



MURRAY  
CITY COUNCIL

MURRAY CITY MUNICIPAL COUNCIL  
COMMITTEE OF THE WHOLE

---

The Murray City Municipal Council met as a Committee of the Whole on Tuesday, September 17, 2019, in the Murray City Center, Conference Room #107, 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	Janet Lopez	City Council Executive Dir.
Jeff Smart	S.L. County Health Dept.	Pattie Johnson	City Council Office Adm.
Brenda Moore	Finance Director	Briant Farnsworth	City Attorney
Jennifer Kennedy	City Recorder	Joey Mittelman	Fire Department
Jared Hall	CED Supervisor	Doug Hill	Mayor's CAO
Danny Astill	Public Works Director	Kat Martinez	Citizen
Jim McNulty	CED	Jennifer Brass	Citizen
Kim Sorensen	Parks and Recreation Director	Brent Barnett	Citizen
Melinda Greenwood	CED Director	Rosalba Dominguez	Citizen
Jennifer Heaps	Public &Comm. Relations Director	Jake Pehrson	Citizen

Chair Dave Nicponski called the meeting of the Committee of the Whole to order at approximately 4:15 p.m.

**Approval of Minutes** - Mr. Nicponski asked for comments or a motion on the minutes from Committee of the Whole, May 21, 2019. Mrs. Turner moved to approve. Mr. Cox seconded the motion. Passed 5-0.

**Discussion Items**

**Neighborhood Sidewalk Repairs** – Brett Hales

Mr. Hales shared photos of damaged sidewalks in his area where he received comments and concerns. He wondered about delayed repairs and inquired about money set aside for the sidewalk replacement program. In response, Mr. Astill provided information and maps (See Attachment #1) and confirmed some sidewalk repairs were being done as part of roadway projects. He agreed what was reflected in

concerning photos is not uncommon, and noted estimated costs associated with making such repairs. He reported the city was given a budget of \$260,000 in FY (Fiscal Year) 2018 for sidewalk replacements, and \$400,000 in FY 2019; there was a 10% escalation in cost between 2018 through 2019. Therefore, the dollars shrunk slightly, and from FY 2019 through 2020 the cost has increased an additional 30%. As a result, the budgeted amount of \$360,000 is valued closer to \$260,000 or \$270,000. Because of the booming economy, contractors can command prices for projects, and many are willing to pay high costs in order to get work done. He noted prior to 2018 \$160,000 to \$180,000 was received each year.

Mr. Astill said it was challenging to negotiate a contract for the sidewalk replacement program, so the best they could do resulted in a one-year contract that included the 30% increase. The intent next year is to hire smaller companies going forward in December. The 2019 map was distributed, as Mr. Astill noted the city is responsible for maintaining approximately 300 miles of sidewalks (the distance from Salt Lake City to St. George, Utah), and slightly more than 300 miles of curb, which is an enormous task. He explained they were not able to complete everything shown in orange, so some projects were pushed into the current year.

A new map was displayed with completed projects from the previous year shown in blue; however, some were not included, and were noted in future roadway projects. Mr. Astill confirmed it was approximately 20 years since any work had been done on some curb, gutter, and sidewalks in the city. He described the master list, which keeps track of all sidewalk work that needs to be done and projects accomplished over the past 25 years; staff also maintains a running list of complaints. To determine where work needs to be done for each fiscal year, a careful review of the current map, the master map, history of work conducted, complaints and concerns is conducted; maps also include areas where sidewalks only need to be grinded.

Mr. Astill acknowledged there is an economy to scale, so if they keep a contractor working in one area, there is only one mobilization cost, until the contractor moves to another area and works there until the work is completed. However, if crews are continually moved around, not as much work is accomplished. He reiterated some street projects include curb, gutter, and sidewalk builds and rebuilds. City crews are sometimes able to make funds go farther because they have talent in house, so when staff members do the work, money is saved.

The current policy was described in length. It recognizes current problems and hazards and depicts plans and funding every year available to accomplish some of the work. The policy also includes homeowners, who can pay for replacement projects if they choose, which is sometimes easy, but more often than not, large mature trees must be removed, and many people do not want to lose their trees. If the city needs to grind a minimum of 10% of all sidewalks, the estimated cost would be \$7.5 million, which does not include curbs. Mr. Astill confirmed multiple calls and requests for sidewalk repairs each year, but he stressed the city does not have the resources to take care of them all; for example he identified a small area on the map left unattended for so long that the replacement cost grew to \$260,000, which resulted in the loss of several large trees. Therefore, a program is in place where repairs are tracked, projects are moved about, and work is accomplished in different parts of the City every year. It was also suggested that emergency funds be set aside for urgent projects.

**Text Amendments to the M-U (Mixed-Use Zone)** – Melinda Greenwood and Jared Hall

Ms. Greenwood and her staff determined there were issues with the M-U zones and some of the requirements over the past few years. As a result, to understand detailed problems, and get them resolved, staff attained feedback from developers who constructed projects in these zones in the past few months. It was noted that the M-U Zone did not include provisions for the horizontal mixed-use, which has been requested frequently.

Some concerns included the requirement for ground floor commercial. There are generous requirements for developers on ground floor commercial, but they are finding the commercial requirements along certain road frontages, have not been desirable enough to fill. Changes were made accordingly to help counteract some of those issues.

Mr. Hall explained new definitions were identified for transit stations, horizontal mixed-use, and vertical mixed-use; and a density gradient. None of the three mixed-use zones had density limits until recently. Within one-quarter mile of the stations, they are proposing densities of 100 units per acre, up to 80 units per acre within one-half mile, and 50 units per acre within one mile. Within one-half mile of a transit station, commercial development needs to occupy 75% of the ground floor of residential buildings that face public streets, which allows for parking behind the units. Specific projects within the city were described.

Mr. Hall explained the parking requirement in the M-U zone did not include maximums - but there are minimums. Those wishing to exceed 110% of the minimum requirement for parking, must construct a parking garage. After talking to developers, it was proposed that the minimum be increased to 125%, which would allow them to do surface parking with horizontal projects.

It was noted that building setbacks are measured differently in the Mixed-Use zone. A zero setback does not necessarily mean that the building is on a traditional sidewalk and could be near a sidewalk that is 8, 12, or 15 feet wide. If approved, language will be added to the ordinance that will help developers and the public better understand how the setback is measured.

Staff felt the proposed changes were in keeping with the General Plan and will help facilitate mixed-use redevelopment throughout the city. The Planning Commission reviewed the amendments and recommended approval to the Murray City Council.

#### **Medical Cannabis Regulations, Chapter 17.43** – Melinda Greenwood and Jim McNulty

Ms. Greenwood led a discussion to review the draft proposed ordinance text amendment. The Utah Legislature passed statutes that require municipalities to allow for Cannabis Production Establishments and Medical Cannabis Pharmacies. The proposed text was designed to meet the requirements outlined in State Code and meets the goals and policies of the Murray City General Plan.

Ms. Greenwood shared a map for cannabis production area limits in M-G (Manufacturing General) and A-1 (Agricultural) zones, which reflected a community buffer of 1,000 feet, and a residential buffer of 600 feet. (Attachment #4) She noted cannabis pharmacies are limited to 3,000 square feet as regulated by State Code. Home deliveries will be available for medical cannabis.

Ms. Greenwood recognized the ULCT (Utah League of Cities and Towns), Cameron Diehl, Meg Ryan, and representatives from Layton, St. George, Brigham City, and West Bountiful who collaborated to create language that would be best for all cities in the legislative bill. She informed there was one potential applicant looking to open a cannabis business in Murray, however, building owners decided against leasing to a medical cannabis production business, due to associated federal regulations. The draft ordinance would come back to the council for their consideration, as soon as, possible to meet the 45-day legislative approval deadline.

**General Plan Amendments/Zone Map Amendments** – Briant Farnsworth

Mr. Farnsworth explained legal aspects of General Plan Amendments to agree with Zone Map amendments. The amendments are necessary, due to a previous oversight. As a result, two public hearings are scheduled for General Plan amendments that will come before the council for consideration as it relates to approval of recent Zone Map amendments for properties located at: 4670 South 900 East, and 5920 South Fashion Boulevard.

**Utah Transit Authority Update** – Carlton Christensen

UTA Board Member Chair, Carlton Christensen shared a handout reflecting different transit routes within the city, as well as, ridership data. (Attachment #2) Murray is a pivotal location within the system and is a major transfer point. He warned of the dangers of distracted driving.

Mr. Christensen reported two legislative sessions ago, the governance of UTA was changed legislatively, from a 16-member part-time Board of Trustees, to a three-member full-time board. There is one representative from Salt Lake County; another who represents Davis, Weber, and Box Elder Counties; and a third that represents Utah and Tooele Counties. In the case of Salt Lake County, Mr. Christensen was recommended by Mayor McAdams and confirmed by the County Council with the Governor making the final appointment. The appointment process was described. The Utah Legislature also created a Local Advisory Council that has three representatives who have a great deal of input on UTA's policies, capital, budgets, and general board policies. Recently, UTA hired Executive Director, Carol Gonot who previously worked for a transit agency in San Jose, California. She is tasked with UTA's day-to-day operations while the board focuses on the outward governance and government relations policy issues.

Mr. Christensen reported that just over one year ago the County Council implemented a .25 of 1% transportation tax. He said 40% of the tax comes to Murray City, 40% goes to UTA, and 20% to Salt Lake County for projects of regional significance. Starting in July, those funds were distributed to the respective entities. The portion that went to UTA was described in terms of how it was utilized. They were aware that better bus service was desired. They implemented a large capital project, which was very successful and timely, but bus service took a backseat, and, in some cases, the service was cut. As other areas have grown, bus service has not kept pace with the need. They have set a goal of implementing the bulk of the service within two years. August is significant since it is when major changes are made to bus service. The first step is to purchase buses, which takes over one year to complete. They also have to study routes including reexamining existing routes and making sure they are performing as desired. There is also support infrastructure that is needed for their operators, which is lacking.

Mr. Christensen stated that the two facilities in Salt Lake County are at capacity. Fortunately, the agency was in the process of designing a new replacement facility for downtown Salt Lake City, which will allow them to better service vehicles. UTA recently took possession of their first three electric buses and they have several clean-burning diesel buses. It also takes time to hire operators, particularly in the current climate. Most of UTA's portion will go toward the capital process over the next few years.

Mr. Christensen noted that this is the 20<sup>th</sup> anniversary of the opening of the north-south line or the Blue Line. The early vehicles have a 30 to 40-year life and are halfway through their life and need an overhaul. They are proposing about one-fourth of their funds on an ongoing basis go toward vehicle rehabilitation.

In 2021, they are proposing that three-quarters of the funds go toward expanded bus service and to continue their effort in light rail. Comments were received about the level of service and there are areas where coverage needs to be improved. Therefore, by increasing frequency an increase in ridership occurs, but this will require additional buses.

Ms. Turner asked how many electric busses were in the fleet. Mr. Christensen reported there are three electric buses on order and five more coming. Through the Department of Environmental Quality ("DEQ") as part a settlement, UTA was recently awarded an additional 20 buses that can only be used in Salt Lake County. Electric busses can travel about 100 miles on a full charge and the process of creating some quick charging stations is underway. Mr. Christensen commented electric buses are very quiet, each requires 480 volts to recharge, so to plug 20 in at the same time on the grid could result in a load issue for Rocky Mountain Power. He noted, with regard to the autonomous shuttle, they are learning a lot about them, but they were not expected to come online any time soon. They could work in a situation involving a continuous flowing path for businesses or shuttle employees.

Chair Nicponski commented they have seen successful transit-oriented development around the hospital center where there is Frontrunner and light rail. He said Murray City has been very pleased with the role UTA has played in that effort. Mr. Christensen stated that the public has made a huge investment in the system, and he felt that high-frequency bus routes will have a similar positive commitment for long-term developers.

**Announcements:**

**Adjournment:** 5:55 p.m.

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

## **ATTACHMENT #1**

# Sidewalk

Replacement program



1

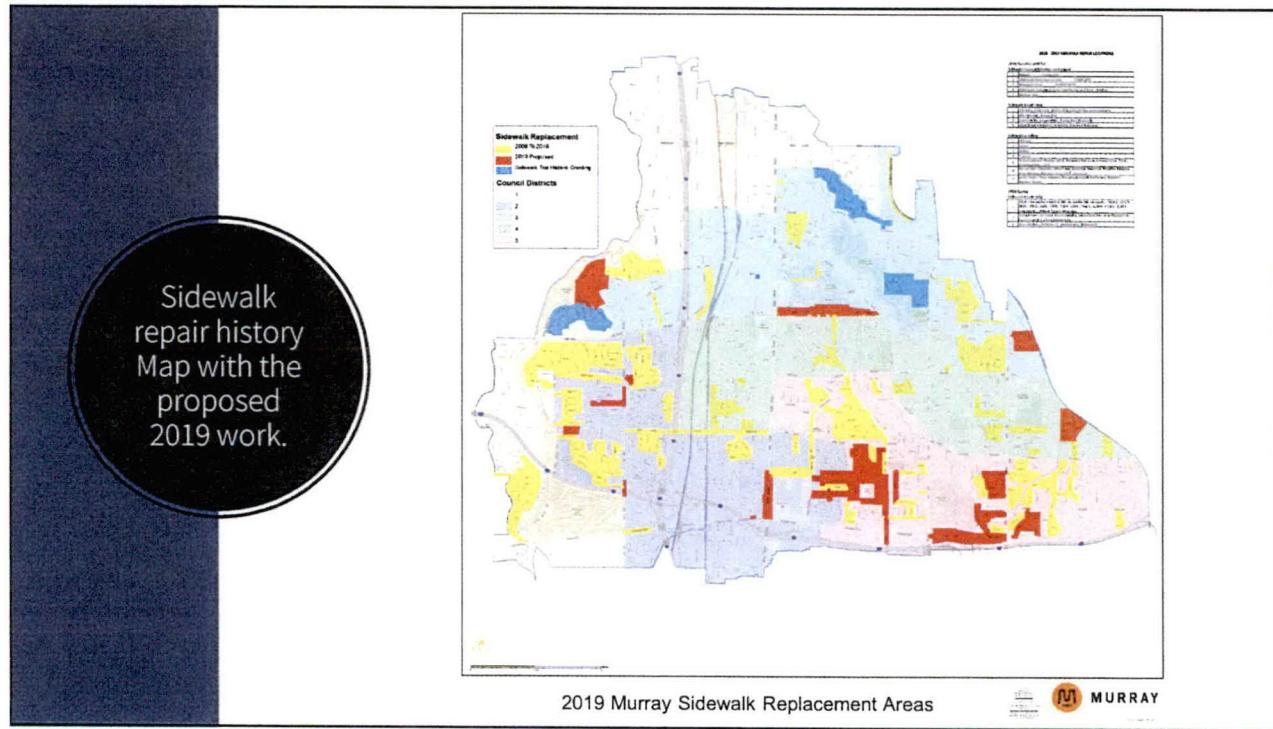
\* The City is responsible for approximately 300 miles of sidewalks and just a little more curb.



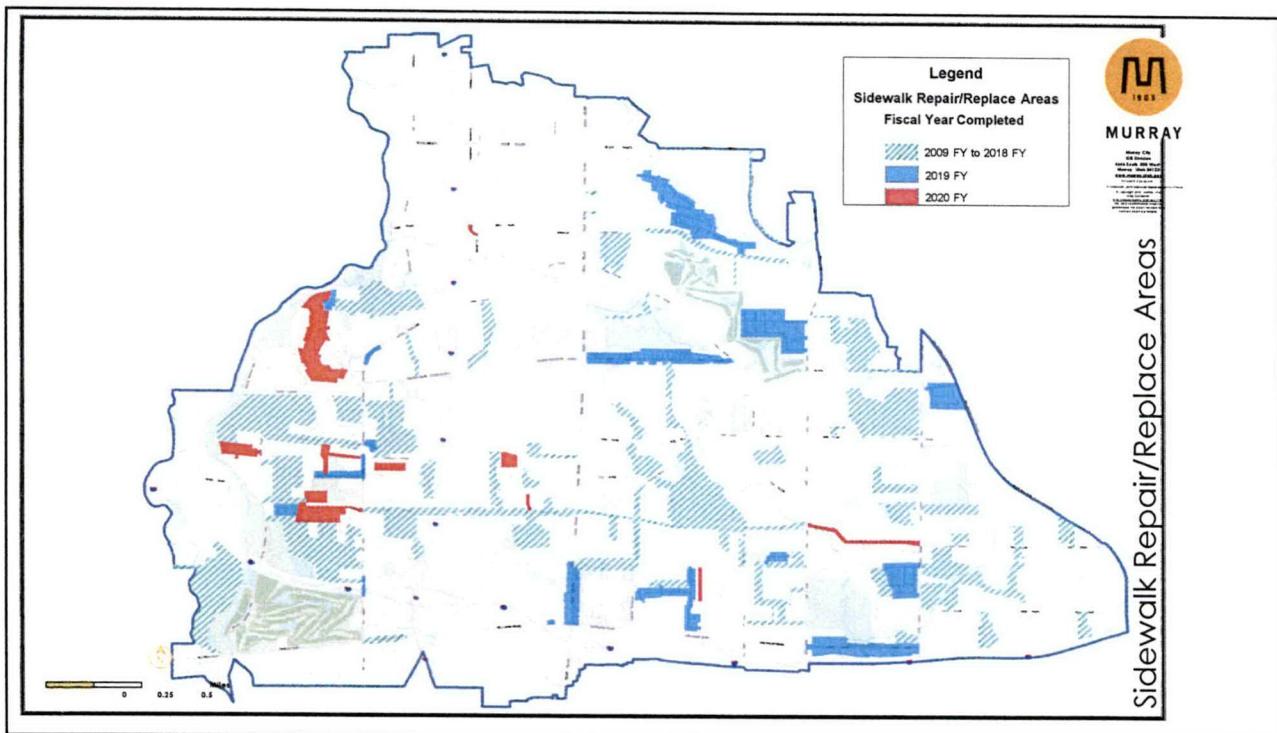
2



3



4



5

## REPLACEMENT PROGRAM GENERAL INFORMATION

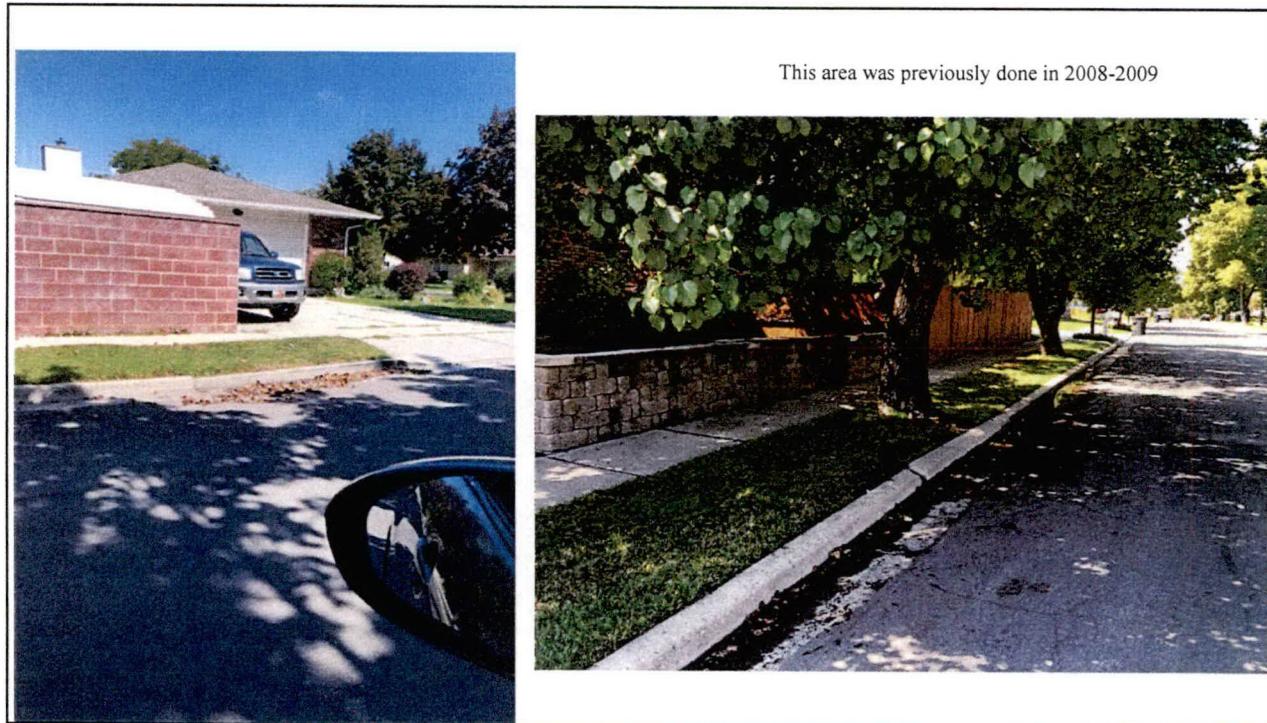
- We keep a master list of all our sidewalk work, this list goes back more than 25 years.
- When planning and determining where we should do sidewalk work for each Fiscal Year, we will review that master map. We will try to work in different areas of throughout the City.
- Each year we hope that the money will go much further than we are typically able to get, so sometimes we push areas forward into the future.
- There is an economy to scale – meaning we will try to keep our contractor in an area so that they are not moving to many times, this can be costly. We get better and more reasonable prices.
- Many of our road projects include curb/gutter and sidewalk work as part of the project.
- Each roadway project is evaluated before an estimate is developed for budgeting which includes curb, gutter and sidewalk replacement needs.
- City crews have been able to stretch our side walk money a little further by using our own in-house talents in concrete finishing. Instead of sitting idle and waiting for our contractor to catch up with us, we sometimes have taken the opportunity to have our own crews do a complete project which, is not always possible.

6

## Current Policy

- The City's sidewalk replacement program recognizes that there are problems and hazards out there and that we do have plans and funding available to accomplish some each Fiscal Year. This includes Public Works keeping track of the complaints, making site visits, performing site surveys and painting trip hazards as temporary mitigation.
- The City has a policy that allows a homeowner to pay for the replacement if they choose.
- The program includes first – removal of a tree if that is causing the issue. Second - City crews will remove and dispose of the damaged concrete. Third – the homeowner will hire a contractor and pay for the replacement of the concrete.

7



8

## The Concern

- We are responsible for maintaining approximately 300 miles of sidewalks and curb.
- If we assume that we need to grind and or replace about 10 percent of our sidewalks including our ADA ramps, it would total about \$7,500,000 million in todays dollars.
- This does not include the curb that might need to be replaced along with the sidewalks that have been raised and or sunken for multiple reasons.
- We receive multiple calls and request about sidewalks each year, which I would imagine that you have as well and, unfortunately we do not have the resources to go and take care of everything that comes in. This is hard reality for our citizens to understand why we cannot come and take care of just theirs. It is very difficult for us to go into an area and do just one repair when there are multiple pieces of both sidewalk and curb that need attention.

## ATTACHMENT #2

# Utah Transit Authority Update

to the Murray City Council

Carlton Christensen  
September 17, 2019



1

## Safety Is Our Highest Priority



2

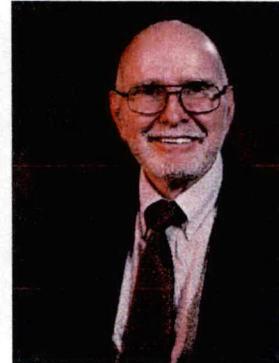
## UTA Board of Trustees



Carlton Christensen,  
UTA Chair  
*Representing Salt Lake  
County*



Beth Holbrook,  
UTA Trustee  
*Representing Davis, Weber  
and Box Elder Counties*



Kent Millington,  
UTA Trustee  
*Representing Utah and  
Tooele Counties*

3

## UTA Local Advisory Council

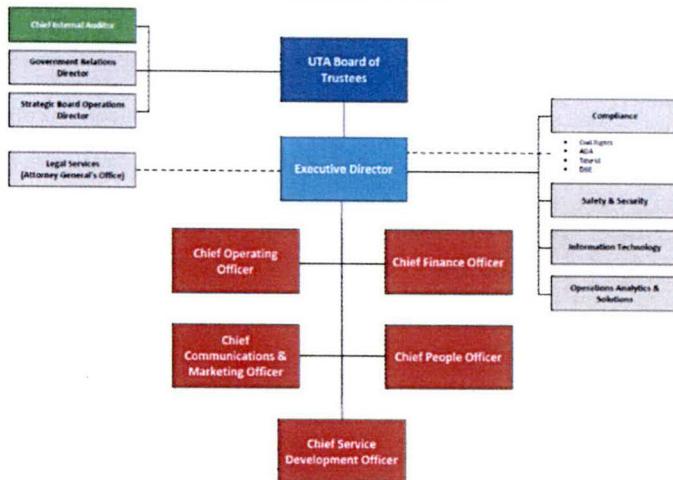
- Jeff Acerson, Chair – Mayor, Lindon
- Troy Walker, Vice Chair – Mayor, Draper
- Karen Cronin, Vice Chair
- Erik Craythorne – Mayor, West Point
- Leonard Call – Mayor, Pleasant View
- Robert Hale – Mayor, Midvale
- Clint Smith – Councilmember, Herriman
- Jacqueline Biskupski – Mayor, Salt Lake City
- Julie Fullmer – Mayor, Vineyard



4

## UTA Governance

UTA Organizational Structure



5

## Salt Lake County 4<sup>th</sup> Quarter Implementation



6

## Phased Approach to Service Implementation

- Mobilization phase, fall 2019-August 2021
  - Completion of Service Choices study
  - Plan route improvements
  - Design and construct support infrastructure
  - Preparation for new bus service:
    - Complete Depot District maintenance facility
    - Procure additional buses
    - Hire operators/support staff
- New bus service, beginning August 2021



7

## Mobilization (2019-2021)

Estimated allocation of funds (proposed):

- Bus service improvement and expansion 19%
- Service related facility improvements 47%
- State of good repair 28%
- Administrative service support 6%



8

## New Bus Service and Ongoing Needs (Starting August 2021)

Estimated allocation of funds (proposed):

- Bus service improvement and expansion: 71%
- Service related facility improvements 5%
- State of good repair (Light Rail-TRAX) 24%
- Administrative service support included above



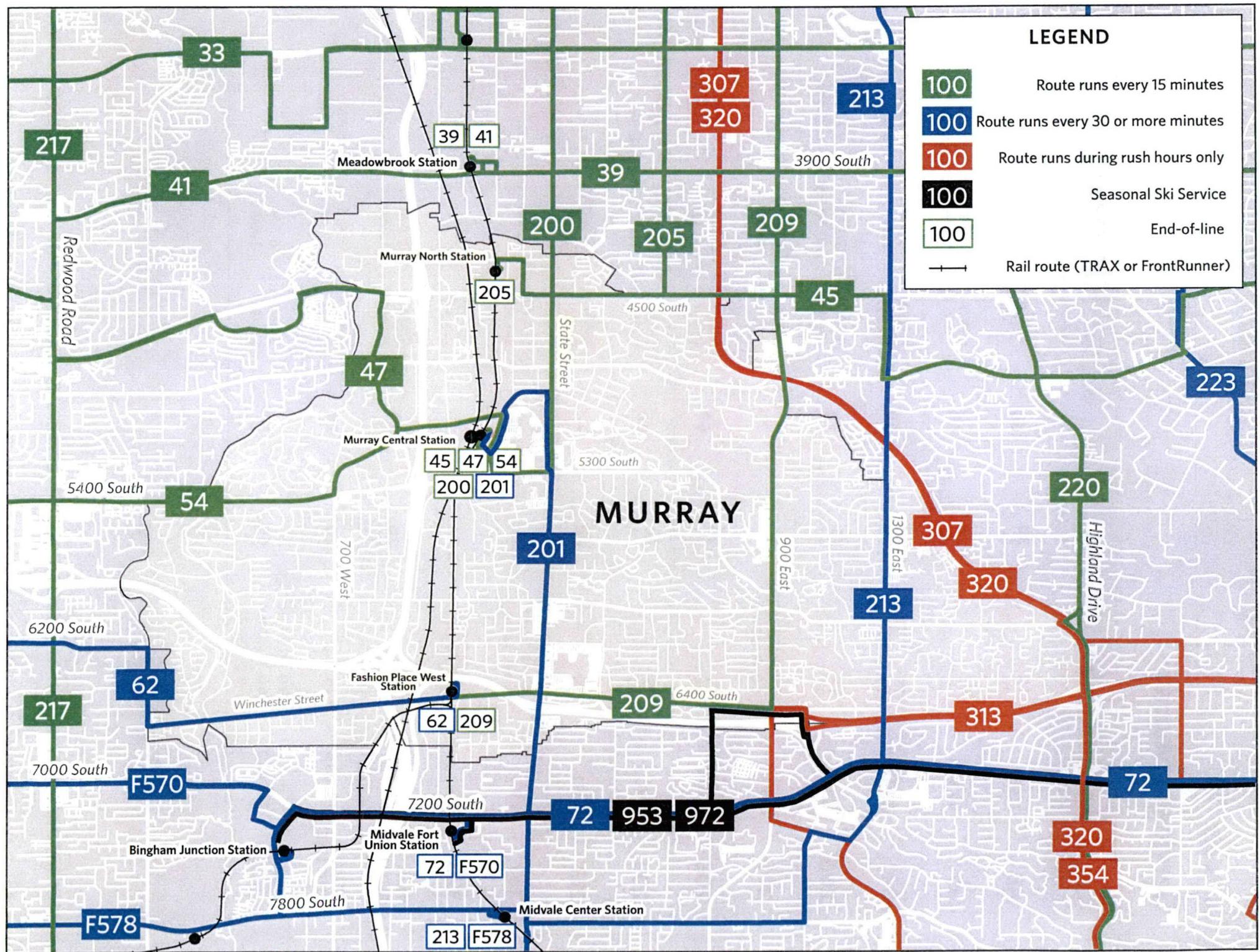
9

## Questions?

[boardoftrustees@rideuta.com](mailto:boardoftrustees@rideuta.com)



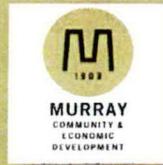
10



## **ATTACHMENT #3**

# COMMITTEE OF THE WHOLE

September 17, 2019



## LAND USE TEXT AMENDMENTS Section 17.43 Medical Cannabis Regulations



## Added Uses to Standard Land Use Code

### **8122 Cannabis Production Establishment.**

As defined in section 4-41a-102 of the Utah Code, and includes a cannabis cultivation facility, a cannabis processing facility, or an independent cannabis testing laboratory.

### **5913 Medical Cannabis Pharmacy.**

An entity that acquires or intends to acquire, possesses, and sells or intends to sell cannabis in a medicinal dosage form, a cannabis product in a medicinal dosage form, or a medical cannabis device, to a medical cannabis cardholder, as defined under section 26-61a-102 of the Utah Code.



## Other Changes

- Adds Definitions
- Clarifies distance requirements
- Conditioned Use for Cannabis Production Establishments
- Sets operational standards



## Findings

- i. The proposed text amendments are consistent with the Utah Code, Section 4-41a-102.
- ii. The proposed text amendments are consistent with the Utah Code, Section 26-61a-102.
- iii. The proposed text amendments are consistent with the purpose of Title 17, Murray City Land Use Ordinance.
- iv. The proposed text amendments are consistent with the Goals & Policies of the Murray City General Plan.



## Staff Recommendation

Based on the above findings, proposed text and other revisions as outlined, City staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the proposed ordinance enacting Chapter 17.43, Medical Cannabis Regulations within the Murray City Municipal Code.

**This recommendation will be updated after the Planning Commission Meeting on September 5, 2019.**



## **ATTACHMENT #4**

## **Cannabis Production Area Limits For Zone M-G & A1**

