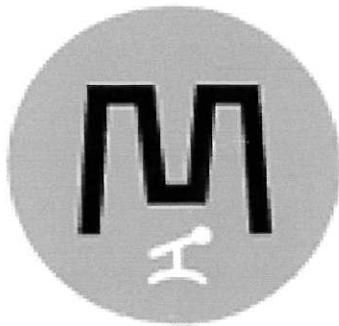
UTAH AGRC  
STATE OFFICE BLDG #5130  
SLC UT 84114

**GENERAL PLAN MAILINGS:**



MURRAY  
CITY COUNCIL

# Adjournment



**MURRAY**  
CITY COUNCIL

# **Council Meeting**

## **6:30 p.m.**

**Call to Order**

**Pledge of Allegiance**

# Murray City Municipal Council

## Chambers

### Murray City, Utah

---

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

#### Council Members in Attendance:

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

#### Others in Attendance:

Blair Camp	Mayor	Jan Lopez	Council Director
G.L. Critchfield	City Attorney	Jennifer Kennedy	City Recorder
Doug Hill	Chief Administrative Officer	Brenda Moore	Controller/Acting Finance Director
Craig Burnett	Police Chief	Joey Mittelman	Fire Captain
Robert White	IT Director	Kim Sorensen	Parks & Recreation Director
Blaine Haacke	General Manager of Power	Jim McNulty	Community & Economic Development (CED) Manager
Greg Bellon	Assistant General Manager of Power		
Scouts		Citizens	

#### **Opening Ceremonies**

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

Pledge of Allegiance – The Pledge of Allegiance was led by Jake Irvine.

#### **Approval of Minutes**

Council Meeting – July 16, 2019

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

## Special Recognition

1. Presentation of the Certificate of Achievement for Excellence in Financial Reporting (CAFR) to Brenda Moore.

### Staff Presentation: Mayor Blair Camp

Mayor Camp said the city has once again been recognized by the Government Finance Officers Association (GFOA) for excellence in the comprehensive annual financial report (CAFR). He read from a letter he received from GFOA and presented a certificate to Brenda Moore, Finance Director. Ms. Moore thanked her staff for their hard work.

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

### John Fruin – Millcreek City, Utah

Mr. Fruin showed the Council some artwork from around the world.

### Brett Snow – Murray City, Utah

Mr. Snow said he has been working with Dale Cox and the City's Code Enforcement on an issue with a house on his street that's been under construction for seven years. The owner of the house owns a construction company and is storing all of his material in the driveway. It's to the point where his truck can't fit in the driveway anymore so he parks on the sidewalk, blocking it for anyone who has to use it.

Mr. Snow asked why this house was not being worked on. He asked why the city was not enforcing code enforcement and getting their inspectors out there. He received an email from Melinda Greenwood, CED Director, stating these situations are difficult and slow to resolve. He gets that these situations are probably slow and difficult to resolve, but he felt like she was telling him there was nothing she could do.

Mr. Snow wants to know why there is a zoning department and codes if nothing can be done to enforce them. He feels like the city has turned a blind eye to this situation for years. He asked for some direction on how this can be resolved.

## 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 347 East Winchester Street, Murray City, Utah from the R-1-8 (Low Density Single Family) Zoning District to the R-N-B (Residential Neighborhood Business) Zoning District.

Applicant: Titan Development/Mark Snow applicant.

### Staff Presentation: Jim McNulty, Development Services Manager

(See Attachment 1 for slides used during this presentation)

Mr. McNulty said this property is about 1/3 of an acre. He showed a map of the property,

noting the property next to it has also been zoned R-N-B. Mr. McNulty noted that the Master Plan shows the future use of this property as R-N-B. The city has had some good projects come out of the R-N-B zone. The Planning Commission has recommended approval of this proposal. Staff is also recommending approval.

Mr. McNulty noted that the R-N-B zone has some restrictive standards compared to other commercial zones in the city. The building would have to have a residential type of design, appropriate landscaping, fencing and buffering between the main roadway and the residential area behind it.

Mr. Cox said he has had one constituent comment on this. They are in favor of the rezone, but their only concern was that whatever is built on the property will fit in with the neighborhood.

Mr. McNulty said if the rezone is granted, the next step is for the applicant to go through a site plan and conditional use process. That is a public hearing that the neighbors are invited to and can make comments at.

Mark Snow – Titan Development

Mr. Snow said he doesn't know exactly what they are going to put on this property, but they are excited to put something on it.

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

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

Council roll call vote:

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

Motion passed 5-0

2. Consider an ordinance relating to land use; amends the Zoning Map for the property located at 5729 South 700 West, Murray City, Utah from the R-1-8 (Low Density Residential) Zoning District to the R-1-6 (Low/Medium Density Residential) Zoning District.

Applicant: Titan Development/Mark Snow applicant.

Staff Presentation: Jim McNulty, Development Services Manager

(See Attachment 2 for slides used during this presentation)

Mr. McNulty said this property is just shy of 16,000 square feet. The applicant is requesting a rezone from R-1-8 to R-1-6 so he can build two separate properties that are approximately 7,800 square feet each. He said that the Low Density Residential zone includes a lot of different single-family home types such as R-1-8, R-1-6, R-1-10, and R-1-12.

Mr. McNulty noted a study was done in the area where this property is located that the applicant and staff have been looking at. The study shows that there are a number of properties within  $\frac{1}{4}$  mile of this property that are zoned R-1-8 that do not meet the zoning requirement of an 8,000 square foot lot. Over 51% of the lots in the study area are on lots that are less than 8,000 square feet.

The R-1-6 zone is supported by the Future Land Use Map. Staff feels this is a good use of the property. The Planning Commission recommended approval of this proposal. Staff is also recommending approval.

Mark Snow – Titan Development

Mr. Snow said this is a great location and he is excited to build something on this property.

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

Mr. Brass said he doesn't have an issue with this proposal because the lot is so big.

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

Council roll call vote:

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

Motion passed 5-0

3. Consider an ordinance amending Title 16 of the Murray City Municipal Code relating to subdivisions.

Staff Presentation: Jim McNulty, Development Services Manager

(See Attachment 3 for slides used during this presentation)

Mr. McNulty said there have been a number of residents who have voiced concerns about some subdivision plats. Currently, Title 16 of the Murray Code states the Planning

Commission is making a recommendation of preliminary or final approval of a plat to the Mayor, then requires the Mayor to sign off on the final plat. In a few instances, people have requested to meet with the Mayor regarding his approval of a plat.

State Code allows for the Planning Commission to be the land use authority for reviews and final approvals of subdivision plats; they do not have to forward a recommendation to the Mayor's office. The Mayor would still sign the plat at the end of the process.

Mr. McNulty said the city has had a policy allowing a subdivision with ten or less lots to be reviewed and approved concurrently. They want to codify that and add it to the code.

The Planning Commission is recommending approval of these changes, staff is also recommending approval. Mr. McNulty added that the Development Review Committee which includes the Public Works Department, the City Engineer and others that are vital to the review of subdivisions and plats before they are recorded, have been involved with these proposed text amendments.

G.L. Critchfield, City Attorney, said a subdivision review is an administrative decision. One of the advantages of having the Planning Commission be the final decision maker in that is it will allow a forum for a public hearing.

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

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

Council roll call vote:

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

Motion passed 5-0

**Business Items**

1. Consider a resolution approving an increase in Murray City's Entitlement Share under the Carbon Free Power Project Power Sales Contract.

Staff Presentation: Blaine Haacke, General Manager of Power

Mr. Haacke said this technology, the Small Modular Reactor (SMR), has been ongoing for about five years and Murray City has been involved with it for the past 18 months.

Mr. Haacke approached the Council in 2018 and asked for a one megawatt interest to examine the SMR technology. The Council is familiar with this technology as they have been involved with the Utah Associated Municipal Power Systems (UAMPS) and Mr. Haacke has had one on one meetings with each of the Council Members. This technology is proposed to be built in the Idaho National Laboratory area located west of Idaho Falls. This technology is new and is not a big nuclear plant. It is small and is being designed and examined in front of the Nuclear Regulatory Commission (NRC) right now. It takes numerous years to get this technology approved. UAMPS has had this technology in front of the NRC for a couple of years and they expect it will take another one and a half to two years to get its final approval. Then at that time it goes from the design phase of the NRC to the NRC administrative group who will actually approve or disapprove the technology.

Mr. Haacke said UAMPS is partnering with a group from Corvallis, Oregon who have devised this technology. This is a self-contained unit that is about 60' by 15'. All of the nuclear reaction and cooling takes place inside the unit.

Mr. Haacke said his intention tonight is to have the Council pass two resolutions. The first resolution would increase the city's entitlement from a one megawatt interest to a 10,250 kilowatt interest. That would commit the city to pursue and continue with the examination and study of this technology on a larger scale. There are advantages to taking a bigger commitment now. There are some cost savings and sharing that are going on now with this new technology. For example, the Department of Energy is paying for half the cost of the licensing. To date, \$6,000,000 has been spent to get the licensing phase to this point. Mr. Haacke explained if the city were to increase their entitlement, Murray would have an \$800,000 interest.

Mr. Haacke explained that when this technology first came out, he was skeptical and worried about it. However, as he's learned more about it, he thinks the technology is exciting and could be a game changer to the whole world.

Mr. Haacke said the second resolution he is bringing before the Council tonight has to do with the Joint Use Module Plant (JUMP) program. He explained that after ten years in this project, the Department of Energy will turn one of their modules, which are 60 megawatts a piece, back to UAMPS. This resolution enables the city to be involved with that call-back possibility and get some more kilowatts in ten years.

Mr. Haacke said the city does have off-ramps where the city can back out of this deal if it needs to. The developers have to meet certain goals and milestones for UAMPS to stay in this. One of those goals is a \$65 per megawatt hour price. If UAMPS sees that the developers are not meeting their goals or feel that there is a safety issue, they can backout of this deal and the Department of Energy will help pay back our \$800,000 commitment. Mr. Haacke noted that UAMPS as a whole would have to backout, Murray City could not backout by themselves.

Another off-ramp will be in late 2023 and the end of the licensing phase. That is when the project will start the construction phase and the bonding will take place. Mr. Haacke said he is not asking for money from Murray City right now.

Mr. Haacke reiterated some the reasons he feels comfortable with this project which included: there are off-ramps to protect us, there is no immediate outlay of money, the Department of Energy is involved, there's a long-term commitment, the City is losing some of its coal fire power plants, and this is a dispatchable resource.

Mr. Haacke said that if the Council decides not to do this, there are some ways around it, but they rely on the market. We can hope that natural gas prices don't go up or that coal fire plants continue to operate for another 20 to 30 years, but his recommendation is to get involved. Ten megawatts is not huge. It is about 7% to 8% of the city's energy needs.

Mr. Nicponski asked if the \$800,000 was coming out of the Power Fund.

Mr. Haacke replied the money is a short-term loan from UAMPS. It is a commitment from Murray, but it's not money out of the city's coffers and hopefully never will be. They are hoping to put the money into the bonding of the plant in 2023.

Ms. Turner said she has done a lot of research and she doesn't believe it should be the role of a city of 50,000 citizens to fund, what will end up being millions of dollars, for small nuclear reactors. The technology is brand new, has not been proven, and has not been on the power grid. She believes the investment is too risky and there are too many "ifs". She supports and believes in the value of innovation, but private industry should be doing this, not small cities.

Ms. Turner stated the total investment will be \$7,300,000 in 2023. One third of her district is not able to, and probably will never be able to have the advantages of Murray Power, however, they would be responsible for that debt. She does not believe that is fair or right. A comment was made (inaudible) and Ms. Turner asked if she was wrong or incorrect.

Mr. Brass said that Ms. Turner was wrong and explained that the Power Department is an Enterprise Fund and that the General Fund would not carry that debt. It would be bonded with the Power Enterprise Fund. Mr. Brass asked Mr. Haacke if the bond would be through the Power Enterprise Fund.

Mr. Haacke replied a bond would be through the Power Department.

Ms. Turner verified that the rest of the city would not be responsible if something happens with this. She asked for verification that the Power Department would be responsible and the city would not have to back the bond up at all.

Mr. Haacke replied he didn't think it was a General Fund commitment he thought it was a Power Fund commitment, but he wasn't sure.

Ms. Turner said she believes there are other options such as investing in renewable energy and further developing the assets the city already has. Although this project offers off ramps, 51% of the UAMPS cities would have to vote in favor of getting out of the project in order to leave the project. If they didn't, and the city wanted out, the city would lose its money if we left on our own.

Mr. Cox said the City has heard from both sides of this issue, and everything has a risk. It was a risk when the City bought the Power Department. Coal is going away and new technologies are coming. Nuclear energy scares everybody, but this is being looked at as a new technology and if it works, could be the future of carbon free emissions. All energy has its carbon footprint. If this technology works, it will be groundbreaking. He reiterated that only Murray Power customers would pay the expense for the SMR.

Mr. Brass said he has worked in the power industry for 45 years, mostly with public power but has called on large scale utilities as well. He has a lot of knowledge in this industry. He has solar panels on his house. He did that because he knew at some point, he would have to make a decision on the City Council on how to charge for solar panel rates and look at other renewable energy. He told the Power Department they could put whatever equipment they wanted to on his house so they could monitor his generation and see where the load curves were. Solar generation looks like a bell curve. The sun comes up and you start generating electricity until the sun goes down.

The majority of the city's generation in our portfolio mix is from coal. As more and more renewables come out, they have become quite cost effective. Mr. Haacke has mentioned a solar energy project that the city might be able to buy into for \$30 per megawatt. That is cheap and is driving the old nuclear plants out because their power costs about \$1.00 per kilowatt.

On the east coast, they're learning that when the wind doesn't blow and the sun doesn't shine, the fallback is coal which impacts air quality. You don't see that in Europe which has adopted nuclear power on a greater scale. The basic concept of conventional reactors has been in nuclear submarines for over 50 years and it is a safe technology. This technology uses a closed loop cooling system so it doesn't consume the outrageous quantities of water that a traditional one off reactor would.

Nuclear is carbon free and can be used 24/7. Natural gas is a cleaner fuel, but it only has 50% less emissions than coal. Mr. Brass would love to hear about another alternative that can be scheduled 24/7 to fill the gaps of the solar load curve and doesn't emit carbon. He would be behind that 100%. But until then, he feels this is an option that the city owes its citizens and the environment to at least take a look at. He knows people are concerned about the radioactive waste, but if this comes in at the price Mr. Haacke is saying, it will

be a bargain.

MOTION: Mr. Nicponski moved to adopt the resolution to increase Murray City's Entitlement Share from 1,000 Kilowatts to 10,250 Kilowatts. The motion was SECONDED by Mr. Brass.

Ms. Turner said she doesn't think this is the most responsible thing the city can do with its funding.

Council roll call vote:

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

Motion passed 4-1

2. Consider a resolution authorizing and approving an increase in Murray City's Entitlement Share under the Carbon Free Power Project Power Sales Contract for the Lay-Off Power Sales Agreement associated with the Joint Use Module Plant Operations at the Carbon Free Power Project; and associated matters.

See Business Item #1 for discussion on this item.

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

Council roll call vote:

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

Motion passed 4-1

3. Consider a resolution of the Murray City Municipal Council declaring Murray City's intent and reasonable expectation to reimburse expenditures in connection with construction of a new City Hall with the proceeds of future tax exempt and/or tax credit bonds.

Staff Presentation: Brenda Moore, Finance Director

Ms. Moore said in September or October she will be bringing a parameters resolution before the Council for a bond for the new City Hall. The reason for tonight's resolution is

the city is incurring costs related to the new City Hall now and we intend to reimburse ourselves with the bond proceeds even though the bond won't be issued until early next year.

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

Council roll call vote:

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

Motion passed 5-0

4. Consider an ordinance amending Sections 2.66.020, 2.66.050 and 2.66.060 of the Murray City Municipal Code relating to elections.

Staff Presentation: Jennifer Kennedy, City Recorder

Ms. Kennedy said these changes include that if a candidate is going to be out of town during the entire declaration of candidacy period, they can designate an agent to declare their candidacy on their behalf. The requirements for the nomination petition have been updated now that a single person can nominate someone and we have taken out the section about appointing election judges because Salt Lake County takes care of that.

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

Council roll call vote:

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

Motion passed 5-0

**Mayor's Report and Questions**

Mayor Camp reported on the following items:

- Mayor Camp spent some time at Utah Community Action (UCA) this morning learning about their facilities. He learned that the HEAT Program, which is ran by UCA, helped 1,821 Murray citizens between July 2018 and June 2019. There were also almost 1,800 citizens who received emergency food supplies from UCA during that same timeframe.

- Vine Street will be closed in both directions at 1100 East starting tomorrow through Friday.
- The Mayor's Office is aware of the home that was brought up by Mr. Snow on 6286 South 370 East. It is on their radar and they are working on it.

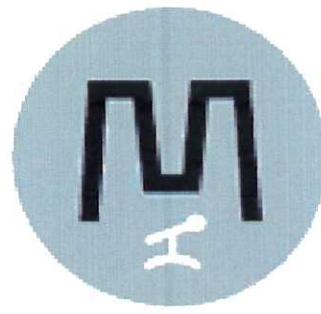
**Adjournment**

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

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Jennifer Kennedy, City Recorder

DRAFT



MURRAY  
CITY COUNCIL

# Special Recognition #1



**MURRAY**

**Council Action Request**

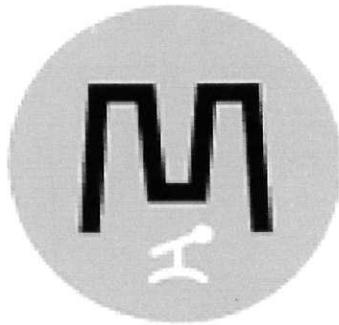
# Fire Department Jon Harris

Swearing-in Ceremony

## Council Meeting

Meeting Date: September 3, 2019

<b>Department</b> Director Jon Harris	<b>Purpose of Proposal</b> Swearing-in for new employees.
<b>Phone #</b> 801-264-2774	<b>Action Requested</b> Swearing-in for new employees.
<b>Presenters</b> Jon Harris	<b>Attachments</b> None.
<b>Budget Impact</b>	<b>Description of this Item</b> Swearing-in for new employees:  Mitchel McClure Skylar Van Ekelenburg Kevin Davis Jordan Guccione
<b>Required Time for Presentation</b> 15 Minutes	
<b>Is This Time Sensitive</b> No	
<b>Mayor's Approval</b> Doug Hill Date July 3, 2019	Digital signature of Doug Hill DHR, City of Murray City Corporation, our-Chef Administrative Officer, email: dhill@murray.utah.gov, c=US Date: 2019.08.21 11:26:38 -06'00'



MURRAY  
CITY COUNCIL

# Special Recognition #2



**MURRAY**

# Power Department

## Public Power Resolution

### Council Action Request

Council Meeting

Meeting Date: September 3, 2019

<b>Department Director</b> Blaine Haacke	<b>Purpose of Proposal</b> Public Power Week Resolution
<b>Phone #</b> 801-264-2715	<b>Action Requested</b> In support of Public Power Week
<b>Presenters</b> Blaine Haacke	<b>Attachments</b> A Joint Resolution from the Mayor and City Council
<b>Required Time for Presentation</b>	<b>Budget Impact</b> N/A
<b>Is This Time Sensitive</b> Yes	<b>Description of this Item</b> Presentation of a Joint Resolution of the Mayor and Municipal Council of Murray City Declaring September 9-13, 2019 as Public Power Week
<b>Mayor's Approval</b> <b>Doug Hill</b> <b>Date</b> August 1, 2019	Digitally signed by Doug Hill DN:cn=Doug Hill, o=Murray City Corporation, ou=Chief Administrative Officer, email=dhill@murray.utah.gov, c=US Date: 2019.08.21 11:27:00 -06'00'

Joint Resolution #\_\_\_\_\_

**JOINT RESOLUTION OF THE MAYOR AND  
MUNICIPAL COUNCIL OF MURRAY CITY, UTAH**  
DECLARING  
SEPTEMBER 9-13, 2019  
PUBLIC POWER WEEK

**WHEREAS**, Murray's citizens in 1913 voted and approved the formation of the community's own municipal electric utility; and

**WHEREAS**, the citizens of Murray City have owned and operated an independent electric utility, Murray City Power, for 106 years, providing our community with safe, reliable, and reasonably priced electricity; and

**WHEREAS**, Murray City Power is one of over 2,000 consumer-owned electric utilities that comprise the American Public Power Association (APPA), an organization that annually promotes "Public Power Week";

**NOW, THEREFORE, WE**, the Mayor and Murray City Municipal Council, do hereby declare

September 9-13, 2019  
**PUBLIC POWER WEEK**

**BE IT THEREFORE RESOLVED**, that we hereby encourage the citizens of Murray City to participate in the Public Power Celebration event on Thursday, the 12<sup>th</sup> of September, to honor 106 successful years of public power in Murray; and

**BE IT FURTHER RESOLVED**, that our community acknowledges that the success of Murray City Power has been achieved through the combined and cooperative efforts of our employees, citizens, fellow city department, elected officials, and industry partners, including the Utah Associated Municipal Power Systems (UAMPS), the Intermountain Power Agency (IPA), and the American Public Power Association (APPA).

**PASSED, APPROVED, AND ADOPTED** by the Mayor and the Murray City Municipal Council the 3rd day of September, 2019.

Murray City Corporation

Murray City Municipal Council

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D. Blair Camp, Mayor

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Dave Nicponski, District 1, Chair

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Dale Cox, District 2

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James A. Brass, District 3

Attest:

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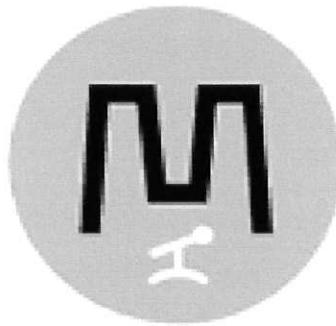
Diane Turner, District 4

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Jennifer Kennedy, City Recorder

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Brett A. Hales, District 5



**MURRAY**  
CITY COUNCIL

# Special Recognition #3



**MURRAY**

# Power Department

## 2019 Jim and Jean Hendrickson Beautification Awards

### Council Action Request

#### Council Meeting

Meeting Date: September 3, 2019

<b>Department Director</b> Blaine Haacke	<b>Purpose of Proposal</b> To announce the 2019 Beautification Awards
<b>Phone #</b> 801-264-2715	<b>Action Requested</b> To announce and recognize the 2019 Beautification Awards
<b>Presenters</b> Matt Erkelens	<b>Attachments</b> None
<b>Required Time for Presentation</b>	<b>Budget Impact</b> None
<b>Is This Time Sensitive</b> Yes	<b>Description of this Item</b> The Shade Tree & Beautification Commission have selected the 2019 Jim and Jean Hendrickson Beautification Awards. We are requesting time to announce and present the awards.
<b>Mayor's Approval</b> <b>Doug Hill</b> <b>Date</b> August 1, 2019	Digitally signed by Doug Hill DH on Doug Hill, on Murray City Corporation, our Chief Administrative Officer, email=dhill@murray.utah.gov, c=US Date: 2019.08.21 11:17:26 -06'00'



# Murray City's 35<sup>th</sup> Annual Beautification Awards Program



September 2019

Sponsored by:  
Murray City Shade Tree & Beautification Commission  
and Murray City Power

# Murray City Shade Tree & Beautification Commission Members

(Appointed by the Mayor)

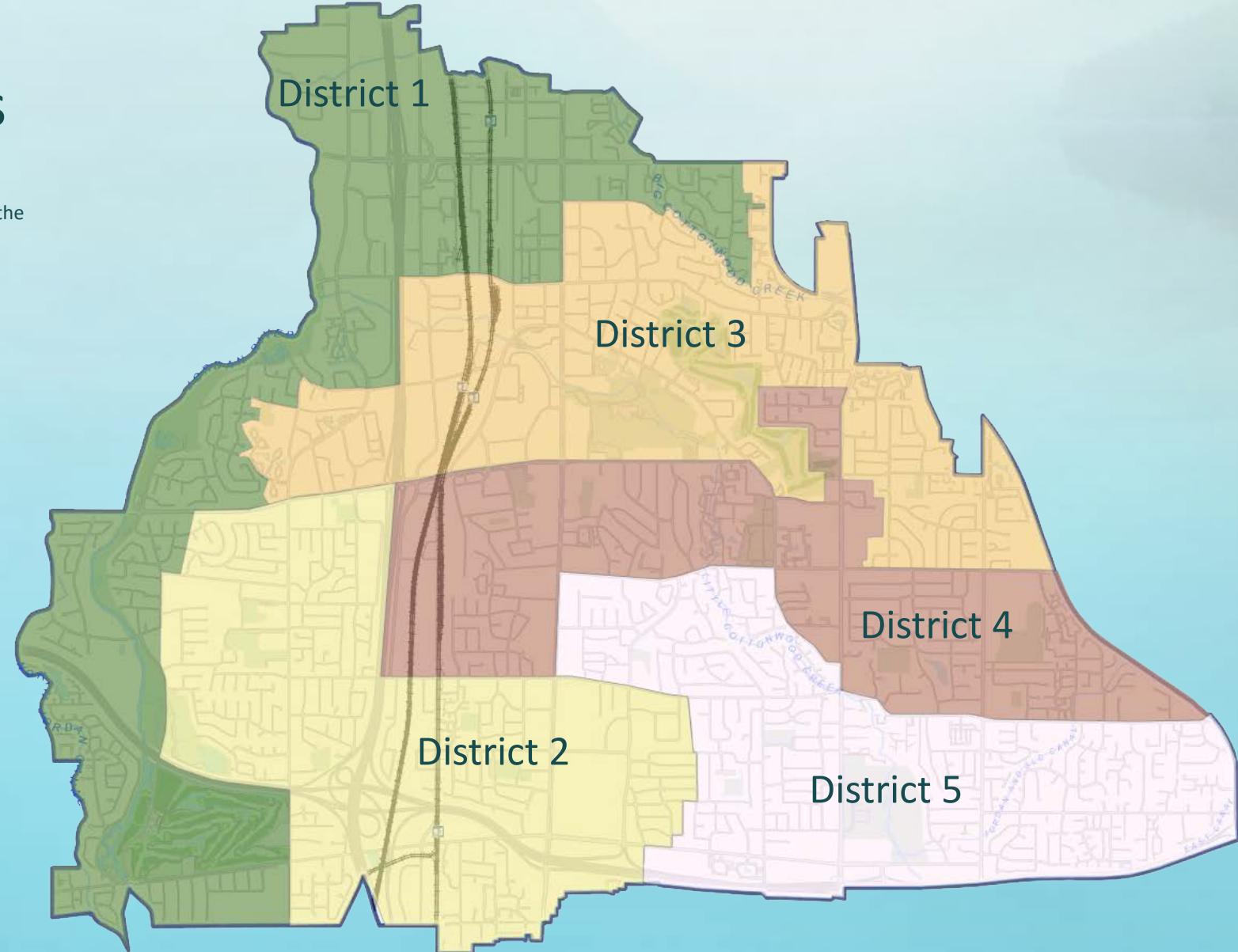
- Dr. Janice Evans
- Darin Bird
- Geneal Nelson
- Judith Payne



**TREE CITY USA**

# District Awards

(Beautification Districts are the same as the Murray City Council Districts)



District 1 – Winner

Maurice Residence  
501 East Julep Dr



## District 2 – Winner

Boettcher Residence  
125 West Lester Ave



# District 3 - Winner

Marko Residence  
5036 South Jazz Ln



District 4 - Winner

Alstrup Residence  
1165 East 5840 South



# District 5 - Winner

Shimada Residence  
804 East Vine Creek Cir



## Mayor's Awards



# Single Family Residential

Vigil Residence  
817 West Walden Hills Dr



# Residential Xeriscape

Taylor & Pratt Residence  
632 East Lincoln Place



# Commercial

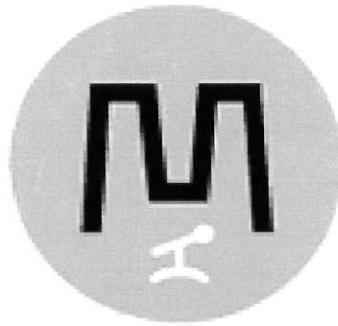
Studio 6 Extended Stay  
975 East 6600 South



# Multi-Family Residential

Lost Creek Apartments  
4950 South State St

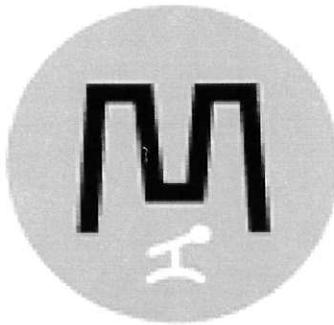




**MURRAY**  
CITY COUNCIL

# 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 3<sup>rd</sup> day of September, 2019, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will hold and conduct a hearing on and pertaining to amending the Zoning Map from the C-D (Commercial Development) and G-O (General Office) zoning districts to the P-O (Professional Office) zoning district for the property located at 5920 South Fashion Boulevard, Murray, Utah.

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

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

MURRAY CITY CORPORATION

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Jennifer Kennedy  
City Recorder

DATE OF PUBLICATION: August 23, 2019

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE RELATING TO LAND USE; AMENDS THE ZONING MAP FOR THE PROPERTY LOCATED AT 5920 SOUTH FASHION BOULEVARD, MURRAY CITY, UTAH FROM THE C-D (COMMERCIAL DEVELOPMENT) AND G-O (GENERAL OFFICE) ZONING DISTRICTS TO THE P-O (PROFESSIONAL OFFICE) ZONING DISTRICT. (Roderick Enterprises)

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

WHEREAS, the owner of the real property located at 5920 South Fashion Boulevard, Murray, Utah, has requested a proposed amendment to the zoning map to designate the property in an P-O (Professional Office) zone district; and

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

WHEREAS, it appearing to be in the best interest of the City and the inhabitants thereof that the proposed amendment of the zoning map be approved.

NOW, THEREFORE, BE IT ENACTED:

*Section 1.* That the Zoning Map and the zone district designation be amended for the following described property located at 5920 South Fashion Boulevard, Murray, Salt Lake County, Utah from C-D (Commercial) and G-O (General Office) to P-O (Professional Office):

*[Legal description follows on page 2]*

Parcel 1:

A parcel of land situate in the Southwest Quarter of Section 18, Township 2 South, Range 1 East, Salt Lake Base and Meridian, being more particularly described as follows:

Commencing North 02°15'30" East 1,162.43 feet and East 1,383.50 feet from the Street Monument at the intersection of 6100 South Street and State Street, said Monument being South 00°05'54" West 58.15 feet and South 89°50'41" East 601.17 feet from the Southwest Corner of Section 18, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running;

thence South 87°30'00" East 302.71 feet;  
thence South 00°18'00" East 129.54 feet;  
thence South 89°59'05" East 6.78 feet;  
thence South 144.00 feet;  
thence West 250.48 feet;  
thence South 02°32'00" West 144.32 feet;  
thence South 01°26'00" West 21.27 feet to the Northerly Right-of-Way of Fashion Square Drive;  
thence Southwesterly 24.38 feet along the arc of a 163.30 feet radius curve to the left (center bears South 34°18'42" East and the chord bears South 51°24'41" West 24.36 feet with a central angle of 08°33'13") along said Northerly Right-of-Way;  
thence North 79°53'30" West 31.53 feet;  
thence North 00°18'00" West 461.85 feet to the point of beginning.

Contains 95,053 square feet or 2.182 acres.

Parcel 2:

A parcel of land situate in the Southwest Quarter of Section 18, Township 2 South, Range 1 East, Salt Lake Base and Meridian, being more particularly described as follows:

Commencing North 02°15'30" East 1,165.56 feet and East 1,311.81 feet from the Street Monument at the intersection of 6100 South Street and State Street, said Monument being South 00°05'54" West 58.15 feet and South 89°50'41" East 601.17 feet from the Southwest Corner of Section 18, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running;

thence North 00°18'00" West 294.10 feet;  
thence South 81°00'00" East 231.38 feet;  
thence South 00°18'00" East 267.88 feet to and along the Westerly Right-of-Way of Fashion Boulevard;  
thence North 87°30'00" West 228.61 feet to the point of beginning.

Contains 64,161 square feet or 1.473 acres.

**Section 2.** This Ordinance shall take effect upon the first publication and filing of copy thereof in the office of the City Recorder.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this 3<sup>rd</sup> day of September, 2019.

MURRAY CITY MUNICIPAL COUNCIL

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Dave Nicponski, Chair

ATTEST:

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Jennifer Kennedy, City Recorder

MAYOR'S ACTION: Approved

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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D. Blair Camp, Mayor

ATTEST:

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Jennifer Kennedy, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance was published according to law on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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Jennifer Kennedy, City Recorder

4. Access from the ADU to a circuit breaker panel shall be provided.
5. Appropriate egress windows and window wells shall be provided.
6. The applicant will obtain Murray City Building Permits for any new work needed in conjunction with the ADU.
7. Inspections by the Murray City Building Division will be required prior to occupancy of the ADU and will include general inspection of the items mentioned in the Staff Report.
8. The proposed Accessory Dwelling Unit shall comply with all applicable ordinance standards outlined in Chapter 17.78.
9. The ADU shall be occupied by no more than two (2) related or unrelated adults and their children.
10. The property owner shall complete and record with the Salt Lake County Recorder's Office, the Accessory Dwelling Unit – Owner Occupancy Affidavit (Provided by Community & Economic Development). A copy of the recorded document shall be provided to the Murray City Community and Economic Development Division prior to occupancy of the ADU.
11. The property owners shall obtain a rental business license from Murray City prior to allowing occupancy of the ADU. Rental of the ADU must meet the requirements of the Murray City Land Use Ordinance.
12. Temporary Rentals are not allowed; neither the Primary nor Accessory Dwelling Unit may be used as temporary rentals such as an Air B&B or VRBO.

Seconded by Ms. Milkavich.

Call vote recorded by Mr. Smallwood.

A Maren Patterson  
A Lisa Milkavich  
A Scot Woodbury  
A Phil Markham  
A Travis Nay

Motion passed 5-0

RODERICK ENTERPRISES – 5920 South Fashion Blvd. – Project # 19-077 & 19-078

Michael Roderick was the applicant present to represent this request. Zac Smallwood reviewed the location and request for the Future Land Use Map amendment change from a designation of Office to Professional Office. The requested Zoning Map amendments are from C-D, Commercial Development and G-O, General Office designations to P-O, Professional Office. Mr. Smallwood explained that the subject property has two different zones. The north portion is zoned G-O and the south portion is C-D. Sometime between October 2018, and January 2019, the 7 parcels that encompassed this area were combined by a lot consolidation that did not pass through the City process, and then they were recorded as combined property with the Salt

Lake County Recorder. The unofficial combination of the subject parcels has resulted in two different zones on one piece of property and will be addressed in tonight's meeting. Currently the General Plan indicates this area is designated as Office, and the proposed change is to Professional Office. Staff has determined it to be a natural progression of the existing nearby P-O Zone, which would allow primarily office uses with some Conditional Uses for restaurants, schools, and entertainment. A building in this zone could be a maximum height of 35' if located within 100' of residential zoning, and 50' maximum if setback from residential zoning >100'. The subject property has abutting homes to the west and if the property were to be developed by P-O Zone standards then a 10 ft. buffer and a 6 ft. masonry fence would be required between the two uses. 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 Future Land Use Map and the Zoning Map designations.

Michael Roderick, 1214 East Vine Street, stated his changes are necessary because he wants to be consistent with whatever IHC and the University of Utah are doing in the area because the subject property is located in the middle of both. Mr. Roderick further explained that the initial plan was to build a corporate office for himself but there was interest from the medical community and the plan changed.

The meeting was opened for public comment.

Kim Kimball, 6998 Gillen Lane, stated that last year a proposal was heard by the Planning Commission to build a dental office in this area and they were told no, due to the increase in traffic. Mr. Kimball expressed concern that allowing the P-O Zoning would allow buildings with increased heights which would also increase traffic impacts around McMillian Elementary School nearby. Mr. Kimball asked where the parking lot of the future buildings will be located. Mr. Nay stated that specific details about the location of any potential development can't be speculated on because there are no formal development plans before us.

Janet Hill, 5970 South Afton Avenue, stated she went to the Murray City website and it stated, "that the purpose of zoning is to provide adequate open space for light and air and to prevent overcrowding of land". Ms. Hill stated that she also referenced the Future Land Use Map on the Murray City website and that it designates this area as Office Space, and she believes this zoning was thought out well. Ms. Hill added that she believes a two-story building is more consistent with other buildings in the area, with the exception of the three-story buildings towards the mall and she wishes to keep a zone more consistent with two story buildings. Ms. Hill also expressed her dislike for the way the Public Notice was announced because she did not receive a notice and believes she lives within the distance to be part of the mailing list for this agenda item. Ms. Hill also stated that the notice says the applicant shall be responsible for posting notification signage on the subject property in advance of the scheduled meeting, which she does not believe was done.

Shirlene Lundskog, 5951 South 200 East, stated her son also has a property on Gillen Lane and that this proposed zone change is abutting both of the properties. Ms. Lundskog stated that she and her son are concerned that there will be a rise in property tax as well as the height of the building.

The public comment portion for this agenda item was closed.

Mr. Nay asked if Mr. Smallwood could add clarity to the public comment about an application for a Dental Office that was denied for rezone by the City. Mr. Smallwood answered that the application for a dental office was not for this property, instead it was much further down Fashion Blvd. and that it was proposed on a residentially zoned property. Mr. Nay also recalled that traffic was not the reason for denial of the rezone. Mr. McNulty added that the application was

for Smith Family Dental and the City Council chose not to grant the rezoning because of the impact to the neighborhood that was all around it and to protect and stabilize the existing R-1-8 Zone. Mr. McNulty stated that the P-O Zone was adopted by City Council in July of 2018. Ms. Milkavich asked if there were multiple discussions about the Smith Family Dental application. Mr. McNulty replied yes, and one group of people was in favor of the proposal and one group was opposed to the proposal. Minutes for both meetings are posted on the internet for public reference. Ms. Patterson asked if the Smith Family Dental application was proposed for the same property in tonight's application. Mr. McNulty replied no, they are completely different properties and different zones.

Mr. Smallwood addressed public comments and stated that he speculates if a building were to be built on this property that it may be situated closer to McMillian Elementary rather than a parking lot. Mr. Smallwood also stated that the current zones and the proposed zone have many similarities and allowances, but the P-O Zone has the capability to give more control over what can be developed on this property than the current zones do. Mr. Smallwood stated that he recalls there being several three or four-story buildings located in the Tosh area as well as on the U of U's new campus to the south. Staff believes that this use would be consistent with those buildings. Mr. Smallwood stated that in addition to mailing Public Notices to residents within a 300 ft. radius, the City also posts notices on the Utah State Public noticing website. Mr. Nay commented that the resident who expressed concerns about not receiving a notice was present at tonight's Public Hearing and was somehow notified. Mr. Smallwood stated that he conducted a site visit to the property but did not recall if the sign was posted and that the City requires the sign to be posted 10 days prior to the Public Hearing and it is the applicant's responsibility to do so. Mr. McNulty added that City Staff gave the sign to the applicant with instruction to post it and that the noticing in which the City uses is effective, as can be seen because we have a full chamber of residents in attendance. Mr. McNulty added that the City also posts notices in public places in City Hall, on the Murray City website as well as the State website so that we meet all State Code Statutes on noticing requirements.

Mr. Smallwood addressed the concern about raising taxes of the surrounding properties and stated that if property tax rates change that they would only affect the single property owner of the subject property and not a neighboring property. Ms. Milkavich pointed out that the City does not have any control over property taxes because taxing is governed by the County Tax Assessors. Ms. Patterson stated that she is aware that the P-O Zone was only recently created therefore, it was not incorporated into the General Plan when it was adopted and wondered if the P-O Zone was in existence when the General Plan was adopted, is it possible that this area would have been zoned P-O. Mr. Smallwood stated that the P-O Zone was created by the City and it was based off the designation of the General Office Land Use Designation. Looking over the past couple of years, the U of U building built nearby supports the thought that this area is a good fit for the P-O Zone. Mr. McNulty stated that the General Plan adoption took two years and that the City tried to look at each area and make a recommendation. The P-O Zone makes sense here because it abuts an existing Professional Office Zone on the General Plan Land Use Map.

Mr. Nay asked Mr. Roderick where he posted the notice. Mr. Roderick stated that he originally, he posted the notice on 300 East, but it was torn down a few times, so it was moved to the south part of the property by Fashion Blvd. that abuts the property and believes the sign is still there. Mr. Roderick added that his company has been located in Murray since the 1950's and he loves Murray City dearly and hopes to keep his company headquarters here. Mr. Roderick added that his company was involved in the original development of the Fashion Place Mall and more recently the Fashion Plaza Shopping Center to the South and the adjacent office park where the University of Utah is now located. He stated that Roderick enterprises is involved in building long-term, quality projects that benefit the community.

Planning Commission Meeting  
July 18, 2019  
Page 6

Phil Markham made a motion to forward a recommendation of approval to the City Council for the requested amendment to the General Plan of the property located at 5920 South Fashion Boulevard from Office to Professional Office.

Seconded by Scot Woodbury.

Call vote recorded by Mr. Smallwood.

A Phil Markham  
A Scot Woodbury  
A Maren Patterson  
A Lisa Milkavich  
A Travis Nay

Motion passed 5-0

Maren Patterson made a motion to forward a recommendation of approval to the City Council for the requested amendment to the Zoning Map designation for the property located at 5920 South Fashion Boulevard from C-D, Commercial Development and G-O, General Office to P-O, Professional Office.

Seconded by Phil Markham.

Call vote recorded by Mr. Smallwood.

A Maren Patterson  
A Phil Markham  
A Scot Woodbury  
A Lisa Milkavich  
A Travis Nay

Motion passed 5-0

Mr. Nay added for the benefit of those in attendance that if an application is submitted to the City for the development of the site it will also be brought before the Planning Commission in a public meeting and there will be an opportunity for future thoughts and concerns to be heard. Mr. Woodbury added that this agenda item will be forwarded to the City Council for Public Hearing and that there will be an opportunity to speak at that time as well. This is only the first part of the process, and the City Council is the second part. Any potential future projects will come to Planning Commission in a public meeting.

KIMBALL ASSOCIATES – 4670 South 900 East – Project #19-086 & 19-087

David Kimball was the applicant present to represent this request. Jared Hall reviewed the location and request for amendments to the Future Land Use Map from a designation of General Commercial to a designation of Mixed Use. The applicant proposes to amend the General Plan and Zoning Map in preparation to apply for a new Mixed-Use development on the property which would include multi-family housing units and horizontal commercial development along 900 East. The requested Zoning Map amendment is from a designation of C-D, Commercial Development, to M-U, Mixed Use for the subject property generally known as the old K-Mart site. This area is an arm of the City, the east, west, and most of the north property's border Millcreek City. The site is 10.5 acres within the C-D Zone and borders the Ivy Place Shopping Center to the south and Cube Smart building to the north. Most of the site is a parking lot with

**MURRAY CITY CORPORATION**

Community &  
Economic Development

Building Division 801-270-2400  
Planning Division 801-270-2420

**TO:** Murray City Planning Commission

**FROM:** Murray City Community & Economic Development Staff

**DATE OF REPORT:** July 12, 2019

**DATE OF HEARING:** July 18, 2019

**PROJECT NAME:** Roderick Enterprises

**PROJECT NUMBER:** 19-077 & 19-078

**PROJECT TYPE:** General Plan Amendment, Zoning Map Amendment

**APPLICANT:** Ben Wheat, Roderick Enterprises

**PROPERTY ADDRESS:** 5920 South Fashion Boulevard

**SIDWELL #:** 22-18-377-062

**EXISTING ZONE:** C-D, Commercial Development and G-O, General Office

**PROPOSED ZONE:** P-O, Professional Office

**EXISTING FUTURE LAND USE DESIGNATION:** Office

**PROPOSED FUTURE LAND USE DESIGNATION:** Professional Office

**PROPERTY SIZE:** 3.61 acres

**I. REQUEST:**

The applicant is requesting approval for amendments to the Murray City Future Land Use Map and Zoning Map for the subject property. The requested Future Land Use Map amendment is from a designation of Office to Professional Office. The requested Zoning Map amendments are from C-D, Commercial Development and G-O, General Office designations to P-O, Professional Office.

**II. BACKGROUND AND REVIEW**

*Background*

The subject property is located on the southwest corner of 5900 South and Fashion Boulevard. The subject property consisted of seven (7) individual

parcels as of Fall of 2018. In early 2019, the properties were combined into one lot through an unapproved lot consolidation. This resulted in a single property having two (2) distinct zoning districts: The three (3) northmost properties were zoned G-O (General Office), and the remaining four (4) parcels were zoned C-D (Commercial Development). Roderick Enterprises purchased the properties and combined the lots with the intent on developing the properties as a single parcel.

Roderick Enterprises are a development group with offices in Murray. They would like to build a new office on the subject property. After a review of the allowed heights and setbacks of the G-O and C-D zones the Applicant would like to request to change the Future Land Use and Zoning Maps to change to Professional Office. This would allow for additional height in the location, while still maintaining a buffer from the nearby R-1-8 Zoning on the east and west sides of the property.

#### Surrounding Land Uses & Zoning

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Office	G-O
South	Office	C-D
East	Office	G-O
West	Single-Family Residential	R-1-8

#### Zoning Districts & Allowed Land Uses

- Existing: The existing G-O, General Office and C-D, Commercial Development zones allow professional, business services and office uses that are compatible with nearby and surrounding commercial and residential uses. Examples include dentists, family doctors, optometrists, travel agencies, real estate agencies, retail/restaurant establishments, insurance agencies, architects, and law offices. Entertainment, contractors' services, and vehicle sales and repair are allowed as conditional uses.
- Proposed: The proposed P-O, Professional Office zone allows primarily office uses with some Conditional Uses for restaurants, schools, and entertainment. The P-O zone would limit the uses more than the existing C-D, Commercial Development zone. Notable exclusions from the P-O zone are contractors, and vehicle sales and repair.

#### Regulations

A brief summary comparing some of the requirements from the C-D and G-O to P-O zoning is contained in the table below.

	G-O (existing)	C-D (existing)	P-O (proposed)
Front Setback	20'	20'	20' can be reduced to 10'
Rear Setback	20' (where adjacent to residential)	none	20'
Side Setback	20' on corner sides, 20' where adjacent to residential zoning	none	20'
Lot Width	90'	none	None
Building Height	30' max if located within 100' of residential zoning.  1' of additional height per 4' of additional setback from residential	35' max if located within 100' of residential zoning.  1' of additional height per 4' of additional setback from residential zoning	35' max if located within 100' of residential zoning.  50' max if setback from residential zoning >100'
Landscape & Buffering	15% site requirement  10' buffer adjacent to residential zoning  6' masonry fence adjacent to residential	10% site requirement  10' buffer adjacent to residential zoning  6' masonry fence adjacent to residential	10% site requirement  6' masonry fence adjacent to residential

#### General Plan & Future Land Use Designations

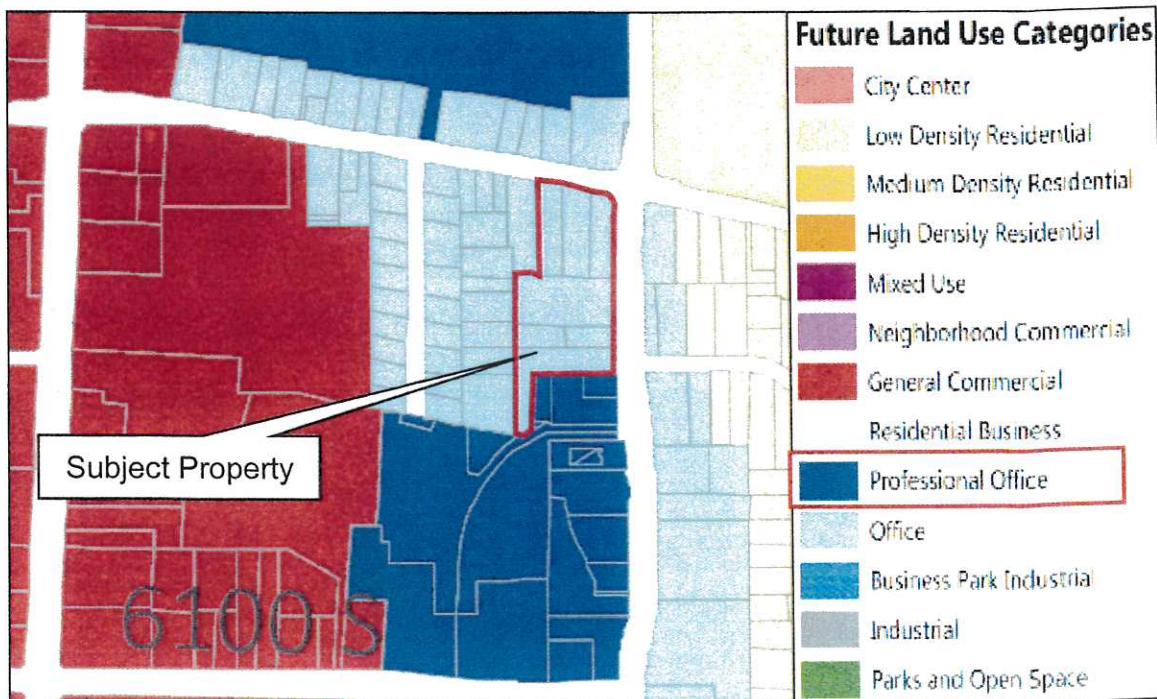
Map 5.7 of the Murray City General Plan (the Future Land Use Map) identifies future land use designations for all properties in Murray City. The designation of a property is tied to corresponding purpose statements and zones. These "Future Land Use Designations" are intended to help guide decisions about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

- Existing: The subject properties are currently designated as "Office". The Office designation allows for a wide range of office uses in an environment that is compatible with adjacent residential neighborhoods. Development patterns should enhance the livability of surrounding residential neighborhoods while contributing to the success of nearby business areas. Development will generally be individual buildings or small clusters that are scaled similarly to adjacent residential areas. The corresponding zoning designations are G-O, General Office and R-N-B, Residential Neighborhood Business. This designation was applied to the subject properties along with other properties along 5900 South and Fashion Boulevard in the General Plan adopted in 2017. Most of the parcels had the Office designation in the previous General Plan.

- Proposed: The applicants have proposed amending the Future Land Use Map designation of the properties to “Professional Office”. The Professional Office designation allows for a full-range of commercial and employment uses. This designation is intended to provide for mixed-use areas where urban public services are available or planned, including access to high-capacity transit or BRT/Streetcar service. The intensity of development will be higher than in other employment designations and urban in character. Development patterns should enhance the livability of surrounding residential neighborhoods while contributing to the success of nearby business areas. Developments may be individual buildings or developed as an urban mixed-use campus.

#### Compatibility

The subject property is located on the south side of 5900 South and west side of Fashion Boulevard near the University of Utah Healthcare’s new medical building and The Orthopedic Specialty Hospital (TOSH). The land uses and zoning designations in the surrounding area are a mix of commercial and office with some limited residential uses along 200 East. The 2017 General Plan designates the properties in the area from 6100 South to 5900 South between Fashion Boulevard and State Street as Office. The emerging development pattern of the area is for office use, and an expansion of the Professional Office designation would be consistent with this pattern. The Professional Office designation has been applied on properties to the north (TOSH) and south.



### **III. CITY DEPARTMENT REVIEW**

A Planning Review Meeting was held on Monday, July 1, 2019 where the proposed amendments were considered by City Staff from various departments. There were no comments from City Departments to be forwarded to the Planning Commission at this time.

### **IV. PUBLIC INPUT**

Notices were sent to all property owners within 500 feet of the subject property. There have been approximately four (4) calls for clarification about the existing residential along 200 East. The residents were concerned that their property was changing without their knowledge. Staff explained the General Plan designations and that at this time they are considered recommendations and that the City will not rezone without an application that would need to include a property owner's affidavit that gives consent to proceed with the change.

### **V. ANALYSIS & CONCLUSIONS**

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

The subject property is located near the Fashion Place Mall in an area that is trending towards office uses. The applicant believes that to get the highest and best use of the property, the Professional Office Zone would be needed. This allows for a reduction in setbacks on the street, and additional height when appropriately separated from residential zoning.

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

The range of uses in the G-O, C-D and P-O Zones are similar enough that there will not be incompatible uses in the area. The area has been trending towards medical and professional office uses for several years. The change to the P-O, Professional Office Zone would allow for a higher quality development with more design review than the G-O or C-D Zones.

#### **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?**

Staff would expect no adverse impacts to services as a result of the proposed change. The C-D and G-O Zones allow for office developments currently. The main difference is the calculation of height in the P-O Zone that would allow for additional height. Staff does not anticipate any negative impact to services in the proposed location.

## **VI. FINDINGS**

1. Re-designation of the Future Land Use Map and Zoning Map for the subject property as requested would be consistent with the development pattern for the area and will allow for development of the property to the highest and best uses available.
2. The requested amendments have been carefully considered based on the characteristics of the site and surrounding area and the policies and objectives of the 2017 Murray City General Plan and have been found to be in harmony with the goals of the Plan.
3. The proposed amendment of the Zoning Map from G-O and C-D to P-O is in harmony with goals and objectives of the Murray City General Plan.

## **VII. 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:

### **A. 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 designation of the property located at 5920 South Fashion Boulevard from Office to Professional Office.

### **B. 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 designations of the property located at 5920 South Fashion Boulevard from C-D, Commercial Development and G-O, General Office to P-O, Professional Office.

Zachary Smallwood, Associate Planner  
Community and Economic Development  
801-270-2407  
zsmallwood@murray.utah.gov



# **Site Information**



# 5920 South Fashion Boulevard





## MURRAY CITY CORPORATION

Community &  
Economic Development

Building Division 801-270-2400  
Planning Division 801-270-2420

July 5, 2019

### NOTICE OF PUBLIC MEETING

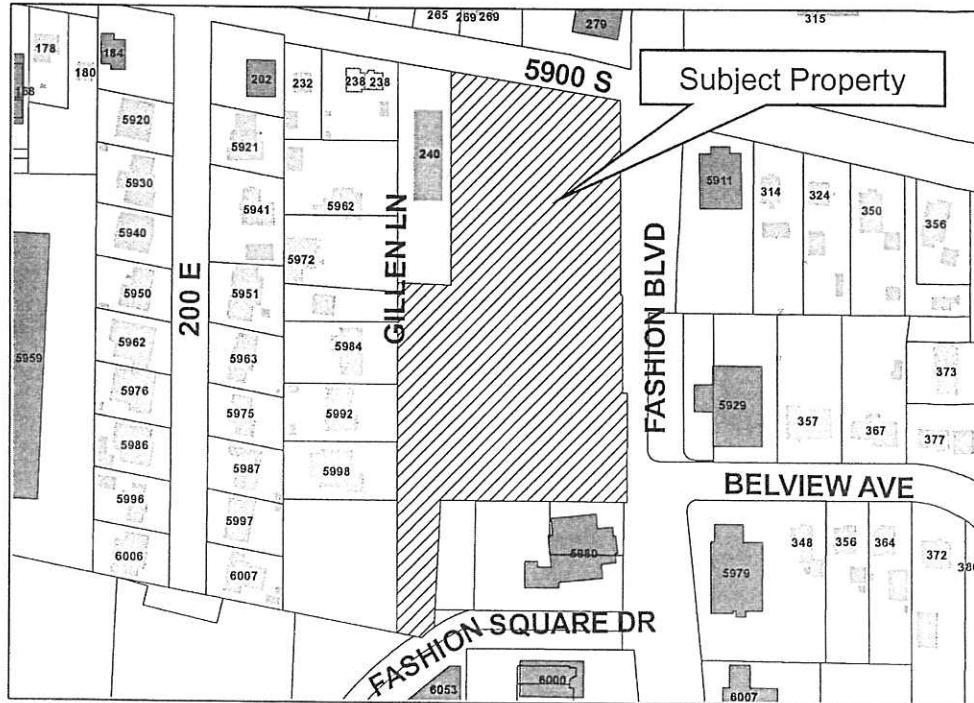
This notice is to inform you of a Planning Commission meeting scheduled for Thursday, July 18, 2019 at 6:30 p.m., in the Murray City Municipal Council Chambers, located at 5025 S. State Street.

Representatives of Roderick Enterprises are requesting a General Plan Amendment to change the Future Land Use Map designation from Office to Professional Office and a Zone Map Amendment from C-D (Commercial development) and G-O (General Office) Zone to P-O (Professional Office) Zone for the property located at 5920 South Fashion Boulevard. Please see the attached map segments.

This notice is being sent to you because you own property within the near vicinity. If you have questions or comments concerning this proposal, please call Zachary Smallwood, with the Murray City Community Development Division at 801-270-2420, or e-mail to [zsmallwood@murray.utah.gov](mailto:zsmallwood@murray.utah.gov).

Special accommodations for the hearing or visually impaired will be upon a request to the office of the Murray City Recorder (801-264-2660). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.

#### 5920 South Fashion Boulevard



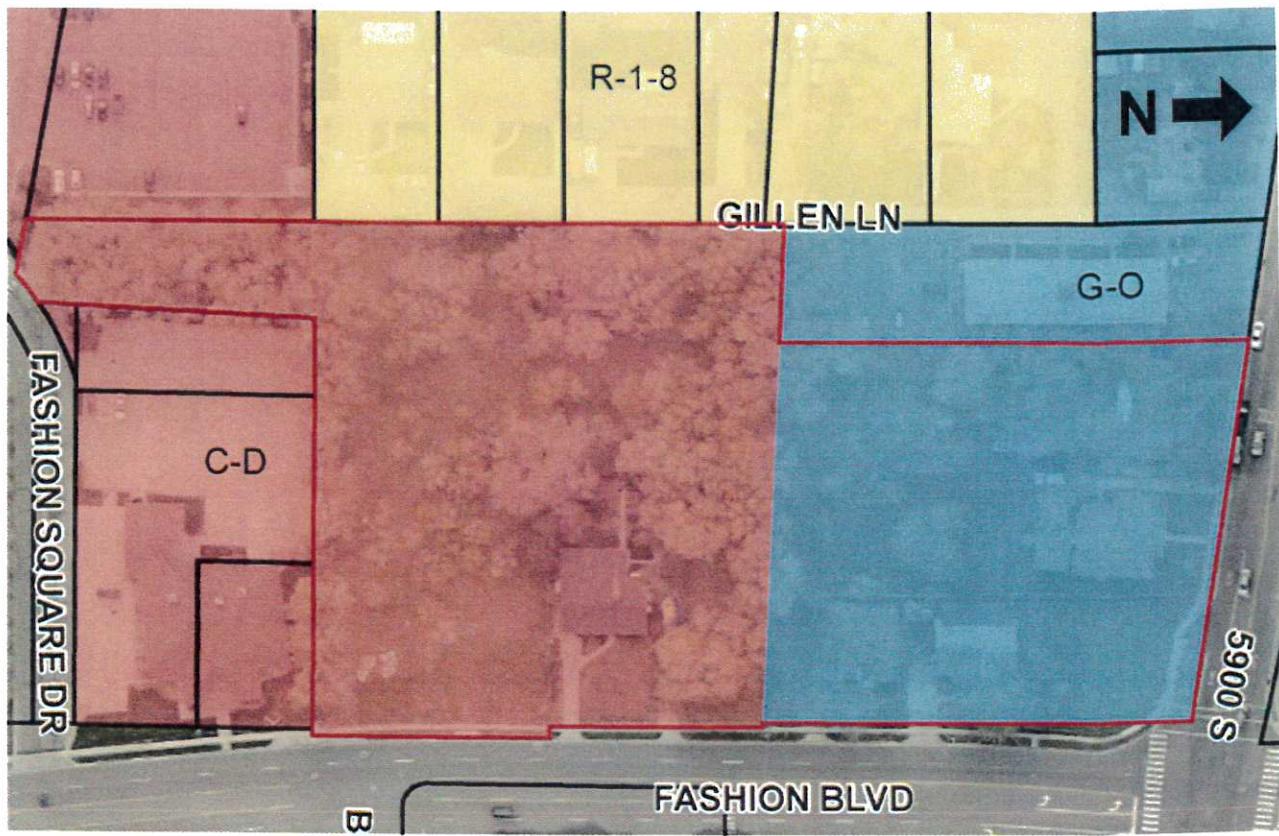


Figure 1: Zoning Map Segment

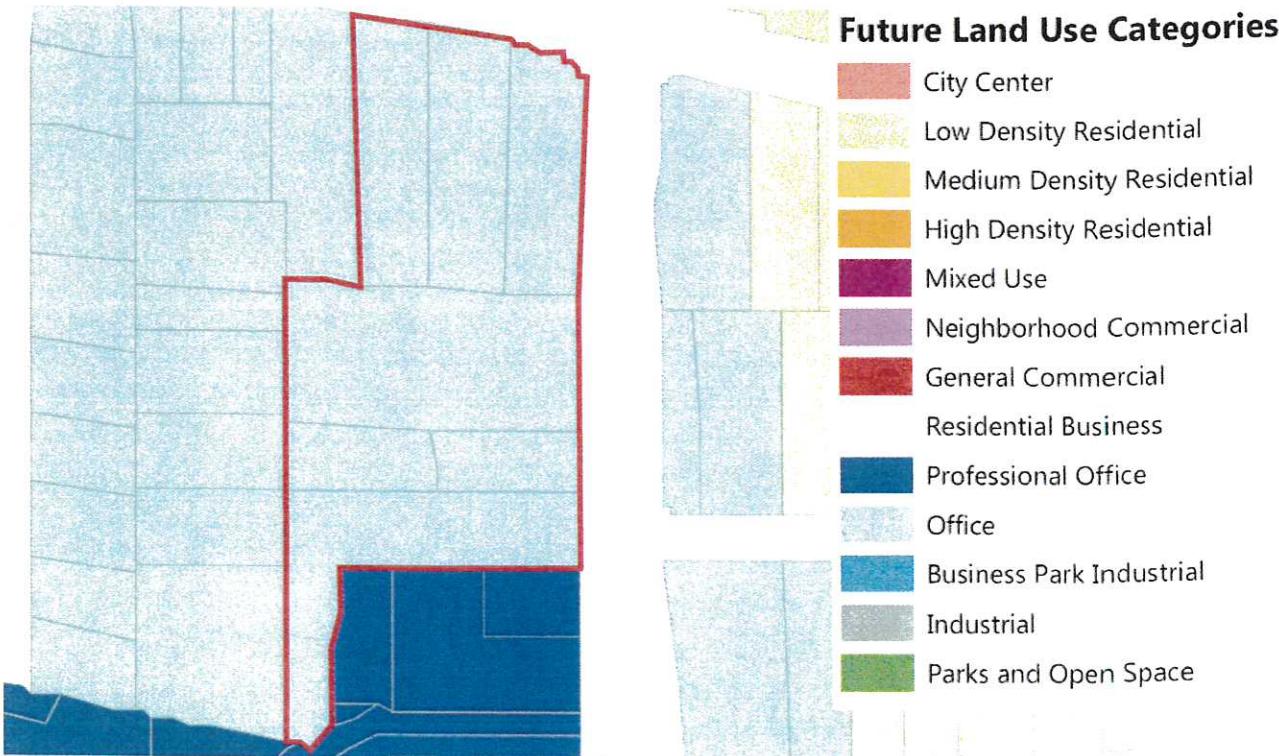


Figure 2: General Plan Segment

4770 S. 5600 W.  
WEST VALLEY CITY, UTAH 84118  
FED.TAX I.D.# 87-0217663  
801-204-6910

Deseret News

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The Salt Lake Tribune

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CUSTOMER NAME AND ADDRESS

MURRAY CITY RECORDER,

5025 S STATE, ROOM 113

MURRAY, UT 84107

ACCOUNT NUMBER

9001341938

DATE

7/8/2019

ACCOUNT NAME

MURRAY CITY RECORDER,

TELEPHONE

8012642660

ORDER # / INVOICE NUMBER

0001260179 /

PUBLICATION SCHEDULE

START 07/07/2019 END 07/07/2019

CUSTOMER REFERENCE NUMBER

Roderick Ent GP & Zone Map

CAPTION

MURRAY CITY CORPORATION NOTICE OF PUBLIC HEARING NOTICE IS HEREBY G

SIZE

38 LINES 1 COLUMN(S)

TIMES

TOTAL COST

3

68.84

MURRAY CITY  
CORPORATION  
NOTICE OF  
PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 18th day of July, 2019, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Planning Commission will hold and conduct a Public Hearing for the purpose of receiving public comment on and pertaining to General Plan Amendment from Office to Professional Office and a Zone Map Amendment from G-O (General Office) and C-D (Commercial Development) to P-O (Professional Office) for the properties located at approximately: 244 & 262 East 5900 South, 5912, 5918, 5920, 5926 & 5936 South Fashion Boulevard (300 East), Murray City, Salt Lake County, State of Utah.

Jared Hall, Supervisor  
Community & Economic Development  
1260179 UPAXLP

Roderick GPT  
Zone change

AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF MURRAY CITY CORPORATION NOTICE OF PUBLIC HEARING NOTICE IS HEREBY GIVEN that on the 18th day of July, 2019, at the hour of 6:30 p.m. of said day in the Council FOR MURRAY CITY RECORDER, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP, AGENT FOR DESERET NEWS AND THE SALT LAKE TRIBUNE, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINITELY. COMPLIES WITH UTAH DIGITAL SIGNATURE ACT UTAH CODE 46-2-101; 46-3-104.

PUBLISHED ON Start 07/07/2019 End 07/07/2019

DATE 7/8/2019

SIGNATURE

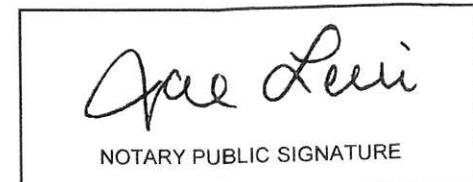


STATE OF UTAH )

COUNTY OF SALT LAKE )

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 7TH DAY OF JULY IN THE YEAR 2019

BY LORAINNE GUDMUNDSON.



# **Application Materials**

# GENERAL PLAN AMENDMENT APPLICATION

**Type of Application (check all that apply):**

Text Amendment  
 Map Amendment

Subject Property Address: 5920 South Fashion Boulevard

Parcel Identification (Sidwell) Number: 22-18377-062

Parcel Area: 3.61 acres Current Use: vacant land

Land Use Designation: GO Proposed Designation: PO

Applicant Name: Roderick Enterprises (Ben Wheat)

Mailing Address: 1214 E Vine Street

City, State, ZIP: Murray, Utah 84121

Daytime Phone #: 801-506-5005 Fax #: \_\_\_\_\_

Email Address: benw@roderickrealty.com

Business Name (If applicable): Roderick Enterprises

Property Owner's Name (If different): same

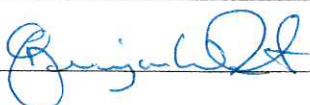
Property Owner's Mailing Address: same

City, State, Zip: same

Daytime Phone #: same Fax #: \_\_\_\_\_

Describe your request in detail (use additional page if necessary): We are requesting to change the general plan from GO to P.O.

---

Authorized Signature:  Date: 6/11/2019

## ZONING AMENDMENT APPLICATION

Type of Application (check all that apply):

Zoning Map Amendment  
 Text Amendment  
 Complies with General Plan  
 Yes  No

Subject Property Address: 5920 South Fashion Boulevard

Parcel Identification (Sidwell) Number: 22-18-377-062

Parcel Area: 3.61 Acres Current Use: vacant land

Existing Zone: CD / GO Proposed Zone: PO

Applicant Name: Roderick Enterprises

Mailing Address: 1214 E Vine St

City, State, ZIP: Murray, Utah 84121

Daytime Phone #: 801-506-5005 Fax #: \_\_\_\_\_

Email address: benw@roderickrealty.com

Business Name (If applicable): same

Property Owner's Name (If different): same

Property Owner's Mailing Address: same

City, State, Zip: same

Daytime Phone #: same Fax #: \_\_\_\_\_

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

The south portion of this ground is zoned CD and the north portion is zoned GO. We are requesting a zone change to PO for the entire parcel

Authorized Signature:  Date: 6/11/2019

## Property Owners Affidavit

I (we) Benjamin Wheat, 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.

Benjamin Wheat  
Owner's Signature

Owner's Signature (co-owner if any)

State of Utah  
§  
County of Salt Lake

Subscribed and sworn to before me this 12<sup>th</sup> day of JUNE, 20 19.



Launa Jean Turnbow  
Notary Public  
Residing in SALT LAKE  
My commission expires: 5/23/2020

### Agent Authorization

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

Owner's Signature

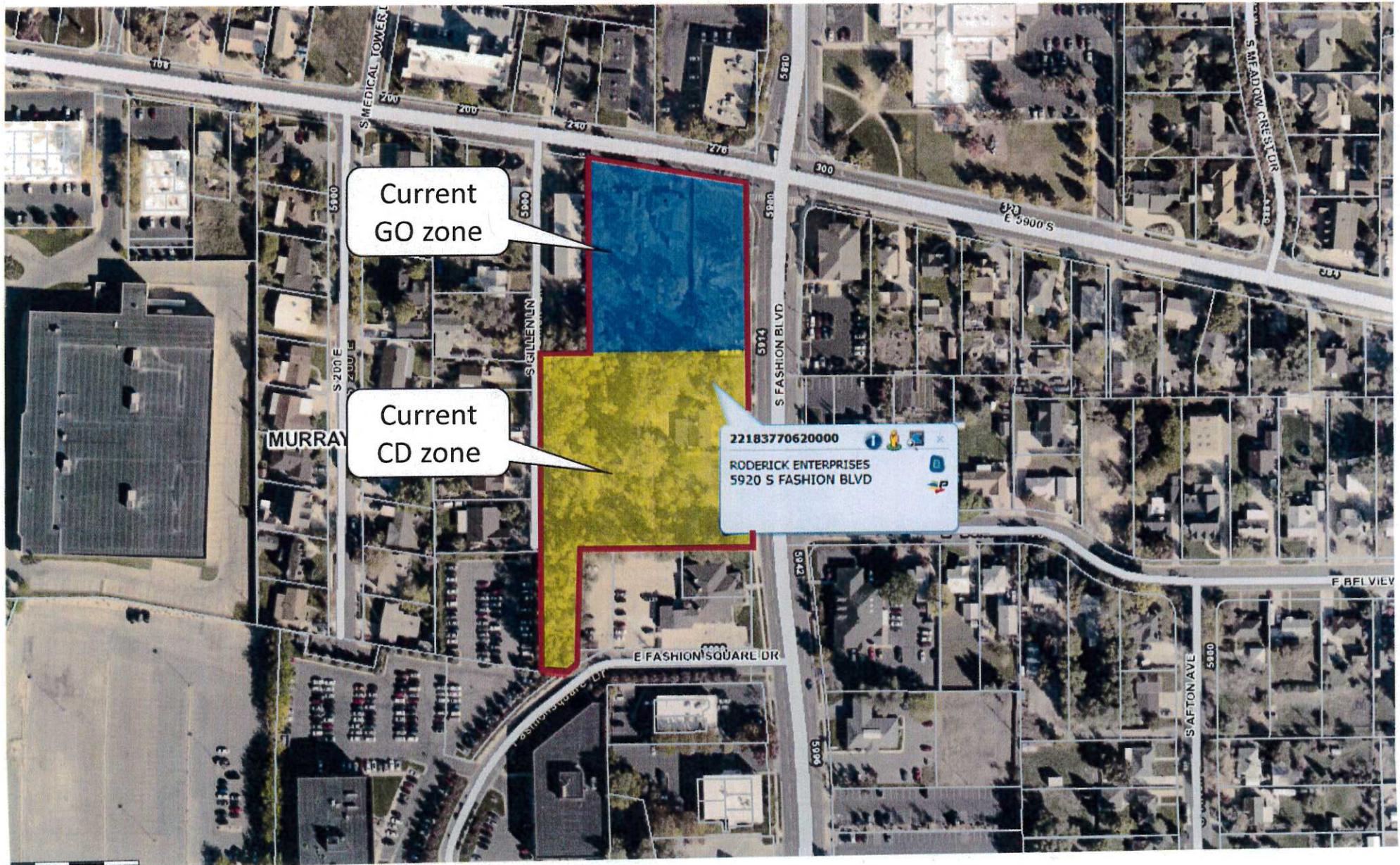
Owner's Signature (co-owner if any)

State of Utah  
§  
County of Salt Lake

On the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, personally appeared before me \_\_\_\_\_ the signer(s) of the above *Agent Authorization* who duly acknowledge to me that they executed the same.

Notary public  
Residing in \_\_\_\_\_  
My commission expires: \_\_\_\_\_







Parcel 1:

A parcel of land situate in the Southwest Quarter of Section 18, Township 2 South, Range 1 East, Salt Lake Base and Meridian, being more particularly described as follows:

Commencing North 02°15'30" East 1,162.43 feet and East 1,383.50 feet from the Street Monument at the intersection of 6100 South Street and State Street, said Monument being South 00°05'54" West 58.15 feet and South 89°50'41" East 601.17 feet from the Southwest Corner of Section 18, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running;

thence South 87°30'00" East 302.71 feet;  
thence South 00°18'00" East 129.54 feet;  
thence South 89°59'05" East 6.78 feet;  
thence South 144.00 feet;  
thence West 250.48 feet;  
thence South 02°32'00" West 144.32 feet;  
thence South 01°26'00" West 21.27 feet to the Northerly Right-of-Way of Fashion Square Drive;  
thence Southwesterly 24.38 feet along the arc of a 163.30 feet radius curve to the left (center bears South 34°18'42" East and the chord bears South 51°24'41" West 24.36 feet with a central angle of 08°33'13") along said Northerly Right-of-Way;  
thence North 79°53'30" West 31.53 feet;  
thence North 00°18'00" West 461.85 feet to the point of beginning.

Contains 95,053 square feet or 2.182 acres.

Parcel 2:

A parcel of land situate in the Southwest Quarter of Section 18, Township 2 South, Range 1 East, Salt Lake Base and Meridian, being more particularly described as follows:

Commencing North 02°15'30" East 1,165.56 feet and East 1,311.81 feet from the Street Monument at the intersection of 6100 South Street and State Street, said Monument being South 00°05'54" West 58.15 feet and South 89°50'41" East 601.17 feet from the Southwest Corner of Section 18, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running;

thence North 00°18'00" West 294.10 feet;  
thence South 81°00'00" East 231.38 feet;  
thence South 00°18'00" East 267.88 feet to and along the Westerly Right-of-Way of Fashion Boulevard;  
thence North 87°30'00" West 228.61 feet to the point of beginning.

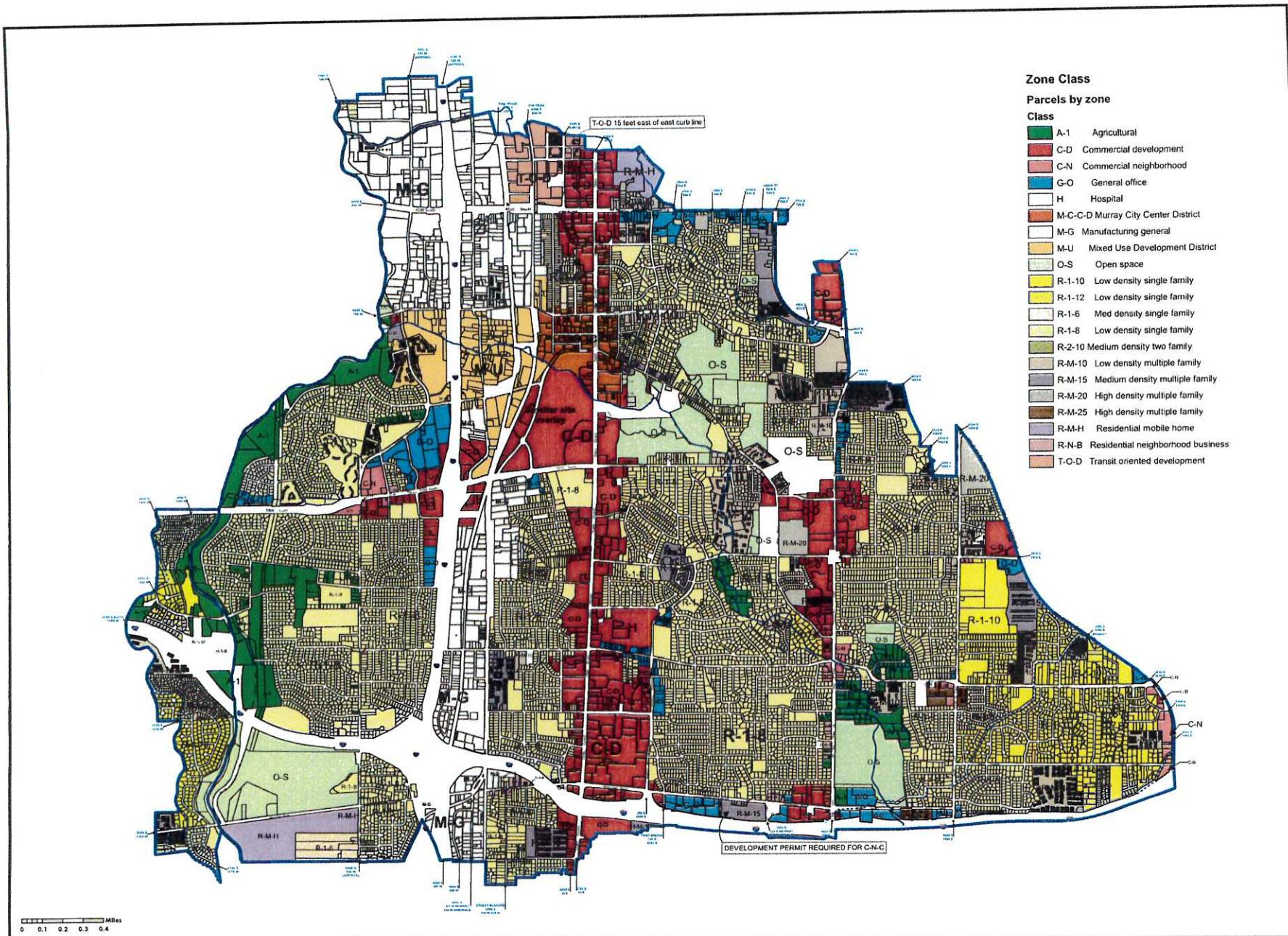
Contains 64,161 square feet or 1.473 acres.



## MURRAY

MURRAY  
City  
1803

# Murray City Zoning



**RICKERICK ENTERPRISES**  
**P/C 7/18/19**  
**Project #19-077 & 19-078**  
**400' radius + affected entities**

Interline Partnership; Mri Investment  
1000 S Main St  
Salt Lake City UT 84101

Allen Financial Properties, Llc  
202 E 5900 S  
Murray UT 84107

Hyt Enterprises, Inc  
6520 S Canyon Crest Dr  
Holladay UT 84121

Napa Group, Llc  
12087 S Tuscany Creek Wy  
Draper UT 84020

Millennium Falcon Holdings, Llc  
350 E 5900 S  
Murray UT 84107

Napa Group, Llc  
12087 S Tuscany Creek Wy  
Draper UT 84020

Andrew Chapman  
5975 S 200 E  
Murray UT 84107

Andrew J Iii. Joyce  
364 E Belview Ave  
Murray UT 84107

Amy Mcphie  
373 E Belview Ave  
Murray UT 84107

Board Of Education Of Murray City  
School District  
5102 S Commerce Dr  
Murray UT 84107

Capital Assests Condominium  
Owners Association  
6000 S Fashion Blvd  
Murray UT 84107

Chad Smith  
5972 S Gillen Ln  
Murray UT 84107

Cottonwood Medical Plaza  
Condominium Owners Association  
5872 S 900 E # 100  
Murray UT 84121

Cottonwood Medical Plaza Lc  
448 E Winchester St # 310  
Murray UT 84107

Craig V Henriksen;  
Marcia W Henriksen (Jt)  
5976 S 200 E  
Murray UT 84107

David & Martha Mark Trust  
10/11/2017  
357 E Belview Ave  
Murray UT 84107

Dplt  
5986 S 200 E  
Murray UT 84107

Duane E Lundskog; Janice L  
Lundskog (Jt)  
5984 S Gillen Ln  
Murray UT 84107

Edward D Primosic  
Po Box 17258  
Salt Lake City UT 84117

Eowt  
5963 S 200 E  
Murray UT 84107

Fashion Place Llc  
Po Box 3487  
Chicago IL 60654

Francis G. Green; Lovella J. Green  
239 E 5900 S  
Murray UT 84107

Glen E Knight; Denise N Knight (Jt)  
356 E Belview Ave  
Murray UT 84107

Goldenwest Federal Credit Union  
6007 S Fashion Blvd  
Murray UT 84107

H & L Doctors Llc  
5980 S Fashion Blvd  
Murray UT 84107

H & L Doctors Llc  
5980 S Fashion Blvd  
Murray UT 84107

H & L Doctors Llc  
5980 S Fashion Blvd  
Murray UT 84107

Ihc Health Services Inc  
36 S State St  
Salt Lake City UT 84111

Intermountain Donor Services  
230 S 500 E  
Salt Lake City UT 84102

K & Ss Liv Trust  
5987 S 200 E  
Murray UT 84107

Kathryn M Webb  
5950 S 200 E  
Murray UT 84107

Kerrie Thometz  
238 E 5900 S # A  
Murray UT 84107

Kim S Kimball;  
Melanie L Kimball (Jt)  
5998 S Gillen Ln  
Murray UT 84107

Kimball Family Trust 04/09/2007  
5998 S Gillen Ln  
Murray UT 84107

Kimball Family Trust 04/09/2017  
5998 S Gillen Ln  
Murray UT 84107

Kong Lim; Syhuong Lim (Jt)  
5962 S 200 E  
Murray UT 84107

Lavell B Hardy  
5940 S 200 E  
Murray UT 84107

Lc Murray Real Estate  
6000 S Fashion Blvd  
Murray UT 84107

Lc Murray Real Estate  
6000 S Fashion Blvd  
Murray UT 84107

LDS Church Employees Credit  
Union  
2480 S 3850 W # C  
West Valley UT 84120  
\*\*returned in mail\*\*

Loren Mitchell;  
Melissa Mitchell (Tc)  
356 E 5900 S  
Murray UT 84107

Lynn T Ostrander;  
Connie K Ostrander (Tc)  
367 E Belview Ave  
Murray UT 84107

Mark Conlon  
377 E Belview Ave  
Murray UT 84107

Matt J London  
5997 S 200 E  
Murray UT 84107

Michelle Duckett;  
Taylor M Duckett (Jt)  
324 E 5900 S  
Murray UT 84107

Mt Liv Trust  
5962 S Gillen Ln  
Murray UT 84107

Murray City  
5025 S State St  
Murray UT 84107

Palace Group Two Llc  
Po Box 577  
Brigham City UT 84302

Paul R & Christine J Schocker  
Revocable Living Trust Dated  
372 E Belview Ave  
Murray UT 84107

Physician Properties Llc  
5979 S Fashion Blvd  
Murray UT 84107

Robyn Mccloy  
878 W Timpie  
Tooele UT 84074

Robyn Mccloy  
878 Timpie Rd  
Tooele UT 84074

Roderick Enterprises  
1214 E Vine St  
Salt Lake City UT 84121

Saunders Holdings Llc  
Po Box 3418  
Park City UT 84060

Saunders Holdings Llc  
Po Box 3418  
Park City UT 84060

Shapiro Trust 12/21/1998  
5242 S College Dr  
Murray UT 84123  
\*\*returned in mail\*\*

SI Trust  
5951 S 200 E  
Murray UT 84107

Trust Not Identified  
Po Box 712041  
Salt Lake City UT 84171

William R Bankhead (Tc)  
6006 S 200 E  
Murray UT 84107

University Of Utah  
505 S Wakara Wy # 210  
Salt Lake City UT 84108

Trust Not Identified  
2202 E 5340 S  
Holladay UT 84117

Alejandro Montoya; De Montoya,  
Martha Montoya (Jt)  
10260 S Countrywood Dr  
Sandy UT 84092

William S Keller; Marsha Z Keller  
(Jt)  
314 E 5900 S  
Murray UT 84107

WHH Tr  
6186 S Mt Vernon Dr  
Murray UT 84107

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

WNC Investments LLC  
5872 S 900 E # 100  
Murray UT 84121

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

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

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

MIDVALE CITY  
PLANNING DEPT  
7505 S HOLDEN STREET  
MIDVALE UT 84047

UTAH TRANSIT AUTHORITY  
ATTN: PLANNING DEPT  
PO BOX 30810  
SLC UT 84130-0810

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

UTAH POWER & LIGHT  
ATTN: KIM FELICE  
12840 PONY EXPRESS ROAD  
DRAPER UT 84020

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

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

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

HOLLADAY CITY  
PLANNING DEPT  
4580 S 2300 E  
HOLLADAY UT 84117

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

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

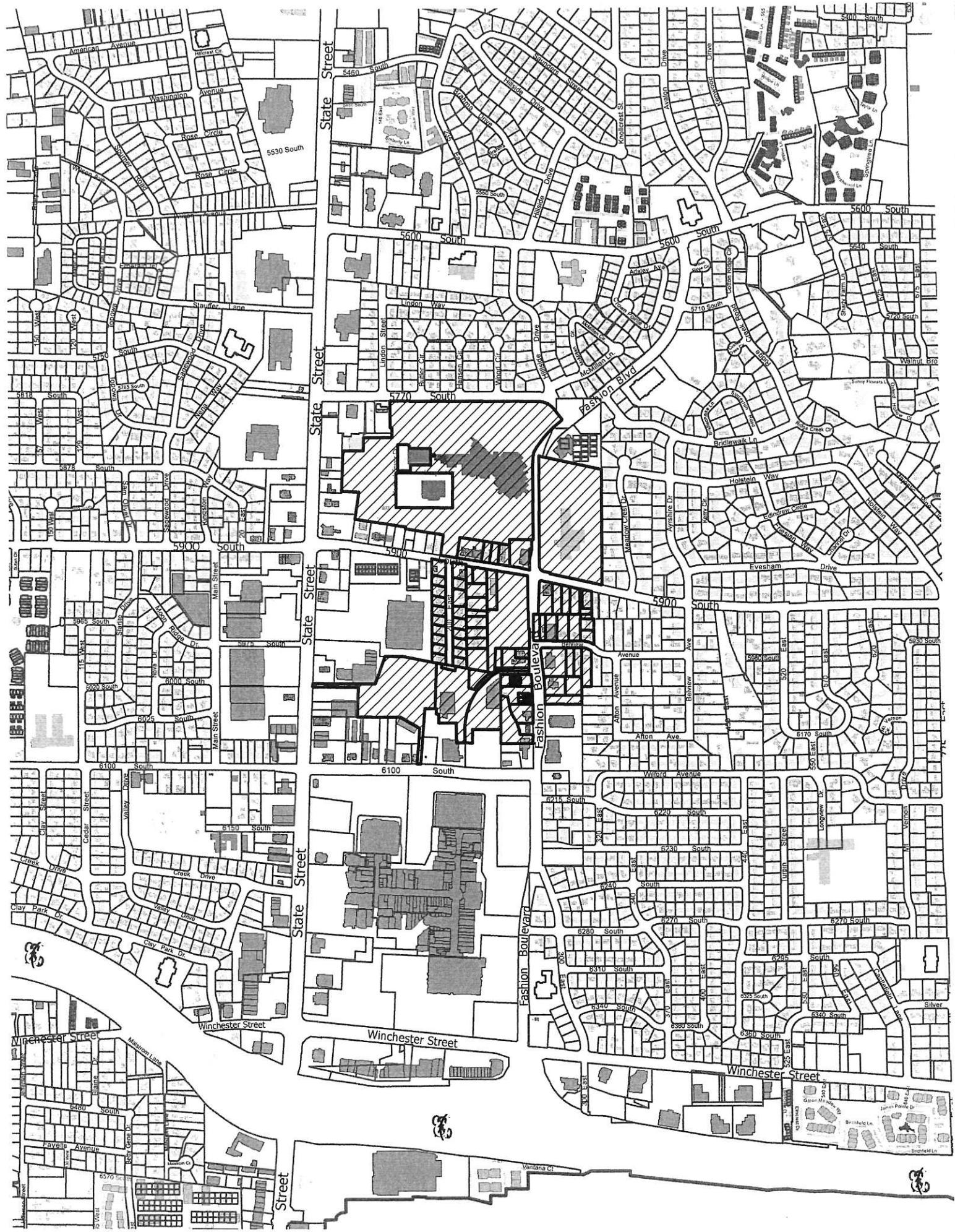
UTOPIA  
Attn: JAMIE BROTHERTON  
5858 So 900 E  
MURRAY UT 84121

COMCAST  
ATTN: GREG MILLER  
1350 MILLER AVE  
SLC UT 84106

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

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

SANDY CITY  
PLANNING & ZONING  
10000 CENTENNIAL PRKwy  
SANDY UT 84070



# RODERICK ENTERPRISES

## General Plan Amendment from Office to Professional Office and Zone Map Amendment C-D and G-O to P-O

5920 South Fashion Boulevard





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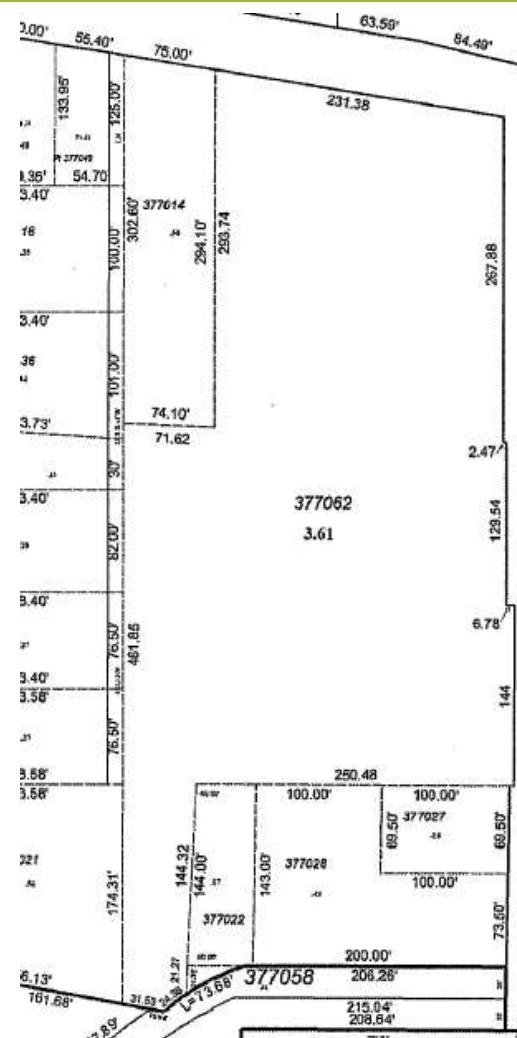


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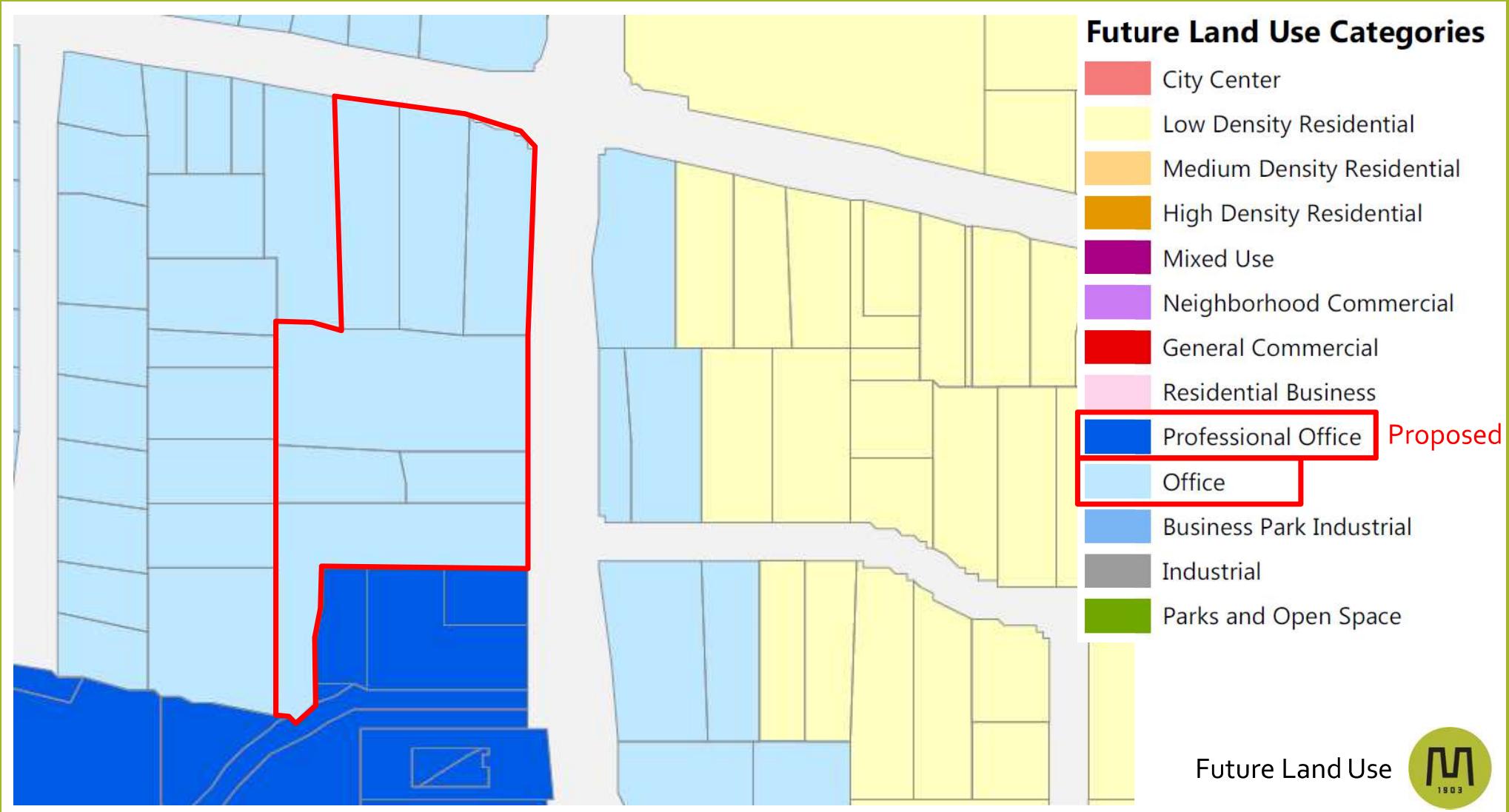


October 2018



January 2019







Facing southeast



Facing east



Facing northeast



Facing east



Facing southeast



Facing south





Facing south



Facing southeast



Existing offices, facing east



Existing apartments, facing north



Facing northwest



Facing southwest





Existing office building, facing east



Fashion Blvd, facing south



# Findings

1. Re-designation of the Future Land Use Map and Zoning Map for the subject property as requested would be consistent with the development pattern for the area and will allow for development of the property to the highest and best uses available.
2. The requested amendments have been carefully considered based on the characteristics of the site and surrounding area and the policies and objectives of the 2017 Murray City General Plan and have been found to be in harmony with the goals of the Plan.
3. The proposed amendment of the Zoning Map from G-O and C-D to P-O is in harmony with goals and objectives of the Murray City General Plan.



# Staff Recommendations

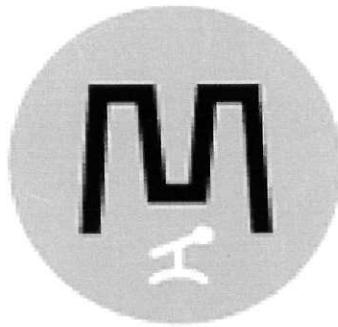
## **General Plan / Future Land Use Map Recommendation**

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 designation of the property located at 5920 South Fashion Boulevard from Office to Professional Office.

## **Zoning Map Recommendation**

Staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the requested amendment to the Zoning Map designations of the property located at 5920 South Fashion Boulevard from C-D, Commercial Development and G-O, General Office to P-O, Professional Office.





MURRAY  
CITY COUNCIL

# Public Hearing #2

# Murray City Corporation

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 3<sup>rd</sup> day of September, 2019, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will hold and conduct a hearing on and pertaining to amending the Zoning Map from the A-1 (Agricultural) zoning districts to the R-1-8 (Low Density Single-Family) zoning district for the property located at 871 Tripp Lane, Murray, Utah.

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

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

MURRAY CITY CORPORATION

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Jennifer Kennedy  
City Recorder

DATE OF PUBLICATION: August 23, 2019

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE RELATING TO LAND USE; AMENDS THE ZONING MAP FOR THE PROPERTY LOCATED AT 871 TRIPP LANE, MURRAY CITY, UTAH FROM THE A-1 (AGRICULTURAL) ZONING DISTRICT TO THE R-1-8 (LOW DENSITY SINGLE-FAMILY) ZONING DISTRICT. (Salt Lake Neighborhood Housing Services, Inc.)

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

WHEREAS, the owner of the real property located at 871 Tripp Lane, Murray, Utah, has requested a proposed amendment to the zoning map to designate the property in an R-1-8 (Low Density Single-Family) zone district; and

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

WHEREAS, it appearing to be in the best interest of the City and the inhabitants thereof that the proposed amendment of the zoning map be approved.

NOW, THEREFORE, BE IT ENACTED:

*Section 1.* That the Zoning Map and the zone district designation be amended for the following described property located at 871 Tripp Lane, Murray, Salt Lake County, Utah from A-1 (Agricultural) to R-1-8 (Low Density Single-Family):

*[Legal Description follows on Page 2]*

A PARCEL OF LAND SITUATE WITHIN THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, LOCATED IN MURRAY CITY, COUNTY OF SALT LAKE, STATE OF UTAH, SAID PARCEL BEING ALL OF THAT CERTAIN TRACT OF LAND CONVEYED TO RAMON GALVAN AND AURELIA BELLA GALVAN BY WARRANTY DEED RECORDED SEPTEMBER 12, 1957, AS ENTRY NO. 1556067, IN BOOK 1444, AT PAGE 296 OF OFFICIAL RECORDS ON FILE WITH THE SALT LAKE COUNTY RECORDER'S OFFICE AND BEING MORE PARTICULARLY DESCRIBED BY SURVEY AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 14, WALDEN RIDGE PHASE 2 SUBDIVISION, RECORDED IN BOOK 87P, AT PAGE 33, OF OFFICIAL RECORDS, SAID POINT BEING SOUTH  $89^{\circ}44'28''$  WEST, ALONG THE EAST-WEST CENTER SECTION LINE, A DISTANCE OF 1649.30 FEET (WEST, 1597.52 FEET BY DEED), FROM THE SALT LAKE COUNTY BRASS CAP MONUMENT MARKING THE EAST QUARTER CORNER OF SAID SECTION 14 (BASIS OF BEARING BEING SOUTH  $0^{\circ}14'26''$  EAST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 14) AND RUNNING THENCE NORTH  $89^{\circ}44'28''$  EAST, ALONG THE EAST-WEST CENTER SECTION LINE, AND THE SOUTHERLY LINE OF PARCEL CONVEYED TO MURRAY CITY, CORPORATION BY WARRANTY DEED RECORDED AUGUST 1976, AS ENTRY NO. 2841087, IN BOOK 4287 AT PAGE 350, A DISTANCE OF 289.70 FEET, TO THE EASTERLY LINE OF SAID TRACT, AND THE WEST LINE OF PARCEL CONVEYED OWEN JONES BY WARRANTY DEED RECORDED DECEMBER 19, 1946, ENTRY NO. 1066987, WHICH WAS SUBSEQUENTLY CONVEYED TO THE BOARD OF EDUCATION OF MURRAY CITY SCHOOL DISTRICT BY WARRANTY DEED RECORDED SEPTEMBER 19, 1960, AS ENTRY NO. 1739142, IN BOOK 1745 AT PAGE 549; THENCE ALONG SAID EASTERLY LINE THE FOLLOWING TWO (2) COURSES: (1) SOUTH  $23^{\circ}00'53''$  WEST, A DISTANCE OF 236.93 FEET (NORTH  $22^{\circ}45''$  EAST, 14.55 RODS BY DEED); (2) SOUTH  $1^{\circ}12'57''$  EAST, A DISTANCE OF 265.27 FEET (NORTH 16.15 RODS BY DEED), TO THE NORTH LINE OF PARCEL CONVEYED TO RONALD G. LARSEN, BY TAX DEED, RECORDED JUNE 28, 2010, AS ENTRY NO. 10978611, IN BOOK 9835 AT PAGE 9888; THENCE SOUTH  $88^{\circ}59'00''$  WEST, ALONG THE NORTH LINE OF SAID LARSEN PARCEL, A DISTANCE OF 34.51 FEET, TO THE NORTHWEST CORNER THEREOF; THENCE SOUTH, ALONG THE WEST LINE OF SAID PARCEL, A DISTANCE OF 4.99 FEET, TO THE NORTH LINE OF MURRAY OAKS PHASE IV SUBDIVISION, RECORDED IN BOOK 2004P, AT PAGE 249; THENCE SOUTH  $88^{\circ}57'52''$  WEST, ALONG THE NORTH LINE OF SAID MURRAY OAKS PAGE IV SUBDIVISION, A DISTANCE OF 142.65 FEET, TO THE NORTHWEST CORNER OF LOT 14, SAID SUBDIVISION AND THE NORTHEAST CORNER OF PARCEL CONVEYED TO RAMON & AURELIA B. GALVAN, BY TAX DEED, RECORDED JUNE 28, 2010, AS ENTRY NO. 10978610, IN BOOK 9835, AT PAGE 9887; THENCE SOUTH  $0^{\circ}22'22''$  WEST, ALONG THE WEST LINE OF SAID MURRAY OAKS PAGE IV SUBDIVISION, A DISTANCE OF 7.00 FEET, TO THE SOUTHERLY LINE OF SAID PARCEL CONVEYED TO RAMON & AURELIA B. GALVAN, BY AFORESAID TAX DEED, AND THE NORTHERLY LINE OF PARCEL CONVEYED TO THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, RECORDED JULY 05, 1990 BY WARRANTY DEED RECORDED AS ENTRY NO. 4937394 IN BOOK 6234, AT PAGE 345, SAID LINES HAVING BEEN RETRACED BY THAT CERTAIN RECORD OF SURVEY PREPARED BY MCNEIL ENGINEERING AND CERTIFIED BY DALE K. BENNETT, AND FILED WITH THE SALT LAKE COUNTY SURVEYOR'S OFFICE AS SURVEY NO. S99-07-0498; THENCE WEST AND NORTH ALONG SAID CHURCH PARCEL AND SURVEYED LINE THE FOLLOWING TWO (2) COURSES: (1) SOUTH  $88^{\circ}57'46''$  WEST, A DISTANCE OF 82.16 FEET; (2) NORTH  $6^{\circ}28'44''$  EAST, ALONG SAID SURVEYED LINE AND THE EAST LINE OF AFORESAID WALDEN RIDGE PHASE 2 SUBDIVISION, A DISTANCE OF 501.85 FEET (SOUTH  $6^{\circ}30'$  WEST 499.5' BY DEED), TO THE POINT OF BEGINNING.

Tax ID Number: 21-14-401-001-0000 & 21-14-401-022-0000

Section 2. This Ordinance shall take effect upon the first publication and filing of copy thereof in the office of the City Recorder.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this 3<sup>rd</sup> day of September, 2019.

MURRAY CITY MUNICIPAL COUNCIL

---

Dave Nicponski, Chair

ATTEST:

---

Jennifer Kennedy, City Recorder

MAYOR'S ACTION: Approved

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

---

D. Blair Camp, Mayor

ATTEST:

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Jennifer Kennedy, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance was published according to law on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

---

Jennifer Kennedy, City Recorder

A Scot Woodbury  
A Maren Patterson  
A Phil Markham  
A Lisa Milkavich  
A Travis Nay

Motion passed 5-0

Mr. Woodbury thanked everybody for coming out and providing valued comments because it helps Murray City to understand what is needed for this area and it also provides developers with information about what the residents value and the community needs.

SALT LAKE NEIGHBORHOOD HOUSING SERVICES INC. – 871 West Tripp Lane – Project #19-088

Bob Lund was the applicant present to represent this request. Jared Hall reviewed the location and request for an amendment to the Murray City Zoning Map for the subject property from A-1, Agricultural to R-1-8, Single Family Low Density Residential. Mr. Hall stated the subject property is 2.78 acres of mostly undeveloped land except for an older, unoccupied home. The property is currently zoned A-1, the Future Land Use Map calls for this to be low-density residential and the request is for R-1-8. The proposed rezone matches the surrounding area and is consistent with the goals of the General Plan. Mr. Hall explained that because this item is a request for rezone that the City does not have a proposed site plan for any possible development. Without a site plan Staff does not have accurate information about how the access to the property would happen, where the cul-de-sac would be located or if it would go all the way through. 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 Zoning Map designation for the property located at 871 West Tripp Lane from A-1, Agricultural to R-1-8, Single Family Low Density Residential.

Bob Lund, 6194 South Crystal Circle, Taylorsville, stated that Neighbor Works purchased the property and would like to develop it into residential lots. Mr. Markham asked if the future homes would be considered as affordable housing. Mr. Lund explained that unfortunately, these would not be considered affordable housing. Neighbor Works is known for purchasing homes and rehabilitating them, but property in Murray is hard to find at an affordable rate to be able to offer them at lower rates. The price point is 80% below the area median income. Mr. McNulty added that H.U.D. requirements have increased to approximately \$390,000.00. Murray City is a partner with Neighbor Works, and we try to provide the opportunity to find properties that are challenged to clean them up and sell them at an affordable rate.

The meeting was opened for public comment.

Bob Toone, 831 West Tripp Lane, asked if the property will be developed into lower income housing. Mr. Nay replied no, this will be market rate housing. Mr. Toone stated that there is a problem with parking due to the school and wondered if there would be additional parking added to the current parking lot that is located behind the baseball field. Mr. McNulty stated that they are good questions, but they are related to the next step in the process which would be the review of any subdivision plat that may be submitted to the City. Neighbor Works is the property owner, but it is likely that they will subdivide the property, record the new plat and sell the lots to other builders at market rate. There will be another opportunity to address questions about the development at a public meeting when we have an application submitted for the development. Mr. Woodbury added that all aspects of any application for development will be reviewed for how it will impact the surrounding area. Mr. McNulty added that the City has a

Planning Commission Meeting  
July 18, 2019  
Page 11

development review committee that includes about 15 or 16 department representatives that review the applications and provide comments before it can move forward.

Sam Johnson, 917 West Bloomsbury Cove, stated he lives directly west of the subject property and is in support of the rezone and hopes it can be done quickly. Mr. Johnson stated that the subject property is currently a fire hazard.

Jim Livingston, 5859 South Willow Grove Lane, asked if it is up for consideration that the road would go through and connect to Willow Grove Lane. Mr. Nay replied that that topic is not up for consideration tonight because there is not a formal proposal for development before us.

The public comment portion for this agenda item was closed.

Mr. Markham stated that he lives in the area and is familiar with the layout and that he is confident that City Staff will look at this property and work with the developer to come up with a plan that is a good compromise for all the parties involved. Staff will work with the developer to find the best way for traffic flow.

Phil Markham made a motion to send a positive recommendation to the City Council for the proposed Zoning Map designation for the property located at 871 West Tripp Lane from A-1, Agricultural to R-1-8, Single-Family Low Density Residential.

Seconded by Ms. Milkavich.

Call vote recorded by Mr. Hall.

A Phil Markham  
A Lisa Milkavich  
A Maren Patterson  
A Scot Woodbury  
A Travis Nay

Motion passed 5-0

MURRAY CENTRAL STATION SMALL AREA PLAN – Consideration for adoption as an amendment to the Murray City General Plan.

Mr. Hall presented the proposed amendment the Murray City General Plan that was originally adopted in 2017 and will include the Small Area Plan. The Small Area plan was reviewed by the Planning Commission and they forwarded a recommendation of Approval to the City Council for approval in February of 2019. When presented to the City Council they stated they liked the plan but suggested it should be adopted as an Amendment to the General Plan as opposed to adopting the plan as a separate document. The notices for this Public Hearing were sent out to over 1000 property owners in the vicinity. The City worked with a consultant to go through the plan, but the plan itself was prepared using a grant from the Wasatch Front Regional Council as a part of the Transportation Land Use Connection Grant Program. The study is comprised of a large area surrounding the Murray Central Station and was an area that was identified by the 2017 Murray City General Plan as an area that would benefit from a more in-depth study. The Murray Central Station is unique in that it is the only intersecting location in Murray and outside Salt Lake City proper where both the Trax and FrontRunner stop at one station. This area is close to the hospital, mixed-use areas and the Murray City downtown where we hope to see redevelopment occurring. The Steering Committee and the consultants group identified the purpose of the project by assessing the built environment and



MURRAY CITY CORPORATION

Community &  
Economic Development

Building Division 801-270-2400

Planning Division 801-270-2420

**TO:** Murray City Planning Commission

**FROM:** Murray City Community & Economic Development Staff

**DATE OF REPORT:** July 12, 2019

**DATE OF HEARING:** July 18, 2019

**PROJECT NAME:** Salt Lake Neighborhood Housing Services, Inc.

**PROJECT NUMBER:** 19-088

**PROJECT TYPE:** Zone Map Amendment

**APPLICANT:** Salt Lake Neighborhood Housing Services, Inc.

**PROPERTY ADDRESS:** 871 West Tripp Lane

**SIDWELL #:** 21-14-401-001-0000

**EXISTING ZONE:** A-1, Agriculture

**PROPOSED ZONE:** R-1-8, Single-Family Residential

**PROPERTY SIZE:** 2.78 acres

**I. REQUEST:**

The applicants are requesting approval for an amendment to the Murray City Zoning Map for the subject property from A-1, Agriculture to R-1-8, Single Family Residential. The applicants propose to amend the Zoning Map in preparation to apply for a new residential subdivision on the property.

**II. BACKGROUND AND REVIEW**

1. *Project Location:*

The subject property is a 2.78-acre parcel located west of Riverview Junior High School between Tripp Lane (approximately 5750 South) on the north, and Willow Grove Lane, which dead-ends into the property on the south. The subject

property is currently unused, although there are multiple vacant structures remaining.

2. *Surrounding Land Uses & Zoning:*

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	public (Murray Power)	A-1
South	single family residential	R-1-8
East	public (School)	R-1-8
West	single family residential	R-1-8

3. *Analysis:*

Zoning Districts & Allowed Land Uses

- Existing: The existing A-1 zone allows single family, detached homes with a minimum lot size of one (1) acre. This district is intended to include activities normally related to the conduct of light agricultural uses and residential living. This zone also allows accessory uses which are typical to single family homes, as well as public and quasi-public uses with conditional use permits.
- Proposed: The proposed R-1-8 Zone allows for single family residential development and accessory uses associated with them, with minimum lot sizes of 8,000 square feet. Public and quasi-public uses such as schools, libraries, churches, and utilities are allowed subject to Conditional Use approval.

General Plan & Future Land Use Designations

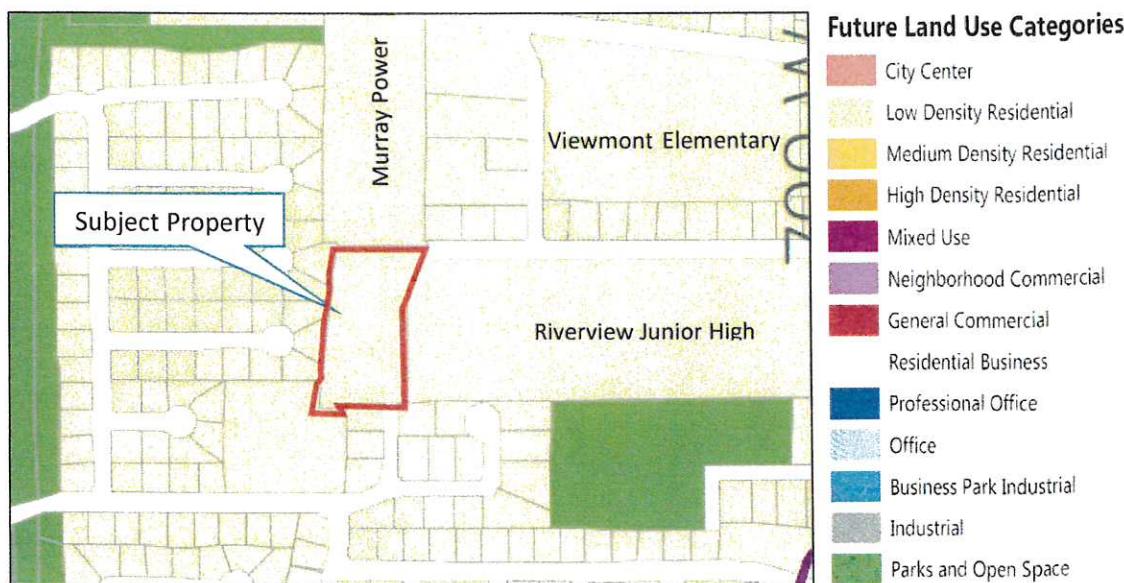
Map 5.7 of the Murray City General Plan (the Future Land Use Map) identifies future land use designations for all properties in Murray City. The designation of a property is tied to corresponding purpose statements and zones. These "Future Land Use Designations" are intended to help guide decisions about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

The subject property is currently designated as "Low Density Residential". Low Density Residential is intended to encourage residential development which is single-family detached in character. The overall density range anticipated is between 1 and 8 dwelling units per acre. Corresponding zoning designations include the A-1, R-1-12, R-1-10, R-1-8, R-1-6, and R-2-10 zones.

Compatibility

The prevailing designation of properties and of development in the immediate area is Low Density Residential, R-1-8 zoning. There are also several large

areas of open space nearby, associated with two public schools and property used by the Murray Power Department.



Staff finds that the request to amend the Zoning Map is appropriate and in keeping with the Future Land Use Map and General Plan. Additionally, the requested amendment to the R-1-8 Zone is consistent with the pattern of development in the area.

### III. CITY DEPARTMENT REVIEW

A Planning Review Meeting was held on July 1, 2019 to review the application for Zone Map Amendment. All reviewing departments supported the request to amend the Zoning Map to R-1-8 without conditions or concerns.

### IV. PUBLIC INPUT

Notices of the requested rezone were sent to property owners in the vicinity and to affected entities. Community Development Staff has received several phone calls from property owners nearby expressing interest and asking questions about the potential number of lots, and possible connection of Tripp Lane to Willow Grove Lane, and potential increased traffic. Staff has reiterated that we are not reviewing a subdivision at this time, but if the change in zoning is approved and we receive a subdivision application, that application will be reviewed in another public meeting. Public notices will be sent out again at that time.

## **V. ANALYSIS & CONCLUSIONS**

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

The Future Land Use Map currently identifies the subject property as "Low Density Residential". This designation supports a rezone to R-1-12, R-1-10, R-1-8, R-1-6, or R-2-10. Considering the Future Land Use Map designation and the surrounding land use patterns, Staff finds that there is an appropriate need for a change in the zoning of this property to allow infill residential development.

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

The residential uses and density allowed by the proposed R-1-8 Zone will be in keeping with the character of the surrounding open space and prevailing densities in the area.

### **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?**

Staff expects no adverse impacts to services as a result of development of the property under the requirements of the R-1-8 Zone apart from potential, light increases in traffic in the area.

## **VI. FINDINGS**

1. The rezoning of the property to R-1-8 is supported by the Future Land Use Map designation of Low Density Residential and will not have negative impacts to the surrounding properties, infrastructure, or utilities.
2. The requested rezoning has been carefully considered based on the characteristics of the site and surrounding area and the policies and objectives of the 2017 Murray City General Plan, and have been found to support the goals of the Plan.
3. The proposed amendment to the Zoning Map from A-1 to R-1-8 is in harmony with the established Low Density Residential land use designation of the subject property.

## VII. STAFF RECOMMENDATION

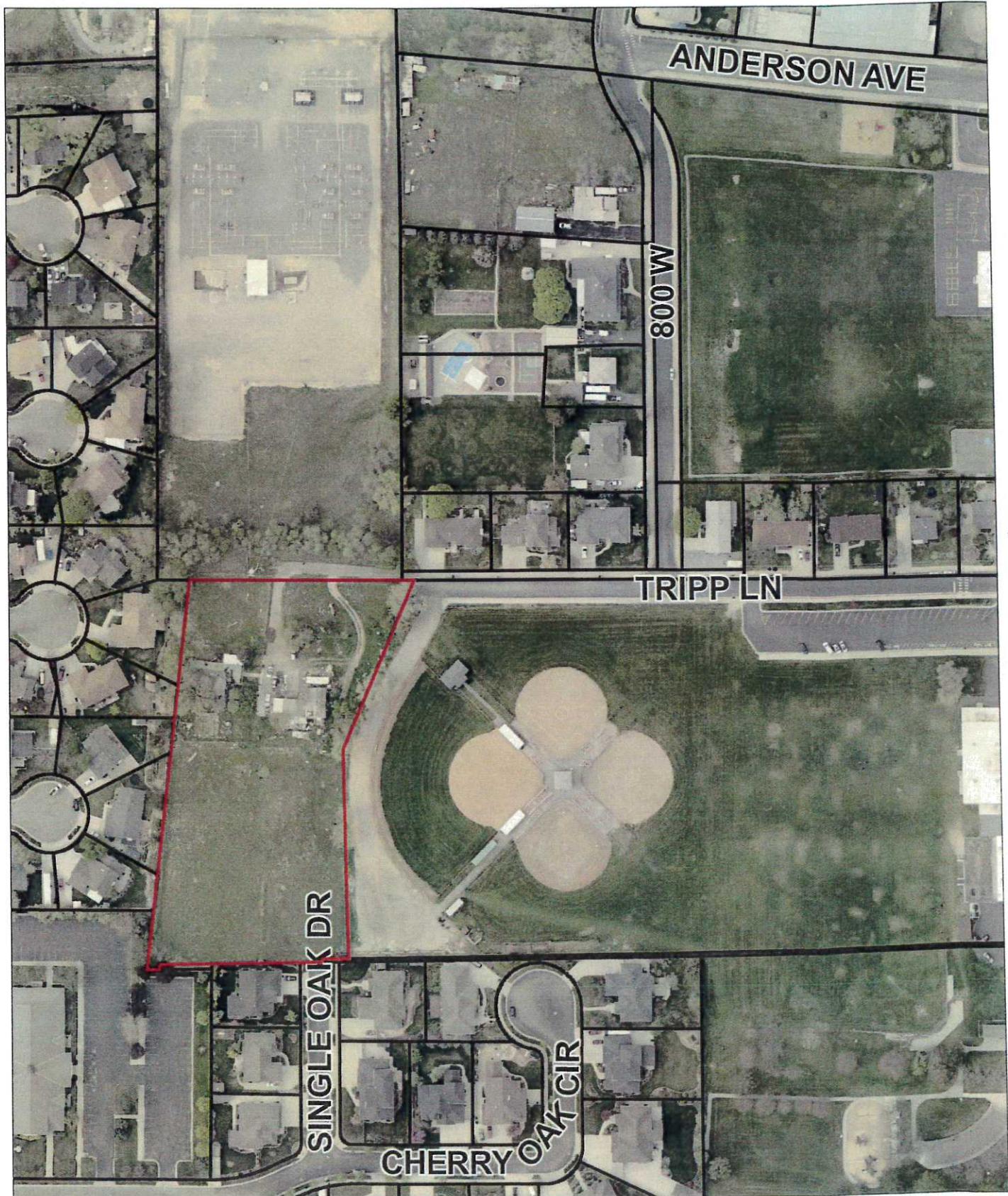
Based on the background, analysis, and the findings in this report, Staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the requested amendment to the Zoning Map designation for the property located at 871 West Tripp Lane from A-1, Agriculture to R-1-8, Single-Family Residential.

Jared Hall  
CED Supervisor  
801-270-2427  
[jhall@murray.utah.gov](mailto:jhall@murray.utah.gov)

# **Site Information**



871 West Tripp Lane





July 5, 2019

### NOTICE OF PUBLIC MEETING

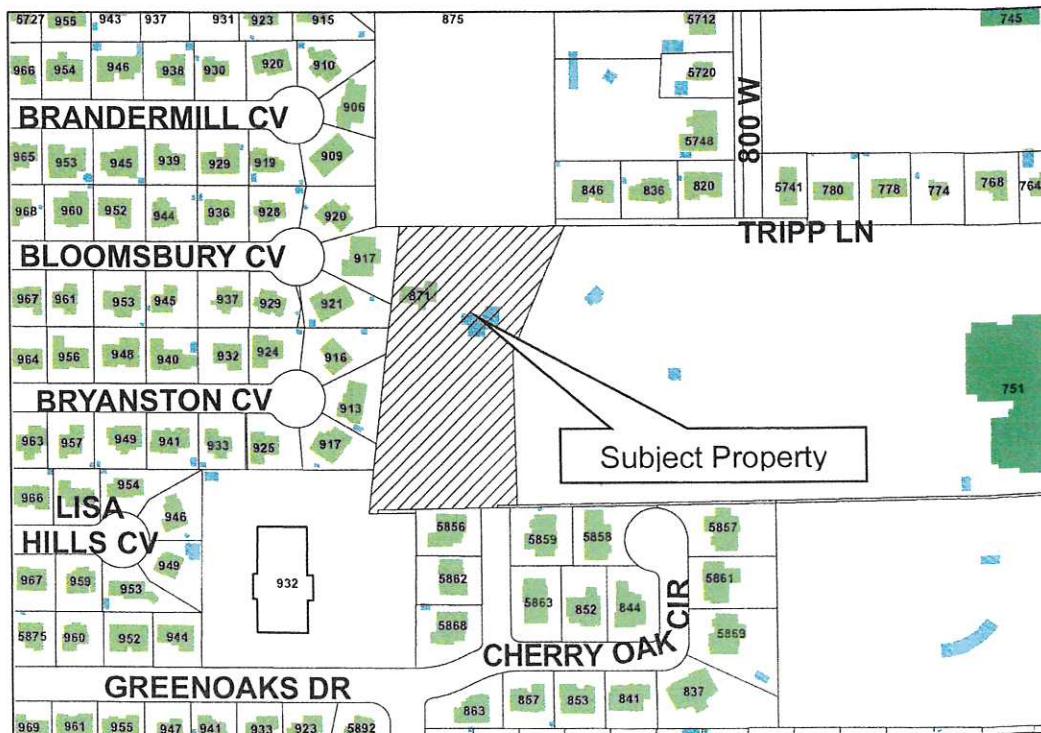
This notice is to inform you of a Planning Commission meeting scheduled for Thursday, July 18, 2019 at 6:30 p.m., in the Murray City Municipal Council Chambers, located at 5025 S. State Street.

Representatives of Salt Lake Neighborhood Housing Services are requesting a Zone Map Amendment from A-1 (Agriculture) to R-1-8 (Single-Family Residential) for the property located at 871 West Tripp Lane. Please see the attached map segments.

This notice is being sent to you because you own property within the near vicinity. If you have questions or comments concerning this proposal, please call Jared Hall with the Murray City Community Development Division at 801-270-2420, or e-mail to [jhall@murray.utah.gov](mailto:jhall@murray.utah.gov).

Special accommodations for the hearing or visually impaired will be upon a request to the office of the Murray City Recorder (801-264-2660). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.

#### 871 West Tripp Lane



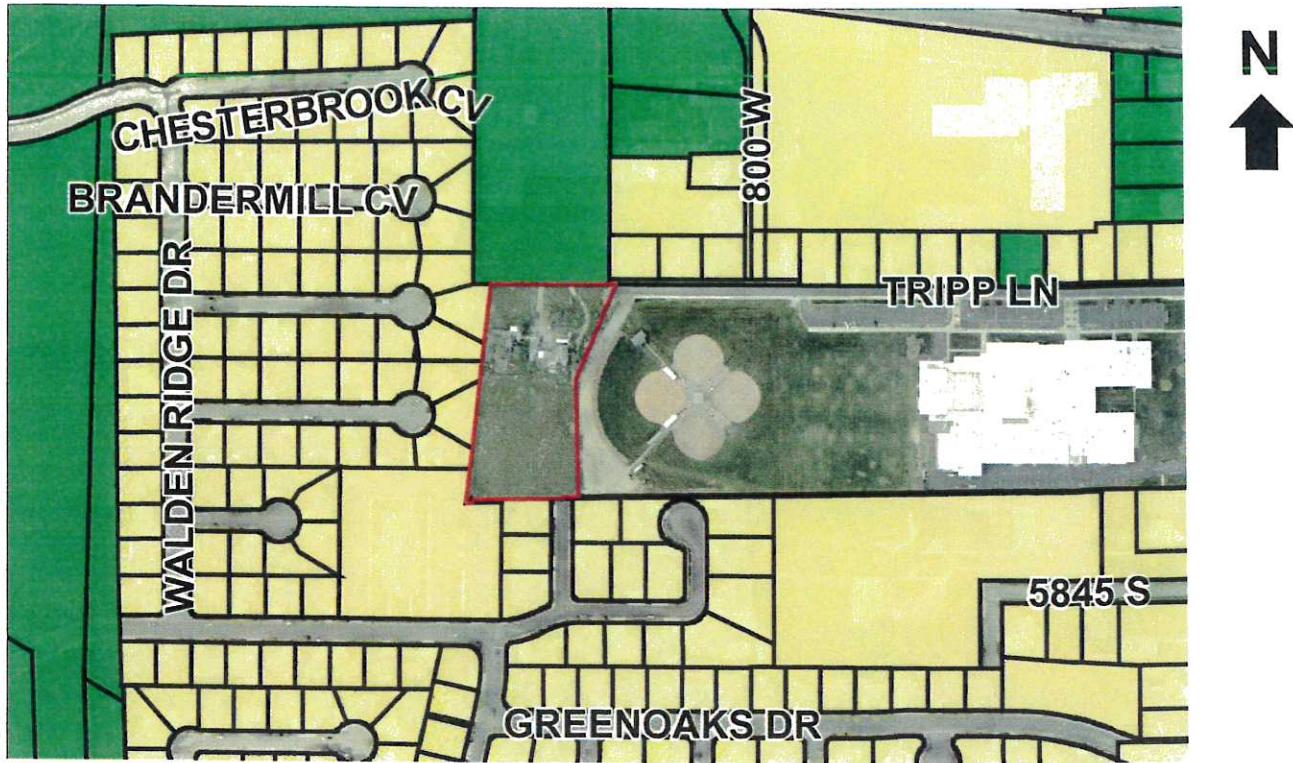


Figure 1: Zoning Map Segment

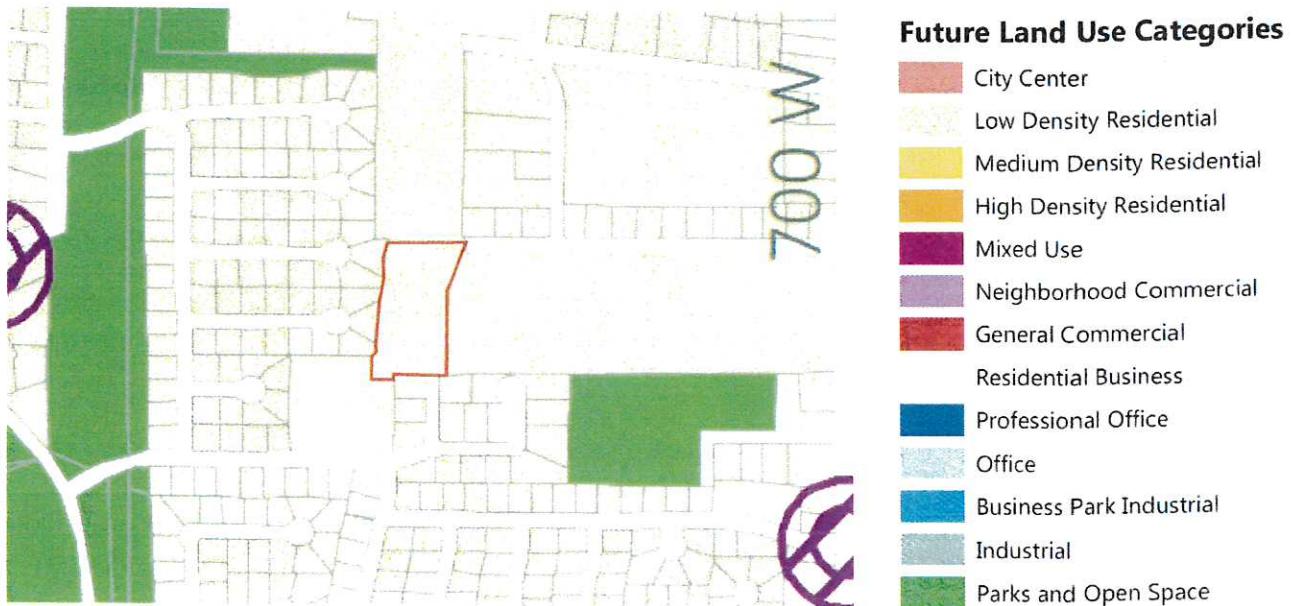


Figure 2: General Plan Segment

4770 S. 5600 W.  
WEST VALLEY CITY, UTAH 84118  
FEI.TAX I.D.# 87-0217663  
801-204-6910

Deseret News

Utah  
Media  
Group

The Salt Lake Tribune

**PROOF OF PUBLICATION      CUSTOMER'S COPY**

**CUSTOMER NAME AND ADDRESS**

MURRAY CITY RECORDER,

5025 S STATE, ROOM 113

MURRAY, UT 84107

**ACCOUNT NUMBER**

9001341938

**DATE**

7/8/2019

**ACCOUNT NAME**

MURRAY CITY RECORDER,

**TELEPHONE**

8012642660

**ORDER # / INVOICE NUMBER**

0001260180 /

**PUBLICATION SCHEDULE**

START 07/07/2019      END 07/07/2019

**CUSTOMER REFERENCE NUMBER**

SL Neighborhood Housing - Zone Map

**CAPTION**

MURRAY CITY CORPORATION NOTICE OF PUBLIC HEARING NOTICE IS HEREBY GIVEN

**SIZE**

32 LINES      1 COLUMN(S)

**TIMES**

**TOTAL COST**

3

58.76

**MURRAY CITY  
CORPORATION  
NOTICE OF  
PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that on the 18th day of July, 2019, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Planning Commission will hold and conduct a Public Hearing for the purpose of receiving public comment on and pertaining to a Zone Map Amendment from A-1 (Agricultural) Zone to R-1-B (Low Density Residential) Zone for the property located at approximately, 871 West Tripp Lane, Murray City, Salt Lake County, State of Utah.

Jared Hall, Supervisor  
Community & Economic Development  
1260180      UPAULP

SLCo Neighborhoods

**AFFIDAVIT OF PUBLICATION**

AS NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF MURRAY CITY CORPORATION NOTICE OF PUBLIC HEARING NOTICE IS HEREBY GIVEN that on the 18th day of July, 2019, at the hour of 6:30 p.m. of said day in the Council FOR MURRAY CITY RECORDER, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP, AGENT FOR DESERET NEWS AND THE SALT LAKE TRIBUNE, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINITELY. COMPLIES WITH UTAH DIGITAL SIGNATURE ACT UTAH CODE 46-2-101; 46-3-104.

PUBLISHED ON Start 07/07/2019      End 07/07/2019

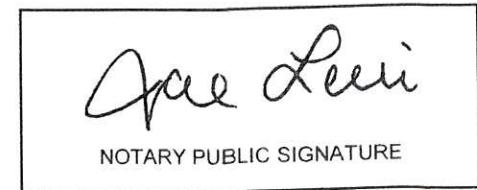
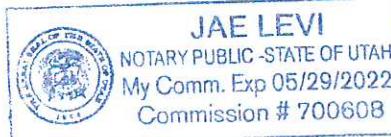
DATE 7/8/2019

SIGNATURE 

STATE OF UTAH )

COUNTY OF SALT LAKE )

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 7TH DAY OF JULY IN THE YEAR 2019  
BY LORRAINE GUDMUNDSON.



# **Application Materials**

## ZONING AMENDMENT APPLICATION

Type of Application (check all that apply):

- Zoning Map Amendment
- Text Amendment
- Complies with General Plan

Yes  No

Subject Property Address: 871 West Tripp Lane

Parcel Identification (Sidwell) Number: 21-14-401-001-0000

Parcel Area: 2.73 Acres Current Use: Residential

Existing Zone: A-1 Proposed Zone: R-1-8

Applicant Name: Salt Lake Neighborhood Housing Services Inc.

Mailing Address: 622 West 500 North

City, State, ZIP: Salt Lake City, Utah, 84116

Daytime Phone #: (801) 539-1590 Fax# N/A

Email: bob@nwsaltlake.org

Business Name (If applicable): \_\_\_\_\_

Property Owner's Name (If different): \_\_\_\_\_

Property Owner's Mailing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Daytime Phone #: \_\_\_\_\_ Fax #: \_\_\_\_\_

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

To allow for the construction of multiple single family residences

Authorized Signature: Maria Garcia Date: 6/25/2019

### Property Owners Affidavit

I (we) Salt Lake Neighborhood Housing Services Inc., 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.

Maria Garcia  
Owner's Signature

\_\_\_\_\_  
Owner's Signature (co-owner if any)

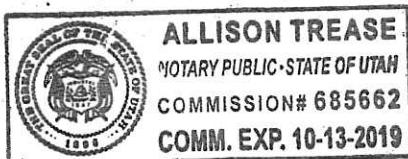
Subscribed and sworn to before me this 24<sup>th</sup> day of May, 20 19

Allison Trease  
\_\_\_\_\_  
Notary Public

Residing in Salt Lake County

My commission expires: 10-13-2019

Agent Authorization



I (we), Salt Lake Neighborhood Housing Services Inc., the owner(s) of the real property located at 622 West 500 North, in Salt Lake City, Utah, do hereby appoint

Robert Lund, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize

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

Owner's Signature

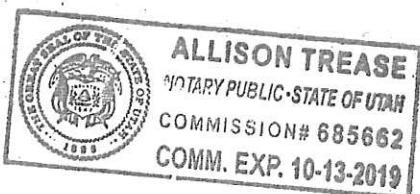
\_\_\_\_\_  
Owner's Signature (co-owner if any)

On the 24<sup>th</sup> day of May, 20 19, personally appeared before me

Maria Garcia The signer(s) of the above *Agent Authorization* who duly acknowledge to me that they executed the same

Allison Trease  
\_\_\_\_\_  
Notary Public  
Residing in Salt Lake County

My commission expires: 10-13-2019



Recording Requested by:  
First American Title Insurance Company

When recorded mail to:  
Neighborworks Salt Lake  
871 West Tripp Lane  
Murray, UT 84123

12940438  
2/26/2019 2:42:00 PM \$13.00  
Book - 10755 Pg - 8112-8113  
RASHELLE HOBBS  
Recorder, Salt Lake County, UT  
FIRST AMERICAN TITLE  
BY: eCASH, DEPUTY - EF 2 P.

File No. 390-5811535 (bd)

## PERSONAL REPRESENTATIVE'S DEED

THIS DEED, Made by **David Galvan, Personal Representative of the Estate of Ramon Galvan Ramon Galvan** deceased, as Grantor, to **Salt Lake Neighborhood Housing Services, Inc.**, as Grantee(s), whose address is **871 West Tripp Lane, Murray, UT 84123**.

WHEREAS, Grantor(s) is the qualified Personal Representative of the said estate of said deceased as filed under Probate Number **123900324** in **Salt Lake County, UT**:

THEREFORE, For a valuable consideration received, Grantor(s) sells and conveys to Grantee(s) the following described real property in **Salt Lake County, UT**:

A PARCEL OF LAND SITUATE WITHIN THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, LOCATED IN MURRAY CITY, COUNTY OF SALT LAKE, STATE OF UTAH, SAID PARCEL BEING ALL OF THAT CERTAIN TRACT OF LAND CONVEYED TO RAMON GALVAN AND AURELIA BELLA GALVAN BY WARRANTY DEED RECORDED SEPTEMBER 12, 1957, AS ENTRY NO. 1556067, IN BOOK 1444, AT PAGE 296 OF OFFICIAL RECORDS ON FILE WITH THE SALT LAKE COUNTY RECORDER'S OFFICE AND BEING MORE PARTICULARLY DESCRIBED BY SURVEY AS FOLLOWS:

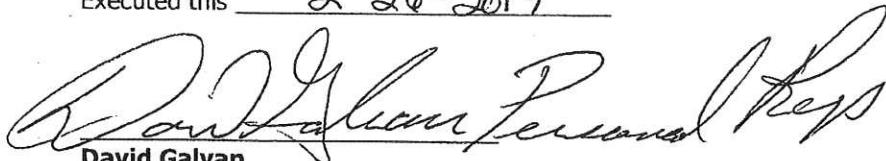
BEGINNING AT THE NORTHEAST CORNER OF LOT 14, WALDEN RIDGE PHASE 2 SUBDIVISION, RECORDED IN BOOK 87P, AT PAGE 33, OF OFFICIAL RECORDS, SAID POINT BEING SOUTH  $89^{\circ}44'28''$  WEST, ALONG THE EAST-WEST CENTER SECTION LINE, A DISTANCE OF 1649.30 FEET (WEST, 1597.52 FEET BY DEED), FROM THE SALT LAKE COUNTY BRASS CAP MONUMENT MARKING THE EAST QUARTER CORNER OF SAID SECTION 14 (BASIS OF BEARING BEING SOUTH  $0^{\circ}14'26''$  EAST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 14) AND RUNNING THENCE **NORTH  $89^{\circ}44'28''$  EAST**, ALONG THE EAST-WEST CENTER SECTION LINE, AND THE SOUTHERLY LINE OF PARCEL CONVEYED TO MURRAY CITY, CORPORATION BY WARRANTY DEED RECORDED AUGUST 1976, AS ENTRY NO. 2841087, IN BOOK 4287 AT PAGE 350, A DISTANCE OF **289.70** FEET, TO THE EASTERLY LINE OF SAID TRACT, AND THE WEST LINE OF PARCEL CONVEYED OWEN JONES BY WARRANTY DEED RECORDED DECEMBER 19, 1946, ENTRY NO. 1066987, WHICH WAS SUBSEQUENTLY CONVEYED TO THE BOARD OF EDUCATION OF MURRAY CITY SCHOOL DISTRICT BY WARRANTY DEED RECORDED SEPTEMBER 19, 1960, AS ENTRY NO. 1739142, IN BOOK 1745 AT PAGE 549; THENCE ALONG SAID EASTERLY LINE THE FOLLOWING TWO (2) COURSES: (1) **SOUTH  $23^{\circ}00'53''$  WEST**, A DISTANCE OF **236.93** FEET (NORTH  $22^{\circ}45'$  EAST, 14.55 RODS BE DEED); (2) **SOUTH  $1^{\circ}12'57''$  EAST**, A DISTANCE OF **265.27** FEET (NORTH 16.15 RODS BY DEED), TO THE NORTH LINE OF PARCEL CONVEYED TO RONALD G. LARSEN, BY TAX DEED, RECORDED JUNE 28, 2010, AS ENTRY NO. 10978611, IN BOOK 9835 AT PAGE 9888; THENCE **SOUTH  $88^{\circ}59'00''$  WEST**, ALONG THE NORTH LINE OF SAID LARSEN PARCEL, A DISTANCE OF **34.51** FEET, TO THE NORTHWEST CORNER THEREOF; THENCE **SOUTH**, ALONG THE WEST LINE OF SAID PARCEL, A DISTANCE OF **4.99** FEET, TO THE NORTH LINE OF MURRAY OAKS PHASE IV SUBDIVISION, RECORDED IN BOOK 2004P, AT PAGE 249; THENCE **SOUTH  $88^{\circ}57'52''$  WEST**, ALONG THE NORTH LINE OF SAID MURRAY OAKS PAGE IV SUBDIVISION, A DISTANCE OF **142.65** FEET, TO THE NORTHWEST CORNER OF LOT 14, SAID SUBDIVISION AND THE NORTHEAST CORNER OF PARCEL CONVEYED TO RAMON & AURELIA B. GALVAN, BY TAX DEED, RECORDED JUNE 28, 2010, AS ENTRY NO. 10978610, IN BOOK 9835, AT PAGE 9887; THENCE **SOUTH  $0^{\circ}22'22''$  WEST**, ALONG THE WEST LINE OF SAID MURRAY OAKS PAGE IV SUBDIVISION, A DISTANCE OF **7.00** FEET, TO THE SOUTHERLY LINE OF SAID PARCEL CONVEYED TO RAMON & AURELIA B. GALVAN, BY AFORESAID TAX

DEED, AND THE NORTHERLY LINE OF PARCEL CONVEYED TO THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, RECORDED JULY 05, 1990 BY WARRANTY DEED RECORDED AS ENTRY NO. 4937394 IN BOOK 6234, AT PAGE 345, SAID LINES HAVING BEEN RETRACED BY THAT CERTAIN RECORD OF SURVEY PREPARED BY MCNEIL ENGINEERING AND CERTIFIED BY DALE K. BENNETT, AND FILED WITH THE SALT LAKE COUNTY SURVEYOR'S OFFICE AS SURVEY NO. S99-07-0498; THENCE WEST AND NORTH ALONG SAID CHURCH PARCEL AND SURVEYED LINE THE FOLLOWING TWO (2) COURSES: (1) SOUTH 88°57'46" WEST, A DISTANCE OF 82.16 FEET; (2) NORTH 6°28'44" EAST, ALONG SAID SURVEYED LINE AND THE EAST LINE OF AFORESAID WALDEN RIDGE PHASE 2 SUBDIVISION, A DISTANCE OF 501.85 FEET (SOUTH 6°30' WEST 499.5' BY DEED), TO THE POINT OF BEGINNING.

Tax ID Number: **21-14-401-001-0000 & 21-14-401-022-0000**

With all appurtenances.

Executed this 2-26-2019



**David Galvan**

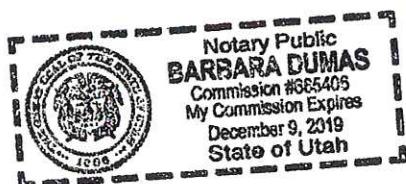
**Personal Representative of the Estate of Ramon Galvan**  
**Ramon Galvan**

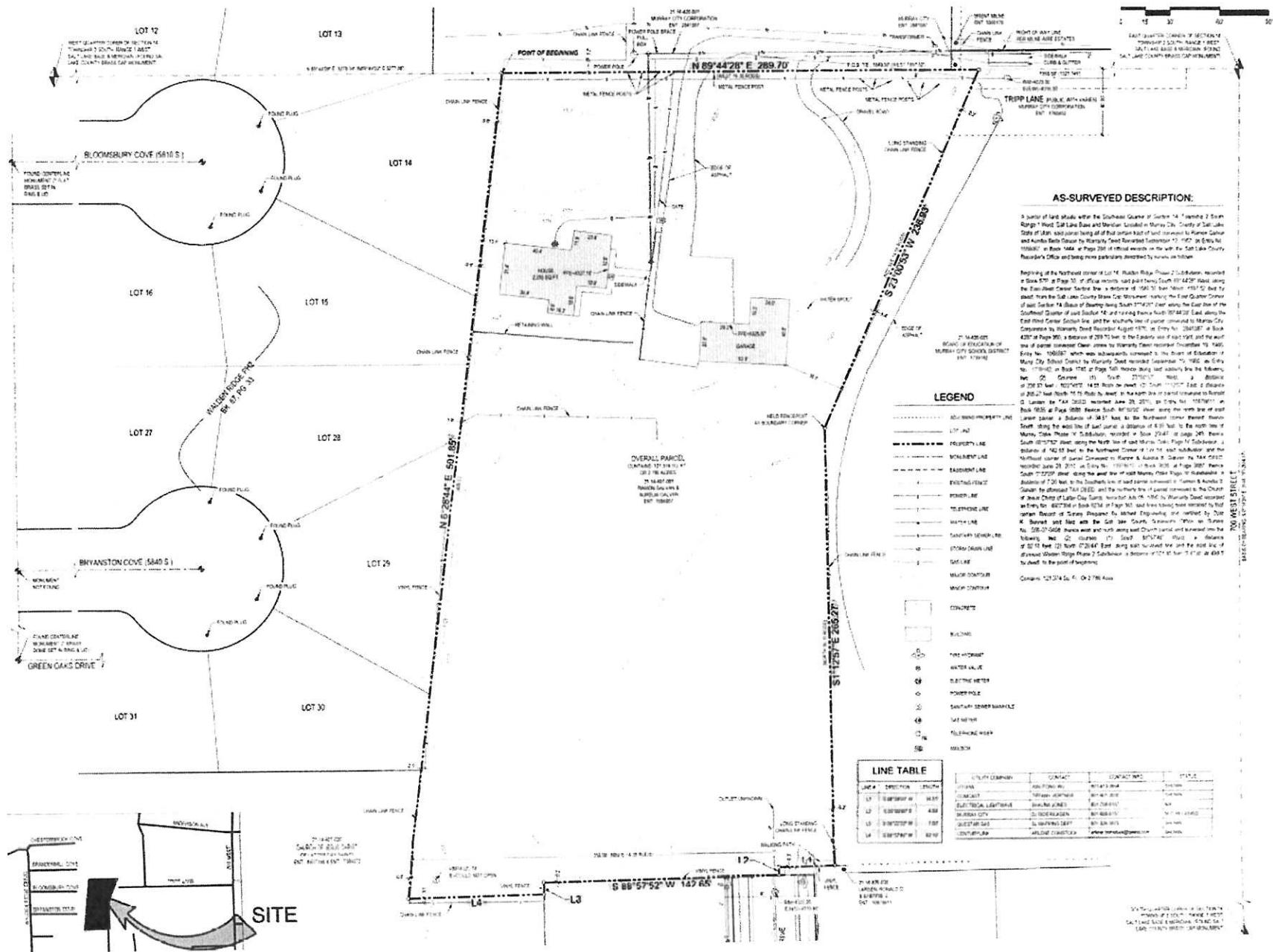
STATE OF UT)  
County of Salt Lake)ss.

On Feb 26, 2019, before me, the undersigned Notary Public, personally appeared **David Galvan, Personal Representative of the Estate of, Ramon Galvan** personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

My Commission Expires:





## NO. 631 STREET

<b>Salt Lake Neighborhood Services</b> <b>P/C 7/18/19</b> <b>Project #19-088</b> <b>400 ' radius w/affected entities</b>	<b>Aurelia B Galvan; Salt Lake Neighborhood Housing Services, Inc</b> 871 W Tripp Ln Murray UT 84123	<b>Allen G Hymas; Laurie Hymas (Jt)</b> 915 W Chesterbrook Cv Murray UT 84123
<b>Anthony G Jessop</b> 929 W Bloomsbury Cv Murray UT 84123	<b>Salt Lake Neighborhood Housing Services, Inc</b> 622 W 500 N SLC UT 84116	<b>Benjamin Dansie; Natalie Dansie (Jt)</b> 953 W Lisa Hills Cv Murray UT 84123
<b>Board Of Education Of Murray School District</b> 5102 S Commerce Drive Murray UT 84107i	<b>Audyne M Ballou; Andrew T Ballou (Jt)</b> 954 W Lisa Hills Cv Murray UT 84123	<b>Brian J Cambern</b> 858 W Greenoaks Dr Murray UT 84123
<b>Brian T Hardman; Lisa A Hardman (Jt)</b> 946 W Lisa Hills Cv Murray UT 84123	<b>Brenda Squires</b> 937 W Bloomsbury Cv Murray UT 84123	<b>Carl A Rupp; Estela Rupp (Jt)</b> 625 Vista View Ln N Salt Lake UT 84054
<b>Chad M Maughan;</b> <b>Jennie M Maughan (Jt)</b> 5862 S Willow Grove Ln Murray UT 84123	<b>Bryan F Crist; Jana G Crist (Tc)</b> 917 W Bryanston Cv Murray UT 84123	<b>Corp of Pb of Ch Jc of Lds</b> 50 E Northtemple # Fl-22 Salt Lake City UT 84150
<b>David Kosanke;</b> <b>Cynthia Thornton-Kosanke (Jt)</b> 933 W Bryanston Cv Murray UT 84123	<b>CJW &amp; MCWL Tr</b> 944 W Greenoaks Dr Murray UT 84123	<b>Douglas L Marx; Jeanette Marx (Tc)</b> 921 W Bloomsbury Cv Murray UT 84123
<b>E &amp; DCFT</b> 5869 S Cherry Oak Cir Murray UT 84123	<b>Douglas L Marx;</b> <b>Jeanette Marx (Jt)</b> 921 W Bloomsbury Cv Murray UT 84123	<b>J &amp; JA Fam Tr</b> 910 W Brandermill Cv Murray UT 84123
<b>James D Pitkin;</b> <b>Shanna K Pitkin (Jt)</b> 936 W Bloomsbury Cv Murray UT 84123	<b>Gregory C Nicholes;</b> <b>Alisa A Nicholes (Jt)</b> 864 W Greenoaks Dr Murray UT 84123	<b>Jeffrey W Waldram</b> 5863 S Willow Grove Ln Murray UT 84123
<b>Jerry H Gross; Linda K Gross (Jt)</b> 924 W Bryanston Cv Murray UT 84123	<b>Jared R Atkinson;</b> <b>Liezette H Atkinson (Jt)</b> 920 W Bloomsbury Cv Murray UT 84123	<b>Jim Livingston;</b> <b>Wendy Livingston (Jt)</b> 5859 S Willow Grove Ln Murray UT 84123
<b>John R Lane; Debora A Lane (Jt)</b> 5741 S 800 W Murray UT 84123	<b>Johnny K Shaw</b> 925 W Bryanston Cv Murray UT 84123	<b>Johnny Shaw</b> 925 W Bryanston Cv Murray UT 84123

Jww Fmly Lvg Tr 5863 S Willow Grove Ln Murray UT 84123	Kenneth D Johnson; Justine Johnson 5858 S Cherry Oak Cir Murray UT 84123	Kenneth D White; Debbie D White; Nickolas K White (Jt) 5868 S Willow Grove Ln Murray UT 84123
Kevin O'Brien; Stephanie O'Brien (Jt) 844 W Cherry Oak Cir Murray UT 84123	Kevin R Pollei; Stephanie N Pollei (Jt) 5861 S Cherry Oak Cir Murray UT 84123	Kristine L Hadean; Stanley R Hadean (Jt) 916 W Bryanston Cv Murray UT 84123
Lisa A Bell 841 W Cherry Oak Cir Murray UT 84123	LM Fam Liv Tr 5712 S 800 W Murray UT 84123	Mark Grandinetti; Trina Grandinetti (Jt) 932 W Bryanston Cv Murray UT 84123
Mark Hatch; Julie A Hatch (Jt) 909 W Brandermill Cv Murray UT 84123	Mark J Sacco; Flava L Sacco (Jt) 929 W Brandermill Cv Murray UT 84123	Mark Palmer; Lisa Palmer (Jt) 949 W Lisa Hills Cv Murray UT 84123
MLRT 930 W Brandermill Cv Murray UT 84123	Murray City Board Of Education 5102 S Commerce Dr Murray UT 84107	Murray City Corp 5025 S State St Murray UT 84107
Palmer S Pattison; Jolene Pattison (Jt) 939 W Brandermill Cv Murray UT 84123	Paula M Cushing Po Box 571262 Murray UT 84157	Quentin R Packard; Margaret Choate (Jt) 907 W Chesterbrook Cv Murray UT 84123
R Brad Milne; Kathryn L Milne (Jt) 846 W Tripp Ln Murray UT 84123	Rmz&Mgzfl Tr 837 W Cherry Oak Cir Murray UT 84123	Robert B Milne; Lucinda H Milne (Tc) 5712 S 800 W Murray UT 84123
Ryan Lewis 906 W Brandermill Cv Murray UT 84123	Samuel R Johnson; Sherri L Johnson (Jt) 917 W Bloomsbury Cv Murray UT 84123	Sanh Ly; Huong Thuy Tran (Jt) 5892 S Greenoaks Dr Murray UT 84123
Sanh Ly; Huong Thuy Tran (Jt) 852 W Cherry Oak Cir Murray UT 84123	SG & BJH Tr 820 W Tripp Ln Murray UT 84123	Steven R Fidel; Melia W Fidel (Jt) 940 W Bryanston Cv Murray UT 84123
Taylor J Lever; Elizabeth Lever (Jt) 945 W Bloomsbury Cv Murray UT 84123	Thomas M Jackson; Carol M Jackson (Jt) 857 W Cherry Oak Cir Murray UT 84123	C Todd Slade; Deann Slade (Jt) 863 W Cherry Oaks Cir Murray UT 84123

Tonya Brown 852 W Greenoaks Dr Murray UT 84123	Trust Not Identified 919 W Brandermill Cv Murray UT 84123	Trust Not Identified 5748 S 800 W Murray UT 84123
Trust Not Identified 836 W Tripp Ln Murray UT 84123	Trust Not Identified 5856 S Willow Grove Ln Murray UT 84123	Trust Not Identified 933 W Greenoaks Dr Murray UT 84123
Trust Not Identified 981 Cambria Dr North Salt Lake UT 84054	Tucker Dansie; Julie Dansie (Jt) 923 W Chesterbrook Cv Murray UT 84123	V & LMFIT 853 W Cherry Oak Cir Murray UT 84123
William C Stewart; Julie S Stewart (Jt) 920 W Brandermill Cv Murray UT 84123	Zachary Sharples; Kelly Sharples (Jt) 941 W Bryanston Cv Murray UT 84123	Bourne Family Trust 10/26/2017 928 W Bloomsbury Cv Murray UT 84123
William S. Kidder Family Trust 09/15/2016; Claudia C. Allen Kidder Family Trust 09/15/2016 949 W Bryanston Cv Murray UT 84123	827 W Greenoaks, Llc 1729 E Colchester Ct Sandy UT 84092	UDOT - REGION 2 ATTN: MARK VELASQUEZ 2010 S 2760 W SLC UT 84104
UTAH TRANSIT AUTHORITY ATTN: PLANNING DEPT PO BOX 30810 SLC UT 84130-0810	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	UTAH POWER & LIGHT 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 UT 84117	COTTONWOOD HEIGHTS CITY ATTN: PLANNING & ZONING 2277 E Bengal Blvd Cottonwood Heights, UT 84121

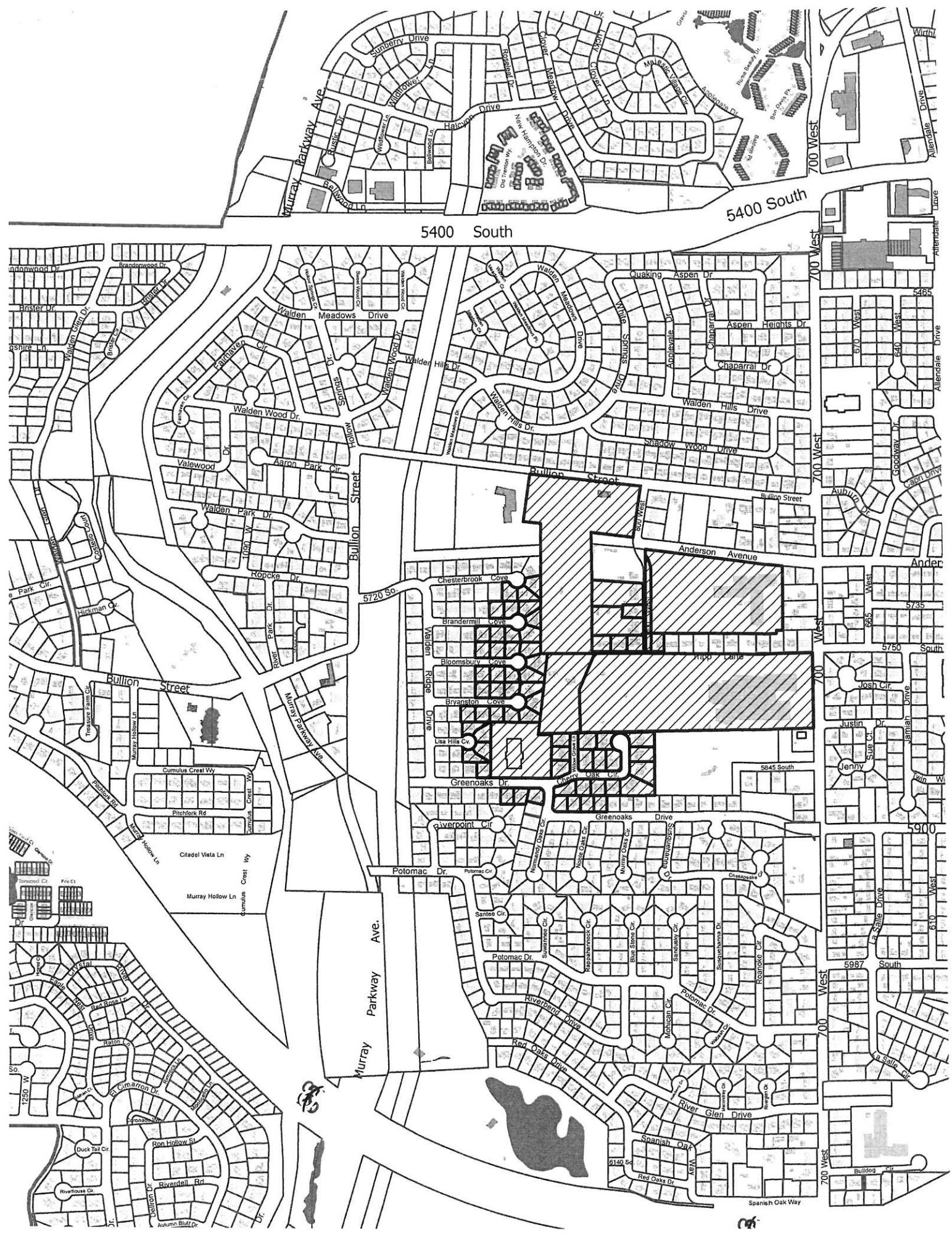
SANDY CITY  
PLANNING & ZONING  
10000 CENTENNIAL PRKwy  
SANDY UT 84070

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

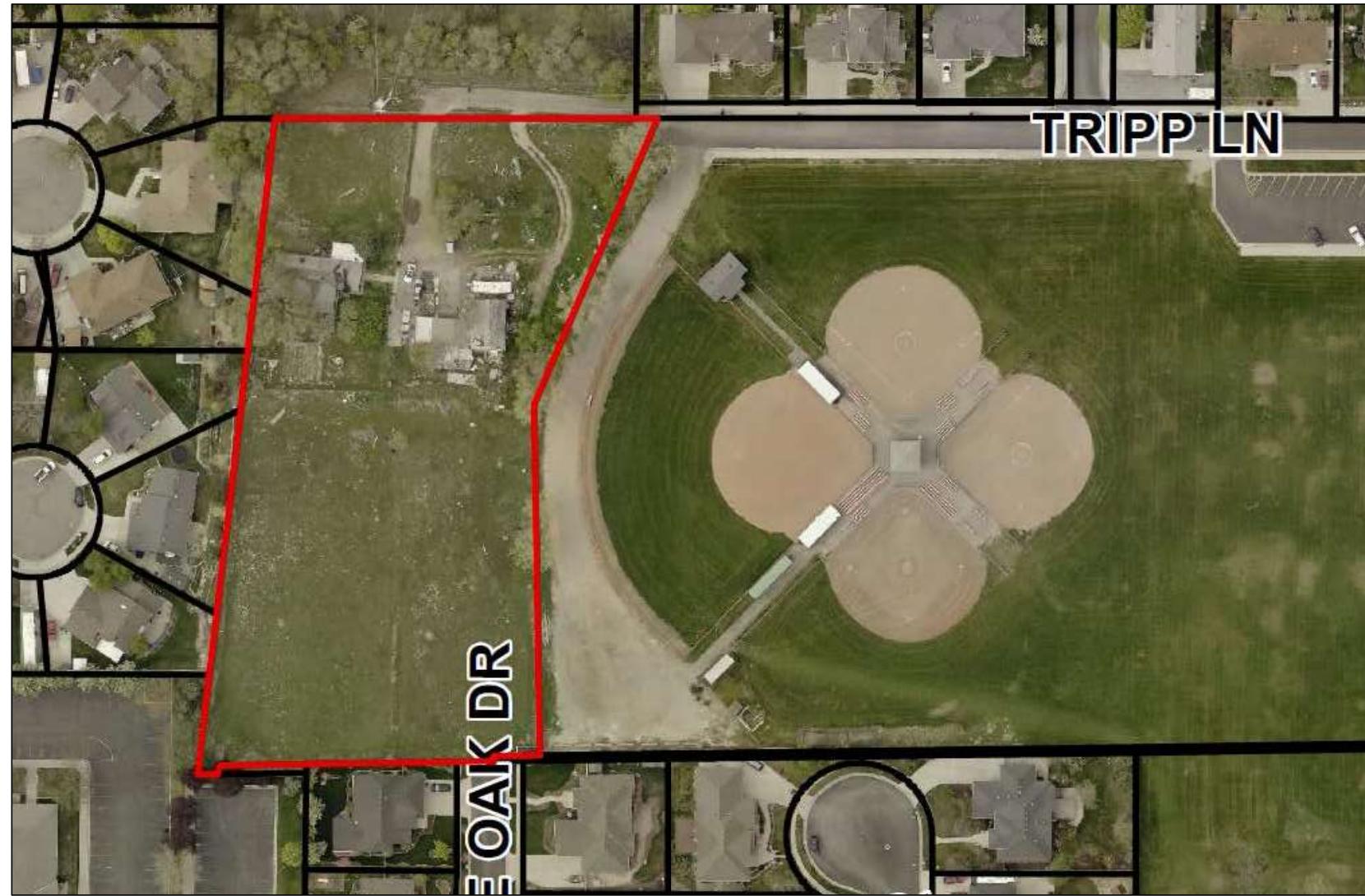


# SALT LAKE NEIGHBORHOOD HOUSING SERVICES

Zone Map Amendment from A-1, Agriculture to  
R-1-8, Single Family Residential

871 West Tripp Lane



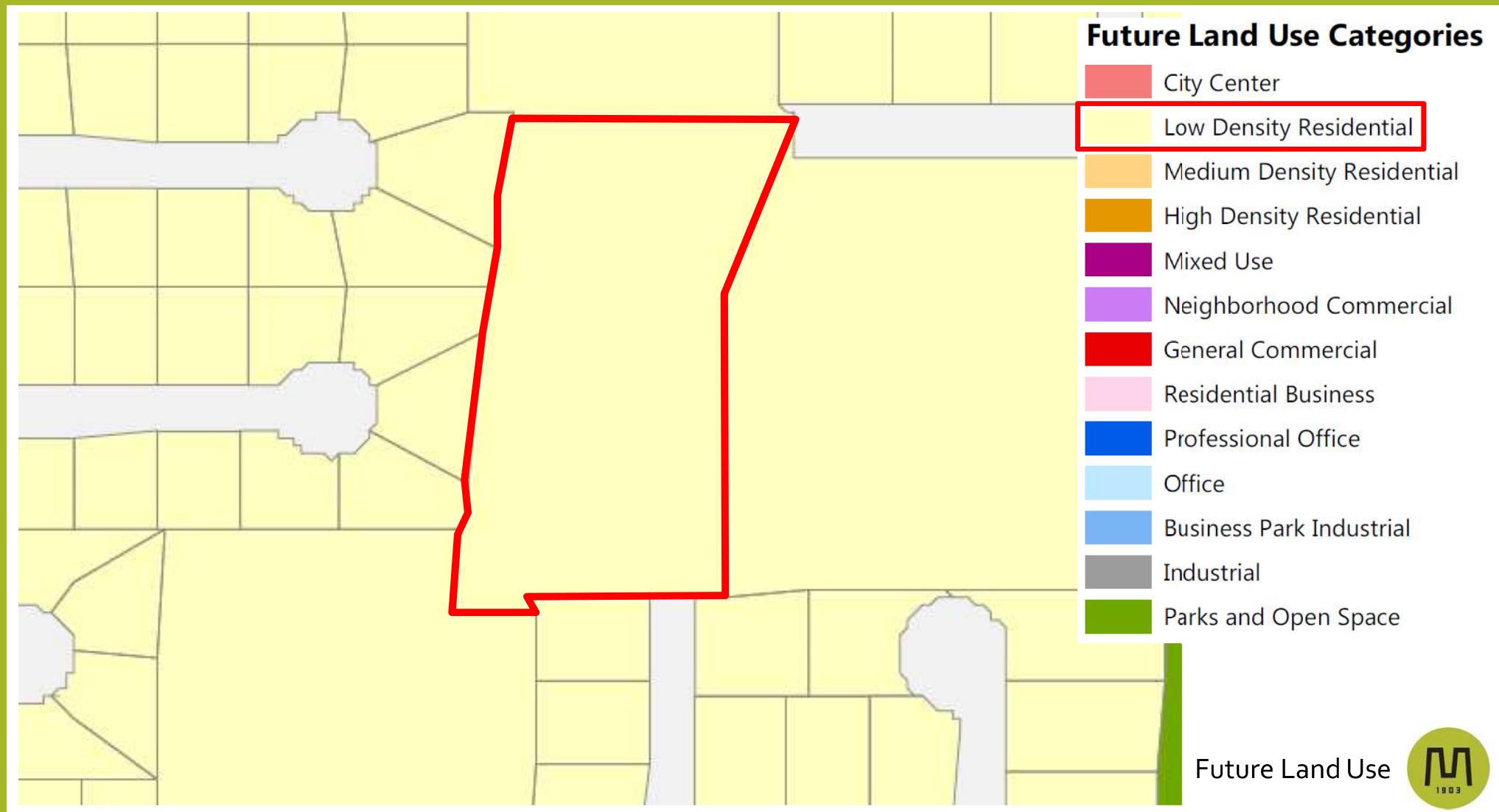


A-1

TRIPP LN

OAI







Looking west at the subject property



Subject property, looking north



# Findings

1. The rezoning of the property to R-1-8 is supported by the Future Land Use Map designation of Low Density Residential and will not have negative impacts to the surrounding properties, infrastructure, or utilities.
2. The requested rezoning has been carefully considered based on the characteristics of the site and surrounding area and the policies and objectives of the 2017 Murray City General Plan, and have been found to support the goals of the Plan.
3. The proposed amendment to the Zoning Map from A-1 to R-1-8 is in harmony with the established Low Density Residential land use designation of the subject property.



# Staff Recommendation

Staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the requested amendment to the Zoning Map designation for the property located at 871 West Tripp Lane from A-1, Agriculture to R-1-8, Single-Family Residential.





MURRAY  
CITY COUNCIL

# Public Hearing #3

Murray City Corporation

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 3<sup>rd</sup> day of September, 2019, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will hold and conduct a hearing to receive public comment concerning amending the City's fiscal year 2019–2020 budget. A copy of the proposed budget amendments is available for review during normal business hours at the office of the City Recorder located at 5025 South State Street, Murray, Utah.

DATED this 16<sup>th</sup> day of August, 2019.

MURRAY CITY CORPORATION

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Jennifer Kennedy  
City Recorder

DATE OF PUBLICATION: August 26, 2019  
PH 19-27

PUBLIC NOTICE WEBSITE 8.16.19  
MURRAY WEBSITE 8.16.19





# Finance & Administration

## FY2020 Budget Amendment Public Hearing and Consideration

### Council Action Request

#### Council Meeting

Meeting Date: September 3, 2019

<b>Department Director</b> Brenda Moore	<b>Purpose of Proposal</b> Amend the FY2020 budget for grants and project rollovers
<b>Phone #</b> 801-264-2513	<b>Action Requested</b> Public hearing and consideration of Budget Amendment
<b>Presenters</b> Brenda Moore	<b>Attachments</b> Proposed Ordinance and detailed explanation memo
<b>Required Time for Presentation</b> 10 Minutes	<b>Budget Impact</b> Use of reserves to roll projects forward from FY2019 budget. Grant appropriations and revenue receipts.
<b>Is This Time Sensitive</b> No	<b>Description of this Item</b> Due to the number of projects and length a memo is attached. One project has changed since the committee of whole memo. A FY19 invoice was paid for the parks master plan and the amount to roll was lowered by \$10,596 from \$52,125 to \$41,529.
<b>Mayor's Approval</b> <b>Doug Hill</b>	Digitally signed by Doug Hill DN: cn=Doug Hill, o=Murray City Corporation, ou=Chief Administrative Officer, email=dh@murray.utah.gov, c=US Date: 2019.08.21 11:24:54 -06'00'
<b>Date</b> August 20, 2019	



TO: Murray City Municipal Council  
From: Brenda Moore, Finance & Administration Director  
Date: August 20, 2019  
Re: Fiscal Year 2020 Budget Opening

A budget opening has been requested for September 3<sup>rd</sup>. The opening will request funds for the following purposes:

- Projects in-progress at FY 2019 Year-end (CIP annual roll-forward)
- Receive and allocate several grant awards
- Reconcile changes in wages and benefits due to open enrollment and new hires.
- Move budget between departments for Janitorial services.

The budget details are as follows:

#### **Grants Received/Rolled**

1. \$34,849 2019 Jag Grant for police car camera systems
2. \$1,045 2018 Jag remaining balance police car camera systems
3. \$5,050 Jimmy Johns sponsorship money not spent by the Park Center for recreation programs
4. \$8,000 EMPG (Emergency Management Program Grant) covers a portion of Mittelman's salary
5. \$7,218 SAFG (State Asset Forfeiture grant) Covert Surveillance and night vision camera systems
6. \$15,000 Utah Division of Arts and Museums for art and history projects
7. \$10,000 CLG Arts and History grant for history projects
8. \$15,843 SHSP (State Homeland Security Grant) 2018 for police and fire equipment
9. \$68,567 Utah Victims of Crimes (VOCA) grant for the victim advocates

#### **Revenue Neutral**

10. Insurance, Salary & Benefits adjustments for open enrollment, new hires Parks increase \$3,781, Finance decrease \$23,618, Attorney increase \$35,450, and Prosecutors office decrease \$15,613.
11. Training Center Janitorial Increase Facilities part-time wages by \$4,500 decrease police building maintenance by \$4,500. Facilities is taking over janitorial duties at the police training center, moving the costs associated from the police department to Facilities department.

#### **Rollover Projects from FY19 to FY20**

12. Class C
  - a. \$149,213 Various projects Sealer
  - b. \$86,569 4800 S & Commerce traffic signals maintenance
  - c. \$193,167 4800 S & Commerce Traffic signal
13. Library - \$100,802 Air Conditioners

[Type here]

14. Water, Sewer, Power, Solid Waste, Storm Water \$35,000 each. Roll budget for Munis utility billing conversion
15. Water - \$1,000,000 Well Replacement/rebuilds
16. Waste Water - \$510,797 Walden Glen Lift station
17. Power
  - a. \$184,000 bucket truck (on order)
  - b. \$100,000 building Improvements
  - c. \$400,000 Scada system in process of being installed
18. Solid Waste fund - \$40,943 F250 4X4 (didn't arrive before June 30)
19. Storm Water – \$1,374,334 Utahna Storm drain
20. Storm Water – \$200,000 additional amount needed to complete Utahna Storm drain
21. Storm Water – \$293,000 Street Sweeper (on order)

**Capital Projects Fund – roll**

22. Court - \$4,110 equipment replacement plan
23. Recorder - \$15,000 equipment replacement plan
24. Police - \$22,600 small equipment replace plan
25. Police - \$6,200 equipment replacement plan
26. Fire - \$252,446 equipment replacement plan
27. Streets
  - a. \$80,000 5770 S to Hillside
  - b. \$63,930 Commerce drive 4500-4600 S
  - c. \$122,565 equipment replacement
  - d. \$50,242 5900 S Closeout/vine overruns
  - e. \$730,993 Vine street to Vanwinkle
  - f. \$127,068 Commerce Street
  - g. \$1,500,000 Hanauer 1
  - h. \$500,000 Hanauer 2
  - i. \$1,000,000 5600 S State to Vanwinkle
  - j. \$96,000 Hanauer Design, site work
  - k. \$45,000 5600 S Sidewalk
  - l. \$83,300 Walden Park
28. Parks
  - a. \$300,000 Outdoor pool parking
  - b. \$420,600 Pavilion replacement
  - c. \$1,603 Park Center fitness equipment replacement
  - d. \$31,168 Arts 5300 & State mural refurbish – Parks did not use all their equipment budget in FY2019, Kim Sorensen would like to re-programing the money to refurbish the Costco Mural.
  - e. \$2,089 Senior Recreation equipment replacement
  - f. \$129,100 Cemetery Niche project
  - g. \$36,788 Cemetery equipment replacement

[Type here]

- h. Facilities
  - i. \$194,400 Outdoor pool re-plaster (increased cost cover by FY19 Shop roof replacement budget that was determined not to be needed for at least 5 yrs.)
    - ii. \$29,500 Leisure pool re-plaster cost increase
    - iii. \$215,100 Various maintenance projects
  - i. \$41,529 Parks Master Plan Study completion (lowered from \$52,125 from committee of the whole memo, due to payment of a fiscal year 2019 invoice).
- 29. City Hall project - \$1,122,207
- 30. Fire Station building project - \$4,268,204
- 31. Fire Station - \$47,288 Alerting system for new fire station ½ was paid by VECC
- 32. Community Development
  - a. \$115,600 Downtown environmental
  - b. \$19,435 Building Abatement
  - c. \$15,000 Vehicle replacement plan
- 33. IT - \$100,000 equipment replacement plan
- 34. GIS - \$14,138 equipment replacement plan

Please let me know if you have any questions. You can reach me 801-264-2513 or at [bmoore@murray.utah.gov](mailto:bmoore@murray.utah.gov).

ORDINANCE NO.

AN ORDINANCE AMENDING THE CITY'S FISCAL YEAR 2019-2020 BUDGET

On June 18, 2019, the Murray City Municipal Council adopted the City's budget for Fiscal Year 2019-2020. It has been proposed that the Fiscal Year 2019-2020 budget be amended as follows:

1. Appropriate \$428,949 from the General Fund reserves for prior year road maintenance and infrastructure projects in progress.
2. Appropriate \$5,050 from the General Fund reserves for Jimmy Johns sponsorship money for recreation programs contributed and unspent in the previous year.
3. Receive and appropriate the following grants and/or reimbursements in the General Fund with no financial impact:
  - a. \$34,849 from the FY2019 Edward Byrne Memorial Justice Assistance Grant for police supplies and/or equipment, and;
  - b. \$1,045 from the FY2018 Edward Byrne Memorial Justice Assistance Grant for police supplies and/or equipment, and;
  - c. \$8,000 from the Emergency Management Preparedness Grant for services performed by the Fire Department, and;
  - d. \$7,218 from the State Asset Forfeiture Grant for police supplies and/or equipment, and;
  - e. \$15,000 from the Utah Division of Arts and Museums for projects within the city, and;
  - f. \$10,000 from the Utah Department of Heritage and Arts CLG Grant for History projects within the city, and;
  - g. \$15,873 State Homeland Security Grant (SHSP) for Police and fire supplies and/or equipment, and;
  - h. \$68,567 from the Victims of Crime Act Grant for support of the victim's advocate program.

4. Reclassify the following expenses in the General Fund with no financial impact:
  - a. Decrease the budget by (\$0) from the reclassification of wages and benefits between departments for changes resulting from open enrollment and filling vacant positions, and;
  - b. Decrease the budget by (\$4,500) from Police operations and Increase the Facilities wages budget by \$4,500 due to the Facilities division now providing Janitorial services for the police training center.
5. Appropriate \$100,802 from the Library fund reserves for building maintenance projects.
6. Appropriate \$11,813,799 from the Capital Projects Fund reserves for projects in progress from the previous year's budget including:
  - a. \$5,390,411 for building construction and improvement, and;
  - b. \$5,126,233 for infrastructure, and;
  - c. \$639,827 for vehicle and equipment replacement, and;
  - d. \$605,203 for maintenance, and;
  - e. \$41,529 for professional services.
7. Appropriate \$1,035,000 from the Water Fund reserves for the following:
  - a. Increase the budget by \$1,000,000 for well and pipeline replacement projects in progress from the previous year's budget, and;
  - b. Increase the budget by \$35,000 for the Munis utility billing system conversion in process from the previous year's budget.
8. Appropriate \$545,797 from the Wastewater Fund reserves for the following:
  - a. Increase the budget by \$510,797 for the Walden Glen Lift Station project in progress from the previous year's budget, and;
  - b. Increase the budget by \$35,000 for the Munis utility billing system conversion in process from the previous year's budget.

9. Appropriate \$719,000 from Power Fund reserves for the following:
  - a. Increase the budget by \$584,000 for support systems and vehicle replacement projects in progress from the previous year's budget, and;
  - b. Increase the budget by \$100,000 for building improvements in progress from the previous year's budget, and;
  - c. Increase the budget by \$35,000 for the Munis utility billing system conversion in process from the previous year's budget.
10. Appropriate \$75,943 from the Solid Waste Fund reserves for the following:
  - a. Increase the budget by \$40,943 for equipment replacement in progress from the previous year's budget, and;
  - b. Increase the budget by \$35,000 for the Munis utility billing system conversion in process from the previous year's budget.
11. Appropriate \$1,902,334 from the Storm Water bond reserves for the following:
  - a. Increase the budget \$1,574,334 for the Utahna storm drain project in progress from the previous year's budget, and;
  - b. Increase the budget \$293,000 for a Street Sweeper on order from the previous year's budget, and;
  - c. Increase the budget by \$35,000 for the Munis utility billing system conversion in process from the previous year's budget.

*Section 2. Effective Date.* This Ordinance shall take effect on first publication.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this \_\_\_\_ day of \_\_\_\_\_, 2019.

MURRAY CITY MUNICIPAL COUNCIL

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Dave Nicponski, Chair

ATTEST:

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Jennifer Kennedy, City Recorder

MAYOR'S ACTION: Approved

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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Douglas Blair Camp, Mayor

ATTEST:

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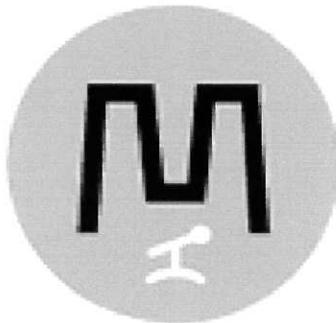
Jennifer Kennedy, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance or a summary hereof was published according to law on the \_\_\_\_ day of \_\_\_\_\_, 2018.

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Jennifer Kennedy, City Recorder



MURRAY  
CITY COUNCIL

# Mayor's Report And Questions



**MURRAY**  
CITY COUNCIL

# Adjournment