

MURRAY
CITY COUNCIL

Council Meeting August 25, 2020



Murray City Municipal Council

Notice of Meeting

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

Electronic Meeting Only
August 25, 2020

Murray City Council Chair Statement

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

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

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

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

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

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

Rosalba Dominguez, Council Chair
Murray City Council

Meeting Agenda

4:15 p.m. Committee of the Whole

Rosalba Dominguez conducting.

Approval of Minutes

Committee of the Whole – June 2, 2020

Committee of the Whole – June 16, 2020

Discussion Items

1. Salt Lake County Property Watch Program – Rashelle Hobbs, County Recorder
(15 minutes)

2. NeighborWorks Salt Lake Construction Project at 871 West Tripp Lane – Allison Tease, Manager, Murray Office (20 minutes)
3. Fiscal Year 2020-2021 Budget Amendment – Brenda Moore (20 minutes)
4. Metro Narcotics Task Force Agreement – Chief Burnett (10 minutes)

Announcements

Adjournment

Break

6:30 p.m. Council Meeting

Dale Cox conducting.

Opening Ceremonies

Call to Order

Pledge of Allegiance

Approval of Minutes

Council Meeting – August 4, 2020

Citizen Comments

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

Consent Agenda

1. Consider confirmation of the Mayor's reappointment of **Wendy Parsons Baker** to the History Board for a three-year term to expire August 1, 2023.
2. Consider confirmation of the Mayor's reappointment of **Rebecca Santa Cruz** to the History Board for a three-year term to expire August 1, 2023.
3. Consider confirmation of the Mayor's reappointment of **Laurel Anne Shepard** to the History Board for a three-year term to expire August 1, 2023.

Business Items

1. Consider a resolution authorizing the execution of a Memorandum of Understanding with Kimball Investments, LLC and ICO Multifamily Holdings, LLC (jointly, "Developer"). Melinda Greenwood and Jared Hall presenting.
2. Consider a resolution approving an Interlocal Cooperation Agreement between Murray City ("City") and Salt Lake County ("County") relating to the County Urban Wildlife Assistance Program. Chief Burnett presenting.
3. Consider a resolution authorizing the execution of an updated Metropolitan Narcotics Task Force Agreement, an Interlocal Cooperation Agreement, between the Drug Enforcement Administration, Homeland Security Investigations, Internal Revenue Service Investigation, Salt Lake City, Unified Police Department, Utah Department of Public Safety, West Valley City, Murray City, Sandy City, Tooele City, West Jordan City, South Jordan City, Park City, Utah Department of Corrections, and Cottonwood Heights

City ("the Parties") for the coordinated efforts of Federal, State, and Local Law Enforcement Agencies to enhance the enforcement of laws against drug trafficking. Chief Burnett presenting.

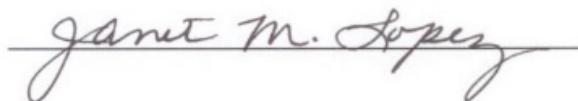
Mayor's Report and Questions

Adjournment

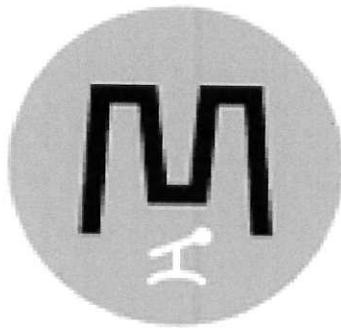
NOTICE

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

On Friday, August 21, 2020, at 10:00 a.m., a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Murray City Center, Murray, Utah. Copies of this notice were provided for the news media in the Office of the City Recorder. A copy of this notice was posted on Murray City's internet website www.murray.utah.gov. and the state noticing website at <http://pmn.utah.gov>.

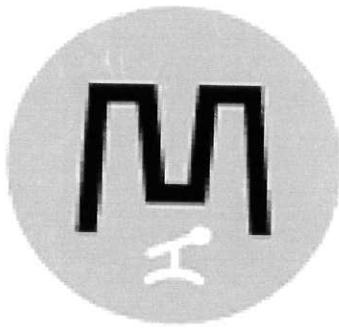


Janet M. Lopez
Council Executive Director
Murray City Municipal Council



MURRAY
CITY COUNCIL

Committee of the Whole



MURRAY
CITY COUNCIL

Committee of the Whole Minutes



DRAFT

MURRAY CITY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

The Murray City Municipal Council met on Tuesday, June 2, 2020 for a meeting held electronically in accordance with Executive Order 2020-5 Suspending the Enforcement of Provisions of Utah Code 52-4-202 and 52-4-207 due to Infectious Disease COVID-19 Novel Coronavirus issued by Governor Herbert on March 18, 2020 and Murray City Council Resolution #R20-13 adopted on March 17, 2020.

Council Members in Attendance:

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

Others in Attendance:

Blair Camp	Mayor	Janet Lopez	City Council Director
G.L. Critchfield	City Attorney	Jennifer Kennedy	City Recorder
Jennifer Heaps	Chief Communications Officer	Pattie Johnson	City Council Office Admin.
Craig Burnett	Police Chief	Danny Astill	Public Works Director
Brenda Moore	Finance Director	Robyn Colton	HR Director
Wendell Coombs	Treasurer	Trae Stokes	City Engineer
Bill Francis	The Imagination Company		

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

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

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

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

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

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

- Special Meeting – April 16, 2020.
Ms. Turner moved approval. Ms. Dominguez seconded the motion. (Approved 5-0)

Discussion Items:

Investment Policy Update – Mr. Coombs stated the Murray City Investment Policy had not been considered by the Council since 2006. An update to City Code was necessary to comply with current State statutes, because the Utah State Legislature updated the Utah Money Management Act.

The draft policy was provided to the Council prior to the meeting to explain how the City handles entrusted funds. Revisions included only minor changes from 2006. Mr. Coombs explained Murray's policy is to invest in public funds in a manner, which would provide: Safety of Principal; Liquidity, (accessing funds, as quickly as possible); and Yield (Rate of Return) respectively.

He reported the City is not investing in the stock market where there is great volatility; instead, short term bonds and money markets are utilized, which provide liquidity and some form of market return. As the "prudent person" (as required in Code), Mr. Coombs looks carefully at all types of investments; the majority of which, is through the PTIF (Public Treasurers' Investment Fund). He noted a number of years ago an outside manager was hired to assist in obtaining better return on City funds.

Policy guidelines provide for investing money wisely in an ongoing basis and allows the City to report as needed to the State; a deposit and investment report is submitted semiannually, posted on the State auditors' website. The policy contains various standards and terms for investing, maturity rates; and types of funds attained. Investments are reviewed daily, monthly, and quarterly, based on cash needs, and to review investments with outside investment managers; meetings occur with the City's finance committee, consisting of the City finance director, treasurer, and controller. Any assets the City does not hold in the City, or at the State are held in a trust fund by Wells Fargo, the trustee. The Council would consider the resolution to approve the update in the council meeting.

Council Comments:

- Ms. Turner noted the Performance Standards section and asked the function of the *Overnight Repo* account. Mr. Coombs said re-purchase agreements are used as a short rate of return when banks trade money back and forth overnight- when money is short; it is another investment vehicle used to determine what short-term investments might yield.
- Ms. Martinez asked if funds interact with the General Fund, and City budget; and was there a report reflecting how investment returns fare. Ms. Moore said line items within many budgets, and noted on financial statements called *interest*, reflect earnings from various trust money; all investments, bond money, and PTIF allocations are based on cash balances.

Tier 2 Public Safety and Firefighter Retirement Benefits: Ms. Colton explained in 2011 pension benefits decreased for public safety workers and firefighters. For years, due to retention efforts and hiring issues, employees lobbied for better pension benefits. As a result, in 2019 Senate Bill 129 was passed, which would provide enhancements to both Tier 2 public safety and firefighter pensions. Enhancements would apply to new and current employees in Tier 2 URS (Utah Retirement Systems) beginning July 1, 2020. A chart was displayed.

(Attachment #1)

Ms. Colton said, due to the cost of the new benefit, the employer would now pay 14% of the

enhancements and contributions; and employees would pay 2.27%. however, employers may elect to pick up the employee portion of the retirement contribution and count it as employer contributions. The resolution would serve as the City's formal request of action to pick up those contributions, as required by URS. Currently, 51 employees total fall under these retirement benefits; 20 in the fire department; and 31 in the police department. A total cost of \$95,000 already included in the Mayor's tentative budget was noted. URS is requiring formal action be taken by July 1, 2020 if the City chooses to pick-up employee contributions. The Council would consider the resolution in the council meeting. There were no Council questions or comments.

Animal Services Fees: Chief Burnett affirmed Salt Lake County was awarded the recent RFP (request for proposal) as the new animal services provider to Murray. The award comes with a condition that Murray adopt the County's fee schedule followed by other cities and communities they serve. The Interlocal Agreement and a Lease Agreement were previously studied during a Committee of the Whole on May 19, 2020. The Council would consider the ordinance to adopt the fee schedule in council meeting.

Council Comments: It was noted that many fees would see an increase.

(Attachment #2)

Fiscal Year 2019 – 2020 Budget Amendment: Ms. Moore said the last budget amendment of Fiscal Year 2019-2020 included additional funding for the new fire station, and three grants; as discussed:

- Grant: The police department received \$112,282 from the CESF (Coronavirus Emergency Supplemental Funding) Program. Both fire and police departments would spend funds over the course of three years to purchase supplies and equipment related to COVID-19.
- Grant: The fire department received \$5,580 from Utah Department of Health for EMS supplies.
- Grant: The Murray Library received \$2,045 from the CARES Act for COVID-19 related supplies and equipment.
- The new fire station went over budget; so, a request of \$390,000 would be added to the fire station *building* account in the Capital Projects fund from reserves. The amount includes all change order costs, which was a worst-case scenario. If the City settles for less than the full change order amount, funds remaining in the budget will be returned to reserves budget. Ms. Moore said Chief Harris searched constantly for ways to save money on the project; however, due to various cost increases; and environmental challenges, expenses for continuous hazardous cleanup and environmental testing were uncontrollable.

Council Comments:

- Ms. Turner asked if anything in the initial contract could prevent additional charges to the fire station building budget. Ms. Moore said all change orders and various charges are calculated outside the original contract agreement and are currently in dispute. The City will negotiate items believed to be unjustifiable. Ms. Turner thought the added expense was unreasonable, as would many others; she hoped it would end up being much less. Ms. Moore agreed, but wanted to be prepared.

Announcements: None.

Adjournment: 5:51 p.m.

Pattie Johnson
Council Office Administrator II

ATTACHMENT #1

TIER 2 PUBLIC SAFETY AND FIREFIGHTER CHANGES

	Current Benefit	New Benefit Beginning July 1, 2020
Hybrid Option	1.5% Multiplier	2.0% Multiplier on service earned after July 1, 2020. All service accrued prior to July 1, 2020 will still be multiplied by 1.5%
	Employer funds benefit at 12% of employee pay	Employer funds benefit at 14% of employee pay
	Employees currently not required to contribute to fund the pension benefit (because the pension contribution rate is less than the 12% employer cap)	Based on today's pension contribution rate, employees would add 2.27% of their pay to fund the pension benefit. Employers may choose to pick up their employees' contributions
401(k) Option	Employer contributes an amount equal to 12% of employee pay into a 401(k)	Employer contributes an amount equal to 14% of employee pay into your 401(k). Employers may choose to make additional 401(k) contributions

ATTACHMENT #2

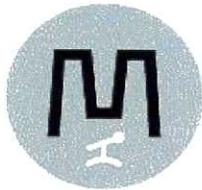


**Fee
Schedule**

Customer ID _____
Animal ID _____
Officer Number _____

Impound & Boarding	
1st Impound	\$40
2nd Impound within 24 months	\$80
3rd Impound within 24 months	\$160
Subsequent Impound within 24 months	\$320
Board Fee = Each Day of Board/ <u>\$20</u> multiplied by # of Days Boarded _____	= Total Board Fee _____
Rabies/Vaccines/Microchip	
Rabies Vaccination	\$25
Rabies Deposit (cash or credit only)	\$25
Rabies Test Fee (or Quarantine Fee)	\$200
Microchip (may be required upon impound)	\$30
Pet Licenses (Issued for a 1-year Period)	
License - Unsterilized	\$40
License - Sterilized	\$15
License - Senior Citizen, Sterilized (for residents 60 years and older)	\$5
License - Transfer Fee or Replacement Tag	\$5
Late License Penalty (applicable 30 days after due date)	\$50
Permits (Issued for a 1-year Period)	
Commercial operations - up to 30 animals	\$200
Commercial operations - over 30 animals	\$300
Residential Permit	\$50
Animal exhibition (single event \$100) OR (multiple events \$400)	
Other Permit Specified by Ordinance _____	
Late application renewal fee (in addition to regular fee)	\$50
Sterilization	
Sterilization Deposit (<i>mandated for 2nd impound & each after by Utah State Code 11.46.206</i>)	\$150
In-house Sterilization	\$100
Notice of Violation	
First NOV (fee per violation)	\$50
Second Violation (fee per violation)	\$100
Third Violation (fee per violation)	\$200
Subsequent Notices of Violation (fee per violation)	\$250
Livestock	
Dead Livestock Removal	\$300
Dead Livestock Disposal	\$200
Brand Inspection Fee	\$30
Livestock Transportation Fee (per incidence)	\$50
Euthanasia and Disposal - Companion Animals	
Euthanasia and disposal of small animals (hamsters, mice, guinea pigs, etc.)	\$5
Euthanasia (dog or cat)	\$50
Disposal (dog or cat)	\$50
Other	
Surrender Fee	\$100
Surrender Biter Fee	\$250
Field Service Fee	\$50
Other _____	
Total Fees	

Fees are established in ordinance and may not be waived or refunded. Rev. Jan 2019



DRAFT

MURRAY CITY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

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Kat Martinez	District #1
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Brett Hales	District #5

Others in Attendance:

Blair Camp	Mayor	Janet Lopez	City Council Director
Wendell Combs	City Treasurer	Jennifer Kennedy	City Recorder
Brenda Moore	Finance Director	Pattie Johnson	City Council Office Admin.
Craig Burnett	Police Chief	Jennifer Heaps	Chief Communications Officer
Robyn Colton	Human Resources Director	Doug Hill	Chief Administrative Officer
G.L. Critchfield	City Attorney	Rachel Heatley	Director, Humane Society
Chad Pasqua	Assistant Fire Chief		

Chair Cox called the Committee of the Whole meeting to order at 6:00 p.m. with the following statement:

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

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

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

Approval of Minutes – Mr. Cox called for comments or a motion on the following minutes:

- Committee of the Whole – April 21, 2020.
- Committee of the Whole – May 5, 2020.

Ms. Turner moved to approve both sets of minutes. Ms. Martinez seconded the motion. (Passed 5-0)

Discussion Items:

Animal Control Ordinance Proposal: Kat Martinez and Rachel Heatley.

Advocacy Director, Ms. Heatley from the Humane Society located in Murray's District 1, reported that she approached Ms. Martinez about her thoughts on the ordinance and how it has impacted the Humane Society, and the animals since the initial outbreak of COVID-19. Ms. Heatley thanked the Council for taking swift action on the Fountain of Youth Building. With regard to the pet limit ordinance in Murray, as it stands, the limit is two dogs and two cats. That seems reasonable; however, the Humane Society would like there to be no limit on pets with the caveat that the animals' people have, not become a nuisance. The catalyst was practicality. With Salt Lake County Animal Services taking over animal control services for Murray City, Ms. Heatley stated it makes sense for it to be consistent. She pointed out that in the County- there is no limit on pets.

Ms. Heatley said the current Murray City ordinance impacted their foster pool, as they have relied on foster care for their animals more than ever during COVID-19. They have been working at a reduced capacity, in terms of their workforce and are working by appointment only. The result has been for animals to stay longer. She noted pet limitation laws are antiquated for the following reasons:

- They are overly broad.
- They are redundant.
- They reduce compliance with pet licensing.

In addition, pet limitation laws also penalize responsible pet owners. She explained that the hoarding of animals is a mental illness and involves the following:

- Accumulation of a large number of animals.
- An inability to provide minimum care for the animals.
- Denial of the inability to care for the animals.

Ms. Heatley reiterated by only focusing on the number of pets in a home, they are not correcting hoarding behaviors, and are in turn penalizing responsible pet owners. She said the heart of a pet limit ordinance is nuisance abatement and prevention of animal cruelty. She suggested that enforcement be focused on the actual problem, rather than on ancillary issues, such as the number of animals. What often happens with these types of ordinances is neighbors use them as a weapon in disputes. Ms. Heatley explained that eliminating pet limit laws encourages people to voluntarily comply with pet licensing. When there is a limit on the number of animals, people hide the number of animals they have and will not license them. Pet limit laws do not prevent hoarders from keeping large numbers of animals; they do discourage residents who responsibly care for multiple animals from reporting them to the municipality and paying licensing fees. She asked the Council to consider changing the ordinance.

Council Comments:

- Ms. Martinez commented that she and Ms. Heatley also discussed the issues of when a person's pet gives birth. There is currently no allowance in the ordinance for the babies to remain with the parent animals for the time period allowed by the State Legislature.
- Ms. Turner reported that she has neighbors and constituents who support the proposed ordinance.

Discussion on Murray City Police Department Policies: Mayor Camp and Chief Burnett.

Chief Burnett addressed questions posed by Council Member Martinez in her email dated June 5, 2020. He reviewed the following recommendations made by the Police Use of Force Project and Leadership Conference on Civil and Human Rights:

- Require officers to de-escalate where possible through communication, maintaining distance, slowing things down, and otherwise eliminating the need for use of force. He reported they have a contract with Lexipol, which is comprised of a group of attorneys in California that provide police best practices and policies. The City's policies and procedures will be in line with much of what is taking place in other agencies and the City can change them to fit their specific situation. The policy states that officers should only use the amount of force reasonably necessary given the facts and circumstances.
- Prohibit officers from using maneuvers that cut off oxygen or blood flow, including chokeholds or carotid restraints. Chief Burnett stated they do not train it and it is not in their policy.
- Require officers to intervene and stop excessive or unnecessary force used by other officers and report these incidents immediately to a supervisor.
- Restrict officers from shooting at moving vehicles. Chief Burnett stated the only time an officer would shoot at a car is if lives were in danger. Officers never shoot at or from a moving car.
- Limit the types of force and/or weapons that can be used to respond to specific types of resistance and specific characteristics such as age, size, or disability. Every situation is unique but their training addresses issues to be considered when there is a possibility that force has to be used. They train so that officers know how to respond in specific circumstances.
- Require officers to exhaust all reasonable means before resorting to deadly force.
- Require officers to give a verbal warning when possible before resorting to deadly force. Chief Burnett confirmed State law requires verbal warning be given if feasible before deadly force is used.
- Require officers to report each time they use force or threaten to use force. Chief Burnett explained that the policy requires that when any force is used, a supervisor must be notified.
- Require officers to give a verbal warning when possible before using serious force such as shooting, tasing, or pepper spraying someone.

Chief Burnett affirmed every Murray officer going through Basic Training in the Police Academy is trained in de-escalation tactics and procedures. That is also done within the department at least bi-annually. Several times each year they also do Use of Force Training, which includes Firearms and Deadly Force Training. They also have a virtual simulator at the Training Center where they provide training that allows officers to make decisions and interact with the simulator before any type of force is required, if at all. He reported several officers have also undergone the Crisis Intervention Team Training. He noted it is a very intensive training where they spend at least 40 hours in class discussing mental health issues, how to recognize people who are in distress, how to deal with them, and de-escalation methods.

Chief Burnett confirmed Murray officers are trained to safely interact with people with disabilities. Members of the deaf community have met with them to learn how to communicate. Through VECC (the

Salt Lake Valley Emergency Communications Center) they can access ASL (American Sign Language) interpreters in multiple languages.

He reported, although there was a decrease in overall calls, there was an increase in the number of calls from people who are in distress. For these issues, the Mobile Outreach Crisis Team is utilized, which is managed by the University of Utah's Utah Neuropsychiatric Institute. They will come on scene and provide assistance. Officers also benefit from Crisis Intervention Training.

Chief Burnett addressed the question about how officers deal with social workers when dealing with domestic violence calls. He explained the department does not employ social workers, but they have two full-time Victim Advocates and four volunteers who are available 24 hours per day. Additional training officers participate in was noted. Over the past few years, the department has also implemented implicit bias training. Council Members were encouraged to participate in the Citizens Academy.

Mayor Camp expressed great support for the Murray Police Department; extended appreciation to all of them for their efforts and said they all do an outstanding and professional job. He proposed the Council consider adoption of a Joint Resolution of the Mayor and the Municipal Council of Murray City affirming the City's commitment to police accountability and racial justice in City policing practices. His office has been working with the City Attorney to draft a resolution that will be sent out to the Council after the meeting. He asked that each Council Member review the document and recommend changes, additions, or deletions. He hoped they could ultimately agree on a document that can be presented to the Council in the near future, as a joint resolution.

Mayor Camp also proposed the creation of a Public Safety Advisory Board that would include a cross-section of community members. The purpose of the board will be to review the existing Police and Fire Department procedures, policies, standards, and programs, and make recommendations to the Police Chief, Fire Chief, and the Mayor. In addition, the Board may provide timely feedback regarding community concerns and issues. The Mayor considered this to be a proactive rather than a reactive approach to public safety. With no objection from the Council, the Mayor would instruct the City Attorney to draft a proposed ordinance to create the Board, so that it can be discussed at a future Committee of the Whole Meeting.

Council Comments and Discussion:

- Ms. Turner expressed support for both initiatives. She thanked Chief Burnett for his presentation and asked if it would be helpful to provide funding to have a social worker on staff. Chief Burnett said it has never been considered, due to a lack of funding but acknowledged there could be a need.
- Ms. Martinez thanked Mayor Camp for putting forth two proposals. She considered them to be exactly what is needed to move forward proactively. She felt conversations related to public safety could be polarizing, and reported many residents reached out to her to express many concerns. She noted they did not want opinions and comments made public- for fear of appearing anti-police; but wanted to know about Murray's current policies. She expressed great respect for Chief Burnett and thought it was wonderful to know that Murray already has best practices in place. She felt Murray citizens would not be surprised to know that - out of all of the challenges and ways that cities across America are looking at adjusting police procedures- Murray already has strong policies and effective training in place. She appreciated the Chief's thoughtful responses to her questions and was glad the presentation was made available to the public, so citizens could have their questions and concerns addressed. Chief Burnett said the department received many phone calls from the public,

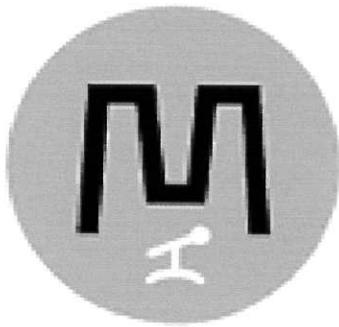
as well. Many were supportive and polite, asking the same type of questions, to which they are happy to answer, because that is who they are here for.

- Ms. Dominguez appreciated having the conversation. She thanked Mayor Camp for creating two proposals and she looked forward to reading them to dive further into the matter. She was grateful for Chief Burnett and asked how de-escalation training was implemented; whether outside help did the training; or, was training part of new orientation, or ongoing internal training. Chief Burnett confirmed training occurs twice per year; there are people on staff who are certified trainers, and experts from outside are utilized for a different perspective on alternative training styles. Ms. Dominguez thought it was important to highlight the topic of de-escalation, and echoed Ms. Turner about the importance of attaining a social worker in the future if necessary.
- Mr. Hales extended appreciation to the Mayor for the proposals. He said Chief Burnett, and Deputy Chief Officer Tarver are greatly appreciated by many. He felt blessed to be part of the Murray City Council and noted during these tough times other city councils were facing far more difficult challenges. He was grateful for all Murray first responders; and the Council for bringing forth interest in this matter and noted the importance of listening to constituents.
- Chair Cox appreciated Chief Burnett and all Murray officers. He said Murray has some of the best and brightest officers in the industry, which was a direct reflection of good leadership.

Announcements: Ms. Lopez had reminders she would email to Council Members.

Adjournment: 6:40 p.m.

Pattie Johnson
Council Office Administrator II



MURRAY
CITY COUNCIL

Discussion Items



MURRAY
CITY COUNCIL

Discussion

Item #1



MURRAY

Council Action Request

Meeting Date:

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

Property Watch Information

The Salt Lake County Recorder's Office is excited to announce the launch of our new **public service, Property Watch:**

- Salt Lake County Recorder, Rashelle Hobbs, is launching this valuable tool for Salt Lake County property owners to ensure that they have complete, timely information regarding their property record.
- This **free** service allows users to monitor any recorded **changes** (documents such as Liens, Deeds, Reconveyance Deeds, etc.) to their property as soon they are processed.
- After signing up for Property Watch, the Salt Lake County Recorder, Rashelle Hobbs will send property owners who **register** for the **service** an email alerting them to any newly recorded documents on their property record.
- Property owner email addresses **will not be distributed** and will **only** be used to communicate Property Watch information.
- Signing up is **quick and easy**, owners just need to follow the link to the **Property Watch** tab on the **Recorder's Office Home Page** and submit a name, email, and home address.
- We believe this service will **significantly reduce title fraud**, further protecting people's property ownership, and promoting transparency.
- For assistance or any questions, residents can email PropertyWatch@slco.org or call 385-468-8176 for live support.

Welcome to the Salt Lake County Recorder's Office Property Watch.
We are excited to introduce this new service being offered to Salt Lake County residents free of charge.
Signing up for the Property Watch will enable you to keep track of any recorded changes to your property.
The Salt Lake County Recorder's Office will send you an email, alerting you to any recorded documents. (I.e. Liens, Deeds, Reconveyance Deeds etc.)
Rest assured that your email address will not be distributed and will only be used to communicate Property Watch information.



**Salt Lake County Recorder's Office
Property Watch**

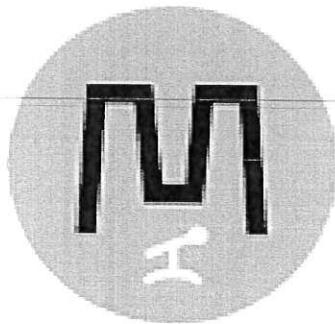
1 Salt Lake County Address • Select from drop down list

2 Property Watch Contact Information
Your Name *

Your Email *

3 Parcel Number • Populated after selecting an address
Parcel Number *

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MURRAY
CITY COUNCIL

Discussion Item #2



Murray City Council

NeighborWorks Salt Lake

MURRAY

Council Action Request

Committee of the Whole

Meeting Date: August 25, 2020

Department Director Janet M. Lopez	<p>Purpose of Proposal</p> <p>Presentation and discussion related to the NeighborWorks construction project located at 871 West Tripp Lane.</p>
Phone # 801-264-2622	<p>Action Requested</p> <p>Allison Tease will discuss the possibility of the City Council moving forward with eminent domain of private property.</p>
Presenters Allison Tease, Lending Manager, Murray Office, NeighborWorks	<p>Attachments</p> <p>Minutes and complete Planning Commission packet from the meeting on July 16, 2020.</p>
	<p>Budget Impact</p>
Required Time for Presentation 20 Minutes	<p>Description of this Item</p> <p>On July 16, 2020, the Murray Planning Commission considered the preliminary subdivision approval for the property at 871 West Tripp Lane owned by NeighborWorks Salt Lake.</p>
Is This Time Sensitive Yes	<p>An approved motion to grant the preliminary subdivision approval included a condition that the applicant meet City engineering requirements including obtaining the private property that extends into the existing Willow Grove right-of-way or provide a cul-de-sac at the south end of the subdivision.</p>
Mayor's Approval	
Date August 25, 2020	<p>Eminent domain would be required to obtain the private property that extends into the right-of-way, thereby allowing for the street extension.</p>



The Planning Commission met on Thursday, July 16, 2020, at 6:30 p.m. for a meeting held electronically in accordance with HB 5002 an Amendment to the Open and Public Meeting's Act, allowing for electronic meetings to be held, without an anchor location, as long as the public has an opportunity to view the meeting and submit public comments. This meeting can be viewed online at www.murraycitylive.com. Public comments can be submitted via email at planningcommision@murray.utah.gov.

Present: Phil Markham, Chair
Travis Nay
Maren Patterson
Sue Wilson
Ned Hacker
Lisa Milkavich
Jared Hall, Planning Division Manager
Zac Smallwood, Associate Planner
Melinda Greenwood, Community and Economic Development Director

Excused: Scot Woodbury, Vice Chair

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 Department Office.

Phil Markham opened the meeting and welcomed those present. He reviewed the public meeting rules and procedures.

APPROVAL OF MINUTES

Ned Hacker made a motion to approve the minutes from the June 18, 2020 Planning Commission meeting. Seconded by Lisa Milkavich. A voice vote was made, motion passed 6-0.

CONFLICT OF INTEREST

There were no conflicts of interest.

APPROVAL OF FINDINGS OF FACT

Sue Wilson made a motion to approve the Findings of Fact for a Conditional Use Permit for Shane Kershaw to allow the operation of a landscape contractor business on the properties located at 5909 South and 5915 South Stratler Street; a Conditional Use Permit for Tedis Melgar to allow the operation of a demolition contractor within the Manufacturing (M-G) Zone on the property located at 4195 South 500 West #77 and #78; and a Conditional Use Permit for Jake Tate with Anderson Wahlen and Associates to allow a gasoline service station and 7-Eleven convenience store to be built within the Commercial Development (C-D) Zone on the property located at approximately 5568 South Van Winkle Expressway. Seconded by Ned Hacker. A voice vote was made, motion passed 6-0.

SUNSET LINKS SUBDIVISION AMENDED – 6221 South 700 West – Project #20-065

Christopher Ames was present to represent this request. Jared Hall reviewed the location and request for a subdivision located at 6221 South 700 West. The applicant would like to keep the existing home that is on the property and create an additional lot for a new home. The property is big enough to meet all setback requirements. The 700 West right-of-way goes up to the property line and a sidewalk and curb-and-gutter already exist. The water utility will have to connect to the newer waterline, which is a little further away from the property. There will be a significant utility infrastructure cost associated with this development.

Christopher Ames, 4738 Hidden Woods Lane, Murray, Utah, said this home that is on the property was a remnant piece of the original home that was in the subdivision. He has reviewed the conditions of approval and will be able to meet those. He spoke with the Engineering Department about how to get across 700 West without shutting down the traffic pattern and is aware that it will be costly.

The meeting was opened for public comment.

The following comment was read:

Lisa Cuthbertson – Murray City

This is regarding the property addressed 6229 South 700 W.

Our property is directly On boundary of this property. We just wanted to address a few things:

Your blueprint didn't show Lot 2 garage.

And Egress point.

The trees need to be addressed and removed.

Rodents infestation needs to be addressed immediately.

The public comment portion was closed.

Mr. Ames said he is aware of the rodent problem and it is being handled. The tree in the front is dead and will be taken out. It will be the responsibility of the builder and new homeowner to decide what to do with the tree in the back. The two car garage will be addressed during the building permit process.

A motion was made by Sue Wilson to grant Preliminary and Final approval for the Sunset Links Amended Subdivision for the property addressed 6221 South 700 West, subject to the following conditions:

1. The project shall meet Murray City Engineering requirements including the following:
 - a. Meet City subdivision requirements.
 - b. Provide grading, drainage and utility plans. The utility connections must be done using trenchless methods to avoid disruption of traffic and road closures on 700 West.
 - c. Meet City utility standards and provide standard PUE's on lots.
 - d. Provide any required easements and vacate any unused easements within the

proposed lot area.

- e. Obtain a City Excavation Permit, bond and insurance for work within City roadways.
2. The subdivision shall meet all applicable requirements of fire and building codes.
3. Development of Lot 2 requires the installation of new water service lines from the existing fourteen inch (14") water main on the west side of 700 West.
4. The applicant shall prepare a Final Subdivision Plat which complies with all requirements of Title 16, Murray City Subdivision Ordinance.

Seconded by Maren Patterson.

Call vote recorded by Mr. Hall.

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

Motion passed 6-0.

TRIPP LANE SUBDIVISION – 871 West Tripp Lane – Project #20-058

Robert Poirier was present to represent this request. Jared Hall reviewed the location and request for preliminary subdivision approval for the property located at 871 West Tripp Lane. The property is a vacant 2.78 acre parcel. The project runs between Tripp Lane on the north and the dead end of Willow Grove Lane on the south. The proposal is for a 10 lot, single-family detached residential subdivision. The property is located in the Single-Family Residential (R-1-8) Zone and the lots are all conforming to the standards of the R-1-8 Zone. Part of this property on the north end is owned by Murray City Power. Murray City Power will dedicate the property to Murray City for Tripp Lane to be extended into the property. The road on the south end of the property will come out to Willow Grove Lane. At that connection there is a strip of property that is not in the ownership of the City or the applicant. It is owned by the Livingstons who also own the adjacent home at Lot #13 in the Willow Oaks Subdivision. The strip of property would need to be taken by the City using eminent domain or the City would have to purchase the property in order for a road to be connected fully to Willow Grove Lane. The City Engineer approached the Livingstons about purchasing that property, however, they are not interested in selling it. The result is that the City Council would have to use eminent domain in order for the proposed road to go through the project and connect fully to Willow Grove Lane. The Livingston property has a pedestrian walkway on it where they have allowed pedestrian use to get through to the school and the ball field.

Mr. Hall explained staff did a link-node analysis that shows there are 57 dead ends or cul-de-sacs in this area. Although cul-de-sacs can be preferable in certain cases, they do limit connectivity

which increases vehicle trips because there is not access available to make shorter trips. Adding ten lots will not require the applicant to do a traffic study. This is a case of a change in traffic patterns in the area as opposed to increasing traffic. If this proposal ends up being a cul-de-sac due to the road not being able to go through, staff is recommending that utilities and pedestrian access still be provided through to Willow Grove Lane. Staff is recommending approval of the preliminary subdivision.

Ms. Milkavich said her understanding is that most cities don't allow many dead end streets due to access reasons. They prefer cul-de-sacs. Mr. Hall replied that is correct. The way Willow Grove Lane dead ends is not normal. Generally, at least a temporary cul-de-sac would have been put in place of the dead end. Ms. Milkavich asked what the purpose of a temporary cul-de-sac was. Mr. Hall replied it is for emergency access and other public services such as snowplowing and garbage pickup until such a time as the road continues through.

Mr. Nay said there was an error in the land survey which showed a vacant piece of property which someone came in and purchased. The owner of this property cannot do anything with it. He asked if the City would allow a protection strip to go forward in this day and age. Mr. Hall replied no. He added that this one was not intended, it was accidental. Protection strips originated with people developing and not wanting adjacent properties to refuse to participate in the installation of improvements, but then expecting to benefit from them later. Mr. Nay asked if the City had planned to have Willow Grove Lane go through eventually which may be why they did not put in a cul-de-sac. Mr. Hall replied he can't necessarily say that. He noted that the City's transportation plan calls for connectivity. The City has no specific plan showing this section of road being connected, but from the way it was dead-ended it appears it was intended to continue.

Robert Poirier, 2087 East Falcon Hill Drive, Sandy, Utah, said he has looked at the conditions and is able to meet those conditions. He said students are using the protection strip, which is on private property, to get to the school. The sidewalk ends at the end of a field and this would be an opportunity to create a well-lit street for the students to use. There is also a lack of maneuverability on Willow Grove Lane for fire trucks, delivery trucks, etc.

Mr. Hacker asked Mr. Poirier if he has contacted the church to see if they would be interested in selling part of their eastern parking lot. Mr. Poirier said he looked at that because there is an existing pipe there that goes straight through to his property. Unfortunately, the elevation of the pipe made it unusable to him which is why he opted for the retention pond.

Mr. Markham said the Planning Commission received a letter from NeighborWorks expressing they would prefer to see a cul-de-sac put in. Mr. Poirier said initially he talked about putting in a cul-de-sac, but after receiving input from the City and School District, he decided to make the road go through thinking it was the best thing for the community.

The meeting was open for public comment.

Mr. Markham read the names of individuals who submitted comments before the meeting. The comments were included in the Planning Commission's packet and were reviewed by the Commissioners before the meeting. Comments were received from: Maria Garcia from NeighborWorks, Brenda Green, Brenda Hales, Doug Barnett, Elizabeth Larsen, Emilee Barnett, Jeff Waldram, Jessica Lucero, Jim Livingston, Kathy Milne, Kevin and Stephanie O'Brien, Lindsay Ross, Kevin and Stephanie Pollei, Mark (Par) Grandinetti, Susan Michaels, Tom and Carol Jackson, Wendy Livingston, and W. Paul Miller.

The following comments were read.

Lucinda Milne – 5712 South 800 West, Murray City

This is Lucinda Milne. We live on 5712 South 800 West and we are definitely Happy the road is going through. That's what was in the plans when we did our subdivision many years ago and so we are glad it's finally coming through.

Doug Barnett – 5856 South Willow Grove Lane, Murray City

I have reviewed the documents provided to the Planning Commission regarding the Tripp Lane subdivision and have several questions for Murray City and NeighborWorks.

Questions for the Murray City Planning staff:

- 1. Your assessment noted Tripp Lane and Willow Grove Lane should be connected due to safety concerns, specifically related to emergency vehicle access. I have lived on Willow Grove Lane since it was built and am not aware of any incidents where road access put a life in danger. Do you have a number of incidents the road has caused, or any examples of incidents & their severity?*
- 2. Based on the Murray City 2017 General Plan, Murray High, Hillcrest Jr. High, Grant, McMillan and Parkside Elementary schools all reside on streets rated as a minor collector or higher. Access to these schools is designed to restrict traffic through residential neighborhoods in order to force the use of collector streets. Like those schools, Riverview and Viewmont reside on a collector street, but there is also access to these schools via residential streets. This is why most of the concerns received about this plan are about the traffic. The proposed plan, rather than restricting residential traffic similar to those schools mentioned, instead encourages more school traffic on even more residential streets. This traffic pattern has been discouraged at other schools so why are you advocating it for Riverview and Viewmont? For your reference, the attached document contains aerial views of every school in the district, their street classification and access.*

Question for NeighborWorks:

- 1. Will you please provide additional information explaining why the average lot price would increase from \$125,000 to \$150,000 if a redesign is required? You noted the cost of the current design was \$15,000. Logically, a plan to redesign into a cul-de-sac would appear to be the same cost of \$15,000. Dividing that amount by 10 lots is a cost per lot increase of only \$1,500. Why the excess of \$23,500 per lot?*

Rob Richardson – Murray City

These comments are for the Tripp Lane Subdivision. I was able to read through the packet provided to the commission and below is how I would summarize the information:

- By a three to one margin, residents do not like the proposal. They have no concerns with the new homes, the concern is with traffic coming into the neighborhood to arrive at schools.*
- Those citizens that want the road do so in hopes it will alleviate their own traffic problems. That is like saying, "I have COVID-19. If I give it to you, I'll feel better." Unfortunately, it will most likely make things worse for them, and for the residents around them, because it will encourage even more traffic to drive through the neighborhood to the schools.*
- The City would have to condemn private property to get this private development built.*

It appears to me this design creates more problems than it solves, I would suggest building a cul-de-sac instead.

Daniel Shoell and Jill Johnson – 853 West Cherry Oak Circle, Murray

My wife and I recently moved from Draper, Utah to escape traffic noise and the constant sound of cars, trucks and motorcycles that would be similar if Willow Grove Lane was allowed to be extended into the Murray Park area. This proposed road extension would also be of a major concern to the safety of park and ballpark users with the constant overparking and crowding of parked automobiles along both sides of the proposed street and on the existing street and in the existing quiet residential neighborhood.

There has been neighborhood talk that the developer doesn't want to pay the additional cost to design a "dead-end," cul-de-sac, type street closure but in my experience as a land development design engineer, a cul-de-sac would allow 1 more lot to be developed which would more than offset the redesign costs.

Children need the protection of a dead-end street or a cul-de-sac when their minds are more interested in the game then they are the automobile and truck traffic that a through street would cause.

As I admittedly superficially reviewed the area, a better option might be to "tie-in" Tripp Lane and the proposed development to West Bullion Street through the largely undeveloped land to the North.

We just don't think Murry City wants to risk extending Willow Grove, (a rather narrow sub-division street) for the use of a few more houses when that street will be so close to the existing park and ball field. Let it remain as it is!

John Snelders – Layton Construction Company

A through street would allow for better access for fire and EMS services. Dead ends are not a permanent item and should be eliminated.

There is a gate in the Livingston's property that many people and children of the community use. If a cul-de-sac were created off of trip. It would cut off access through willow grove and block an established path of access used by the public. It is in the best interest of the community and public for a through street to be created.

A through street would move traffic off of 700 West and share it between Bullion, 700 West. and the new through streets.

Parker Hales – Murray City

As the Livingston's have not done anything for the upkeep of the property in question, I do not believe that this property should be an issue for the progression of this through street. If the property is the only thing that is stopping the through street, it seems pointless as the Livingston's have not seemed to care about this property until it is for their own benefit. Putting through the street would be better for the entire community.

Stephanie Pollei – Murray City

In response to the comment about making it safer for the children to walk due to having a street

and light. It however will subject the children to more cars as they walk to school and it is on a narrower street which is not meant for the 300 cars traveling.

Emillee Barnett – Murray City

I live next to the subject property at 5856 S Willow Grove Ln.

There has never been any safety issues in the walkway. No unsavory characters. Only damage to the fence from bikes and motorcycles. The builder set this walkway up without owner's knowledge. And the Larsen's were kind enough to allow it. The other side is school district property. There has never been any issues with deliveries, snow plows and emergency services.

From the comments you are hearing Tripp Lane is very busy. With the current drivers not adhering to the stop sign at 800 West, the proposal adds a through street at the same point where 800 West connects to Tripp Lane, the same location where many children are crossing to the elementary school. Is the City able to place crossing guards in this location? We care for our neighbor's children over drivers bringing their children from subdivisions further away, that is why we are concerned about this through street. Please get a traffic study or ask NeighborWorks to create a cu-de-sac.

Doug Barnett – 5856 South Willow Grove Lane, Murray City

I submitted the questions below on Tuesday but they were not asked or discussed so I am sending this again. I would like answers to all these questions, Thank you

Also, as the individual living at the end of the street - there have NEVER been any issues with people being unable to turn around on the dead end street. This is a non-issue.

Steve Fidel – 940 West Bryanston Cove, Murray City

My name is Steve Fidel. I live at 940 W. Bryanston Cove where my wife and I have raised four children in the neighborhood adjacent to Viewmont Elementary and Riverview Jr. High. All four of our children attended both of those schools, and I am quite familiar with the pedestrian and vehicular traffic patterns in and around the neighborhood and the two schools.

I have observed passionate conversations for and against the NeighborWorks Salt Lake proposal that is before the Planning Commission. Those conversations often make references to a master plan as well as concerns about traffic safety issues if the existing Willow Grove Lane is connected to the NeighborWorks development. Pedestrian safety is my primary concern.

Presuming references to a master plan are talking about the "2017 Murray General Plan," I have read all 172 pages in the PDF of the plan. I have studied many master plan documents as part of my profession and am impressed by the scope of the research conducted to compile this plan; however, I see nothing in the 2017 plan that addresses the parcel of land or street in question. I believe individuals referring to the plan to make arguments supporting the proposal to connect Willow Grove Lane to Tripp Lane have not read the plan or are misusing the plan to the detriment of the neighborhood.

The 2017 plan does set out city objectives that serve as cautions regarding the NeighborWorks proposal:

Objective 1 of the Transportation Systems Overall Goal is to "provide safe and efficient movement of traffic on city streets while maintaining the integrity of the neighborhoods."

The integrity of the neighborhood would be compromised by connecting Willow Grove Lane to the NeighborWorks project because six additional neighborhood streets, 12 residential street intersections and an additional 69 homes (including the 10 lots proposed by NeighborWorks) would be added to a new junior high traffic pattern. Given both the elementary and junior high school's locations within the respective school boundaries, a professional traffic study would be needed to estimate whether adding more routes to the school would have any beneficial impact on the streets now carrying the burden of the junior high traffic: 800 West and Tripp Lane. I suspect residents there would see little to no benefit and would experience more through traffic in addition to the school traffic.

Pedestrian traffic to and from Viewmont Elementary School, one block north of the junior high, would also be negatively impacted if the additional streets become vehicular traffic conduits to the junior high. The current Willow Grove Lane has a pedestrian access through the fence and is exclusively a pedestrian conduit to both schools. Connecting Willow Grove to Tripp Lane would make Willow Grove the collecting point for all vehicular traffic using new routes to the junior high. Working toward greater multi-modality is also an objective of the 2017 plan: "Working to make a more pedestrian and bike friendly community can help set Murray apart and work toward regional smart growth initiatives," and "Site design standards for developments should prioritize pedestrian and bicycle access, not just consider automobile access." The current proposal does not meet that objective.

Objective 3 of the Transportation Systems Overall Goal is to "support residential traffic calming where proven effective and cost efficient."

Traffic calming is not enhanced by pushing more school traffic through additional neighborhood streets. The best way to calm traffic on the neighborhood streets adjacent to the junior high would be to have a traffic study consider the benefits of moving the entrances to the junior high drop-off lots away from Tripp Lane and around the corner to face 700 West. The best way to calm traffic on the new section of street proposed for development by NeighborWorks and enhance pedestrian safety would be to end the street in a cul-de-sac.

Thank you for your work and consideration.

Stephanie Pollei – Murray City

I raised several issues in my letter that I sent last Wednesday that have not been addressed. I would like those addressed before a decision is made. Thank you.

The public comment portion was closed.

Mr. Hall said Ms. Pollei raised two concerns in her letter. The first one is related to conducting a formal traffic study. Mr. Hall said that comment was forwarded to Trae Stokes, City Engineer, who determines when a traffic study is needed. He did not feel this proposal meets the criteria to require a traffic study. Mr. Hall said traffic studies almost always show that streets should be connected. There are benefits to connecting this road to the larger area such as the area would have an improved traffic pattern. A traffic pattern analysis might yield better information than a traffic study would, but both will show similarities. Ms. Milkavich asked if school districts can conduct traffic studies. Mr. Hall said they can and if that were to happen, the City would want to partner with them.

Mr. Hall said Ms. Pollei's other concern was that no other residential neighborhood with a small local road in Murray is configured to bear the brunt and weight of traffic for a junior high school and an elementary school. Mr. Hall said he cannot speak to that. The traffic pattern and benefits of connectivity don't only apply to the school they also have to do with the Jordan River Parkway and Willow Pond Park. Ms. Patterson said there were comments that the Murray High and Hillcrest Jr. High design does not encourage traffic flow through the surrounding neighborhoods. However, Hillcrest Jr. High accesses the Hillside neighborhood and there are roads running from 5600 South through the neighborhood to help with connectivity, even though the main access to the school is off of 5400 South. Murray High also has access through the neighborhood next to it. Riverview Jr. High is the only secondary school in Murray City that has a one way, no secondary access road. Mr. Hall said there are some indirect routes to both Hillcrest Jr. High and Murray High, however, the drop off for Riverview Jr. High is not on 700 West. Connecting the road will help the residents get in and out of their neighborhood in a more efficient manner than they currently do.

Ms. Patterson said Mr. Fidel made a comment expressing concern about the safety of pedestrians and bikes that would be compromised by putting this road through. She asked if connecting a road makes it safer than a dead end road is. Mr. Hall replied there isn't any one supremely safe option. If 1,000 cars have only one or two ways through an area, the use of those streets is heavier than normal. However, pedestrians and bicyclists are using those same streets, so it isn't necessarily safer than areas where there are more connected streets and those 1,000 cars, pedestrians, and bicyclists are dispersed among those other streets. Ms. Patterson said by not having connectivity in this area, it forces everyone to use the major arterial roads to walk or bike because there is not a viable sidewalk option through this area. Mr. Hall agreed, and said that planning and engineering are supporting a connected road because it improves pedestrian, bicycle, and vehicular safety.

Ms. Wilson said Mr. Barnett asked why the lots increase in price when there is a cul-de-sac instead of a through street. She said from a development standpoint, sometimes the costs are higher when you have to put in a cul-de-sac because there is more material required and there are different requirements for a cul-de-sac versus a through street. Mr. Hall said Mr. Barnett asked if staff had any incidents where road access put life in danger. Mr. Nay said when he was coaching softball at Riverview, a girl broke her leg and the fire truck and ambulance couldn't get up to the field because of all the cars that were there. Mr. Hall said he had no other information on incidents.

Mr. Hacker said Cherry Oaks Circle has ten homes on it. The amount of traffic that the homes are going to generate will be the same as the amount of traffic coming out of Cherry Oaks Circle. The connectivity won't necessarily increase traffic, rather it will redistribute the traffic. Greenoaks Drive and Potomac Drive both connect to 700 West, but they do not generate through traffic. Converting Willow Grove Lane to a through street will improve traffic flow for Tripp Lane and Anderson Avenue. He believes Willow Grove Lane was meant to be a through street.

Mr. Markham said when Greenoaks was originally developed, it ended at Normandy Oaks Circle. It wasn't popular when that street was connected, but it was the sensible thing to do. He believes there isn't a valid argument to not let Willow Grove Lane go through to Tripp Lane.

Ms. Patterson said she is strongly in favor of connecting this street.

Mr. Markham said he is not an advocate of eminent domain. He knows there is a purpose for it and there are reasons for it. He is grateful it is a City Council issue. If the City Council decided

not to pursue eminent domain, he is fine with that because there is a plan for a cul-de-sac that will still improve this situation.

Ms. Wilson said there will be a lot more students who could walk and ride their bikes to school safely if the road goes through. She agreed that a cul-de-sac would be a good alternative option.

Ms. Milkavich said she is not a fan of eminent domain, but she feels like this road should be developed. Based on the comments that were received, there is about an even number of people for the through street as those opposed to it. A through street is a good option for the whole community.

Mr. Nay said this is a reason for eminent domain. The project is for the public good and the property owner is not losing any usable property that they are doing anything with. The property owner will receive just compensation for the property and the City Code supports integrating the street network as much as possible.

A motion was made by Travis Nay to grant Preliminary Subdivision approval for the Tripp Lane Subdivision on the property located at 871 West Tripp Lane, subject to the following conditions:

1. The applicant shall meet Murray City Engineering requirements including the following:
 - a. Meet City subdivision requirements.
 - b. Obtain the private property that extends into the existing Willow Grove right-of-way or provide a cul-de-sac at the south end of the subdivision.
 - c. Obtain the required city property at the north end of the site to fully connect the right-of-way to existing Tripp Lane.
 - d. Provide grading, drainage and utility plan and profile drawings.
 - e. Meet City drainage standards. The proposed retention system does not meet City standards.
 - f. Meet City utility standards and provide standard PUE's on lots.
 - g. Provide a site geotechnical study and implement recommendations.
 - h. Abandon the existing irrigation system located along the west subdivision boundary.
 - i. Provide a security bond for public road and utility improvements.
 - j. Provide any required easements and vacate any unused easements within the proposed subdivision area.
 - k. Develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning any site grading and construction work.
 - l. Obtain a City Excavation Permit for work within City roadways.

2. The applicant shall provide perimeter project fencing in the form of 6' solid fencing along the north and east project boundaries, and along the south and west boundaries where such fencing does not already exist or needs repair.
3. The subdivision shall include the installation of street lighting in accordance with Murray City Power Department standards and meet all Murray City Power Department requirements.
4. The subdivision improvements shall include the installation of street trees as required by Murray City Code.
5. All lots within the subdivision shall comply with the requirements of the R-1-8 Zone as outlined in Chapter 17.100 of the Murray City Land Use Ordinance.
6. The applicant will need to adjust lot 1 to meet R-1-8 Zone Lot Standards.
7. The project shall follow International Fire Code (IFC) regulations for fire access and hydrant locations.
8. The applicant shall meet Murray City Water & Sewer Division requirements including the following:
 - a. Utility connections for water and sewer must be provided through to existing utilities in Willow Grove Lane.
 - b. No portion of the water main shall be located underneath curb + gutter.
 - c. A ten foot (10') separation must be maintained between sewer and water lines through the subdivision.
 - d. A sewer manhole must be added to the plans in the vicinity of Lot 3, and the sewer main relocated on the west side of the proposed roadway.
9. The applicant shall prepare a Final Subdivision Plat which complies with all requirements of Title 16, Murray City Subdivision Ordinance.

Seconded by Lisa Milkavich.

Call vote recorded by Mr. Hall.

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

Motion passed 6-0.

Mr. Markham said the next step in this process is for this item to go before the City Council. He asked how long that process will take. Mr. Hall replied that is up to the applicant, but staff will work with the applicant on the process. Preliminary approval is good for a year. Mr. Markham noted if the applicant cannot get support from the City Council for eminent domain and connection of the road, the item will come back before the Planning Commission as a redesign with a cul-de-sac.

OTHER BUSINESS

Sue Wilson made a motion to adjourn.

The meeting was adjourned at 8:03 p.m.

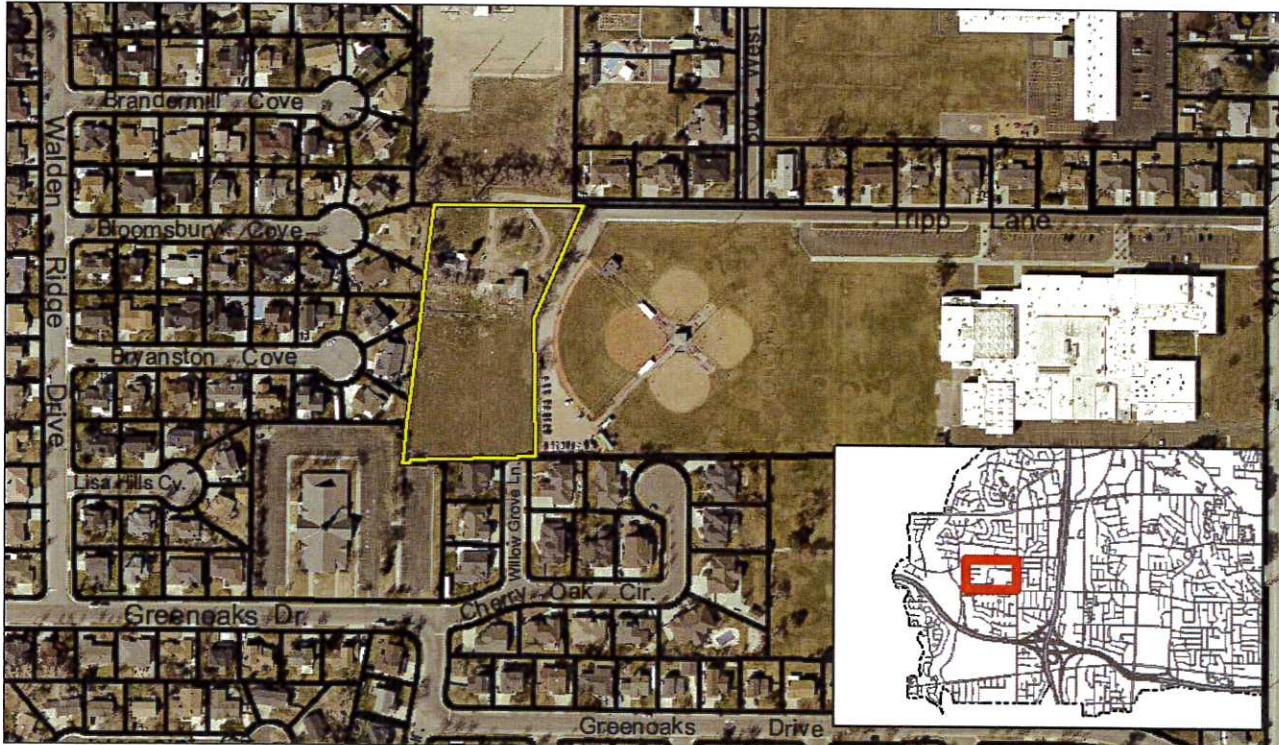


Jared Hall, Planning Division Manager



AGENDA ITEM #5

ITEM TYPE:	Preliminary Subdivision Approval		
ADDRESS:	871 West Tripp Lane	MEETING DATE:	July 16, 2020
APPLICANT:	NeighborWorks of Salt Lake	STAFF:	Jared Hall, Planning Manager
PARCEL ID:	21-14-401-001	PROJECT NUMBER:	20-058
ZONE:	R-1-8, Single Family Residential		
SIZE:	2.78 acres		
REQUEST:	The applicant is requesting Preliminary Subdivision approval for the Tripp Lane Subdivision, a 10-lot single family residential subdivision and road dedication.		



I. LAND USE ORDINANCE

Title 16, Subdivision Ordinance, Section 16.04.050(F) requires that applications for subdivision of property be reviewed and approved by the Murray City Planning Commission as the Land Use Authority. The proposed subdivision has been designed to meet the requirements of the R-1-8, low density single family zone in the Murray City Land Use Ordinance, Chapter 17.100.

II. BACKGROUND

Project Location

The subject property is a vacant, 2.78 acre parcel located to the west of Riverview Junior High School property 700 West, between Tripp Lane (5755 South) and Willow Grove Lane at approximately 5840 South.

Surrounding Land Use and Zoning

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Public Utility (power)	A-1
South	Residential, Single Family	R-1-8
East	Residential, Single Family	R-1-8
West	Residential, Single Family	R-1-8

Project Description

The proposal is a single-family residential subdivision with a total of 10 new lots and a new dedicated public right-of-way extending from Tripp Lane on the north and connecting to Willow Grove Lane on the south.

Process

The application before the Planning Commission is for Preliminary Subdivision approval. Staff will recommend conditions to be met as the applicant works with the Engineering Department to prepare the Final Subdivision Plat for review and approval by the Planning Commission. Once a Final Plat has been approved by the Planning Commission and accepted by the City Engineer, it will be circulated for signatures of approval and finally presented to the Mayor for a signature, which will allow the recordation of the Plat at the Salt Lake County Recorder's Office.

Lot Area, Width, Setbacks, and Height Standards

The proposed subdivision has been designed to meet the requirements of Chapter 17.100 of the Murray City Land Use Ordinance. Required setbacks have been indicated on each of the proposed lots to demonstrate the ability to comply when placing a new home. Staff has reviewed the Plat and finds that the requirements can be met on the proposed lots. The requirements are reviewed below:

- **Lot Area** – Each lot is required to have a minimum area of 8,000 square feet. The proposed lots range between 7,949 ft² (Lot 1) and 14,096 ft² (Lot 6) Lot 1 needs to be adjusted to meet the minimum lot area.
- **Lot Width** – Each lot is required to have a minimum of forty feet (40') of frontage along the public right-of-way, and a minimum lot width of eighty feet (80') at the 25' setback line.
- **Front Yard Setback** – Twenty-five feet (25')
- **Rear Yard Setback** – Twenty-five feet (25')
- **Interior Side Yard Setback** – Eight feet (8') minimum, total of the two must be at least twenty feet (20')
- **Corner Side Yard Setback** – Twenty feet (20')
- **Height** – The maximum allowed height for main buildings is thirty-five feet (35')

Access

The proposed access for the subdivision is a new roadway dedication extending roughly 642' from Tripp Lane on the north and connecting to Willow Grove Lane on the south. The proposed right-of-way is a fifty-foot (50') wide local street, with curb + gutter, sidewalk, and park strips on both sides. There are two issues related to the connections at Tripp Lane and Willow Grove that should be reviewed:

- Connection to Tripp Lane – The planned right-of-way connection at Tripp Lane will require the inclusion of some property currently owned by Murray City. The applicant will need to obtain that property to include in the roadway dedication back to Murray City. Staff does not foresee issues with that portion of the dedication.

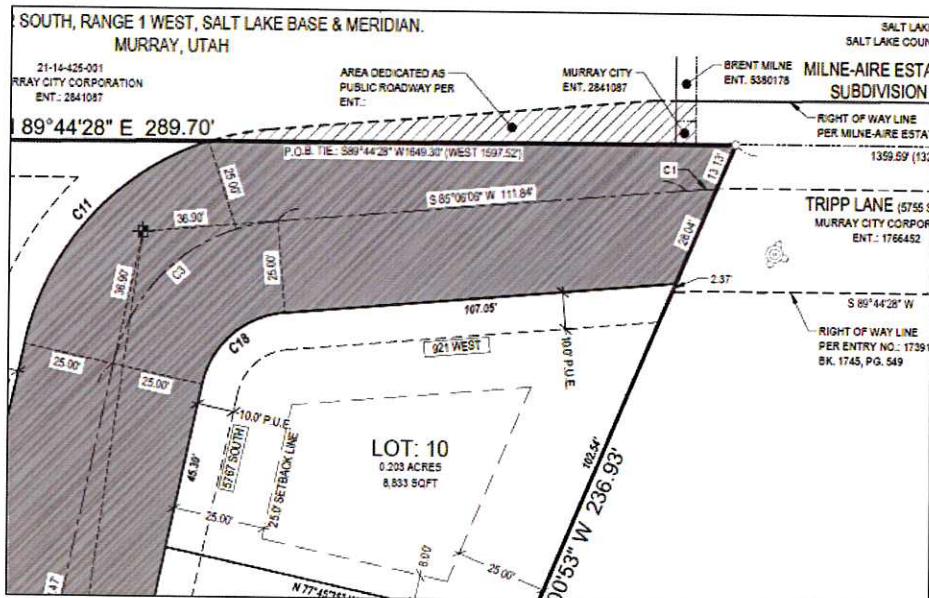


Figure 1 - Segment highlighting the needed property for the dedication near Tripp Lane.

- Connection to Willow Grove Lane – The planned right-of-way connection at Willow Grove Lane presents more difficulties. As noted in several of the public comments that are attached to this report, a portion of a property not controlled by the City or the applicant extends just over 21' into the proposed right-of-way dedication as it connects to Willow Grove Lane. Without control of that property, the right-of-way cannot effectively be dedicated and the connection to Willow Grove cannot be made. The owners of that property also own the home adjacent to the planned connection on the east side of Willow Grove Lane and have made it clear that they will not willingly sell the property to allow the connection. The only alternative to complete the right-of-way as a through street would be for the City to use eminent domain and attempt to force the sale of the property in order to have it dedicated. The challenges with the use of condemnation may make it unlikely that the applicant can proceed in a timely manner with the subdivision. Staff recommended conditions of approval address this issue.

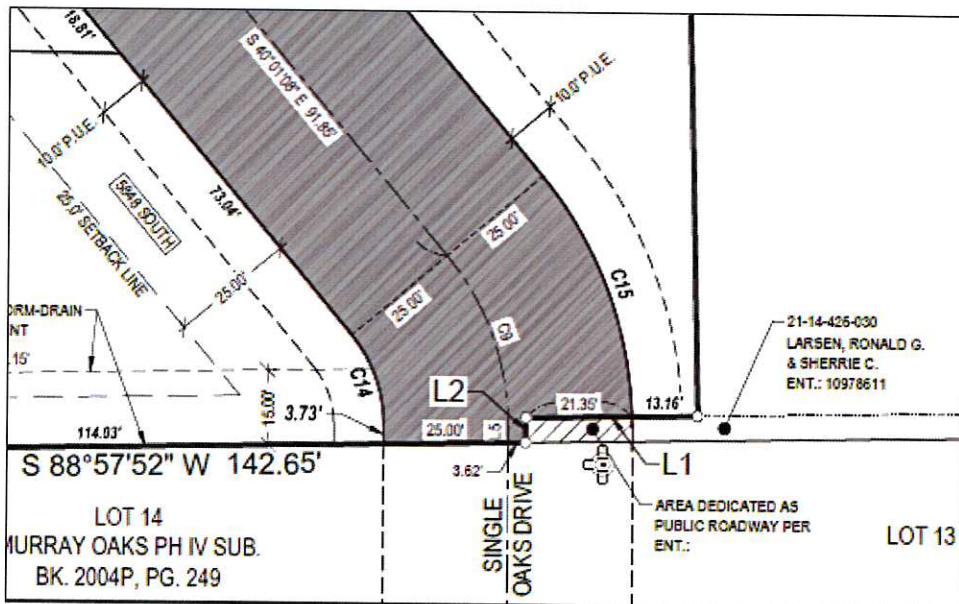


Figure 2 – The hatched area (lower center right) indicates the property not controlled by the applicant that is needed in order to complete the r.o.w. connection to Willow Grove Lane as proposed.

Lighting & Street Trees

Three standard Murray City streetlights are indicated on the plat and associated plans: one at the north and south connections to Tripp Lane and Willow Grove Lane, and another on the west side of the new road at the midpoint of the project, between Lots 3 & 4. Street trees will be required as part of the subdivision improvements at 30' on center along both sides of the new right of way.

Fencing

Staff recommends that the perimeter of the subdivision be fenced with 6' solid fencing wherever such fencing does not already exist; notably the east and north, as well as portions of the west and south perimeters.

Grading & Drainage

The current drainage plan calls for a large retention area located on the west end of proposed Lot 6. City standards will not support retention of drainage for the larger subdivision area to be retained on a private lot (albeit within an easement as indicated). The applicant will need to redesign the drainage plans before submittal for final subdivision approval. This requirement is reflected in the recommended conditions of approval.

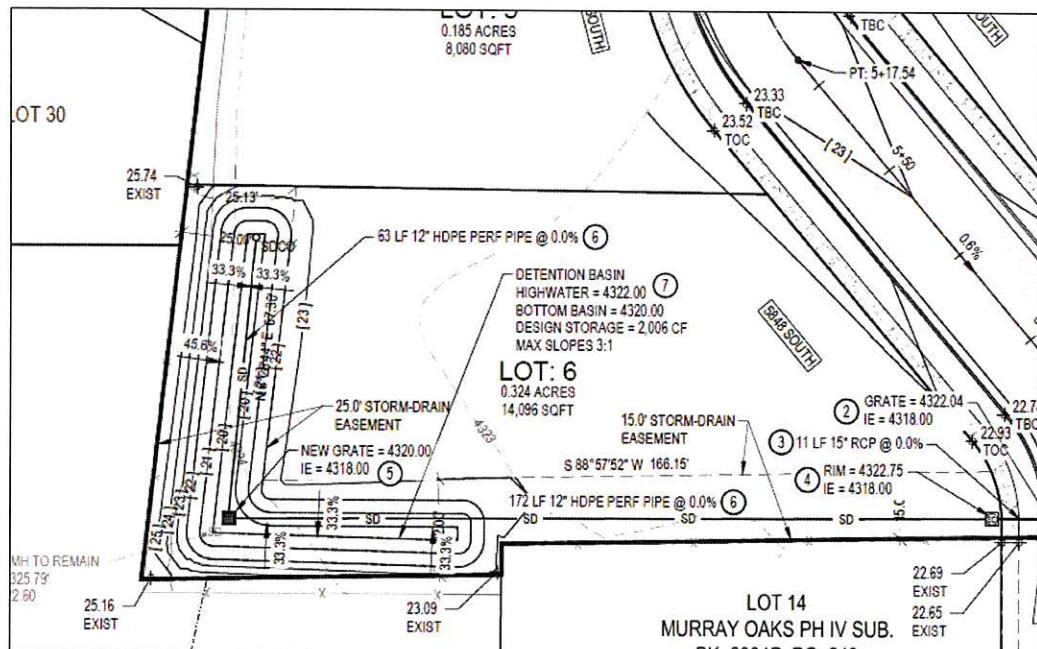


Figure 3 - Showing the storm drain easement and retention area on the west side of Lot 6

Utilities

The utility plan will need to be modified to meet the requirements of the Water and Sewer Divisions. Notably, the water main is currently planned with some lengths located below curb + gutter and should be relocated entirely under the roadway. Required separations between the water and sewer lines can complicate the location. The Water and Sewer Division staff have expressed support for connections of the utilities through from the project to Willow Grove Lane. It is important to note that the utility connections can be made to Willow Grove Lane independently of the full right-of-way dedication.

Connectivity

Many of the comments received from neighboring property owners regarding the proposed subdivision expressed *support* for the subdivision itself but objected to the planned connection to Willow Grove Lane. Please note that the comments received to date have been attached to this report for your review and are reviewed briefly in another section of the report. While recognizing that there are significant concerns and very real challenges with implementation, Planning staff continues to support the potential connection from Tripp Lane to Willow Grove Lane as proposed in the preliminary subdivision plan if possible.

- Link-Node Ratio – A Link-Node ratio is a method of determining the general condition of connections throughout a given area. Links are defined as roadway segments between two nodes, and nodes are intersections or the end of a cul-de-sac. The link-node ratio provides a connectivity index by dividing the number of links by the number of nodes in a study area. An index number can be generated for the study area to between 0 and 2.5, with 2.5 being the ratio of a perfect grid. Best practices indicate that for network planning, a link-node ratio of 1.4 is a reasonable target. Staff performed the link-node analysis for a one square mile area around the proposed subdivision project, and a project area further east for comparison. The connectivity index for the project area is 1.18. The connectivity index for the area further east is 1.44. The suggestion is that improvements to the connectivity index in the study area would be desirable. Both link-node ratios are attached to this report. The subject property sits in the center of the figure below, taken from the link-node analysis. The blue lines are roadways, the green dots are intersections, and the red dots are cul-de-sacs.

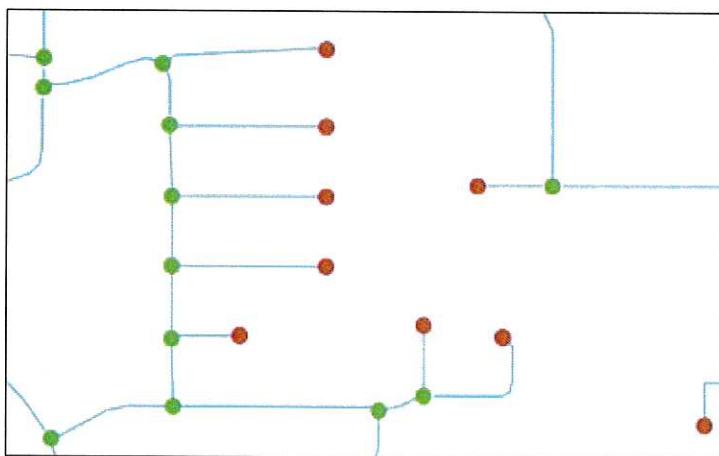


Figure 4 - A segment of the link-node analysis, centered on the subject property.

- Street Design Standards – Murray City has a long-standing practice of continuing streets to connect neighborhoods as development occurs, recognizing that an interconnected street system is essential to protect the public health, safety and welfare and that providing access to and between important points and neighborhoods in a

larger area contributes to the livability of the city overall. Street connections should not be viewed in isolation, but as a part of the larger system. Title 16 of the Murray City Code consistently supports connections wherever possible. Highlighted sections from the Street Design Standards in Title 16 are attached to this report for review.

Purpose & General Plan Considerations

Section 17.100.010 states that the purpose of the R-1-8 Zone is to “provide areas for the encouragement and promotion of an environment for family life by providing for the establishment of one-family detached dwelling on individual lots.” Staff finds that the proposed subdivision is in harmony with the purposes of the R-1-8 Zone.

The subject property is located within a large area of residentially developed property. The 2017 Murray City General Plan identifies the land use designation of the area as “Low Density Residential”, which is intended to provide opportunities for primarily single family residential uses. The General Plan does not provide specific or detailed guidance regarding all aspects of potential development applications; rather, it provides objectives, principals, and best practices upon which to rely when reviewing potential development. Staff finds that the subdivision of the land as proposed in the application is in harmony with purpose and intent of the General Plan.

III. STATE AND MUNICIPAL CODE REVIEW STANDARDS

Murray City Code Title 16, Subdivision Ordinance, outlines the requirements for subdivision review. Utah State Code (10-9a-604) states that a subdivision plat may not be recorded until approved by the Land Use Authority of the City. The Planning Commission’s role as the Land Use Authority is to ensure that a proposed subdivision is consistent with established ordinances, policies and planning practices of the City. The Planning Commission makes investigations, reports and recommendations on proposed subdivisions as to their conformance to the General Plan, Title 17 of City Code, and other pertinent documents as it deems necessary. After completing its review of the final plat, the Planning Commission shall approve or disapprove the final plat in accordance with Section 16.12.070 of City Code.

IV. CITY DEPARTMENT REVIEW

A Planning Review meeting was held June 29, 2020 where the Subdivision application materials were distributed for review, comment, and discussion by Murray City department staff. The following comments and recommendations have been provided:

- The Murray City Engineer recommends approval subject to the following conditions:
 - Meet City subdivision requirements.
 - Obtain the property that extends into the existing Willow Grove right-of-way or provide a cul-de-sac at the south end of the subdivision.

- Obtain the required property at the north end of the site to fully connect the right-of-way to existing Tripp Lane
 - Provide grading, drainage and utility plan and profile drawings.
 - Meet City drainage standards. The proposed retention system does not meet City standards.
 - Meet City utility standards and provide standard PUE's on lots.
 - Provide a site geotechnical study and implement recommendations.
 - Abandon the existing irrigation system located along the west subdivision boundary.
 - Provide any required easements and vacate any unused easements within the subdivision area.
 - Develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning any site grading and construction work.
 - Obtain a City Excavation Permit for work within City roadways.
- The Murray City Fire Department recommends approval and notes that the through street is preferred for safety and fire access, and that the subdivision should provide fire department vehicle access minimums.
- The Murray City Water Division recommends approval with the condition that the subdivision provide a water main connection through to Willow Grove Lane, that a minimum 10' separation is maintained between water and sewer lines, and that no portion of the water main be located under curb + gutter.
- The Murray City Sewer Division recommends approval with the condition that a manhole be added to the plans in the vicinity of Lot 3, and that the sewer main be located on the west side of the road.
- The Murray City Power Department recommends approval with the condition that the subdivision meet all Power Department requirements.

The preceding comments are addressed as conditions of approval in the final section of this report.

V. PUBLIC COMMENTS

As of the writing of this report, Staff has received twenty (21) comments by email, including a comment from the applicant. All are attached to this report for your review and consideration. Staff has also had several conversations by phone about the project. Any comments that are received after the issuance of this staff report will be provided to the Commission and read into the record during the public meeting.

While there are comments expressing support for the connection of the new subdivision to Willow Grove Lane, the majority of comments have expressed concern for the implications of

that proposed connection generally, citing increased traffic into the neighborhood, the inadequacy of Willow Grove Lane for heavier traffic as compared to wider streets such as Bullion, 700 West, and Green Oaks Drive, the absence of a traffic study, and the relative safety of children walking to the schools through the neighborhoods west and south of the new subdivision (there is an existing pedestrian connection which is currently used from the end of Willow Grove onto the school district property.)

Additionally, many also cite concern with the City's potential use of eminent domain to condemn the private property needed to complete the connection fully. While staff acknowledges that there are significant challenges to the implementation of a through street as proposed, we maintain our assertion that there are benefits in the potential connection for the entire area, which suffers from poor access currently.

VI. FINDINGS

Based on the analysis of the Tripp Lane Preliminary Subdivision review and a survey of the surrounding area, staff concludes the following:

1. With conditions, the proposed subdivision complies with the standards of the Murray City Subdivision Ordinance.
2. The proposed lots comply with the development standards for properties found in Chapter 17.100 of the Murray City Land Use Ordinance.
3. The proposed subdivision is in harmony with the purposes of the R-1-8 Zone, representing appropriate residential development.
4. The proposed subdivision is in harmony with the purpose and intent of the Murray City General Plan, providing additional opportunities for appropriate residential development in the area.

VII. CONCLUSION/RECOMMENDATION

Based on the information presented in this report, application materials submitted and a site review, staff recommends that the **Planning Commission grant Preliminary Subdivision Approval for the Tripp Lane Subdivision on the property addressed 871 West Tripp Lane** subject to the following conditions:

1. The applicant shall meet Murray City Engineering requirements including the following:
 - a. Meet City subdivision requirements.
 - b. Obtain the private property that extends into the existing Willow Grove right-of-way or provide a cul-de-sac at the south end of the subdivision.
 - c. Obtain the required city property at the north end of the site to fully connect the right-of-way to existing Tripp Lane.
 - d. Provide grading, drainage and utility plan and profile drawings.

- e. Meet City drainage standards. The proposed retention system does not meet City standards.
- f. Meet City utility standards and provide standard PUE's on lots.
- g. Provide a site geotechnical study and implement recommendations.
- h. Abandon the existing irrigation system located along the west subdivision boundary.
- i. Provide a security bond for public road and utility improvements.
- j. Provide any required easements and vacate any unused easements within the proposed subdivision area.
- k. Develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning any site grading and construction work.
- l. Obtain a City Excavation Permit for work within City roadways.

2. The applicant shall provide perimeter project fencing in the form of 6' solid fencing along the north and east project boundaries, and along the south and west boundaries where such fencing does not already exist or needs repair.
3. The subdivision shall include the installation of street lighting in accordance with Murray City Power Department standards and meet all Murray City Power Department requirements.
4. The subdivision improvements shall include the installation of street trees as required by Murray City Code.
5. All lots within the subdivision shall comply with the requirements of the R-1-8 Zone as outlined in Chapter 17.100 of the Murray City Land Use Ordinance.
6. The applicant will need to adjust lot 1 to meet R-1-8 Zone Lot Standards
7. The project shall follow International Fire Code (IFC) regulations for fire access and hydrant locations.
8. The applicant shall meet Murray City Water & Sewer Division requirements including the following:
 - a. Utility connections for water and sewer must be provided through to existing utilities in Willow Grove Lane.
 - b. No portion of the water main shall be located underneath curb + gutter.
 - c. A ten foot (10') separation must be maintained between sewer and water lines through the subdivision.
 - d. A sewer manhole must be added to the plans in the vicinity of Lot 3, and the sewer main relocated on the west side of the proposed roadway.
9. The applicant shall prepare a Final Subdivision Plat which complies with all requirements of Title 16, Murray City Subdivision Ordinance.

Attachments



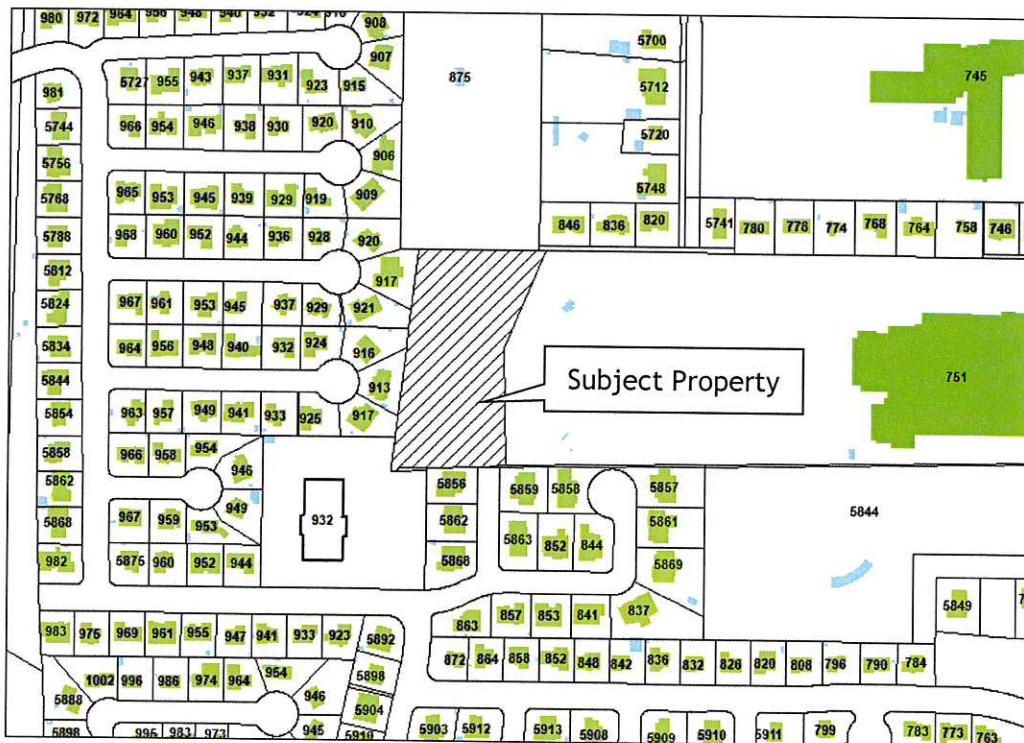
NOTICE OF PUBLIC MEETING

In accordance with Executive Order 2020-5 Suspending the Enforcement of Provisions of Utah Code 52-4-202 and 52-4-207 due to Infectious Disease COVID-19 Novel Coronavirus issued by Governor Herbert on March 18, 2020 and Murray City Council Resolution #R20-13 adopted on March 17, 2020, **the Murray City Planning Commission will hold an electronic only regular meeting at 6:30 p.m., Thursday, July 16, 2020. No physical meeting location will be available.**

The public may view the meeting via the live stream at www.murraycitylive.com or <https://www.facebook.com/MurrayCityUtah/>.

If you would like to submit comments for an agenda item, you may do so by sending an email (including your name and contact information) in advance of, or during the meeting to planningcommission@murray.utah.gov. *Comments are limited to 3 minutes or less and will be read into the meeting record.*

The Murray City Planning Commission will hold a public meeting regarding the following application:
NeighborWorks Salt Lake is requesting preliminary subdivision approval for a proposed a ten (10) lot, single family residential subdivision to be located on property addressed 871 West Tripp Lane. Please see the attached plans.



This notice is being sent to you because you own property within 500 feet of the subject property. If you have questions or comments concerning this proposal, please call Jared Hall with the Murray City Planning Division at 801-270-2420, or e-mail to jhall@murray.utah.gov.

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.

Public Notice Dated | July 2, 2020

Murray City Public Works Building | 4646 South 500 West | Murray | Utah | 84123

TRIPP LANE SUBDIVISION

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 14,
TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN
MURRAY, UTAH

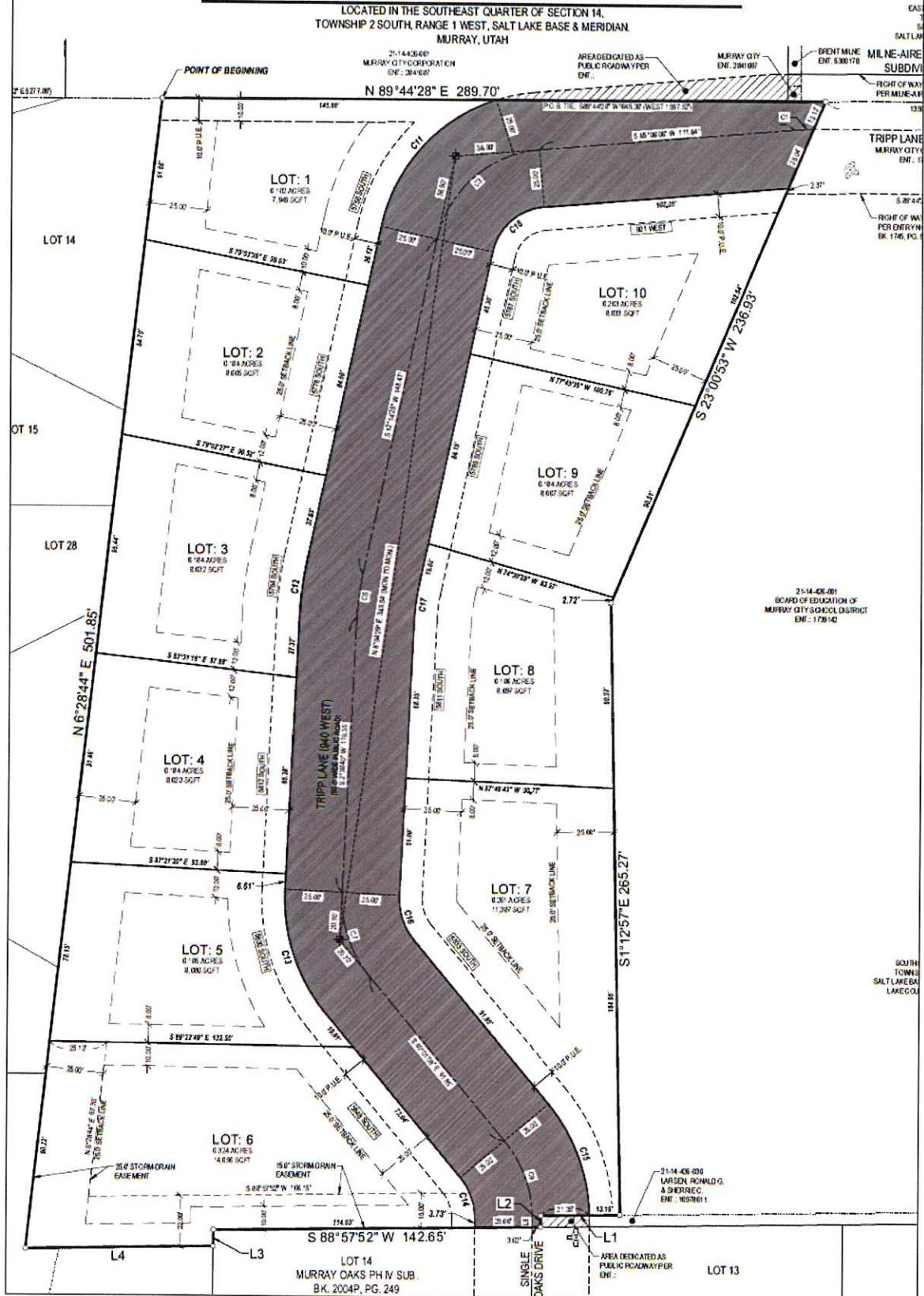


Figure 1: segment of the proposed preliminary subdivision - 10 lots

SUBDIVISION & FLAG LOT APPLICATION

Project # _____

Type of Application (check all that apply):

Subdivision Conditional Use Concept Review
 Flag Lot Appeal

Subdivision Name: Tripp Lane Subdivision

Subject Property Address: 871 West Tripp Lane

Parcel Identification (Sidwell) Number: 21-14-401-001

Parcel Area: 2.786 Current Use: n/a

Zoning Classification: R-1-8

Applicant
Name: Neighbor Works Salt Lake

Mailing Address: 622 West 500 North

City, State, ZIP: SLC, Utah 84116

Daytime Phone #: 801.539.1590 Fax #: _____

Email Address: Bob@nwsaltlake.org or maria@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 request in detail (use additional page if
necessary): new development subdivision

zoned R1-8000 for 10 LOTS

Authorized Signature: Maria Garcia Date: 5-12-2020

Property Owners Affidavit

I (we) Maria Garciaz, 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 Garciaz
Owner's Signature

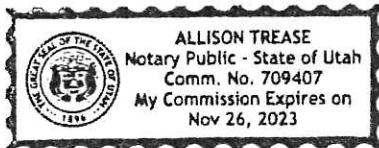
Owner's Signature (co-owner if any)

Subscribed and sworn to before me this 12th day of May, 2020.

State of Utah

§

County of Salt Lake



Allison Trease
Notary Public
Residing in Salt Lake County,
My commission expires: 11-26-2023

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)

On the _____ day of _____, 20 _____, personally appeared before me

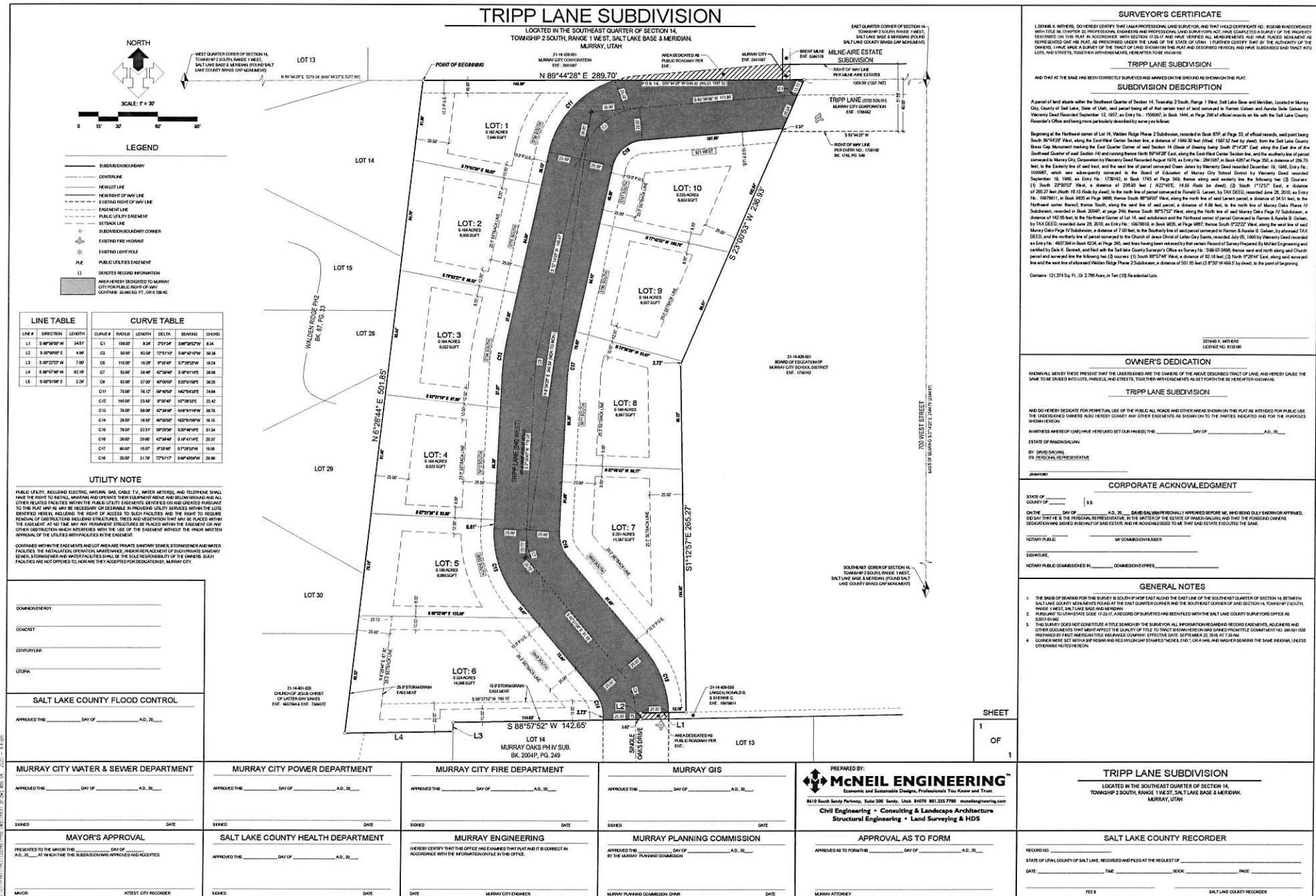
the signer(s) of the above *Agent Authorization* who duly acknowledge to me that they executed the same.

State of Utah

§

County of Salt Lake

Notary Public
Residing in _____
My commission expires: _____

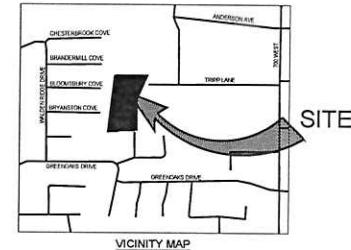
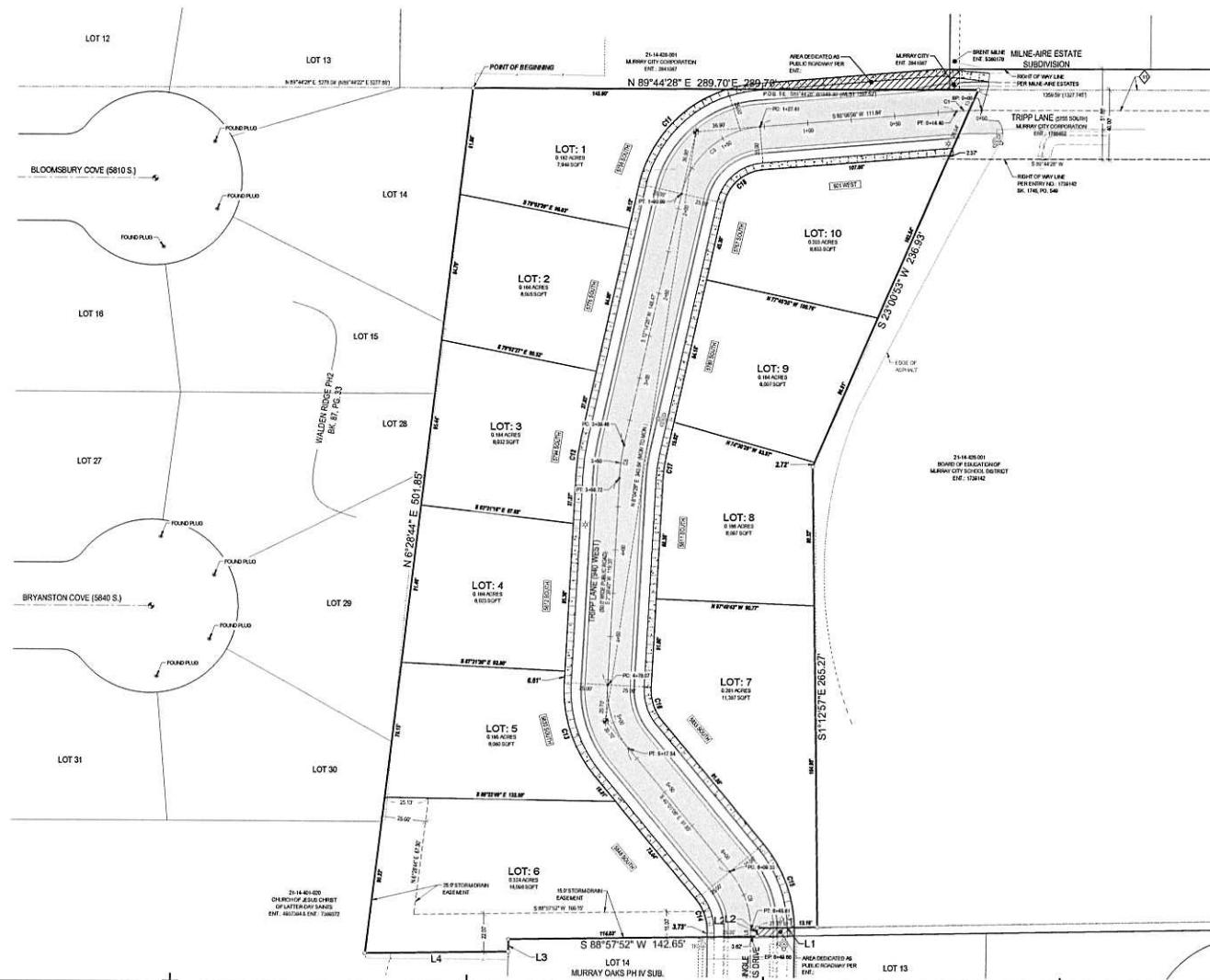
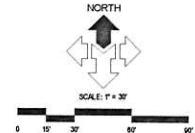


TRIPP LANE SUBDIVISION

CONSTRUCTION PLANS

871 WEST TRIPP LANE
MURRAY, UTAH 84123

LOCATED IN THE SOUTHEAST 1/4 OF SECTION 14
TOWNSHIP 2 SOUTH, RANGE 1 WEST, S.L.B.&M.



VICINITY MAP

DRAWING INDEX	
SHEET	DESCRIPTION
C001	CIVIL COVER SHEET
C001	GENERAL NOTES, LEGEND AND ABBREVIATIONS
C101	HORIZONTAL CONTROL PLAN
C201	GRADE AND DRAINAGE PLAN
C202	EMERGENCY ACCESS PLAN
C401	SITE UTILITY PLAN
C501	MISCELLANEOUS SITE DETAILS
C502	MISCELLANEOUS HORIZONTAL DETAILS
C503	MISCELLANEOUS GRADE DETAILS
C514	MISCELLANEOUS UTILITY DETAILS
C516	MISCELLANEOUS EGRESS DETAILS
C518	ERGONOMICS NOTES

ALL WORK AND MATERIALS FOR WATER
MUST CONFORM TO MURRAY CITY
WATER STANDARDS AND
SPECIFICATIONS

ALL WORK AND MATERIALS FOR SEWER
MUST CONFORM TO MURRAY CITY
WASTEWATER DEPARTMENT
STANDARDS AND SPECIFICATIONS

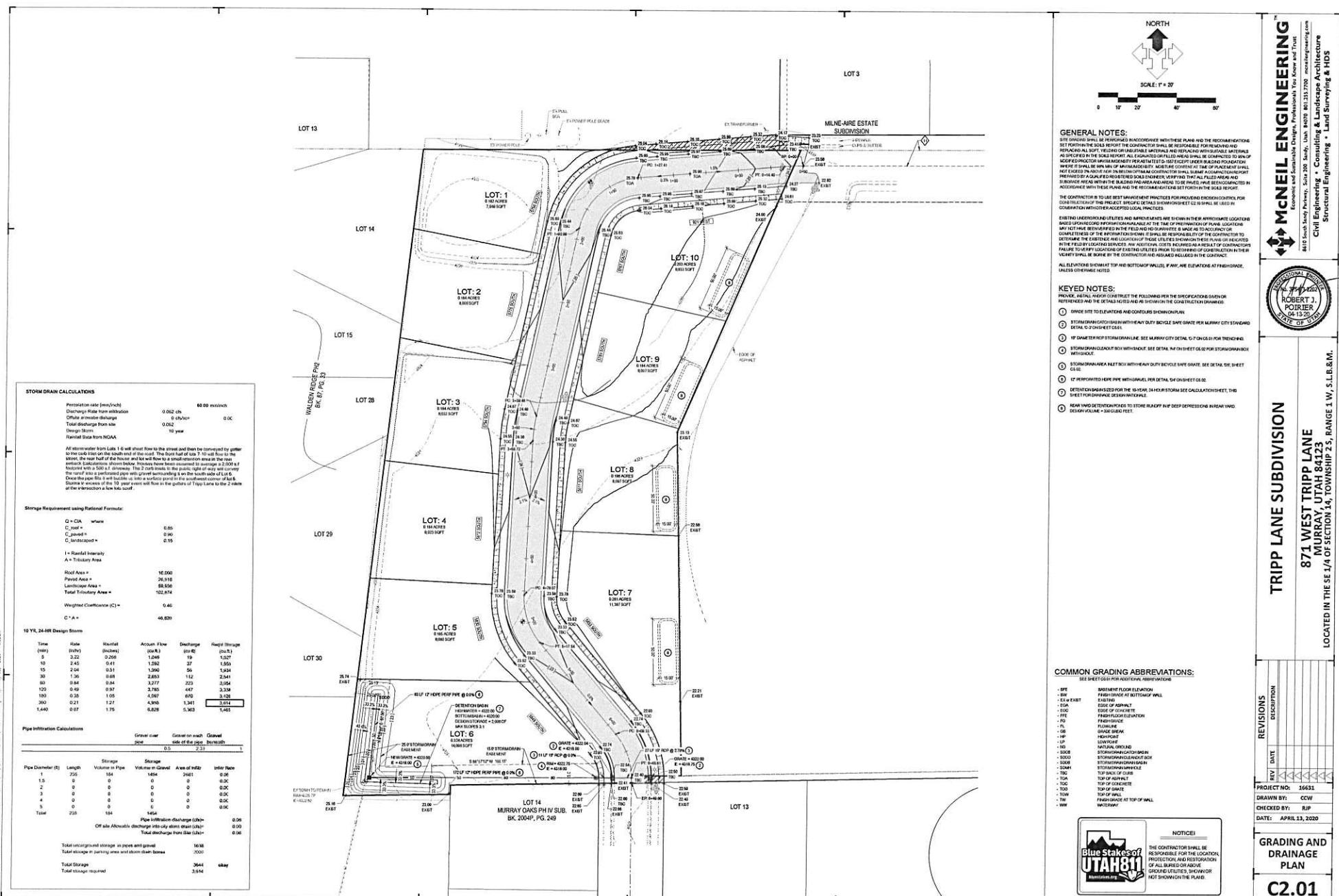
ALL WORK AND MATERIALS MUST
CONFORM TO MURRAY CITY STANDARDS
AND SPECIFICATIONS

DEVELOPER & OWNER
NEIGHBORWORKS SALT LAKE
BOB LUND
822 WEST 500 NORTH
SALT LAKE CITY, UTAH 84116
BOB@NW.SALT.LAKE.ORG
801-539-1590

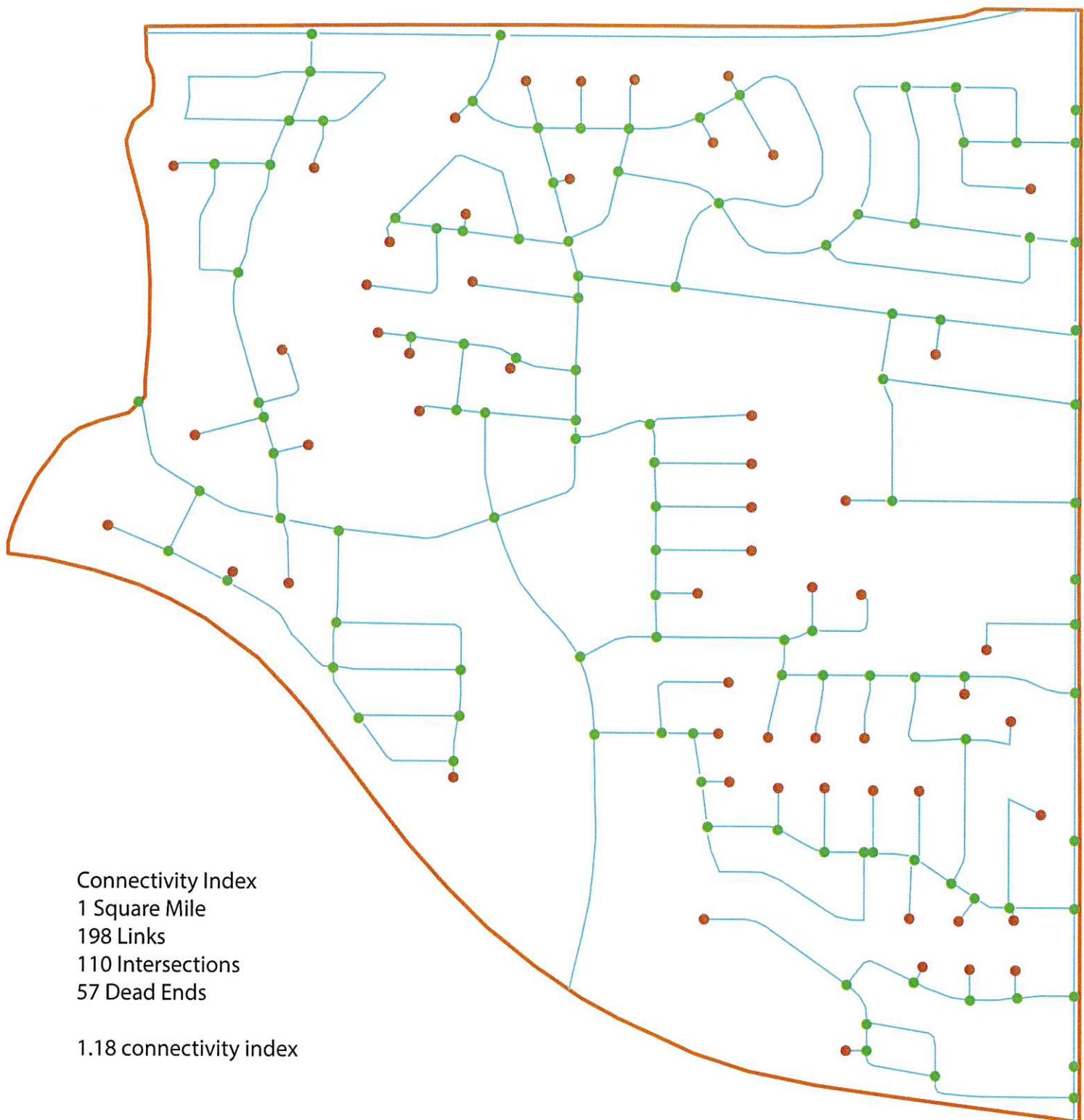


 Economic and Sustainable Designs, Professionals You Know and Trust

610 South Sandy Parkway, Suite 200 Sandy, Utah 84070 801.235.7700 mcneilengineering.com
Civil Engineering • Consulting & Landscape Architecture
Structural Engineering • Land Surveying & HDS



Digitized by srujanika@gmail.com



Connectivity Index

1.12 Square Mile

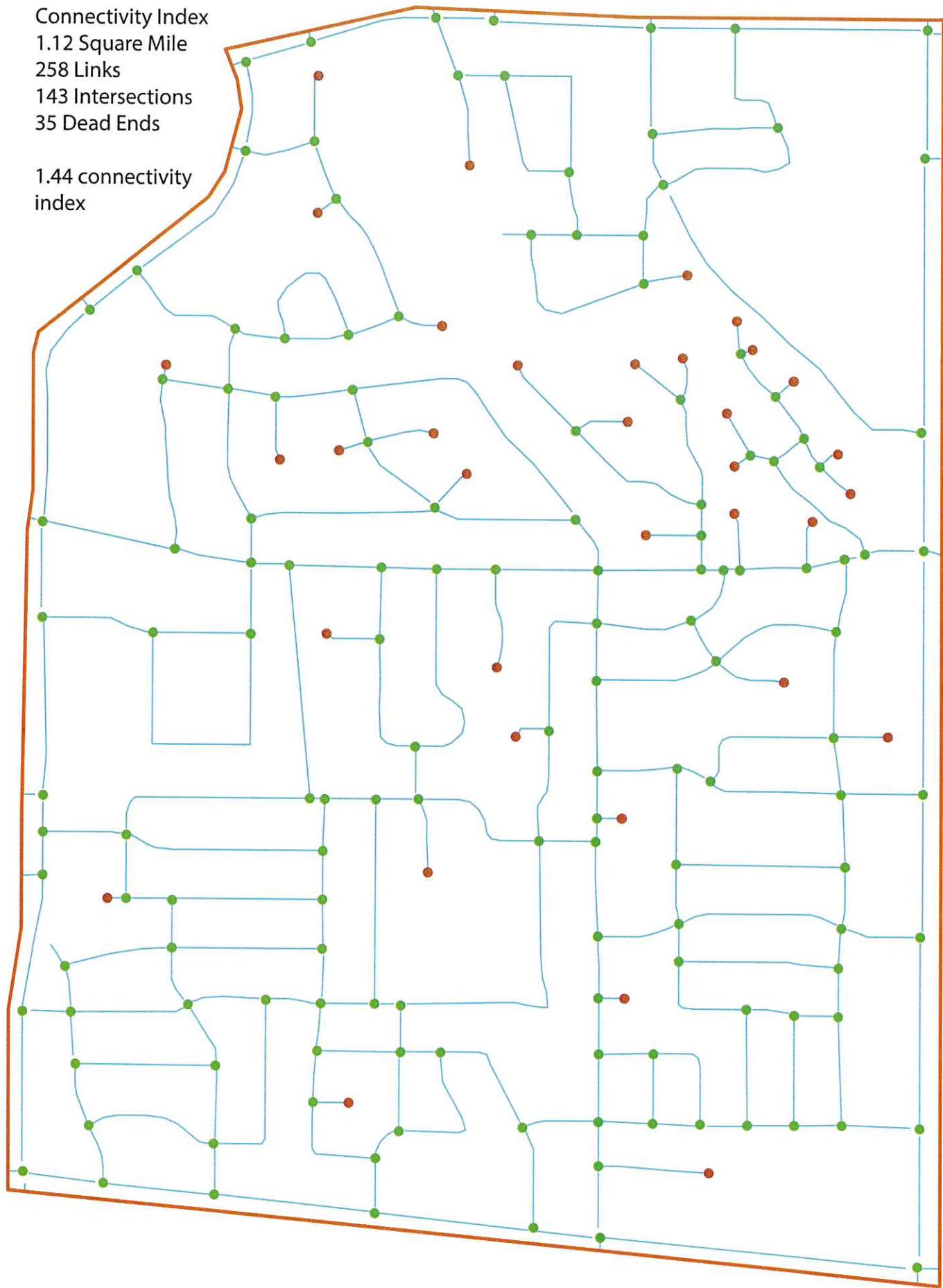
258 Links

143 Intersections

35 Dead Ends

1.44 connectivity

index



16.16.160: STREET DESIGN STANDARDS:

The following minimum standards and design criteria shall apply unless deemed unwarranted by written recommendation of the City Engineer. These standards and criteria shall be supplemented by other applicable existing engineering and construction requirements and standards as specified by the City Engineer.

- A. Subdivision Design: The subdivision design shall conform to the pattern of major streets as designated in the City General Plan and the Transportation Master Plan, or other official street plan adopted by the City.
- B. Access Design: The street and traffic access design of a proposed subdivision development shall promote the purposes and goals of the City's Master transportation plan. Any street design proposal which would effectively preclude or substantially impair the ability of the city to implement any listed possible solution to a listed traffic problem, as described in the transportation master plan, must be approved by the mayor after receiving the recommendations of the city engineer and the planning commission.
- C. Street Pattern: The street pattern in the subdivision shall be in general conformity with a plan for the most advantageous development of adjoining areas and the entire neighborhood or district. The following guidelines shall be considered in evaluating a proposed street layout:
 1. Proposed streets should be continuous and in alignment with existing planned or platted streets;
 2. Proposed streets shall be extended to the boundary lines of the land to be subdivided, unless prevented by topography or other physical conditions, or unless, in the opinion of the city engineer, the road extension is not desirable for the coordination of the subdivision with the existing layout or the most advantageous future development of adjacent tracts;
 3. Proposed streets shall intersect one another as nearly at right angles as topography and other limiting factors of good design permit;
 4. Alleys shall not normally be permitted in residential subdivisions, but may be permitted in nonresidential subdivisions.
- D. Subdivisions Adjacent To Arterials: Subdivisions adjacent to arterials should be designed according to the following guidelines:
 1. Street design shall have the purpose of making adjacent lots, if for residential use, desirable for such use by mitigating the impact of heavy traffic and of minimizing the interference with traffic on arterials;
 2. The number of intersecting streets along arterials shall be held to a minimum;

3. Frontage roads, if required or existing, shall be separated from the arterial or freeway by a strip of permanent landscaping not less than ten feet (10') in width. A landscaping plan for the strip shall be submitted for approval by the city forester. Frontage roads shall enter arterials by means of intersections designed with turning and stacking capacity adequate for the traffic volume as estimated by the city engineer;
4. Where frontage roads are not required, residential lots adjacent to an arterial shall be served by a minor residential street paralleling said arterial at a generous lot depth therefrom. The minor residential street shall be separated from the arterial by a strip of permanent landscaping parallel to the arterial right of way not less than ten feet (10') in width. Greater widths may be appropriate and required by the city engineer;
5. If the rear of any lot borders a public street, the subdivider may be required to execute and deliver to the city an instrument, deemed sufficient by the city attorney, prohibiting the right of ingress and egress from said public street to that lot. In addition, a masonry wall and related improvements must be installed as provided in this chapter.

E. Grades: Curves and sight distances shall be subject to approval by the city engineer to ensure proper drainage and safety for vehicles and pedestrians. Grades of all streets shall conform in general to the terrain, and may not be less than one-half percent ($1\frac{1}{2}\%$) nor more than five percent (5%) for main thoroughfares nor more than ten percent (10%) for minor streets.

F. Curb Radii: Curb radii at intersections shall comply with specifications as directed by the city engineer. (Ord. 94-40 § 1: prior code § 30-44)

16.16.170: RELATION OF NEW STREETS TO ADJOINING STREET SYSTEM; ACCESS STREETS:

- A. Continuation of Existing Streets: The arrangement of streets in new subdivisions should provide for the continuation of the existing streets from adjoining areas and should provide access to unsubdivided adjoining areas. The subdivider may be required to submit a plat providing streets which will continue into adjacent undeveloped property and which describes a proposed entire street alignment which will provide the access to collector or other major streets as required in this chapter or to implement the city's transportation master plan.
- B. Maximum Dwelling Units On Single Access Street: Residential subdivisions must have adequate access to and from streets.
 1. Single- And Two-Family Dwellings: Any residential subdivision development of more than thirty (30) single- or two-family dwellings shall have access to and from at least two (2) existing or proposed streets.
 2. Multiple-Family Dwellings: Any residential subdivision development of more than one hundred (100) multiple-family dwellings shall have access to and from at least two (2) existing or proposed streets.

3. Engineering Consultant; Study: In the event a subdivision proposal for new lots to be served by a new or an existing single access street system where the total number of dwelling units existing, plus those proposed by the applicant, is likely to exceed the maximum dwelling units allowed, as set forth in subsections B1 and B2 of this section, the applicant shall retain a professional engineering consultant, acceptable to the city, to conduct a thorough study relative to the local street system and inherent safety concerns. The city engineer may render an opinion on the consultant's study and a recommendation to the planning commission. Additionally, if the city engineer deems an additional study necessary after reviewing the consultant's study, the city engineer may conduct a study and render an opinion; with all costs to be paid by the applicant. Upon the planning commission's finding that a study is acceptable the applicant shall further demonstrate to the planning commission that the existing street system and fire suppression availability, together with any proposed improvements, is conducive to efficient travel, public safety, and the protection of property and the community residents therein.
4. Greater Access Requirements: Access requirements should not be construed to limit the city's authority to impose greater access requirements for residential areas if, in the opinion of the city engineer or the city fire marshal, the extent of existing and predicted residential development in a given area requires additional street access.

C. Design Standards: Every development proposal shall demonstrate to the satisfaction of the city engineer, city fire marshal and planning commission that the overall street system design and subdivision layout incorporates design features conducive to efficient travel, public safety, and the protection of property and the community residents therein. The basis for the required improvements shall be in accordance with the street design and fire suppression standards adopted by the city. Required improvements shall bear a proportionate, rational nexus to the impact of the proposed development on the local roadway system.

D. Findings: The planning commission may make findings, based upon the recommendations from the city engineer, city fire marshal, other staff members, expert opinion, the applicant and public comment. Findings should include, at a minimum, that the access street(s) and the proposed connection(s) to other streets will safely and adequately accommodate the vehicle trips and turning movements which may reasonably be expected to be generated by the proposed development; and that the proposed access will adequately accommodate the delivery of municipal services. (Ord. 07-42 § 2: Ord. 94-40 § 1: prior code § 30-45)

16.16.180: STREETS, ALLEYS, CUL-DE-SACS AND EASEMENTS:

- A. Streets: Streets shall conform to the width designated on the transportation master plan and as designated by the standards adopted by the city engineering division. The subdivider may be required either to provide land for widening of established streets within or adjacent to a proposed subdivision or to provide land for new streets necessitated by the development.
 1. All streets must have a minimum width of forty nine feet (49') with an asphalted width of twenty five feet (25').

B. Permanent Cul-De-Sac Streets And Turnaround Requirements: The turnaround at the end of a dead end street designed and approved to be permanently closed to through traffic must meet the following requirements:

1. No cul-de-sac street may exceed one thousand feet (1,000') in length;
2. The turnaround at the end of the street must have a right of way radius of fifty feet (50') measured from the center of the turnaround to the property line;
3. The length of a cul-de-sac street is measured from the center of the turnaround to the opening of the street, as determined by the city engineer;
4. An existing street which is retrofitted to become a cul-de-sac street must meet the requirements of this section.

C. Temporary Cul-De-Sac: If a subdivision street is intended to continue into adjacent property to comply with the requirements of subsection A of this section, a stub street with a temporary cul-de-sac may be established under the following conditions:

1. If no residential lots use the temporary cul-de-sac street for access, the street may be of any length and need not have a turnaround at its end;
2. If the stub street is in excess of one hundred feet (100') in length, one lot at the end of the street must be temporarily used for the construction of a turnaround as approved by the city engineer and the fire chief. Curbs, gutters and sidewalks are required to be installed. It shall be the responsibility of the developer who constructs the continuation of the street to install curb, gutter and sidewalks for the lot used for the turnaround. The stub street shall not be included in any subdivision plat without the express written approval of the city engineer and the planning and zoning commission;
3. If the stub street is less than one hundred feet (100') in length, no temporary cul-de-sac is required. (Ord. 07-42 § 2: Ord. 94-40 § 1: prior code § 30-46)

16.16.210: PROCEDURE FOR CLOSURE OF ROADWAYS:

In addition to the requirements set forth in section 10-8-8.1 et seq., Utah Code Annotated, as amended, the following procedures shall be followed for the closure of any road:

- A. Petition; Filing: Petition for road closure shall be filed with the planning and zoning commission who shall submit the same to the traffic committee for its recommendation regarding the proposed closure. Upon receipt of the recommendation, the planning and zoning commission shall consider whether or not the road should be closed.
- B. Closure: If the decision of the planning and zoning commission is to recommend closure, such decision shall be forwarded to the city council for their consideration pursuant to the terms of state law.

- C. Open: If the decision of the planning and zoning commission is to have the road remain open, the decision shall be final unless appealed by any resident of the city to the city council. The appeal must be made in writing and within fifteen (15) days from the date of the decision of the planning and zoning commission.
- D. Relevant Standards: The traffic committee, planning and zoning commission and the city council, when considering the proposed closure of a road, must base their decision upon, among other reasons, the following:
 1. Traffic volume projected for the road both in an open and closed configuration;
 2. Compatibility of the adjacent properties and projected land uses;
 3. **It is the intent of the city to have streets interconnect with other subdivisions and adjacent properties;**
 4. Effect of closure of road will not increase the response time of public safety vehicles responding to emergencies. (Ord. 94-40 § 1: prior code § 30-49)



To: Murray City Planning Commission
From: Maria Garciaz, CEO
NeighborWorks Salt Lake
Subject: Tripp Lane Development
Date: July 7, 2020

Dear Planning Commission Members,

NeighborWorks Salt Lake is a non-profit organization that was established in 1977 to revitalize neighborhoods experiencing blight in decline. We work to revitalize neighborhoods house by house, block by block. We build on the strength of the neighborhoods we serve and work in partnership with residents, government, and local business to build and sustain neighborhoods of choice.

Because of our successful track record of 42 years, in 2010 we were invited by Murray City as a result of a housing study to respond to an increased need to provide housing for median to low income families and revitalize some struggling neighborhoods. Over the last 10 years, we have rehabilitated or developed over 25 properties worth \$8.75 million and helped numerous low to median income families achieve the American dream of home ownership.

Tripp Lane was identified as a problem property when the original owners of the property passed-away and it was left to the heirs. The heirs were occupied by other demands and had little time to maintain the property which resulted in some enforcement issues that they responded to and complied with. NeighborWorks was able to negotiate with the family to acquire the property with the intent to build out this agricultural property to single-family homes. The family had many offers to sell to multifamily developers but felt the best legacy for their parents would be single-family housing for first time homebuyers.

In working with Murray City departments to develop the plans for the property we discovered that Murray City's original plan was to connect Tripp Lane with Willow Grove Lane. When the homes on Willow Grove Lane were originally developed the street was left as a dead end in anticipation of the road going through. As it is now, public works vehicles such as garbage trucks, fire engines, other emergency response units etc. have a difficult time turning around at the end of the street. This creates a safety issue. We also understand that there is a safety issue on Tripp Lane in the mornings and in the afternoons when the Jr. High school begins and ends. The parents who drop off and pick up their children access the school from Tripp Lane. As it is now,

they enter Tripp Lane from 700 West. After they drop off their children, they must go back out on 700 West which creates a traffic jam. It is unsafe for the children who are walking to school as well. If the road went through it would create a much smoother traffic pattern as parents could enter Tripp Lane from 700 West and then continue Westbound to exit the neighborhood instead of returning to 700 West. Therefore, as requested by Murray City engineering, we developed our plans with the road going through which will accommodate 10 homes on R1-8000 lots. We recognize that not all residents are supportive of this through street, however, there are many who do support this including the schools and residents along Tripp Lane.

As a tenured developer, we recognize the importance of working with local government to build this development that will serve the community in the long run that will promote access and safety for all residents and first responders.

In 2019, NeighborWorks initially did a draft design for Tripp Lane as a cul-de-sac and during this process was told by Murray City to redesign with a street connecting Tripp Lane to Willow Grove Lane. We hired an engineer at an expense of \$15,000 to do a final design connecting the street which is the design we submitted for preliminary review by Murray City Engineering Department.

We recognize the challenges in building a through street and look to the planning commission to invite the stakeholders to share their concerns.

In summary, NeighborWorks goal is to create housing for first time homebuyers and will build out infrastructure for 10 homes to be built. There will be some compromise and additional cost if we build a cul-de-sac versus a through road with a potential cost increase from \$125,000 per lot to \$150,000. A cost we will pass on to the buyer of the lot making the lots less affordable. As we cleared the property to prepare the land for development we have heard from many residents excited for their children to purchase a lot to build a home and we have done our best to minimize expenses to keep lots affordable for first time homebuyers.

NeighborWorks is neutral on a through street versus a cul-de-sac since additional expense will be passed on to the buyer. As the planning commission reviews comments, we want to make sure the commission hears from residents for and against connecting the streets for safety and access issues.

Agenda item #5
Tripp Lane

From: [Brenda Green](#)
To: [Susan Nixon](#); [Jared Hall](#)
Subject: Tripp Lane
Date: Monday, July 6, 2020 10:57:05 AM

Dear Jared and Susan,

As you well know the drop-off and pick up of students at Riverview Jr. High is a mess. The current situation has most traffic coming into the area from the top of Tripp Lane along with pedestrian traffic. This scenario has always been very dangerous for the students, during my 20 years on Tripp Lane I know of at least 4 students who have been hurt in accidents with countless other crashes and close calls. My own daughter was involved in a crash during the early morning drop-off this year.

You can reach Tripp Lane from Bullion Street along the 8th west street.

The property at the bottom of Tripp Lane has been sold and Murray City's master plan has the road connecting Tripp Ln to Willow Grove, this would create another well-needed way in and out of the area around the school. Relieving the strain where most of the cars enter and depart causing dangerous situations daily.

The master plan will alleviate the traffic problems around the Jr high by adding another way in and out of the area. Ten affordable houses will add to the neighborhood. Being in the middle of the valley Murray is a very sought after location to live. Affordable housing will help a family enjoy a great place to live.

Per Zach, at Murray City, the right of way on Tripp Lane is 41 feet and the right of way on Willow Grove is 50 Ft. Tripp Lane has been handling the traffic load all these years and with 9 more feet of right of way, Willow Grove will be able to share the traffic load.

National studies prove that multi ways in and out of an area reduce the traffic congestion in that area. Tripp Lane area has been waiting for the road to go through for a long time. Thanks for making this happen. Thanks for making the area safer for the students at Riverview Jr High.

Sincerely,

Brenda Green



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**Agenda item #5
Tripp Lane Subd**

From: [Brenda Hales](#)
To: [Jared Hall](#); [Susan Nixon](#)
Subject: Through Street at the end of Tripp Lane
Date: Wednesday, July 8, 2020 9:17:59 PM

This letter is regarding the proposed development at the end of Tripp Lane. My family has lived on the corner of 800 West and Tripp Lane for over 20 years and have seen first-hand the traffic problems that exist. On school mornings, and afternoons there is a steady flow of traffic coming down 800 West and turning on to Tripp Lane to drop off, or pick up, their children from school at Riverview Junior High. Cars seem to think the stop sign at the end of 800 West is a yield sign and blow right through it. There have been countless near-miss accidents at that location. When you add the Junior High children walking or riding their bikes to and from school along that road as well, things begin to get pretty dangerous. Cars also enter Tripp Lane from 700 West. In the years that we've lived here, there have been four children hit by cars.

There is always a long wait to get off of Tripp Lane on to 700 West. It has helped somewhat, now that left turns are not allowed on to 700 West during school hours, but it is still very, very backed up. We see cars flipping around on 700 West because they actually need to go left, and that is dangerous too.

When there are school events, football, soccer, or softball there have been many times it has taken 15 minutes or more to get down Tripp Lane and onto 700 West. When there are emergencies during sporting events, ambulances and/or firetrucks have had a hard time getting down Tripp Lane and there is no ability for them to turn around to exit.

The master plan has always been for the street to connect through to the subdivision on Willow Grove Lane. By allowing this to become a through street it creates an additional access point that would help alleviate congestion, benefit first responders, and make it easier, and safer for kids being dropped off to school. I would vote to create a through street connecting Tripp Lane and Willow Grove Lane, for the reasons listed above.

Brenda Hales

From: [Doug Barnett](#)
To: [Planning Commission Comments](#); [Jared Hall](#)
Subject: Subject: Project #20-058 Trip Lane Subdivision (July 16 agenda)
Date: Monday, July 6, 2020 7:58:55 PM

I live next to the proposed subdivision planned for Tripp Lane. While I am happy this property is finally being developed, I am opposed to the subdivision as planned for the following two reasons:

- 1) The proposed plan requires condemnation of property not owned by the developer (taking property from Jim & Wendy Livingston). The use of eminent domain by Murray City to develop a *private* subdivision is a misuse of power when a viable alternative exists. I have spoken with NeighborWorks and they confirmed there is an alternative plan with a cul-de-sac that does not require the use of eminent domain. This alternative plan results in the same number of lots so the developer would earn the same profit and the city would receive the same property tax dollars. The use of eminent domain to take private property should only be used when there is no reasonable alternative. In this case, there is a reasonable alternative.
- 2) Willow Grove Lane is not designed to handle large amounts of traffic. Connecting Tripp Lane to Willow Grove Lane is not a typical extension of a subdivision. The extension will connect our subdivision to Riverview Park, Riverview Junior High and Viewmont Elementary which have a combined enrollment of 1200 students. Families that currently travel to the park and schools using main roads would now divert through this subdivision. Well-designed city planning should keep traffic on the larger roads to ease congestion and maintain safety for the students, not divert traffic to smaller residential streets. Neither Murray High nor Hillcrest vehicle access is designed to encourage surrounding neighborhoods to absorb traffic like this. Why should Riverview?

I strongly encourage city planners to consider alternative plans.

Doug Barnett
5856 S Willow Grove Lane
Murray UT 84123
Dlbarn72@gmail.com
801-673-2235

Agenda item #5
Tripp Lane Subd

From: [Elizabeth LARSEN](#)
To: [Susan Nixon; jhall@murray.gov](#)
Subject: Two Planning Concerns
Date: Wednesday, June 24, 2020 11:34:01 AM

Susan Nixon and/or Jared Hall,

I hope that I am contacting the right person. I live and own property at 5659 S 800 W and have concerns about two planning issues.

1-- **Tripp Lane subdivision** planned to have 12 to 15 new homes. Because of all the traffic we experience from Riverview Jr. High and the Softball fields on Tripp Lane, as well as all the traffic from the Elementary School which is right by us, I would be much more in favor of a CULDESAC COMING FROM CHERRY OAKS, OR A THROUGH STREET -- BUT NOT A CULDESAC ENTERING FROM TRIPP LANE. I don't feel that Tripp Lane is wide enough to handle more traffic. We already have parking problems that come all the way to where I live when there are events at these three locations.

2 -- **Construction of a Cell Tower** on 1044 Potomac Dr. I would not like a cell tower to be built there, but if it is built, I would like to see some landscaping done on the Rocky Mt. Power/PacifiCorp easement. Please refer to a letter from Kelly Lundeberg sent to the Mayor on June 22. Or contact her at 801-633-5720. I like her well thought out suggestions.

Thank you,
Elizabeth Larsen

From: [Emilee Barnett](#)
To: [Planning Commission Comments](#); [Jared Hall](#); bobl@nwsaltlake.org; davidm@nwsaltlake.org; jasminew@nwsaltlake.org; allisont@nwsaltlake.org; maria@nwsaltlake.org
Subject: 871 West Tripp Lane
Date: Tuesday, July 7, 2020 8:58:00 AM

Murray City Planning Commission,

I live at 856 S Willow Grove Lane and am writing in opposition to the proposed subdivision planned for 871 W Tripp Lane. I'm deeply concerned about my street connecting to Tripp Lane for the following reasons;

First, the NeighborWorks' website says it's goal is to help improve neighborhoods. By building the proposed road connecting Tripp Lane to Willow Grove Lane traffic will increase exponentially. The city engineer, Trae Stokes, believes the number of cars per day could be at least 300-400. This does not improve our quiet neighborhood; it completely destroys it. Permanently.

Second, buyers prefer a cul-de-sac over a busy street and are willing to pay more for a quiet subdivision. A cul-de-sac can be connected from Tripp Lane or Willow Grove Lane and instantly increase the value of these new homes, which increases revenue for the city.

Third, the intersection where Green Oaks Drive meets Cherry Oak Circle is near a blind hill. The stop sign at that intersection is treated as a suggestion by drivers. Entering and exiting my neighborhood is often dangerous. With traffic increasing by 400 cars along what is also the walking path of many students, Murray City will create a major safety issue and will need to consider providing a crossing guard.

Fourth, currently 700 West, Bullion and Green Oaks Drive are the main routes to the schools. They may take a few minutes longer but incorporate wider streets made to handle more traffic. And the streets closest to the schools—Bullion, 800 West, and Tripp Lane, have houses on one side of street only. That allows for a parked car and two lanes of passing traffic. The new subdivision and Willow Grove Lane will become a similar thoroughfare street but with homes on both sides of the street. Passing access will be limited to one lane when cars are parked along both sides of the street.

Fifth, Murray High School and Hillcrest Junior High School do not force the surrounding neighborhoods to absorb traffic like this. There is one access point to Riverview Junior High on Tripp Lane and one to Viewmont Elementary School on Anderson. Both access points are back logged at drop off and pick up times and will always be back logged regardless of the exit point of this new subdivision.

Let's continue the Murray way of creating desired neighborhoods and preserving safety for families.

Sincerely,
Emilee Barnett
emilee.barnett@msn.com
5856 S. Willow Grove Ln.

From: [Jared Hall](#)
To: [Jeff Waldram](#)
Cc: [Susan Nixon; Planning Commission Comments](#)
Subject: RE: NeighborWorks
Date: Thursday, July 9, 2020 4:18:29 PM

Mr. Waldram,

Thank you for taking the time to send in your comments and concerns. We will attach your email to the staff report that will be issued to the Planning Commission this weekend. If you have any questions please feel free to contact us at any time.

jared

Jared Hall
(801) 270-2427
jhall@murray.utah.gov

-----Original Message-----

From: Jeff Waldram <waldrampj@hotmail.com>
Sent: Thursday, July 9, 2020 3:50 PM
To: Jared Hall <jhall@murray.utah.gov>
Subject: NeighborWorks

Dear Mr. Hall,

I currently reside on Willow Grove Lane and am strongly opposed to the proposal of putting a road through our neighborhood and street. The original proposal for this project was for a cul-de-sac, with access off of Tripp lane. There is no need to ruin the quiet and calm of our dead-end street by making it a thoroughfare! It will bring too much unnecessary traffic, pollution, noise and congestion and we don't need that. Please use the original proposal, and keep the access from Tripp lane. Current council members have looked at the project and told us they favor this plan as well. Our street is way too small to handle the increased traffic flow.

Thank you for your consideration,
Jeff waldramp

Sent from my iPad

From: [Jessica Lucero](#)
To: [Planning Commission Comments](#)
Cc: [Susan Nixon](#); [Jared Hall](#); [Dale Cox](#); [Kat Martinez](#); [Rosalba Dominguez](#); diane.turner@murray.gov; [Brett Hales](#)
Subject: Re: development and access to Tripp Ln property
Date: Thursday, June 25, 2020 1:23:47 PM

Dear Planning Commission:

I'm writing regarding the Neighbor Works development project at the end of Tripp Lane. I live at 724 Tripp Ln, Murray, UT 84123 and have concerns about the possibility of redrafting the plans to include a cul-de-sac off of Tripp Ln. As I understand it, Neighbor Works has been advised to redraft plans to no longer include a through-street that would connect into Willow Grove community.

If plans are changed to create a cul-de-sac with primary entry and exit points being on Tripp Ln, then I urge the Commission to reconsider this action. I am not opposed to adding to the neighborhood; in fact, quite the opposite--I am in favor of the development. However, **Tripp Lane is not created in such a way as to safely or efficiently be the sole source to accommodate increased traffic due to new homes.**

As you are aware, Tripp Ln is the primary access point for Riverview Junior High and a secondary entrance to get to Viewmont Elementary. When school is in session, traffic is already quite heavy. Additionally, Tripp Ln is home to a good number of families with young children, including my own. We need to keep them safe to play in the neighborhood, and I commend the commission and the council in how traffic is directed when school is in session. However, building 12 additional homes with Tripp as the primary entry/exit point will dramatically increase traffic, thereby making it more congested and more difficult to keep safe for my five-month old and four-year old.

Instead of creating a cul-de-sac off of Tripp Ln, I support a proposal suggested by another Tripp Ln neighbor: **urge the owner of the land off of Willow Grove to sell in order to create a cul-de-sac (and not a through-street) onto Willow Grove. Hopefully this would respond to their concerns about increased traffic to Willow Grove by creating a through-street that links traffic from the schools to Willow Grove.** I contend that Willow Grove can sustain increased traffic as it is less trafficked (and would remain less congested) due to not having two schools' traffic. In short, that street could absorb increased traffic with minimal impact.

Please let me know if I can be of further assistance, or answer any questions you may have. Thank you for your time.

Sincerely,
Jessica Miller
724 Tripp Ln
Murray, UT 84123
lucero.jessica@gmail.com
(702) 499-1387 (mobile)

From: [Jim Livingston \(CTO\)](#)
To: [Planning Commission Comments](#)
Subject: Comments for July 16 planning commission meeting; Tripp Lane Development
Date: Thursday, July 9, 2020 9:35:39 PM

Following are my concerns regarding the proposed Tripp Lane development:

Connecting Willow Grove Lane to Tripp Lane would lead directly to two schools: Viewmont Elementary and Riverview Jr High, with a total enrollment of 1,200 students. The roads that these students currently use to commute to school are:

- Bullion
- Greenoaks
- Anderson
- 800 West
- Tripp, and
- 700 West

Every single one of these streets is either an extra wide street, or has homes on only one side of the street. Willow Grove Lane has neither of these features. Turning a narrow street with homes on both sides into a through street to the schools is not only impractical, but a clear indication that the city does not understand the extent of traffic that would appear. Many students walk to school, and this significant traffic would also pose a safety concern for students walking to school and crossing on this narrow residential street. Comments from the developer and proponents of this proposal imply that the current traffic issues at Riverview Junior High are a result of the only access point being at 700 West and Tripp Lane. This is not true. Most students living west of the junior high are already approaching the school from the west end of Tripp Lane (via 800 West). Adding another road inlet near 800 West will only cause new and additional congestion at the west end of Tripp Lane and will do nothing for the traffic problems at the school, as the students will still all end up in the same place.

Also, if there were a genuine concern that a connecting road is necessary for safety or emergency services, I would trust and hope that Murray would have addressed this issue during the 16 years our road has been completed. Murray City could have connected this street to Tripp Lane at any point during that time if there were concerns. The fire department is a straight shot from 5900 south to our street, and they would have no reason to wind around the neighborhood north of us. We have had no problems with garbage pickup or mail delivery, and we've had large delivery trucks come to our home with no issues at all. In addition, multiple studies show that crime is significantly lower on cul-de-sacs and dead end streets than on through streets, so this plan would instead create new safety issues for both of the neighborhoods.

I own the property at the north end of Willow Grove Lane, and in order to develop a through street Murray City would have to condemn a portion of my property. A city's condemnation of personal property should only be considered as a last resort. I have no doubt that the citizens of Murray will be very concerned if Murray City exercises eminent domain and condemns my personal property when there is a viable and preferred alternative to this plan with the development of a cul-de-sac.

We have met with each resident of our neighborhood, the residents at the west end of Tripp Lane where these streets would connect, and none are in favor of it. These are the citizens that will be most affected by this plan. Moving forward with plans only because they seem to look good on paper or match previous expectations is injudicious and irresponsible. If the city planning has any desire to put positive changes into effect, a through street is, for all of the reasons listed above, a clear step in the wrong direction. Luckily, it is not the *only* direction available.

Jim Livingston
5859 Willow Grove Lane
Murray, UT. 84123

From: [Kathy Milne](#)
To: [Planning Commission Comments](#)
Subject: Fw: Citizen Comments
Date: Thursday, July 9, 2020 9:07:04 AM

Subject: Citizen Comments

Dear Murray Planning Commission Members,

My name is Kathy Milne and I live in the last house on Tripp Lane. While I am excited and happy that the old Galvin property, kitty corner from me, is going to be developed, I do have concerns about the future traffic problems. If the road is developed from Willow Grove Lane to Tripp Lane there will be much more congestion and it will be less safe for our children. In talking with one person at the Planning Division they said that it would only be around a hundred more cars a day. I think that is way understated. A neighbor talked to the city engineer and they say that it will be between 200-300 more cars which I find to be more reasonable and truthful. Just the 10 new homes will add 20-30 cars traveling back and forth numerous times a day.

One of the reasons we built our home on Tripp Lane is that it is on a dead end street because of road and congestion issues we had where we lived in Sandy. There are parking issues with the ball park, football and with both Riverview Junior High and Viewmont Elementary. Although things have gotten slightly better with the added parking at Riverview, there is still a parking issue. Because of this issue, people park on both sides of Tripp Lane and on 800 West. There have been numerous times that I cannot get up the street or down the street because of the parking issue and vehicles trying to travel up or down the street. Tripp Lane is 10 feet wider than Willow Grove. People park extra cars in front of their houses. There is not room for homeowner parking and 2 lanes of through traffic!

Our neighborhoods consist of many cul de sacs and circles. This makes it a safer place for our children to play outside. I am asking you to please consider the safety of our children, as they walk to and from school. If you put a road in, it will be narrow, congested and people will speed. There will be continuous traffic which can bring in more crime.

Let us stay in with the design of the rest of the neighborhood. Put in a cul de sac, with a walkway if needed. Let's keep our neighborhood and our children safe. No through street!!

I have had a few conversations with individuals who have either bought the property or are developing it, etc. While they have stated they do not know if a through street is in the plans, a couple of the individuals have told me that they would prefer a cul de sac. Reason one, would be able to put in more homes and reason two, they said it would be safer and not only fit in with the neighborhood, but less congestion of traffic.

I agree with them. A little more traffic from a cul de sac is preferable over the traffic a

through street bring.

I also understand that there are other contingencies that need to be taken care of before the street can go through. NeighborWorks was aware of these contingencies when they bought the property.

I am hoping that you will listen, hear and take heed of how we feel concerning this development. Please consider our concerns and the issues a through street will bring into our neighborhood.

Thank you,
Kathy Milne
846 West Tripp Lane

From: Stephanie Topolovec <steph_top@yahoo.com>

Sent: Tuesday, July 7, 2020 10:07 AM

To: Jared Hall <jhall@murray.utah.gov>

Subject: Subject property Tripp Lane

Dear Mr. Hall and Planning Division,

We are writing to express our dire concerns of extending Willow Grove Lane. As we know, there are pros and cons from different neighborhoods to making Willow Grove a through street to Tripp lane.

1. A main road is already needed for lots 1-10 which can be designed to be wider by the planning divisions to suit two way traffic in/out and/or a bike path. In contrast to Tripp Lane, Willow Lane is lined with homes on both sides of the street, unlike existing Tripp lane. The south side of the street is a ball field that will never be developed. Willow is very narrow and if any cars are parked in front of the homes on the street, there is not enough room for traffic to be safe. Even more dangerous during the winter season when snow plows have pushed banks up reducing the space even more.
2. For children off Green Oaks and down Walden Ridge Road, this is a main walkway for the neighborhood to get to two public and a city park. We are quite sure residents of the new developments near Ivory would choose this new pass by car opposed to going on the main road of 700 West or up Bullion to save a few minutes as those streets are already congested.
3. The children living in the new development can walk to the schools and residents can more easily go out east on Tripp Lane quicker than thru subdivision onto Green Oaks Drive.

Please do NOT consider a through way. We believe this will be a huge mistake causing much automotive traffic (heard up to 400 cars/day) putting people at risk. We do strongly support a more usable, wider walkway for people to more easily get thru with bikes, double strollers, wagons for all patrons including Ivory homes which will promote walking to school and community unity. If this road is approved, we would expect 1) a 3 way stop sign at corner of Willow Grove and Green Oaks Drive, 2) crossing guard to insure safety during school times as they do on Bullion and 3) residents would be allowed to post no parking on both west or east sides of the streets 24:7, thus making citizens upset when attending school or sport games at Riverview ball field.

Thank you for your consideration,

Kevin and Stephanie O'Brien

844 W. Cherry Oak Circle

From: [Lindsay Ross](#)
To: [Jared Hall](#); [Susan Nixon](#)
Subject: Property at 871 West Tripp Lane
Date: Wednesday, July 8, 2020 6:06:10 PM
Attachments: [Livingston Parcel No. 21-14-426-037-0000.pdf](#)
[Livingston Parcel No. 21-14-426-037-0000 Map.pdf](#)

I would like to tell you of my support to have this street be a through street and not a cul-de-sac where the only entrance is from Tripp Lane. I have lived the majority of life on Bullion Street, minus 10 years, and I am 42 years old. The traffic isn't necessarily bad on Bullion, but it is pretty bad on Anderson Avenue and Tripp Lane because of the schools and the different sports and activities that happen there. That doesn't just mean the flow of traffic, it is the parking that happens on the street as well. Tripp Lane is more narrow than Anderson Avenue and the parking is always a disaster waiting to happen. When my daughter played softball at Riverview, I wouldn't drive to the school right after work, I would go home and walk, because it took me less time to walk there than to drive, park and then try to leave at the same time as all the other parents. I can't imagine what it is like for those that live on Anderson Avenue and Tripp Lane.

I have heard talk of a "master plan" that shows that Willow Grove Lane has always had the plan to go through if that property was developed and that is why Willow Grove Lane is not a cul-de-sac and it just ends. Can you tell me where to find the master plan on the City's website so I can see what that is?

I have seen the Salt Lake County records showing the property that Jim Livingston owns next to his house (his house address is 5589 Willow Grove Lane and the parcel next to him is parcel number 21-14-426-037-0000). It would be a shame if Mr. Livingston tried to use that to stop the through street. Him owning that little parcel seems ridiculous because it does not benefit him in any way and has nothing to do with the property his house is located on. If the City were to condemn it, I don't see how it would cause him any harm because his actual house would not be affected in any way. It seems more like an entitlement issue for them not wanting to be part of that street and getting some traffic spread across the area instead of just on Tripp Lane.

Thank you for your time and the work that you do for Murray. I work for Salt Lake City so I understand the pain that this can sometimes be and I appreciate your hard work in trying to do what is best for the entire City and not just want a few people in the City want or demand.

Thank you,
Lindsay Ross
757 West Bullion Street
Murray, UT 84123
(801) 634-4730
linzross77@gmail.com

My Map



July 7, 2020

1:1,387
0 0.01 0.01 0.03 0.05 mi
0 0.01 0.03 0.05 km

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community. Sources: Esri,

This map was created by the office of the Salt Lake County Assessor, in
The information depicted here is to be taken as an approximate fit in regards to the spatial position of the layers presented. This map is not intended to represent an actual field Survey of, nor establish an acutal relation between, any of the layers depicted here.



Parcel Data And Documents
For Parcel Number • 21-14-426-037-0000

Active Parcel Number

Legal Description:

BEG NE COR OF MURRAY OAKS PHASE 4 AMD; S 88°59' W 488.5 FT M OR L; N 4.83 FT M OR L; N 88°59' E 488.5 FT M OR L; S 4.76 FT M OR L TO BEG. 0.05 AC. 9022-4627,4735

Acreage:	Address:	City:	Land Value:	Bldg Value:	Total Value:
0.0500	5859 S WILLOW GROVE LN	MURRAY	4,700.00	0.00	4,700.00

Owner(s) of Record Found: 2

Owner Name		Trustee Name	PR	Interest	Owner AKA	LifeEstate	Exec	Admin	Guard	Cnsrvtr	Cust
LIVINGSTON JIM	JT										
LIVINGSTON WENDY	JT										

Total Documents Found: 6

Entry Number	Book	Page	Type	Date	First Parties	Second Parties	Consideration	Doc	Plat
10978611	9835	9888	TAX D	6/28/2010	SALT LAKE CNTY	LARSEN, RONALD JT LARSEN, SHERRIE C JT			
12753560	10665	2639	WD	4/16/2018	LARSEN, RONALD G LARSEN, SHERRIE C	LIVINGSTON, JIM JT LIVINGSTON, WENDY JT		✓	✓
12753561	10665	2640	TRD	4/16/2018	LIVINGSTON, JIM JT LIVINGSTON, WENDY JT	AMROCK UTAH INC QUICKEN LOANS INC	420,800.00	✓	
12753562	10665	2656	R JUDG	4/16/2018	LARSEN, SHERRIE C	LARSEN, RONALD GLEN		✓	
13058978	10820	6135	TRD	8/26/2019	LIVINGSTON, JIM LIVINGSTON, WENDY JT	MANN, BENJAMIN UNITED WHOLESALE MORTGAGE	248,000.00	✓	
13131266	10863	8373	RECON	11/22/2019	AMROCK UTAH INC QUICKEN LOANS INC	LIVINGSTON, JIM JT LIVINGSTON, WENDY JT		✓	

From: [Stephanie Pollei](#)
To: [Jared Hall](#)
Subject: response to Tripp Lane subdivision
Date: Thursday, July 9, 2020 1:05:39 PM

Kevin and Stephanie Pollei
5861 South Cherry Oak Circle
Murray, Utah 84123

Murray City Planning Commission
4646 Riverside Dr.
Murray Utah 84123

July 8, 2020

For the attention of Mr. Jared Hall – Community and Economic Development Supervisor

Reference: **Tripp Lane Subdivision Preliminary Subdivision Review- NeighborWorks Salt Lake Project #20-058**

Proposed a ten (10) lot single family residential subdivision at 871 West Trip Lane – Connecting Tripp Lane with Willow Grove Lane

We write in connection with the above planning application. We are homeowners that reside within 500 feet of the property in question. I have examined the proposed site and submitted plan. **We wish to strongly object to the proposed 10 lot subdivision plan that connects Tripp Lane and Willow Grove Lane, creating a local thoroughfare between the two neighborhoods. We are not contesting the building of the subdivision if the approved future plan does not connect the two roads. The real potential impact to consider is not from the lots in the subdivision but from the potential change in traffic patterns due to the hundreds of homes in the surrounding area using the shortcut.**

The Tripp Lane Subdivision proposal should be completely and thoroughly studied, and a plan approved that would benefit the safety and well-being of the stakeholders and community. This proposed plan to connect the roads does not meet this criterion. Many stakeholders/homeowners will be adversely affected if the two roads are connected and citizen safety is at risk. We will now outline major concerns and reasons why this plan should not be approved as presented:

- There has not been a formal traffic study performed. This needs to be undertaken. As stated in the Murray Engineering Specification and Requirement Document, “a traffic study may be required to determine impacts and mitigation of new or modified access points on a roadway system.”
 - The Murray Engineering Document further states, “Typically, a Traffic Impact Study (TIS) is required for any proposed development that generates 100 or more peak hour trips.” The Murray Engineer has stated that the traffic would increase to 300-400 cars per day. This a huge increase in use, that this size of road was not built to sustain.
 - This connecting of the roads would function as minor collector allowing Green Oaks traffic to access 7th West. As stated in the Murray Engineering document a minor collector needs to have 2-3 lanes. The width of Willow Grove is barely within approved lane dimensions. If there is a car parked on the

side of the road it impedes travel. If two cars are parked on each side of the road it is impossible for cars to pass.

- The intersection of Cherry Oak Circle and Green Oaks is already confusing to motorists. The double stop signs in a matter of 100 feet are often ignored. The recent development of the 90 Ivory and Gough Homes west of the Willow Grove and Tripp Lane adds to the additional traffic. With the increased traffic and blind sightlines on Green Oaks there have been multiple near misses of auto accidents.

- A crosswalk and crossing guard will most likely need to be built and funded on the corner of Green Oaks and Cherry Oaks Circle because many children and teenagers use the existing walkway to Riverview and Viewmont. This will be an added ongoing expense to the Murray taxpayers that does not have to be undertaken if the plan is not approved. An engineering study is required for new crosswalks. The Engineering document states that crosswalks should be avoided in locations with the following characteristics.

- Inadequate stopping sight distance for motorists. – Green Oaks has a blind hill when traveling Eastbound by Willow Grove.
- Inadequate visibility for pedestrians – Again, the blind hill makes it difficult to see oncoming traffic
- High vehicle turning movements – most traffic flow involves turning if the roads are connected there will be an increased amount through traffic adding more confusion
- Inadequate Lighting – These roads do not have adequate street lighting for increased travel of young pedestrians and motorists. Again, this is added expenses to taxpayers.

- No other residential neighborhood with a small local road in Murray is configured to bear the brunt and weight of traffic for a junior high school AND an elementary school. All Murray schools with the exception of Longview have travel patterns that bypass small residential roads the size of Willow Grove for their entry/exit ways. Longview being the exception however the road only services the one school.
- Tripp Lane and the surrounding roads would not benefit from less traffic with the connected roads. This connected road would only bring more congestion to their streets with people accessing 7th west travelling eastbound.

The city/developer is asking the Willow Grove/Cherry Oak Circle homeowners to carry this unfair, unneeded, and unwanted burden of increased traffic and safety. It is our understanding that the developer has a plan that includes a Cul-de-sac with the same number of lots as proposed in this plan. This other plan needs to be presented to preserve the safety and value of the neighborhood. As a planning commission, We urge you to set aside any personal opinions of having a shortcut that may briefly convenience others not living in the immediate neighborhood while continually disrupting and causing safety issues to the homeowners.

Sincerely,
Stephanie Pollei and Kevin Pollei

From: Mark Grandinetti <mgrandinetti@rockymountainpies.com>
Sent: Tuesday, July 7, 2020 10:54 AM
To: Jared Hall <jhall@murray.utah.gov>
Subject: Tripp Lane Subdivision

Hello Jared,

Thank you for your recent notification regarding the Tripp Lane Subdivision. I'm responding today with points for you and the group to consider during your July 16th electronic meeting. We built our home on Bryanston Cove in 1988 and have watched the neighborhood mature over the years to a point where we are considering a move because of the traffic. Greenoaks Drive has become a major artery for the area, we were promised by Murray City when 5900 South was punched through back in the early 1990's that traffic into the neighborhood would be discouraged by the city, thus the cement barrier was built at the entrance of 5900 South and 700 West giving the illusion that the street was not a through street, as you know, it didn't take everybody in the area very long to figure out the short cut. Murray City Police have consistently enforced the speed limit with their portable traffic signs with the red and blue police lights and now permanent flashing speed limit signs. The upgraded speed limit signs were installed for a reason – the residents have called Murray City Police numerous times because of the traffic load and inherent speeding that takes place on a neighborhood street that was turned into a major artery by the city. It appears you are attempting to make the same mistake again, just like in early 1990's when another home builder submitted plans to the city, that in the end made the home builder more \$\$ and created our current traffic issues. Now the city is considering to drink the same Kool-Aid from a different home builder and make a bad situation even worse! Are we ever going to learn from our mistakes?

- The car count on Greenoaks Drive is already maxed out because of all the new homes

built (West) of the Walden Ridge subdivision. By the way, when are the roads below Walden Ridge scheduled to be improved to handle all of the new traffic? Hopefully that issue is on your agenda?

The two stop signs you installed on Greenoaks and Normandy Oaks Circle were poorly planned and really don't stop or slow down the traffic.

The roads below Walden Ridge are in extremely poor shape! Yet, another home

- builder made a lot of \$\$ and Murray City increased its tax base. While the Walden Ridge residents continue to be impacted negatively.
- Willow Grove Lane that will connect to the new Tripp Lane subdivision is very narrow. The left and right hand turns required off of or onto Greenoaks Drive will cause additional congestion and also add an element of danger to all those who live on the street, especially the school age children who walk to and from school. The additional traffic that will connect the new subdivision to Walden Ridge will be magnified by all of the traffic that has been created by the new homes that have been built to the West of Walden Ridge.

As you know Bullion street was designed to handle the additional traffic and that's the road the new houses to the West (residents) should use to drive their kids to

school.

As you know Bullion street was designed to handle the additional traffic and that's the road the new houses to the West (residents) should use to drive their kids to school.

- The new Tripp Lane subdivision residents will have many options to drive into their new homes from 700 West – via Anderson Ave, Bullion Street, 800 West, Tripp Lane.

•

I encourage you to apply common sense to your decision and do the right thing.

Thanks in advance for your consideration.

Par

Mark (Par) Grandinetti

President

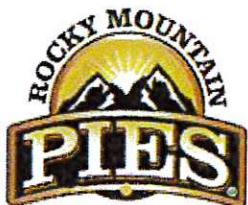
250 Crossroads Square

Salt Lake City, Utah 84115

801 233.6662

801 879.3937 cell

mgrandinetti@rockymountainpies.com



From: Stephanie Pollei <spollei12@gmail.com>
Sent: Thursday, July 9, 2020 1:05 PM
To: Jared Hall <jhall@murray.utah.gov>
Subject: response to Tripp Lane subdivision

Kevin and Stephanie Pollei
5861 South Cherry Oak Circle
Murray, Utah 84123

Murray City Planning Commission
4646 Riverside Dr.
Murray Utah 84123

July 8, 2020

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Sincerely,
Stephanie Pollei and Kevin Pollei

July 8, 2020

My name is Steve Fidel. I live at 940 W. Bryanston Cove where my wife and I have raised four children in the neighborhood adjacent to Viewmont Elementary and Riverview Junior High. All four of our children attended both of those schools, and I am quite familiar with the pedestrian and vehicular traffic patterns in and around the neighborhood and the two schools.

I have observed passionate conversations for and against the NeighborWorks Salt Lake proposal that is before the Planning Commission. Those conversations often make references to a master plan as well as concerns about traffic safety issues if the existing Willow Grove Lane is connected to the NeighborWorks development. Pedestrian safety is my primary concern.

Presuming references to a master plan are talking about the "2017 Murray General Plan," I have read all 172 pages in the PDF of the plan. I have studied many master plan documents as part of my profession and am impressed by the scope of the research conducted to compile this plan; however, I see nothing in the 2017 plan that addresses the parcel of land or street in question. I believe individuals referring to the plan to make arguments supporting the proposal to connect Willow Grove Lane to Tripp Lane have not read the plan or are misusing the plan to the detriment of the neighborhood.

The 2017 plan does set out city objectives that serve as cautions regarding the NeighborWorks proposal:

Objective 1 of the Transportation Systems Overall Goal is to "provide safe and efficient movement of traffic on city streets while maintaining the integrity of the neighborhoods."

The integrity of the neighborhood would be compromised by connecting Willow Grove Lane to the NeighborWorks project because six additional neighborhood streets, 12 residential street intersections and an additional 69 homes (including the 10 lots proposed by NeighborWorks) would be added to a new junior high traffic pattern. Given both the elementary and junior high school's locations within the respective school boundaries, a professional traffic study would be needed to estimate whether adding more routes to the school would have any beneficial impact on the streets now carrying the burden of the junior high traffic: 800 West and Tripp Lane. I suspect residents there would see little to no benefit and would experience more through traffic in addition to the school traffic.

Pedestrian traffic to and from Viewmont Elementary School, one block north of the junior high, would also be negatively impacted if the additional streets become vehicular traffic conduits to the junior high. The current Willow Grove Lane has a pedestrian access through the fence and is exclusively a pedestrian conduit to both schools. Connecting Willow Grove to Tripp Lane would make Willow Grove the collecting point for all vehicular traffic using new routes to the junior high. Working toward greater multi-modality is also an objective of the 2017 plan: "Working to make a more pedestrian and bike friendly community can help set Murray apart and work toward regional smart growth initiatives," and "Site design standards for developments should prioritize pedestrian and bicycle access, not just consider automobile access." The current proposal does not meet that objective.

Objective 3 of the Transportation Systems Overall Goal is to "support residential traffic calming where proven effective and cost efficient."

Traffic calming is not enhanced by pushing more school traffic through additional neighborhood streets. The best way to calm traffic on the neighborhood streets adjacent to the junior high would be to have a traffic study consider the benefits of moving the entrances to the junior high drop-off lots away from Tripp Lane and around the corner to face 700 West. The best way to calm traffic on the new section of street proposed for development by NeighborWorks and enhance pedestrian safety would be to end the street in a cul-de-sac.

Thank you for your work and consideration.

From: Susan Michaels
To: Planning Commission Comments; Jared Hall
Subject: Subject: July 16th Agenda – Tripp Lane Subdivision
Date: Friday, July 10, 2020 3:21:37 PM
Attachments: [The Effects of Traffic Flow on Residential Property Values.pdf](#)
[Types of Roads That Can Have a Big Impact on Home Sales.docx](#)

Murray City Planning Commission,

My comments below are for the July 16th Planning Commission meeting to discuss the Tripp Lane Subdivision. I am writing to oppose the Subdivision as designed. I realize this letter may take longer than 3 minutes to read in the meeting, so during the meeting please focus only on those sections highlighted below.

This subdivision needs to be a cul-de-sac, not a connecting road. A connecting road will divert too much traffic to the residential streets during peak drop off and pick up times at the adjacent junior high and elementary schools.

For Murray City Planning

First, I've heard city staff, and NeighborWorks claim the current dead end streets on Tripp Lane and Willow Grove lane pose a safety issue. In the 15+ years these roads have existed please provide examples proving this safety issue exists. I am certainly not aware of any.

Second, why would Murray City want to increase traffic through a residential neighborhood? I refer you to the attached study by *The Journal of American Planning* which actually **shows closing off residential streets improve safety NOT OPENING THEM UP**. The research study is focused on two neighborhoods in Grand Rapids Michigan which had the highest pedestrian-vehicle accident rates in the city. The city decided to block off (not open more) streets to divert traffic. **The study results:**

In the two year period following the insertion of street diverters, accident rates in the area dropped 95.5%

Property values for those homes still experiencing high traffic were valued between 15% and 30% less than homes in the area that saw the traffic decline.

If safety is your concern, building this road is not a solution, it makes the problem worse. The solution is to build a better pick up / drop off for students for the junior high on 700 west.

Finally, increasing traffic through a residential neighborhood is contrary to your own 2017 Murray City Master Plan which states the following objectives:

Preserve and protect the quality of life for a range of viable residential neighborhoods.

Provide safe and efficient movement of traffic on City streets while maintaining the integrity of neighborhoods

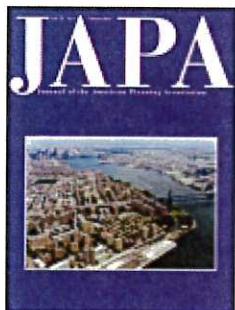
Optimize the existing transportation network to effectively meet current and future needs without compromising quality of life.

So, again I ask, why would Murray city want to INCREASE traffic through a residential neighborhood?

For NeighborWorks

There are many articles that substantiate a cul-de-sac is a much safer and more sought after place to live than a main street. See attached example. If NeighborWorks is truly focused on creating a safe environment for families and children, a cul-de-sac should be the preferred option.

Thank you,
Susan Michaels



The Effects of Traffic Flow on Residential Property Values

D. Gordon Bagby

To cite this article: D. Gordon Bagby (1980) The Effects of Traffic Flow on Residential Property Values, *Journal of the American Planning Association*, 46:1, 88-94, DOI: [10.1080/01944368008977020](https://doi.org/10.1080/01944368008977020)

To link to this article: <https://doi.org/10.1080/01944368008977020>



Published online: 26 Nov 2007.



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The Effects of Traffic Flow on Residential Property Values

D. Gordon Bagby

This article presents an empirical study of the effects of traffic flow on residential property values in the community of Grand Rapids, Michigan. Residential values in two identical neighborhoods are compared over a twenty-five year period. One neighborhood serves as a control for the measurement of the impact of changes in traffic flow upon

The importance of traffic intrusion as a neighborhood detriment has long been recognized. Thirty years ago Reginald Isaacs (1949) observed that uncontrolled traffic streams "undermine the value of individual homes and neighborhoods in a city." More recently, several studies by Anderson and Wise (1977), Gamble et al. (1979, 1974), and J. P. Nelson (1978) have demonstrated the impact of new highways on adjacent properties. This article considers the property value consequences of residential through traffic.

Traffic, with its attendant pollution, noise, and safety hazards,¹ is an externality imposed upon inner-city residents by truckers and commuters. Consequently, any curtailment in neighborhood traffic reduces a cost born by residents which in turn augments the net benefits of their housing services. These additional net benefits, when capitalized, increase home values.

A unique experiment conducted in Grand Rapids, Michigan, during the early 1950s permits a rare opportunity to observe this sequence of events unfettered by the movements of other variables. Both the experiment itself and its results are of interest to planners.

The community

Until the early 1950s, the community of Grand Rapids, Michigan, fought, rather than accepted, the

residential values in the other. The results show that residential property values exhibit a surprisingly high elasticity with respect to reductions in traffic flow. The policy implications of these findings for cities laid out in a gridiron street pattern are explored.

automobile. At approximately the same time that Grand Rapids had the highest per capita number of cars of anywhere in the country, the city had one of the lowest per capita expenditures for street improvements. As points of congestion mounted along major traffic arteries, more and more commuters and shoppers chose to take advantage of the city's archaic grid street pattern by taking short cuts through residential districts to avoid congestion and delay.

In two older neighborhoods located in the southern part of Grand Rapids equidistant from the central business district (known locally as the Burton Heights (BH) and Dickinson (D) areas) the problem was particularly severe (see Figure 1.) In 1949, both neighborhoods combined had among the highest pedestrian-vehicle accident rates in the city (twelve accidents, nine of which involved children), as well as a high vehicle-vehicle accident rate.

Neighborhoods

Besides having similar traffic problems, the Dickinson (D) area and the Burton Heights (BH) area shared other characteristics. At the neighborhood scale, the neighborhoods were adjacent, both were of the same size (739 homes in BH, 731 homes in D), and both were bordered on all sides by major traffic arteries (Figure 2). Each single-family residential neighborhood was zoned on the north for industry and possessed a large commercial area in each corner (Figure 3). Both neighborhoods were served by the same elementary school in the Dickinson area and all children attended the same high school located one mile to the north.

D. Gordon Bagby is an assistant professor in the Department of Economics at the University of Illinois at Urbana-Champaign.

All streets of both neighborhoods were heavily planted with trees, served by underground sewage and water lines, and patrolled by police and fire vehicles. The homes on these streets were older, single-family frame structures (95 percent being built before 1939), exhibiting little variation in design or density. Most homes were built on seventy-five foot lots with twenty-five foot setbacks.

The neighborhoods were also homogeneous demographically (see Table 1). Almost no minority residents lived in the area during the period from 1950 to 1970.² A population pyramid for the census tract embracing both neighborhoods indicates a young family life style in 1960 and 1970 (see Figure 4). Block data from the Census of Housing show that 47 percent of the census-tract's population resided in Burton Heights while 53 percent lived in the Dickinson Area.

Traffic volumes

New stopgap measures (stop signs, traffic lights, etc.) installed in 1950 to lower the accident rate, ac-

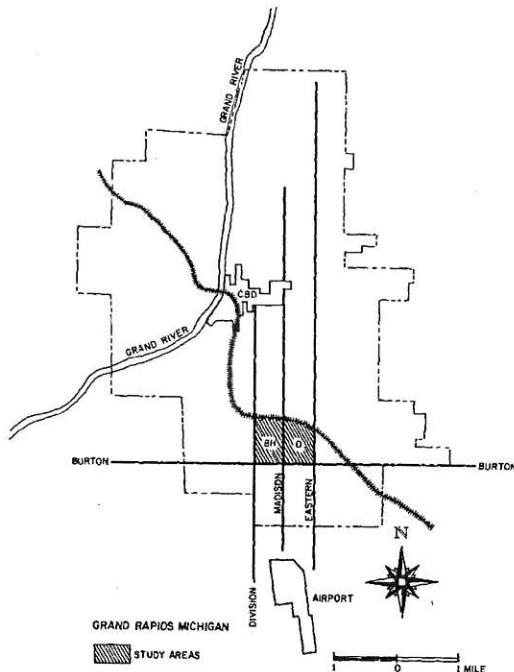


Figure 1. Location of Burton Heights and Dickinson areas in Grand Rapids, Michigan

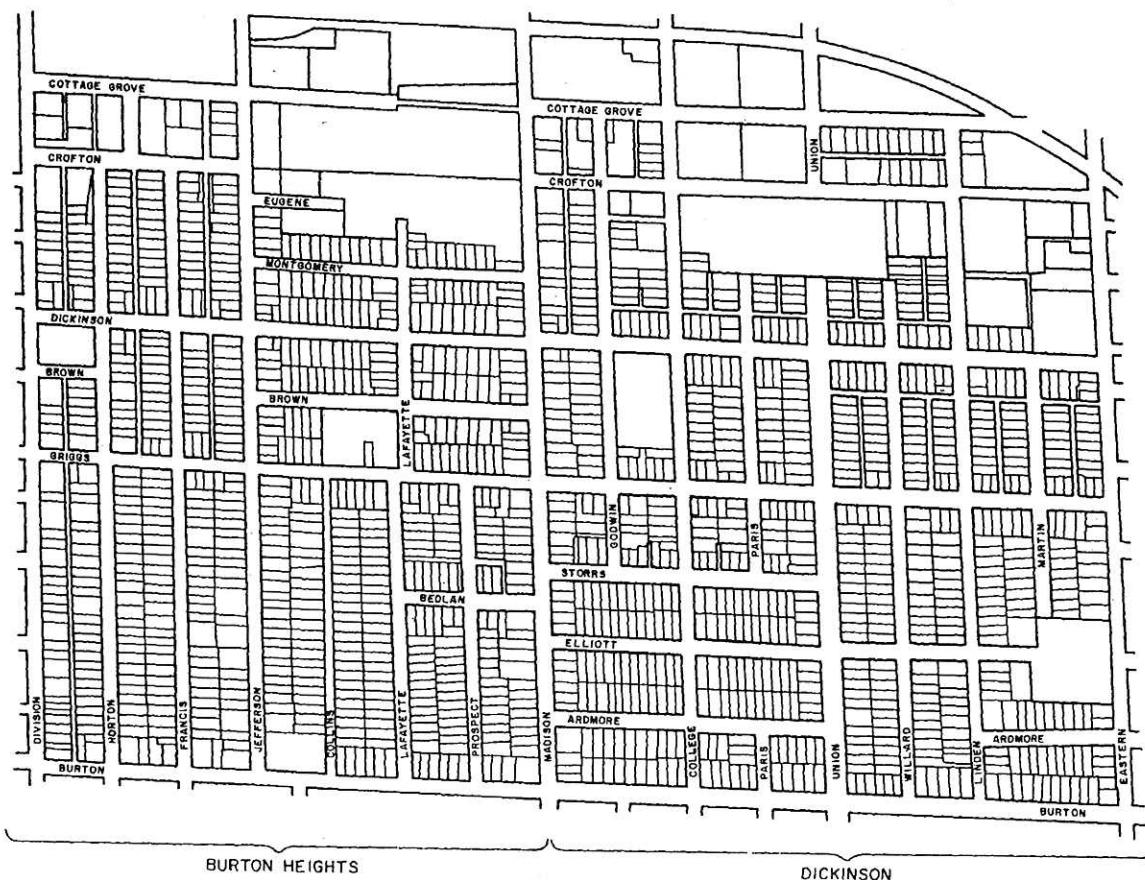


Figure 2. Street layout of Burton Heights and Dickinson areas

Table 1. Population characteristics of the Burton Heights and Dickinson Census Tract

	1960	1970
Total population	4980	4848
White population	4972	4810
Non-white population	8	38
Married couples	1160	1010
Persons under 18	1805	1751
Median years of schooling	12.1	12.6
Median family income	\$6617	\$8978

complished little towards improving the traffic situation. Traffic flow and accident rates in the year following these improvements were as high as those of the preceding year.

In May of 1951, the death of a six-year-old boy hit by a speeding truck in the Dickinson neighborhood precipitated an appeal for help to the City Planning Department of Grand Rapids from an ad hoc citizens group. The City Planning Department, in turn, recommended a simple rearrangement of curbs, the insertion of planting strips at three critical intersections in the neighborhoods (Figure 5), and the closing of key streets which adjoined the industrial district to the north of the neighborhood. These improvements (called street diverters), would discourage through bypass traffic, and yet permit residents and service vehicles easy access to various parts of the neighborhood. Two years after the street diverter proposal was suggested, a plan costing \$130,000 was passed by a referendum of home-owners in the area, and implemented by the municipal department of public works.

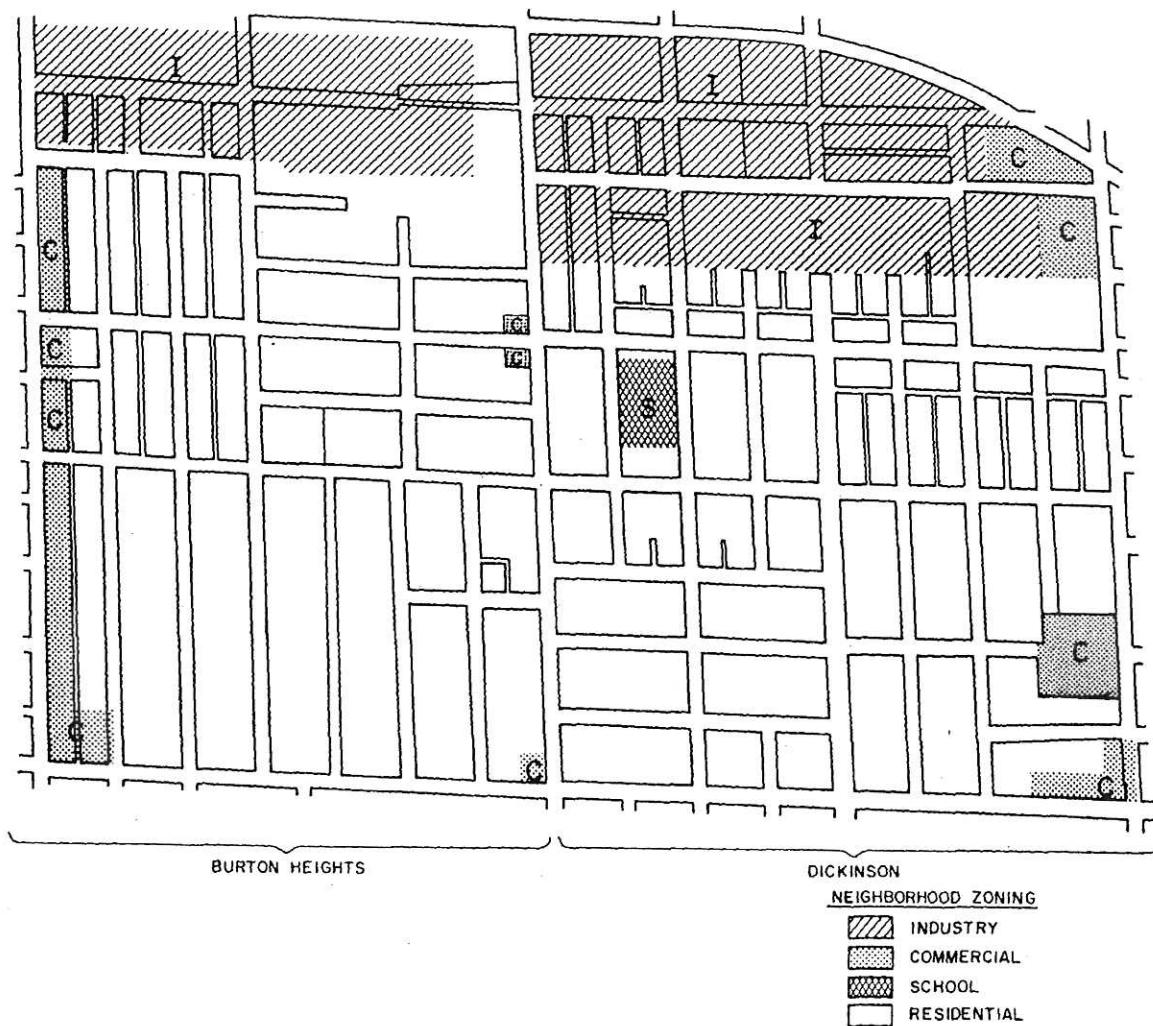


Figure 3. Neighborhood land use map

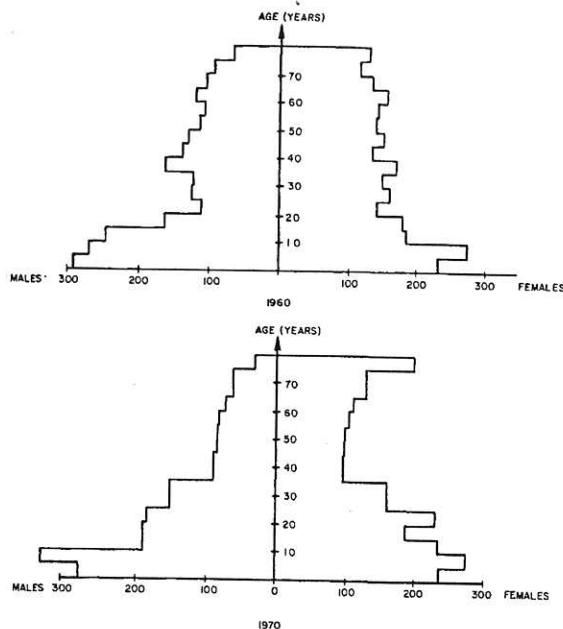


Figure 4. Population pyramids for the census tract containing both neighborhoods, 1960 and 1970

The immediate changes in traffic volumes in the Dickinson neighborhood were striking. On College Avenue, the major north-south through artery in the Dickinson neighborhood, traffic proceeding southward from the industrial district to Burton Street declined from 1770 vehicles per day to 387 vehicles per day almost overnight—a 78.1 percent decrease, while traffic proceeding northward along the same road declined from 143 vehicles per day to 126 vehicles per day (an 11.9 percent decrease). On Griggs Street, the neighborhood's major east-west artery, vehicle counts dropped from 736 vehicles per day to 111 vehicles per day, an 85 percent decrease. Comparable changes occurred elsewhere.

A comparison of 1957 traffic volume with that of 1952 suggests that nearly all of the traffic diverted from the Dickinson neighborhood returned to the major north-south arteries of Madison and Eastern and did not diffuse into the adjacent Burton Heights neighborhood.

In the two-year period following the insertion of the street diverters, accident rates in the Dickinson area tumbled 95.5 percent, from forty-three in 1951-1953, to two, during 1955-1957. The Dickinson neighborhood had been transformed from one of Grand Rapid's most dangerous neighborhoods to one of its safest.

Property value measurement

In the ten year period following the implementation of the street diverters in the Dickinson neigh-

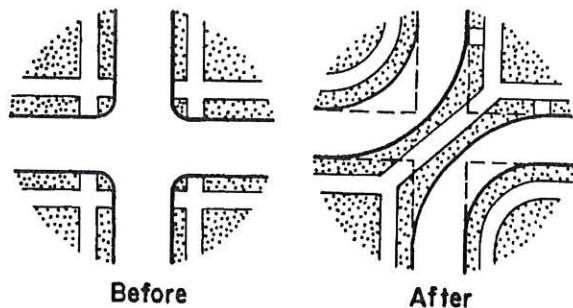


Figure 5. Street diverter concept

borhood, real estate values in that neighborhood, as measured by five separate indices, seemed to increase at a greater rate than did market values in the unprotected Burton Heights area.

Changes in assessed value

In 1952 and 1965, complete reassessments of both neighborhoods were made by the Grand Rapids City Assessor's office. Similar assessing procedures were used each time, computing assessed value as 33 percent of real market value.

If a picture is worth a thousand words, then Figure 6, a portrayal of increases in assessed value of more than \$600, speaks volumes. A complete population tabulation for both neighborhoods suggested that the average home in the Dickinson neighborhood increased in value \$1225 (from \$13,101 to \$14,326) during the 13-year period between reassessments, while the average home in the Burton Heights neighborhood increased in market value \$425 (from \$10,365 to \$10,790). Computing these increases as a percentage of base year value, these changes represented a 9.35 percent increase in average home value for the Dickinson neighborhood, and a 4.1 percent increase in net home value for Burton Heights. Unfortunately, the wide dispersion of market value about assessed values in a regression of randomly selected sales prices on their assessed values ($R^2 = .78$, Standard error of estimate = 1620, $N = 44$), suggests that these differences in assessed value could have arisen by chance. That is to say, the differences in assessed values of \$1225 and \$425 were exceeded by the regression's standard error of estimate (\$1620).³

Sales data on homes sold before and after traffic control

Records of all homes sold before and after the Dickinson neighborhood improvements for both neighborhoods were obtained from Grand Rapids Real Estate Board data. Changes in value of homes between sales, computed on both an annual increase basis and on a simple average change basis, indicated that homes in the Dickinson area increased in average

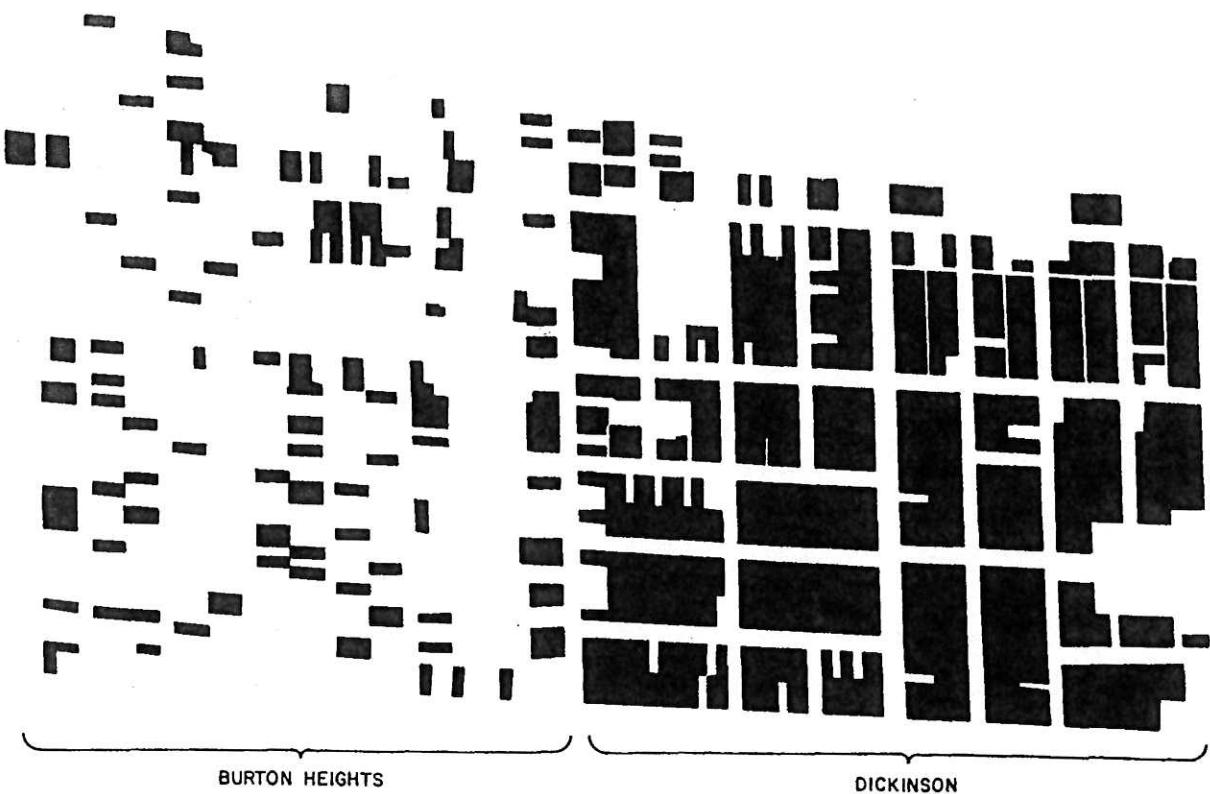


Figure 6. Properties having increases in assessed value exceeding \$600 (1952-1965)

value \$635 between sales, while homes in the Burton Heights neighborhood increased by \$16 between sales.

Changes in sample sales data

Sales data on homes sold either before or after the street improvements were assumed to be randomly distributed throughout the neighborhoods, and hence representative of average sales values within the neighborhood in both periods. Sales information for all homes sold either in 1952 or 1965 was compiled for each neighborhood and averaged. These tabulations suggested that the homes in the Dickinson area increased in value by \$1250 during the thirteen year period (vis-a-vis the \$1225 increase recorded by average change in assessed valuation), but that the average sale value of homes in the Burton Heights area actually *decreased* by \$650. (The change in assessed value had been + \$425).

Census home interviews

For the U.S. Census of Housing in 1950, 1960, and 1970, homeowners in both neighborhoods were asked what their homes would sell for on the open market. This data was totaled and averaged for both neighborhoods. This indicator suggested that from 1950 to 1960, the average home in the Dickinson neighborhood increased in value by \$2696 (from \$9955 to \$12,651) while the average home in Burton Heights,

according to the testimony of the residents, increased by \$1845 (from \$9273 to \$11,118). From 1960 to 1970, there was a further increase of \$904 in Dickinson and \$583 in Burton Heights.

Since the census home interview data are subject to the obvious limitation that homeowners tend to be poor judges of the actual resale value of their own homes, these results must be treated with caution. Robins and West (1977) find, for example, that homeowners overvalue their homes by about \$1260. However, it could also be argued that homeowners are quite knowledgeable about local market conditions in their immediate neighborhood. Kain and Quigley (1976) assert that census data are more accurate than assessed valuations.

Perhaps a more accurate measure is provided by the monthly rental data reported to the census takers. These block data show a 9.53 percent difference between the two neighborhoods in 1950, an 18.42 percent difference in 1960, and a 17.41 percent difference in 1970.

Econometric analysis

An analysis of variance was conducted of sales price data in both neighborhoods for the year 1977, twenty-five years after the reduction in traffic volume. Sales data on sixty-two homes sold in the Dickinson and Burton Heights areas were partitioned by neighbor-

Table 2. Changes in property values (unadjusted)

Measure	Year	Burton Heights	Dickinson	Percent difference
US Census (median home value)	1950	\$9,272	9,955	7.36
	1960	11,118	12,651	13.78
	1970	11,701	13,554	15.34
US Census (average monthly rent)	1950	44.79	49.06	9.53
	1960	67.98	80.50	18.42
	1970	84.20	98.86	17.41
Assessed valuation (average)	1952	10,365	13,102	26.39
	1965	10,791	14,327	32.77
	1978	14,963	19,043	27.27
Comparative sale price of identical homes	Pre-1952	10,886	11,665	7.16
	Post-1952	10,866	12,224	12.49
Sale price of all homes	1954	11,150	12,450	12.46
	1965	10,500	13,700	30.47
	1977	12,752	15,360	20.45

hood and number of rooms. The null hypothesis that the neighborhoods had identical housing values was strongly rejected at the one percent confidence level ($F[1,57] = 19.433$) as was the null hypothesis that differences in room size had no effect on housing value ($F[2,57] = 11.911$). It was not possible to reject the null hypothesis that house sizes in the two neighborhoods were similar ($F[2,57] = 2.901$).

Conclusions

Table 2 portrays all five measures of property value for both neighborhoods. Table 3 presents the same information in constant 1967 dollars. Although each such measure is subject to varying degrees of reliability, their overall consistency suggests that the reduction in traffic did, in fact, occasion a significant shift in land values. While both neighborhoods ex-

hibit a typical diminution of real property value with age, the rate of decay in the Dickinson area appears to be substantially less than that experienced in Burton Heights (29.13 percent vis-à-vis 40.70 percent).

If these differences in decay rates can be attributed to the street diverter program, the ensuing traffic reduction averted a loss in Dickinson's average home value of between \$626 and \$976 in 1967 dollars for a total saving of between \$457,000 and \$713,456 in property values. When these figures are compared to the original \$178,321 cost of the street diverters and street closings themselves (\$130,000 expressed in 1967 dollars), the benefit/cost ratio to the residents themselves exceeds three.

Issues

Some might challenge these conclusions, arguing instead that these savings do not really represent a

Table 3. Changes in property value in 1967 dollars

Measure	Year	Burton Heights	Dickinson	Percent difference
US Census (median home value)	1950	12,860.26	13,807.58	7.36
	1960	12,529.98	14,257.68	13.78
	1970	10,062.86	11,656.44	15.34
US Census (average monthly rent)	1950	62.12	68.05	9.53
	1960	76.61	90.72	18.42
	1970	72.41	85.02	17.41
Assessed valuation (average home value)	1954	13,040.43	16,482.32	26.39
	1965	11,416.88	15,157.97	32.77
	1979	7,750.83	9,864.27	27.27
Comparative sales prices of identical homes	1954	13,520.41	14,487.93	7.16
	1965	11,496.23	12,932.99	12.49
Average sale prices of all homes	1954	13,848.30	15,462.90	12.46
	1965	11,109.00	14,494.60	30.47
	1977	6,567.28	7,910.40	20.45

net benefit to the city as a whole since they have been purchased at the expense of the commuter (who experiences greater travel delays), adjacent neighborhoods (which suffer from greater traffic flows), and downtown merchants (who lose sales and profits to competing retail establishments because of the greater inconvenience of traveling to the central business district). Although we have taken pains to demonstrate that the spillovers to adjoining neighborhoods have been negligible, these spillovers, even if present, could be avoided if other neighborhoods adopted street diverter programs. The objections pertaining to downtown merchants and commuters are more difficult to answer outside of the context of a general equilibrium model of the entire metropolitan area. Nevertheless, everyone would agree that a fundamental principle of economics is that costs should be born by those who inflict them, and so long as they are not, commuters will "overproduce" neighborhood noise and pollution and disguise the need for additional highway improvements.⁴ Consequently, the appropriate solution is not to accept the status quo, but rather, to levy a tax on commuters to bring their marginal private costs into conformance with the social costs they inflict on the neighborhoods they pass through. To do otherwise subsidizes commuters and downtown merchants at the expense of inner city homeowners—a set of circumstances difficult to justify on either efficiency or equity grounds. Exactly how such a tax could be levied, collected, and disbursed is, of course, a difficult matter. It would seem far simpler to prevent residential traffic intrusions altogether.

Policies

Since many American cities are laid out in a grid-iron street pattern, these findings would seem to have relevance far beyond the boundaries of Grand Rapids. It appears, therefore, that several policy recommendations pertaining to traffic control at the municipal level in general can be derived from this study.

First, if the Dickinson neighborhood did, in fact, experience a significant increase in property values as a consequence of its street diverters and street closings, this suggests that similar improvements in the livability of older urban residential districts can be obtained elsewhere by simply curtailing through traffic. Alternatively, even if the street diverter program did not enhance residential property values but merely slashed neighborhood accident rates, this too would suggest the desirability of street diverters, street closings, or other impediments to traffic flow in urban districts inundated with non-residential traffic movement. In either case it would seem fiscally prudent for municipalities to encourage such improvements. This could be done by establishing a pol-

icy whereby the city would defray a certain proportion of the total costs of a neighborhood diverter program if the residents of that neighborhood elected to pay the remaining share.

In actual fact, the twenty-five year old Grand Rapids street diverter program is an isolated event and forgotten by almost everyone. In several respects this is rather unfortunate. Although the automobile has wrought many significant changes on the urban environment, this study would suggest that the deterioration of sound urban neighborhoods need not be one of them.

Author's note

The author is indebted to two anonymous referees for numerous helpful suggestions.

Notes

1. See, for example, Harland and Abbott (1977) and Myrtle (1976).
2. In the latter half of the 1970s, large scale change in the racial composition of both areas occurred, thereby confounding the traffic effects being studied. For this reason, the study focuses on the preceding 1950-1970 period.
3. This lack of meaningfulness may be due to the fact that assessments are not made wholly on the basis of market value but on some overall evaluation of structures. According to the current city assessor, the latter appears to have been the practice in Grand Rapids during the period in question.
4. For an interesting discussion of this point, see Fisher and Peterson (1976).

References

Anderson, R. J., and Wise, D. E. 1977. The effects of highway noise and accessibility of residential property values. DOT-FH-11-8841, Springfield, VA: NTIS, March.

Fisher, Anthony C., and Peterson, Frederick M. 1976. The environment in economics: a survey. *Journal of Economic Literature* March: 1-33.

Gamble, Hays B., and Saverlender, Owen H. 1979. Adverse and beneficial effects of highways on residential property values. *Transportation Research Record* 508. *Social, Economic, Behavioral, and Urban Growth Consideration in Planning*. Washington, D.C.: Transportation Research Board, National Research Council, pp. 37-48.

Gamble, H. B., et al. 1974. *The influence of highway environmental effects on residential property values*. Research Publication No. 78. University Park, Pa.: Pennsylvania State University, Institute for Research on Land and Water Resources, April 1974, PB 233157.

Harland, D. G., and Abbott, P. G. 1977. Noise and road traffic outside homes in England. *Laboratory Report* 770. Crowthorne, Berkshire, England: Transport and Road Research Laboratory, p. 28.

Isaacs, Reginald R. 1949. Neighborhood theory in planning. *American Institute of Architects Journal* 11, March: 102-107.

Kain, John F., and Quigley, J. M. 1976. Note on owner's estimate of housing value. *Journal of the American Statistical Association* November: 803-806.

Myrtle, James W. 1976. The annual housing survey. *Construction Review* 22 August/September: 4-10.

Nelson, J. P. 1978. *Economic analysis of transportation noise abatement*. Cambridge: Ballinger.

Robins, Philip K., and West, Richard W. 1977. Measurement errors in the estimation of home value. *Journal of the American Statistical Association* 72: 290-294.

Types of Roads That Can Have a Big Impact on Home Sales

A double yellow line could kill a deal, but a cul-de-sac could bump a home's value



By Devon Thorsby, Editor, Real Estate | Nov. 1, 2019, at 4:44 p.m.

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A house hunter's [must-have list](#) for a new home often includes the number of bedrooms, necessary appliance updates and maybe a garage or backyard. But one detail that's often left off is actually just outside the property lines — and it's a major deal-breaker for homebuyers. The road your house is located on, backs up to or is even in the general vicinity of can have a significant impact on your home's resale value and how long it takes for you to find a buyer. Before you buy your dream home on a busy street or near a railroad, consider how these road features can become a major turnoff for future buyers.

High-traffic road

Living off of a road that sees a lot of cars going back and forth throughout the day can make for a hassle getting in and out of the driveway. Plus, others generally have a lower opinion of homes located on a busy street, says Greg Hague, CEO of Real Estate Mavericks, a real estate coaching firm based in Scottsdale, Arizona. "If you go in most of these homes, there would be some perceptible traffic noise, but it's not worth a home being 30 percent less — [the reason is because of the perception of a home on a busy road and the difficulty selling it](#)," he says. It might take more time on the market and a lower asking price to entice buyers than a similar home on a quieter street.

Cul-de-sac

[The farther inside the neighborhood you go, the less traffic you'll experience and the more desirable the houses typically become, explains Roberta Parker, a real estate agent for Berkshire Hathaway HomeServices Fox & Roach, Realtors in Princeton, New Jersey. By only having one entrance and exit to the street, a cul-de-sac keeps traffic minimal, which is](#)

a big selling point down the line. “A cul-de-sac is your best investment,” Parker says.

Dirt road

Some people prefer to get away from high-traffic counts so much that they’ll leave pavement altogether. A dirt or gravel road will certainly attract fewer cars, but any buyer considering a home on an unpaved road should factor in the hassle of everything getting dirty a lot easier and more often. “Your car gets dirty, your house gets dirty — your house gets dirty as other cars drive by,” Hague explains. While this might not be a hassle to you, consider the greater difficulty you’ll have selling the home, as many homebuyers prefer a fully paved road for convenience.

Near a traffic light

Even if your area doesn’t experience high traffic volume throughout the day, having a traffic light within eyesight of your home can be irritating for residents. Timothy Somers, a real estate appraiser and partner at the appraisal firm Davis M. Somers Co. in Ann Arbor, Michigan, lives near a traffic light. For him, it’s the noise from idling cars at the red light that can be a bit of a hassle. “It can get noisy at times — not so much the traffic, but the loud music and that sort of stuff is annoying,” he says.

Double yellow line

The property might not seem busy when you visit on the weekend. But if the home is located on a two-lane road with a double yellow line to prevent cars from passing each other — most often found in less populated suburban or rural areas — Parker says it’s a [red flag](#) that a lot of cars use the road. “A double yellow line is an indication that there is more traffic, and it’s not typical of just a neighborhood. A double yellow line is a serious road,” she says.

Highway within sight

Regardless of how far you have to travel for work, a home next to an on-ramp is not ideal, for both the noise pollution and the difficulty you’ll have trying to sell it in the future. Parker says every day many residents in Princeton [commute](#) an hour up to New York City, about an hour down to Philadelphia and even farther in either direction. But any driving time saved getting to the highway likely isn’t worth it. Rather than living right next to highways and on main roads, neighborhoods are set up to provide convenient access to commuting options without having to sacrifice a

quieter home environment. "It's the most ideal location in terms of major roads that you don't have to live on, but you're nearby for convenience," Parker says.

Railroad

With a railroad near your home you have a whole new type of car to be concerned about. Trains are loud to begin with, but they'll often create more noise coming out of tunnels or into stations to ensure the track is clear. "Some people would shy away from a location like that. ... When a freight train rolls through it clanks, and there's horns and more noise," Somers says. If you're considering buying a house near a railroad, find out how often it's used and the times of day trains will pass by — a regular midnight freight train passing through could keep you up at night in your new home.

Corner lot on the block

Attitudes toward a corner spot within a neighborhood can vary depending on an individual's preference, but Somers says over time opinions have generally evolved into a preference for an interior lot. "Corner lots back in the '50s and '60s were a premium site. Today people will steer clear of them; they don't like them as well," Somers says. "Because of the yard configuration, they usually end up with a small backyard and large side yard. It's less appealing than the standard interior lot. Plus, they've got twice the sidewalk to shovel."

Road impact on sales depends on the economy.

A road's heavy traffic doesn't necessarily ruin your ability to sell a home, but its impact can ebb and flow with the state of the economy, Somers says. "When a market is really moving upwards, some of these things show very little impact," he notes. "But when the economy takes a dip, prices go down, suddenly they reflect a much higher degree of impact on a home." If the market's hot, a home's location on a road won't matter as much because the buyers are already looking for something to buy.

<https://wtop.com/news/2016/04/8-types-of-roads-that-can-have-a-big-impact-on-home-sales/>

From: [Tom Jackson](#)
To: [Planning Commission Comments](#); [Jared Hall](#)
Subject: July 16, 2020 Public Meeting - re: Tripp Lane Subdivision
Date: Wednesday, July 8, 2020 8:22:19 PM

Members of the Murray City Planning Commission;

When we received notice of the Public Meeting to discuss the proposed road extension between Tripp Lane and Single Oak Drive, we wanted to add our voices to those who have already expressed their concerns over this plan. We have lived in Murray for over 25 years, and have lived in our current home for over 13 years. At no time over this period have we known residents of either the Tripp Lane area or the Single Oak Drive/Cherry Oak Circle subdivisions to express displeasure over the current road configuration – in essence, we have all gotten used to the way it is now. If that does now change, we believe there are three main areas where such a change could be problematic:

1. Connecting the two subdivisions will undoubtedly increase through traffic. Your own city engineer, Trae Stokes, estimates that the number of cars could be at least 300-400 per day. This comes along a road that often has cars parked along both sides, and along a corridor where a number of children walk to the Elementary and Junior High schools. We believe that well-designed city plans should instead force traffic onto wider streets better equipped to handle the traffic such as Bullion, Anderson, Tripp and 7th West.
2. This move would increase safety concerns at the intersection of Cherry Oak Circle and Green Oaks Drive. This intersection is a confusing one for a number of drivers, as many are not aware that only those on Green Oaks Drive are required to stop. Over the years we have lived here, we have seen a number of collisions and countless near-misses at this location. Having more cars entering and exiting Cherry Oak Circle would almost inevitably worsen this problem.
3. As we understand it, this plan would force the city to condemn property currently owned by Jim and Wendy Livingston via imminent domain. This seems burdensome and unfair, when there is a viable plan to avoid this, and appears to be an improper use of the city's powers.

It is our understanding that the majority of the homeowners surrounding the new planned subdivision are against connecting the roads, and we are all hopeful that the city will listen to and carefully consider our objections. We do realize that there may be some who would see the new road as useful, as they could then take advantage of a new shortcut that they have lived happily without for years. Those of us who live closest to the new connection realize this new convenience would come at a cost. We simply ask the planning commission to work with the developer to consider alternative plans (which do apparently exist) to help preserve the current state of the surrounding neighborhoods and ensure that the safety of our families is the top concern.

Best regards,

Tom and Carol Jackson

857 Cherry Oak Cir

Jackson857@yahoo.com

801-413-6395

From: [Jared Hall](#)
To: [Jeff Waldram](#)
Cc: [Susan Nixon](#); [Planning Commission Comments](#)
Subject: RE: NeighborWorks
Date: Thursday, July 9, 2020 4:18:29 PM

Mr. Waldram,

Thank you for taking the time to send in your comments and concerns. We will attach your email to the staff report that will be issued to the Planning Commission this weekend. If you have any questions please feel free to contact us at any time.

jared

Jared Hall
(801) 270-2427
jhall@murray.utah.gov

-----Original Message-----

From: Jeff Waldram <waldramj@hotmail.com>
Sent: Thursday, July 9, 2020 3:50 PM
To: Jared Hall <jhall@murray.utah.gov>
Subject: NeighborWorks

Dear Mr. Hall,

I currently reside on Willow Grove Lane and am strongly opposed to the proposal of putting a road through our neighborhood and street. The original proposal for this project was for a cul-de-sac, with access off of Tripp lane. There is no need to ruin the quiet and calm of our dead-end street by making it a thoroughfare! It will bring too much unnecessary traffic, pollution, noise and congestion and we don't need that. Please use the original proposal, and keep the access from Tripp lane. Current council members have looked at the project and told us they favor this plan as well. Our street is way too small to handle the increased traffic flow.

Thank you for your consideration,
Jeff waldrum

Sent from my iPad

From: [Wendy Livingston](#)
To: [Planning Commission Comments](#)
Subject: comments for July 16 meeting re Tripp Lane subdivision agenda item
Date: Wednesday, July 8, 2020 11:25:58 PM

My name is Wendy Livingston, and I live on Willow Grove Lane. Following are my comments regarding the application submitted by Neighborworks Salt Lake for the Tripp Lane subdivision:

First of all, I'm sure proponents of this plan will mention that the original plan was for my street (Willow Grove Lane) to be extended. When we purchased our home two years ago, we did not believe that was still Murray City's intention, or even a possibility, because:

1. In the 16+ years that our road has been finished, the city has not seen a need to connect our street to Tripp Lane, and
2. We own a parcel of property that extends into the street in front of our home, which would seem a clear indicator that extending our road was no longer in Murray City's plans

In addition, even if this connection were part of the original plan, it may not have been well-researched at the time and it may not be the best plan for Murray today.

This proposed plan would change the complexion of our neighborhood significantly. Four homes on my street and around the corner were purchased within the last two years. We all paid a premium for these homes specifically because of this quiet neighborhood, and I specifically did not want to live on a street with traffic. In no way would we have purchased this home if I had foreseen Murray making this road a through street.

I have lived in this neighborhood and in the adjacent neighborhood for the past 28 years and I am very familiar with the flow of traffic to Riverview Junior High and Viewmont Elementary. I am absolutely certain that the city has underestimated the amount of cut-through traffic our street would have going to and from these two schools if it connected to Tripp Lane. This would be a huge burden to place on the residents of this street and the new proposed development on this narrow residential street.

I do recognize that there is frustration with the pick-up and drop off traffic and parking at Riverview Junior high, and this should be addressed by the school district. It is not logical, however, to think that introducing an additional flow of traffic at the west end of the street will alleviate the congestion at the school. This will certainly add additional traffic to Tripp Lane.

Lastly, this proposed plan would require the city's use of eminent domain to take a portion of my property. I would hope that Murray City does not take its power of eminent domain lightly. This condemnation of my property is not for a highway. It is not for public works. It is not for Murray City's economic development or to beautify the city. It is for the construction of ten residential homes, where a viable and superior alternative exists. This clearly seems like a misuse of this governmental power.

It is my hope that the planning commission and city officials will not lump all open roads together and assume that a through street is always a better street. Please consider the specifics and understand that doing so is not always an improvement. The planning commission has the opportunity to leave my neighborhood unaffected, while making the proposed development a more desirable place to live—if it is developed as a cul de sac—rather than making two neighborhoods worse and decreasing the value of both.

Thank you for your consideration in this matter.

From: [W. Paul Miller](#)
To: [Planning Commission Comments](#)
Cc: [Jared Hall](#)
Subject: Comment regarding development 871 West Tripp Lane
Date: Thursday, July 9, 2020 1:47:05 PM

To Whom It May Concern,

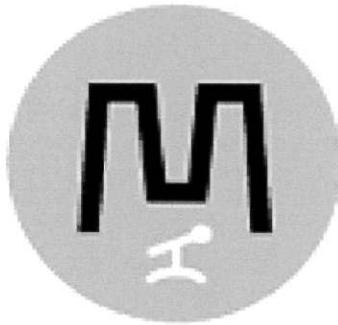
My name is W. Paul Miller and I live at 724 W. Tripp Lane in Murray. I would like to comment on the proposed development at 871 W. Tripp Lane.

1. I have no problem with the development proposed by Neighborworks. I like their mission and feel the community will be strengthened by the project. I do think this development would be strengthened by simply allowing a through street from Tripp Lane onto Willow Grove Lane.
2. I have concerns that the current plan does not allow for a through street on to Willow Grove Lane. Without a through street, the increased traffic on Tripp Lane will increase the risk of being hit to pedestrians, particularly young children, who play at the nearby park, attend the nearby schools, and live in the neighborhood. Tripp Lane and 800 West are narrow, and cars parked along the street essentially make them a 1-way road in some spots.
3. People habitually run the stop sign at 800 West and Tripp Lane - it's functionally a yield sign. With this development, there will be an increased risk of accidents at this intersection. I would propose a 3-way stop or roundabout to address this issue. Again, a through street would alleviate congestion at this intersection.
4. There are reckless drivers who do not slow down when turning on to Tripp Lane from 700 West. Speed bumps and signage illustrating children at play should be considered. Again, a through street would reduce this problem.

Thank you for your consideration.

W. Paul Miller

--
William Paul Miller
(702) 622-2003
wpmiller42@gmail.com



MURRAY
CITY COUNCIL

Discussion Item #3



MURRAY

Finance & Administration

FY 2020-2021 Budget Amendment

Council Action Request

Committee of the Whole

Meeting Date: August 25, 2020

Department Director Brenda Moore	Purpose of Proposal Amend the FY 2020-2021 budget
Phone # 801-264-2513	Action Requested Discussion in committee of the whole
Presenters Brenda Moore	Attachments Memo outlining changes
Required Time for Presentation 20 Minutes	Budget Impact Budget Amendment
Is This Time Sensitive Yes	Description of this Item This is the annual roll forward of projects and specific items from the FY2020 budget to FY2021, along with two new grant receipts. There are multiple line items, which are outlined in the attached memo. Some of the projects and amounts in the memo could change between now and the September 1 council meeting due to the possibility that invoices for services rendered in FY2020 haven't been received yet. A copy of the ordinance will be included with the public hearing request for September 1.
Mayor's Approval 	
Date August 11, 2020	



TO: Murray City Municipal Council
From: Brenda Moore, Finance & Administration Director
Date: August 18, 2020
Re: Fiscal Year 2021 Budget Opening

A budget opening has been requested for September 1. The opening will request funds and budget adjustments for the following purposes:

- Projects in-progress at FY 2020 year-end (CIP annual roll-forward)
- Receive and allocate several grant awards
- Reconcile changes in wages and benefits due to health insurance open enrollment changes
- Move budget between departments for the Urban Wildlife Assistance program
- Adjust the Water Fund budget for bond proceeds received in FY2020.
- Remove the FY2021 Murray Theater renovation budget from the Capital Improvement Projects fund

Grants Received/Rolled

1. Roll \$2,118 Jimmy Johns sponsorship money not spent by the Park Center for recreation programs
2. Roll \$1,681 beard donation money not spent by the victim advocates
3. Roll \$101,783 Justice Department COVID grant not spent
4. Receive and appropriate a \$15,000 Utah Humanities CARES grant
5. Receive and appropriate a \$4,000 Utah Division of Arts & Museums CARES grant
6. Roll State Library CARES grant \$2,045 in the Library Fund not spent

Revenue-Expense Neutral

7. In the Capital Improvement Projects (CIP) Fund receive and appropriate \$2,074,149 from Salt Lake county for Vine Street 900 E. to Van Winkle Expressway project (\$456,341), and Hanauer Street extension (\$1,617,808)
8. In the General Fund increase the animal control contract services \$12,928 for the Urban Wildlife Assistance Program from non-departmental miscellaneous expense
9. In the CIP Fund receive \$200,000 transfer revenue from the RDA and appropriate \$200,000 to build the 4250 S. road extension
10. In the Water Fund, decrease water bond proceeds and capital projects infrastructure \$5,600,000. The remaining state water bonds were issued in FY2020. The FY2020 budget was amended June 27 in Ordinance 20-21

From Reserves

11. Appropriate insurance increases due to open enrollment from reserves: General Fund total \$42,501. (police department \$9,901, fire department \$6,979, streets department \$7,160, and I.T. department \$18,461). Water Fund total is \$15,573

12. In the CIP Fund appropriate \$105,029 for the purchase of the Verizon cell tower property from reserves

Rollover Projects from FY20 to FY21

General Fund Class C

13. 4800 S. overlay from heavy rail tracks west to the city boundary \$340,514
14. Various sealer projects \$159,627
15. Various street maintenance projects \$129,786
16. Sidewalk repair projects \$34,096

Enterprise Funds

17. Munis utility billing implementation: Solid Waste Fund \$23,517 and Storm Water Fund \$35,000.
18. Water Fund – State Street water line replacement, Murray Park and 4500 S. well projects remaining bond proceeds \$2,662,059
19. Wastewater Fund
 - a. Service truck not received until July \$40,000
 - b. Various sewer rebuilds and maintenance projects including Central Valley Water plant rebuild \$1,967,850
20. Storm Water Fund – equipment budget roll forward \$30,000
21. Central Garage – roof mounted swamp cooler \$5,788
22. Central Garage – additional amount needed for roof mounted swamp cooler \$8,534.
23. Power Fund
 - a. Street trees \$25,250 (Tree planting postponed from spring to fall due to COVID-19)
 - b. Building improvements \$100,000
 - c. Downtown undergrounding project \$98,108
 - d. Vehicle and equipment replacement plan \$212,438

Capital Improvement Projects Fund

24. Clean energy vehicle/equipment \$27,994
25. Court equipment replacement plan \$19,110
26. Police car replaced by insurance \$42,925
27. Police equipment replacement plan \$46,703
28. Fire equipment replacement plan \$530,386
29. Fire Station 81 project \$311,395
30. Parks
 - a. Parks equipment replacement program \$22,527
 - b. Park Center equipment replacement plan \$2,251
 - c. Recreation equipment replacement plan
 - i. Breakaway basketball hoops at the Park Center \$5,000
 - ii. Install adjustable hoops north side of Park Center \$8,000
 - iii. Replace scoreboard at Christ Lutheran Church \$6,000 (used for recreation programs)
 - d. Senior Recreation Center equipment replacement plan \$13,000
 - e. Cemetery irrigation booster pump \$15,000

- f. Cemetery equipment replacement plan \$13,676
- g. Parks pavilion replacement project \$1,271,481
- h. Parks pavilion replacement project, additional amount to build new restrooms \$300,000 (reprogramming a portion of the Murray Theater renovation budget)
- i. Facilities – various projects as needed \$695,412

31. Community Development

- a. Downtown environmental \$115,600
- b. Vehicle/equipment replacement plan \$20,730
- c. Building abatement \$39,435

32. Non departmental city hall equipment replacement plan \$30,000

33. Information Technology

- a. Police printers \$4,825
- b. Sophos antivirus \$16,000
- c. Spillman server migration \$35,000
- d. IVR (interactive voice response system) \$23,400
- e. Equipment replacement plan \$117,250
- f. Document management system \$95,081
- g. GIS equipment replacement plan \$17,117

34. Engineering transportation master plan \$70,175

35. City Hall project \$382,373

36. Streets equipment replacement plan \$89,742

37. Streets projects

- a. 5600 S. State to Van Winkle Expressway \$162,856
- b. Joma, Westridge, 6410 S. \$220,000
- c. 320 E. 6230 S. \$201,961
- d. Cottonwood Street/Winchester to city limit \$130,000
- e. Hanauer Street design, site work \$96,000

38. Murray Theater - due to the county pulling the TRCC funds from the Murray Theater renovation project, \$456,888 of the FY2020 budget is not being rolled forward. \$300,000 of the FY2020 Murray Theater budget is being rolled forward and added to the park pavilion project for new restrooms. The \$500,000 appropriated in FY2021 for the Murray Theater renovation will be removed from the CIP Fund budget.

Please contact me if you would like further explanation of any of these items.

ORDINANCE NO.

AN ORDINANCE AMENDING THE CITY'S FISCAL YEAR 2020-2021 BUDGET

On June 16, 2020, the Murray City Municipal Council adopted the City's budget for Fiscal Year 2020-2021. It has been proposed that the Fiscal Year 2020-2021 budget be amended as follows:

1. Appropriate the following items from General Fund reserves:
 - a. \$664,023 for prior year road maintenance and infrastructure projects in process, and;
 - b. \$2,118 for Jimmy Johns sponsorship money for recreation programs contributed and unspent in the previous year, and;
 - c. \$1,681 for beard donations for victim advocates emergency fund contributed and unspent in the previous year, and;
 - d. \$42,501 for insurance increases due to employee open enrollment changes.
2. Receive and appropriate the following grants and/or reimbursements in the General Fund with no financial impact:
 - a. \$101,783 Justice Department COVID grant for COVID related supplies and/or equipment, and;
 - b. \$15,000 Utah Humanities CARES grant for wages, supplies or equipment related to COVID, and;
 - c. \$4,000 Utah Division of Arts & Museums CARES grant for supplies or equipment related to COVID, and;
 - d. \$456,341 from Salt Lake County for the Vine Street 9th to Vanwinkle project, and;
 - e. \$1,617,808 from Salt Lake County for the Hanauer street extension, and;
 - f. \$200,000 from Murray City RDA to build the 4250 S road extension, and;
 - g. \$12,928 transfer from non-departmental miscellaneous expense budget to the Police department animal control contract services for the Urban Wildlife Assistance program.

3. Receive and appropriate \$2,045 in the Library Fund for the State Library CARES grant.
4. Appropriate \$4,898,405 from the Capital Improvement Projects (CIP) Fund reserves for projects in progress from the previous year's budget including:
 - a. \$70,175 for professional services, and;
 - b. \$693,768 for building construction and improvement, and;
 - c. \$866,447 for maintenance, and;
 - d. \$1,185,717 for vehicle and equipment replacement, and;
 - e. \$2,082,298 for infrastructure.
5. Appropriate \$300,000 from the CIP Fund reserves for additional costs associated with the Murray Park Pavilion replacement project.
6. Appropriate \$105,029 from the CIP Fund reserve for the purchase of the Verizon Cell tower.
7. Reduce the CIP Fund expenditure budget by \$500,000 for the Murray Theater renovation project being postponed and increase the CIP Fund reserves.
8. Reduce the bond proceeds revenue and capital infrastructure budgets by \$5,600,000 in the Water Fund due to bonds having been issued in the previous fiscal year.
9. Appropriate \$2,677,632 from the Water Fund reserves for the following:
 - a. Increase the budget by \$15,573 for employee insurance due to open enrollment changes, and;
 - b. Increase the budget by \$2,662,059 for well and pipeline replacement projects in progress from the previous year's budget.
10. Appropriate \$2,007,850 from the Wastewater Fund reserves for the following:
 - a. Increase the budget by \$40,000 for a service truck ordered and not received, and;
 - b. Increase the budget by \$1,967,850 for sewer rebuilds and maintenance projects in process from previous year's budget.
11. Appropriate \$435,796 from the Power Fund reserves for the following:

- a. Increase the budget by \$25,250 for street tree planting, and;
 - b. Increase the budget by \$100,000 for building improvements, and;
 - c. Increase the budget by \$98,108 for infrastructure improvements, and;
 - d. Increase the budget by \$212,438 for vehicle and equipment replacement.
12. Appropriate \$23,517 from the Solid Waste Fund reserves for the Munis utility billing system conversion in process from the previous year's budget.
13. Appropriate \$65,000 from the Stormwater Fund reserves for the following:
 - a. Increase the budget by \$35,000 for the Munis utility billing system conversion in process from the previous year's budget, and;
 - b. Increase the budget by \$30,000 for vehicle purchase.
14. Appropriate \$14,322 from Central Garage Fund reserves for the roof mounted swamp cooler project in progress from the previous year's budget.

Section 10-6-128 of the Utah Code states that the budget for the City may be amended by the Murray City Municipal Council following a duly noticed public hearing. Pursuant to proper notice, the Murray City Municipal Council held a public hearing on September 1, 2020 to consider proposed amendments to the Fiscal Year 2020-2021 budget. After considering public comment, the Murray City Municipal Council wants to amend the Fiscal Year 2020-2021 budget.

Section 1. Enactment. The City's Fiscal Year 2020-2021 budget shall be amended as follows:

1. Appropriate the following items from General Fund reserves:
 - a. \$664,023 for prior year road maintenance and infrastructure projects in process, and;
 - b. \$2,118 for Jimmy Johns sponsorship money for recreation programs contributed and unspent in the previous year, and;
 - c. \$1,681 for beard donations for victim advocates emergency fund contributed and unspent in the previous year, and;
 - d. \$42,501 for insurance increases due to employee open enrollment changes.

2. Receive and appropriate the following grants and/or reimbursements in the General Fund with no financial impact:
 - a. \$101,783 Justice Department COVID grant for COVID related supplies and/or equipment, and;
 - b. \$15,000 Utah Humanities CARES grant for wages, supplies or equipment related to COVID, and;
 - c. \$4,000 Utah Division of Arts & Museums CARES grant for supplies or equipment related to COVID, and;
 - d. \$456,341 from Salt Lake County for the Vine Street 9th to Vanwinkle project, and;
 - e. \$1,617,808 from Salt Lake County for the Hanauer street extension, and;
 - f. \$200,000 from Murray City RDA to build the 4250 S road extension, and
 - g. \$12,928 transfer from non-departmental miscellaneous expense budget to the Police department animal control contract services for the Urban Wildlife Assistance program.
3. Receive and appropriate \$2,045 in the Library Fund for the State Library CARES grant.
4. Appropriate \$4,898,405 from the Capital Improvement Projects (CIP) Fund reserves for projects in progress from the previous year's budget including:
 - a. \$70,175 for professional services, and;
 - b. \$693,768 for building construction and improvement, and;
 - c. \$866,447 for maintenance, and;
 - d. \$1,185,717 for vehicle and equipment replacement, and;
 - e. \$2,082,298 for infrastructure.
5. Appropriate \$300,000 from the CIP Fund reserves for additional costs associated with the Murray Park Pavilion replacement project.
6. Appropriate \$105,029 from the CIP Fund reserve for the purchase of the Verizon Cell tower.

7. Reduce the CIP Fund expenditure budget by \$500,000 for the Murray Theater renovation project being postponed and increase the CIP Fund reserves.
8. Reduce the bond proceeds revenue and capital infrastructure budgets by \$5,600,000 in the Water Fund due to bonds having been issued in the previous fiscal year.
9. Appropriate \$2,677,632 from the Water Fund reserves for the following:
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 - a. Increase the budget by \$35,000 for the Munis utility billing system conversion in process from the previous year's budget, and;
 - b. Increase the budget by \$30,000 for vehicle purchase.
14. Appropriate \$14,322 from Central Garage Fund reserves for the roof mounted swamp cooler project in progress 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 _____, 2020.

MURRAY CITY MUNICIPAL COUNCIL

Rosalba Dominguez, Chair

ATTEST:

Jennifer Kennedy, City Recorder

MAYOR'S ACTION: Approved

DATED this ____ day of _____, 2020.

D. Blair Camp, Mayor

ATTEST:

Jennifer Kennedy, City Recorder

CERTIFICATE OF PUBLICATION

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

Jennifer Kennedy, City Recorder



MURRAY
CITY COUNCIL

Discussion Item #4



MURRAY

Police Department

Metro Narcotics Task Force MOU/Agreement

Council Action Request

Committee of the Whole & Council Meeting

Meeting Date: August 25, 2020

Department Director Craig Burnett	Purpose of Proposal Renewal of annual MOU between Metro Narcotics and Murray City Police Dept.
Phone # 801-264-2613	Action Requested Review and approval of resolution.
Presenters Craig Burnett	Attachments Copy of MOU and resolution
Required Time for Presentation 10 Minutes	Budget Impact n/a
Is This Time Sensitive No	Description of this Item The Murray City Police Department has been a participating agency in the Metropolitan Narcotics Task Force for many years. Occasionally, the participation agreement requires some updates. A new subsection has been added under #12, Task Force Disbandment; Forfeited Asset Sharing, and there have been some minor staffing changes
Mayor's Approval 	
Date August 7, 2020	

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE EXECUTION OF AN UPDATED METROPOLITAN NARCOTICS TASK FORCE AGREEMENT, AN INTERLOCAL COOPERATION AGREEMENT, BETWEEN THE DRUG ENFORCEMENT ADMINISTRATION, HOMELAND SECURITY INVESTIGATIONS, INTERNAL REVENUE SERVICE INVESTIGATIONS, SALT LAKE CITY, UNIFIED POLICE DEPARTMENT, UTAH DEPARTMENT OF PUBLIC SAFETY, WEST VALLEY CITY, MURRAY CITY, SANDY CITY, TOOKELE CITY, WEST JORDAN CITY, SOUTH JORDAN CITY, PARK CITY, UTAH DEPARTMENT OF CORRECTIONS, AND COTTONWOOD HEIGHTS CITY ("the Parties") FOR THE COORDINATED EFFORTS OF FEDERAL, STATE, AND LOCAL LAW ENFORCEMENT AGENCIES TO ENHANCE THE ENFORCEMENT OF LAWS AGAINST DRUG TRAFFICKING.

WHEREAS, Title 11, Chapter 13, of the Utah Code provides that two or more public agencies may, by agreement, jointly exercise any power common to the contracting parties for joint undertakings and services; and

WHEREAS, there is evidence that trafficking in narcotics and dangerous drugs exists in the State of Utah, including the Salt Lake County Metropolitan and surrounding areas which encompasses all of the Participating Agencies (herein the "Metro Area"); and

WHEREAS, such illegal activity has a detrimental effect on the health and general welfare of the people of the Metro Area; and

WHEREAS, the effective investigation and prosecution of controlled substance offenses requires specialized personnel, who are able to investigate on a cooperative arrangement; and

WHEREAS, the coordinated efforts of federal, state, and local law enforcement agencies can enhance the enforcement of laws against drug trafficking; and

WHEREAS, the Participating Agencies are also parties to an Agreement, previously executed in June 2014, regarding cooperative law enforcement efforts; and

WHEREAS, the Participating Agencies would like to update that existing agreement facilitating and formalizing cooperative working arrangements; and

WHEREAS, this updated Agreement will supersede the previous Metropolitan Narcotics Task Force Agreement dated June 6, 2014 including any amendments thereto; and

WHEREAS, the continued utilization of the Task Force to investigate drug trafficking is beneficial to the Parties and the citizens of Murray City and Salt Lake County.

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

1. It does hereby approve the updated Interlocal Cooperation Agreement between the Drug Enforcement Administration, Homeland Security, Internal Revenue Service Investigations, Salt Lake City, Unified Police Department, Utah Department of Public Safety, West Valley City, Murray City, Sandy City, Tooele City, West Jordan City, South Jordan City, Park City, Utah Department of Corrections, and Cottonwood Heights City in a form substantially the same as that attached hereto; and
2. The Interlocal Cooperation Agreement is in the best interest of the City; and
3. Mayor D. Blair Camp is hereby authorized to execute the Agreement on behalf of the City and to act in accordance with its terms.

DATED this ____ day of _____, 2020.

MURRAY CITY MUNICIPAL COUNCIL

Rosalba Dominguez, Chair

ATTEST:

Jennifer Kennedy, City Recorder

**METROPOLITAN NARCOTICS TASK FORCE AGREEMENT
SALT LAKE CITY, UTAH**

This AGREEMENT, made this ____ day of _____ 20____, by and between the agencies who have signed this Agreement and are listed in Appendix A, which individually and collectively are sometimes referred to as "Participating Agency" or "Participating Agencies." This agreement supersedes the previous "Metropolitan Narcotics Task Force Agreement" dated June 6, 2014.

WITNESSETH:

WHEREAS, there is evidence that trafficking in narcotics and dangerous drugs exists in the State of Utah, including the Salt Lake County Metropolitan and surrounding areas which encompasses all of the Participating Agencies (herein the "Metro Area"); and

WHEREAS, such illegal activity has a detrimental effect on the health and general welfare of the people of the Metro Area; and

WHEREAS, the effective investigation and prosecution of controlled substance offenses requires specialized personnel, who are able to investigate on a cooperative arrangement; and

WHEREAS, the coordinated efforts of federal, state, and local law enforcement agencies can enhance the enforcement of laws against drug trafficking; and

WHEREAS, Title 21 USC § 873(a)(7) authorizes the DEA to enter into this agreement; and

WHEREAS, the Participating Agencies are also parties to previously executed agreements regarding cooperative law enforcement efforts, which are still in effect and will remain in effect following the expiration of this agreement; and

WHEREAS, the Participating Agencies would like to update their existing agreements facilitating and formalizing cooperative working arrangements; and

NOW, THEREFORE, the Participating Agencies do mutually agree, as follows:

1. GENERAL PURPOSE OR MISSION STATEMENT.

The Drug Enforcement Administration (DEA) is a component of the United States Department of Justice responsible for enforcing the Controlled Substances Act of 1970 as amended. The DEA combines its resources with the expertise, abilities and knowledge of state and local officers as well as their inherent familiarity with their jurisdiction by forming local task forces. Task Forces in turn produce effective drug law enforcement investigations by combining resources and talent exponentially increasing the efficiency and effectiveness of all Participating Agencies. In cooperation with this Task Force's future fiduciary organization, Salt Lake City Corporation, The Metropolitan Narcotics Task Force (herein the "Task Force"), shall perform the activities and duties described below:

- (a) Disrupt illicit drug trafficking in the State and Metro Area by immobilizing, dismantling, and disrupting targeted multi-tiered organizations and individuals involved in the production, distribution, transportation, selling, or trafficking of illicit substances;
- (b) Gather, report and exchange intelligence data, to include financial data and derivative information, with the Participating Agencies relating to trafficking in narcotics and dangerous drugs;
- (c) Conduct undercover operations, where appropriate, and engage in such other traditional methods of investigation, as necessary, so that the Task Force's activities result in effective prosecution before the courts of the United States or the State of Utah, or other jurisdictions, as determined by the Task Force in consultation with the prosecuting attorney.

2. TASK FORCE PARTICIPATION.

- (a) Membership Appointment. To accomplish the above, each Participating Agency, through its law enforcement Department, will provide one or more experienced officers (herein the "Task Force Officers" or "TFO's") to the Task Force, for a period of not less than two years. Participating Agencies are listed in Appendix A.
- (b) Any public agency within Salt Lake County and regional area may apply for membership to the Task Force. The Executive Board may only accept an applicant by a unanimous vote. If accepted, the applicant must agree in writing to be bound by the terms and conditions of this Agreement.

3. TASK FORCE ADMINISTRATION.

- (a) DEA Operational Control. During their period of assignment, Task Force Officers and DEA Special Agents shall be under the operational control and supervision of the DEA's Assistant Special Agent in Charge for the Salt Lake City District Office (herein the "ASAC").
- (b) Organization Chart. Organization of the Task Force shall be organized according to an organizational chart developed through the cooperative efforts of DEA and the Task Force Advisory Board. The organizational chart shall include first and second line supervisors, who each shall report to the ASAC through an established chain of command. The ASAC or his/her designee will maintain a copy of the current organizational chart.

- (c) Task Force Commander. The Task Force Commander for Task Force Operations will be appointed by the Executive Board, established pursuant to paragraph 6 of this Agreement, after first obtaining the non-binding advice or recommendation of the ASAC. The Task Force Commander shall work in partnership with the ASAC and will administer the Task Force's funding and operational matters. The Task Force Commander will work directly with the Task Force Executive Board.
- (d) Policy Formulation. The overall policy for the Task Force shall be established by the DEA and the Task Force Executive Board.

4. HOST FUNDING AGENCY.

There shall be one Host Funding Agency (HFA), which is currently designated as Salt Lake City Corporation. The Executive Board may designate an HFA only at the beginning of a fiscal year. The HFA shall be one of the Participating Agencies and shall provide the following ministerial functions:

- (a) Grantee. The HFA is authorized to be, and shall be, the recipient of any grant money, asset forfeiture money, and restitution money awarded and shall receive the funds in trust directly for distribution to the Task Force. The Task Force and the HFA share the responsibility for ensuring that the project described in the application is successfully carried out, including ensuring the funds expended are expended for only eligible activities in accord with the Federal Guidelines for Equitable Sharing (or successor guidelines), single audit requirements, controlling regulation, policy, and/or statute as applicable. The HFA is not responsible for expenditures of the Task Force above funds provided through Task Force as outlined in Section 8 FINANCE AND OPERATIONS, Paragraph (a) Funding.
- (b) Procurement. The Task Force hereby adopts the relevant procurement procedures of the HFA, Salt Lake City Corporation, and shall consult with the HFA in all procurement matters. The Task Force may consult with HFA employees regarding any interpretation of procurement procedures, but it remains ultimately responsible for properly following the procedures. Any Federal funds expended by MNTF will be accomplished in accord with the Federal Guidelines for Equitable Sharing (or successor guidelines), single audit requirements, controlling regulation, policy, and/or statute as applicable.
- (c) Fiscal Issues. The HFA shall accept all funds, whether from grant monies, forfeited cash, or other sources and is responsible for fiscal accountability and required financial reporting.
- (d) Personnel. The personnel policies of each Participating Agency shall be applied to the administration and conduct of their assigned personnel. Each Participating Agency understands that their personnel shall follow the direction and supervision of superior Task Force personnel and that policies of general application to all employees assigned to the Task Force will apply. In the absence of a specific personnel policy or procedure addressing a particular question or issue, the policies and procedures of the HFA will be consulted for guidance. DEA policies and procedures will apply to its assigned personnel.
- (e) Reimbursement. The HFA shall be entitled to reimbursement of expenses annually to offset reasonable expenses incurred. This reoccurring expense will be authorized by the Executive Board and annual payment will be approved in accordance with Section 8 of this agreement.

Except for the ministerial functions stated herein, the HFA has no other authority or responsibility above or beyond those shared by all Participating Agencies.

5. THE ADVISORY BOARD.

An Advisory Board shall be organized. Only the Chief Law Enforcement Officer of each Participating Agency or its designee shall be a member of the Advisory Board; provided that the ASAC shall also be a member of the Advisory Board. The Advisory Board shall meet on an as needed basis to discuss Task Force business and to receive reports on the enforcement, administrative and financial aspects of the Task Force from the ASAC and the Executive Board. The Advisory Board may also make recommendations to the Executive Board.

6. THE EXECUTIVE BOARD.

- (a) Permanent Members. The Board shall consist of the following:
 - i. five permanent members: the ASAC, the Chief of the Salt Lake City Police Department, the Sheriff of the Unified Police Department of Greater Salt Lake, the Commissioner of the Utah Department of Public Safety, and the Chief Law Enforcement Officer of the HFA of the Task Force, except that the permanent executive board shall have four members. if the HFA Chief is one of the permanent executive board members.
 - ii. Selected Members. Two additional members selected from the Advisory Board by majority vote of the Executive Board. Each shall be the Chief Law Enforcement Officer of a Participating Agency and shall serve on the Executive Board for a two-year period, unless re-appointed by a 2/3 majority vote of the Advisory Board.
- (b) Duty to Represent Agency. Each Executive Board member is also the primary representative of his or her Department on the Advisory Board.
- (c) Agency Representation; Attendance. Each Participating Agency shall be represented on the Executive Board only by those agency heads designated in this Agreement. Prolonged absence by any Executive Board member from the Executive Board shall be handled between the Executive Board and the absentee to ensure proper representation at the Executive Board level.
- (d) Board Chairperson Election; Duties. An Executive Board Chairperson shall be selected by and from the members of the Executive Board to serve as Chairperson for a 0-year period, beginning every January of even-numbered years. The Executive Board Chairperson shall be the chief spokesperson for the Board meetings.
- (e) Board Function. The function of the Executive Board is to govern and regulate the Task Force with input from the Advisory Board. The Executive Board shall be responsible for policy matters. The ASAC shall be responsible for operational matters, such as the selection of investigative targets, the timing and location of investigations, and the selection of investigative techniques; except that the board may decide operational or jurisdictional matters if requested by the ASAC or if otherwise operationally necessary.
- (f) Voting Quorum. Five (5) members of the Executive Board in attendance at Executive Board meetings shall constitute a quorum, except as noted in (a) above, in which case four (4) members shall constitute a quorum. The Executive Board may take any action permitted by this Agreement if a quorum is present, by majority vote. Telephonic or electronic voting shall be

permitted.

7. TASK FORCE OFFICERS AND AGENTS.

- (a) Deputized by DEA. In accord with DEA policy and procedures, officers of each Participating Agency assigned to the Task Force may be deputized by the DEA as TFO's, pursuant to Title 21, United States Code, Section 878. Law Enforcement officers of participating Federal law enforcement agencies shall be cross-designated by DEA to undertake Title 21 investigations, operating under the supervision of the DEA.
- (b) Federal Employee Duties/Obligations. The Participating Agencies acknowledge and understand that when an official or officer of a Participating Agency is deputized as a Federal law enforcement employee under Title 21, he or she becomes a Federal employee for certain purposes as provided in 21 USC § 878, 5 USC 3374(c) or successor provisions. In particular, a deputized official or officer is covered by the Federal Tort Claims Act (FTCA), 28 USC §§ 2671-2680 or successor provisions. Under the FTCA, the United States of America may be liable for the negligent actions or inactions of an employee acting within the scope of their Federal employment, including their operation of motor vehicles or their conduct of operational or investigative activities in accord with established agency policies or procedures.
- (c) Duty Assignments; Personnel Removal. The ASAC has authority to assign and reassign personnel, as he or she feels necessary, including Task Force Officers and Special Agents to the various divisions of the Task Force. However, the officers assigned to the Task Force may be removed from the Task Force by their Participating Agency at its exclusive discretion; however, removal can also occur at the request of the Task Force Commander after consultation with the Participating Agency, due to difficulties in the officer's performance or issues with the officer's conduct. Any officer removed should be replaced by another experienced officer within thirty (30) calendar days.
- (d) Duty Assignments. Assigned officers are to report daily to the Task Force facility to which they are assigned. Any exceptions should be reported to and arranged with the approval of the first-line supervisor. Agencies also recognize that each Task Force Officer or Special Agent is assigned to the Task Force on a full-time basis with all direct supervisory authority being undertaken by the Task Force supervisory organization and chain of command. Therefore, any request by Participating Agencies or Federal agents for the temporary return of a Task Force deputized officer for a special operation or special limited assignment shall be directed to and coordinated with the second-line Task Force supervisors.
- (e) DEA Policy/Procedures Applicable. All officers assigned to the Task Force shall adhere to DEA enforcement policies and operational procedures together with those established by the Executive Board. They shall also utilize the DEA reporting and record keeping systems, as determined by the ASAC. This policy insures the ability of the Task Force to elect prosecution in either state or Federal courts, as determined by the Task Force in consultation with the prosecuting attorney. Failure to adhere to these policies and procedures shall be grounds for dismissal from the Task Force. Each officer assigned shall also be subject to their individual Department's rules and regulations, to the extent that they are not inconsistent with DEA policy or procedure.
- (f) Training Disciplinary Action. All Task Force officers assigned shall be trained in applicable policies and procedures by the DEA. However, each Participating Agency assigning personnel to the Task Force retains the right to investigate and independently undertake disciplinary

action regarding its own officers. The Task Force and other Participating Agencies shall render full and complete cooperation in resolving each such investigation.

(g) Vacation/Leave Time/Travel. Task Force Officers shall submit applications for leave to their first-line Task Force supervisor, including request for annual leave, sick leave, compensatory leave, or other types of leave. The first-line supervisor shall approve leave when reasonable and compatible with the service needs of the Task Force. Copies of Task Force leave records shall be maintained at the Task Force for review by the Participating Agencies of Task Force Officers.

All out-of-town travel for Task Force Officers on official Task Force business shall be coordinated and approved by the first and second-line supervisors. The leave of second-line supervisors shall be approved by the ASAC.

(h) Weapons Policy. Task Force Officers shall not routinely carry DEA weapons; however, they may do so when a DEA weapon is issued to a TFO, after confirmation and verification that the TFO is qualified to handle that weapon. All Task Force Officers shall be certified as proficient with their Participating Agency and assigned firearm according to the policies of their Participating Agency. Task Force Officers shall also qualify on the firearms range with their DEA counterparts at times to be determined by the ASAC.

(i) Compensation. Each Participating Agency shall continue to be responsible for establishing and paying the base salary and benefits of their personnel assigned to the Task Force. Participating Agencies in the Task Force are eligible to receive reimbursement of overtime expenses for their Task Force Officers from DEA and/or from grant monies. The amount of reimbursement shall be governed by existing policies and guidelines.

8. FINANCE AND OPERATIONS.

(a) Funding. Funding for the operation of the Task Force will primarily come from five separate and unequal sources, namely: 1) grant monies from the Rocky Mountain High Intensity Drug Trafficking Area (HIDTA); 2) grant monies from the Bureau of Justice Assistance (BJA); 3) Participating Agencies in the Task Force, 4) DEA, consistent with then applicable policy and procedures, (5) asset forfeiture funds. When appropriate, other funding sources will also be sought.

(b) Spending Authorization. In response to recommendations made in the May 12, 2014 audit of the Metro Narcotics Task Force asset forfeiture funds from the Department of Justice, Office of Inspector General, Asset Forfeiture and Money Laundering Section this document will serve as a spending authority for non-grant funded task force related expenses.

The Task Force Commander is authorized to make payments from the federal asset forfeiture and restitution funds and other funding sources when appropriate, as necessary to pay for regularly occurring bills. These bills include, but are not necessarily limited to, the following:

- Vehicle leases
- Communication and surveillance costs, i.e., air cards, modems, cellular service, office internet and phone service
- Fuel cost for unassigned and special purpose vehicles
- Equipment maintenance to include emergency equipment for newly leased vehicles as

- well as computer and printer repair
- Awards and plaques for outgoing personnel
- Yearly outside audit costs as required by federal and state law
- New task force officer basic supply kits
- Basic office supplies not covered by grant money
- Annual shooting range fees
- Balance of 7% equivalent of the HIDTA Grant award for administrative costs to fiduciary, not to exceed \$30,000 per year.

Assuming that funds are available, these bills may be paid without any further approval from the Executive Board.

The Executive Board also authorizes without prior approval the following expenses with a spending limit not to exceed \$50,000 per category per year as deemed necessary by the Task Force Commander:

- Small equipment purchases not to exceed \$5,000 per purchase
- Travel/Training funds and non-case related travel not to exceed \$5,000
- Confidential funds for case related undercover buys
- Overtime which is strictly case related when grant money is expended
- Travel which is strictly case related when grant money is expended

Approval by the Metro Narcotics Task Force Executive Board is required for the following expenditures without exception:

- Travel/Training and non-case related travel over \$5,000
- Equipment purchases over \$5,000

(c) Partial Participation. Notwithstanding the inability of any Participating Agency to fully participate financially or with personnel resources, partial participation by any Participating Agency shall entitle that agency to participate in the Task Force, at a reduced, or part-time level. Part-time personnel will not be issued a Task Force vehicle. Notwithstanding anything else in this Agreement, Participating Agencies that elect to participate partially in the Task Force are under no obligation to provide TFOs or otherwise contribute funds or resources to the Task Force.

(d) Budgeting: Agency Funding Assessments. Budgetary matters, including grant applications, shall be discussed in advance with the Chairperson, who will present such matters to the Executive Board and/or Advisory Board. By the 15th of February each calendar year, the Task Force Commander shall prepare a proposed budget for Task Force funding for the next fiscal year (July 1- June 30).

It is anticipated that grant monies and outside funding mechanisms shall cover all operating costs and expenses; however, if those anticipated resources are not adequate, the proposed budget shall include a proposed assessment schedule for Task Force members. That document shall be delivered to the Executive Board Chairperson for review and adoption by the Executive Board at their next regular Executive Board meeting.

Subject to appropriation of funds by each Participating Agency legislative body, assessments shall be paid within thirty (30) calendar days of the beginning of the fiscal year (July 1 - June 30), unless other arrangements are made with the approval of the Executive

Board.

- (e) No Debt Created. Nothing in this Agreement is intended to bind future governing bodies of any Participating Agency to any level of financial participation.
- (f) Grant Applications. The Task Force Commander shall be responsible for the preparation of an application for HIDTA and BJA Grant monies, if available, by the deadline imposed for submission of said applications on an annual basis. Said applications shall be submitted to the Commission on Criminal and Juvenile Justice and Rocky Mountain HIDTA for consideration.
- (g) Participating Agency Funding. Matching funds provided by the Task Force Participating Agencies, as approved by their governing bodies and exclusive of DEA, shall be added to those BJA funds granted the Task Force according to BJA regulations.
- (h) HIDTA and BJA Funding: Agency Reimbursements. A combination of HIDTA and BJA funds, including the matching portion, shall be utilized to underwrite the costs of Task Force operations. These funds include, but are not limited to, reimbursement to Participating Agencies for their payments made to Task Force Officers for: overtime; Task Force operational costs; evidence and information purchases; Task Force Officer vehicle leases where appropriate; training; and travel. Overtime costs shall be the Participating Agencies' actual overtime costs and shall be reimbursed to the Participating Agency, only after completion and submission of appropriate forms to the Task Force. All overtime shall be verified and approved by the first-line supervisor.
- (i) Record Retention; Audit Cooperation. The Task Force shall permit and have ready for examination and auditing by the DEA, U.S. Department of Justice, the Comptroller General of the United States, and any of their duly authorized agents (including representatives from HIDTA and the Bureau of Justice Assistance and those administering that program for the State of Utah), any and all records, documents, accounts, invoices, receipts or expenditures relating to this Agreement. The Task Force shall maintain all such reports and records until all audits and examinations are completed or resolved, and as defined by State and Local laws.
- (j) No Reimbursement for Indirect Costs. In no event shall the Task Force Participating Agencies charge any indirect cost rate to DEA for the administration or implementation of this Agreement.
- (k) DEA to Provide Office Space: Rental of Additional Space. Provided space is available, DEA shall provide office space within the existing DEA office, without charge to the Task Force or Task Force Officers, supervisors and support staff. Additional office space may be rented, with the approval of the Executive Board using grant monies, if available and as appropriate. Any increase in support services, such as (but not limited to) alarm, security, and telephone systems may be paid for with grant monies or local funds.
- (l) Procurement Policies. The Task Force may contract with any person or entity for the provisions of services or materials in compliance with contracting and purchasing policies established by the Executive Board, including legal and accounting services.

(m) Radio Communication. DEA shall provide DEA radio communications equipment to the Task Force Officers sufficient to accomplish their mission. Participating Agencies shall provide local law enforcement radio communications equipment for their Task Force officer(s). The Task Force may provide local law enforcement radio communications for those Task Force personnel whose Participating Agency cannot provide such equipment.

(n) Duty of Participating Agency to Provide Equipment. Each Participating Agency shall provide its Task Force Officer Representative with the basic equipment necessary to carry out the responsibilities performed by its employees.

(o) Task Force Duty to Provide Transportation; Agency Duties. The Task Force, utilizing grant monies or local funding, shall provide automobiles for full time Task Force Officers assigned to the Task Force. Gasoline, insurance coverage, maintenance and repairs shall be underwritten by the Task Force Officer's Participating Agency, utilizing that agency's funds.

(p) Reports; Evidence Procedures. Protocols for Task Force report writing, drug and non-drug evidence handling procedures, investigative techniques, financial expenditures, property procurement, and administrative support actions shall be under the direction of the ASAC.

9. PARTICIPATING AGENCY REQUESTS.

Each Task Force Participating Agency recognizes that from time to time, it may require the services of the Task Force Officers or Special Agents assigned to the Task Force. Any such utilization shall be requested through the first-line supervisor, as provided in Section 7(d), above.

It is understood that the ASAC shall maintain his or her responsibility in supervising regular DEA matters separately and independently from the Task Force. That supervision includes carrying out DEA assignments with DEA investigative and support employees.

10. TASK FORCE GEOGRAPHICS AND TRAVEL.

The regular jurisdiction of the Task Force shall be the geographical area of Salt Lake County and the regional area. Investigations that require the travel of investigative personnel beyond those geographical areas shall be conducted with the approval of the second-line supervisor.

11. PRESS RELEASES.

Any press releases made as a result of the activities of the Task Force shall be done in conjunction with the standards and regulations adopted by the U.S. Department of Justice and the DEA. Any press release made as a result of the activities of the Task Force that involve state prosecution shall be done in conjunction with the policy adopted by the Executive Board Chairperson shall be the press spokesperson for the Advisory Board and Executive Board.

12. TASK FORCE DISBANDMENT; FORFEITED ASSET SHARING.

- (a) Disbandment. Upon disbandment of the Task Force, all purchased equipment and unobligated seized assets shall be distributed to the Participating Agencies based upon a formula of said Agencies economic support to the Task Force, utilizing personnel costs and financial commitments as allowable in the Federal Guidelines for Equitable Sharing (or successor guidelines) following all single audit requirements, controlling regulation, policy and/or statute as applicable. Personnel costs shall be determined utilizing a standard salary survey of the Participating Agencies.
- (b) Asset Forfeiture Sharing. Assets seized as a result of Task Force investigations with other agencies shall be shared equitably among the Task Force and the other agencies involved in the investigation. pursuant to the Attorney General's Guidelines on Seized and Forfeited Property, in effect as of the date of distribution. Any Task Force investigation, resulting in Federal forfeiture of traffickers' assets, the ASAC shall recommend in the DAG Form 72, "Application for Transfer of Federally forfeited property," or its successor form, an appropriate percentage of sharing to be directed to the Task Force Asset Fund, under the control of the Host Funding Agency for the Task Force.
- (c) Alternative Distribution. The Executive Board Chairperson, in conjunction with the DEA ASAC and with a majority concurrence of the Executive Board, may decide to distribute funds from the Asset Account to Participating Agencies on a percentage basis dependent upon the number of personnel each Participating Agency has assigned to the Task Force. Percentages will be adjusted on an as needed basis to maintain adequate funding levels in the Task Force budget and as Participating Agencies increase or reduce their participation levels. See Appendix B.
- (d) DOJ Approval Required. All parties to this Agreement acknowledge, however, the disposition of assets forfeited under Federal law, is within the discretionary authority of the United States Department of Justice.

13. COMPLIANCE WITH FEDERAL ADMINISTRATIVE REGULATIONS.

- (a) No Discrimination. The Participating Agencies shall comply with all requirements imposed by or pursuant to the regulations of the Department of Justice (28 CFR Part 42, Subparts C, D and G), relating to discrimination on the basis of race, color, creed, sex, age or national origin and equal employment opportunities.
- (b) Verification of Drug Free Work Place. The Participating Agencies shall agree to execute and return to DEA OW Form 4061/3, "Certification Regarding Drug- Free Workplace Requirements." The Participating Agencies shall also submit a signed OFP Form 406 ½, "Certification Regarding Disbarment, Suspension, and Suspension," and other responsibility mailers.

14. TERM OF AGREEMENT

The term of this Agreement shall be from the date of signature by representatives of the parties to June 30, 2027. Participation in this Agreement may be terminated by any Participating Agency on thirty (30) calendar days advanced written notice to the remaining Participating Agencies. Further, this Agreement may be terminated by the DEA

or by a majority vote of the total membership of the Executive Board and upon thirty (30) calendar days advanced written notice to the Participating Agencies.

15. INSURANCE.

Each Participating Agency shall be solely responsible for providing workers' compensation and benefits for its own officials, employees and volunteers who provide services under this Agreement. Each party shall obtain insurance, become a member of a risk pool, or be self-insured to cover the liability arising out of negligent acts or omissions of its own personnel rendering services under this Agreement.

16. IMMUNITY ACT DEFENSES.

The Participating Agencies are governmental entities as set forth in the Utah Governmental Immunity Act, or its successor provisions, and/or covered by the FTCA, as discussed in Paragraph 7(b). It is mutually agreed that the Participating Agencies are each responsible for their own wrongful and negligent acts which are committed by them or their agents, officials or employees, except as may be covered by the FTCA as discussed in paragraph 7(b) above. The Participating Agencies do not waive any defenses otherwise available under the State or Federal law, nor does any Participating Agency waive any limits of liability provided by law. Any immunity and damage caps are expressly preserved and retained.

17. CLAIMS AND LIABILITY WAIVER.

The participating agencies acknowledge that the Federal Tort Claims Act (FTCA), §§ 28 U.S.C. 2671-2680 is the exclusive remedy for parties seeking compensation for injury, property damage, or death caused by the negligent and/or wrongful actions or inactions of federal employees acting within the scope of their employment.

18. NO CREATION OF SEPARATE LEGAL ENTITY.

No interlocal entity, as defined in Utah Code § 11-13-203, is created by the terms of this agreement.

19. SEVERABILITY OF PROVISIONS.

If any provision of this Agreement is found to be invalid, the remaining portions of this agreement shall remain in effect and interpreted in a manner consistent with the goals and terms of this agreement as jointly resolved by the Participating Agencies.

20. THIRD-PARTLES.

This Agreement is not intended and shall not be construed to benefit persons or other entities not named as a Participating Agency herein.

21. TITLES AND CAPTIONS.

The titles and captions of this Agreement are for convenience only and in no way define, limit, augment, extend or describe the scope, content or intent of any part or parts of this Agreement.

22. NON ASSIGNABILITY.

No Participating Agency shall transfer or delegate any of their rights, duties, powers or obligations under this Agreement, without written consent of each of the other Participating Agencies.

23. NOTICES and APPENDIX(ES) CHANGES.

All notices, appendix(es) changes and other communications provided for in this Agreement shall be in writing and shall be sufficient for all purposes if: (a) sent by email to the address the Participating Agency Head, (b) personally delivered; or (c) sent by United States Mail, addressed to the Participating Agency Head at the address the Participating Agency may designate. Participating Agencies are as listed on attached Appendix "A."

24. ADDITION OF PARTICIPATING AGENCIES.

With the approval of all Participating Agencies, additional agencies, organizations, and entities may join this Task Force. The addition of any Participating Agency will not require the renegotiation of this agreement. The new Participating Agency need only execute a separate Agreement and provide a copy of their execution to the HFA.

25. EXECUTION.

Each Participating Agency shall ensure that this Agreement is executed by a duly authorized official. Each Participating Agency agrees that there will be no need for each department to execute on the same signature page. Instead, affixing the signature on any signature page that is subsequently and promptly returned to the HFA shall be deemed valid and enforceable.

26. WITHDRAWAL.

A Participating Agency may withdraw from this Agreement at any time with thirty (30) days written notice to the Executive Board and the HFA.

27. AGREEMENT SUPERCEDES PREVIOUS AGREEMENTS.

This Agreement replaces the prior Drug Task Force Agreements between or among the Participating Agencies.

IN WITNESS WHEREOF, the Participating Agencies hereto have signed this Agreement as of the date executed by the ASAC.

28. CONCLUSION.

Nothing in this agreement is intended to create any substantive or procedural right, privileges, or benefits enforceable in any administrative, civil, or criminal matter by any prospective or actual witnesses or parties. *See United States v. Caceres*, 440 U.S. 741 (1979).

[APPENDICES AND SIGNATURE PAGES TO FOLLOW]

Appendix A

Participating Agencies and Staffing

<u>Agency</u>	<u>Number of TFOs/Agents</u>
Drug Enforcement Administration	25
Homeland Security Investigations	1
Internal Revenue Service Investigations	1
Salt Lake City Police Department	5
Unified Police Department	5
Utah Department of Public Safety	1
West Valley City Police Department	1
Murray City Police Department	1
Sandy City Police Department	1
Tooele City Police Department	1
West Jordan City Police Department *	0
South Jordan City Police Department	1
Park City Police Department	1
Utah Department of Corrections *	0
Cottonwood Heights City Police Department *	0

Federal Agencies typically do not participate in Asset Forfeiture Sharing.

(Partial Participant, not eligible for Asset Forfeiture Sharing *)

The Task Force recognizes that these numbers are subject to change on a routine basis given the parent agency's staffing needs.

See Section 8 c Partial Participation for further information.

Appendix B

Federal Equitable Sharing

The Task Force recognizes an ancillary benefit of asset forfeiture is the potential to share federal forfeiture proceeds with cooperating state and local law enforcement agencies through equitable sharing. The Equitable Sharing Program (Program) enhances cooperation between federal, state, local, and tribal law enforcement by providing valuable additional resources to each task force member agency. Equitable sharing funds are designed to supplement and enhance, not supplant, appropriated agency resources.

The Task Force understands that Federal law authorizes the Attorney General and the Secretary of the Treasury to share federally forfeited property with participating state and local law enforcement agencies. The Task Force understands that the exercise of this authority is discretionary and limited by statute and sharing is not required in any case. In addition, the Task Force understands that sharing is only available from remaining net proceeds after recovery of government expenses and payment of victim compensation. The sharing amount for each asset will bear a reasonable relationship to the degree of direct participation of each member agency and will consider the sharing recommendations outlined in this section based on qualitative factors such as unique contributions and financial obligations of the Task Force.

The Task Force understands that in order for its member law enforcement agencies to receive shared funds, the member agency must be compliant with Program guidelines and reporting requirements. Each member agency's Agency Head and Governing Body Head must annually sign the member agency's Equitable Sharing Agreement and Certification (ESAC) report. By signing and submitting the ESAC report, each member agency and its jurisdiction agree to abide by all policies set forth in the current *Guide to Equitable Sharing for State and Local Law Enforcement Agencies* and all subsequent updates.

Sharing Request Submissions: Sharing requests may be submitted at any time following the seizure, but no later than 45 days after forfeiture via the E Share website. Funds will be transferred into each agency's account electronically.

Financial Management Requirements: Equitable sharing funds are awarded to each member agency to be spent at the discretion of the recipient agency. All federally shared funds received by each member agency will be maintained in separate revenue accounts/accounting codes by each member agency's jurisdiction. These funds will be treated in the same manner as appropriated funds, including procedures for all procurement and approval processes and inclusion in all single audit requirements by the jurisdiction.

Funds may be expended in support of task force operations, such as paying leases and renting undercover vehicles and cell phones. The Task Force member agencies will not expend funds at the direction of or for the sole use of federal agencies.

Sharing Percentages:

Murray City PD	1 TFO	5%
Park City PD	1 TFO	5%

South Jordan City PD	1 TFO	5%
Sandy City PD	1 TFO	5%
Salt Lake City PD	5 TFOs	25%
Utah Highway Patrol	1 TFO	5%
Unified PD	5 TFOs	25%
West Valley City PD	1 TFO	5%
Tooele City PD	1 TFO	5%
Metro Narcotics TF		15%

The percentages above are for full time TFOs, the part time TFO percentage is 2.5%.

Asset amounts must be high enough to give each agency a minimum of \$500.00 or the asset is ineligible to share via the DAG 71 process. This is due to the MLARS policy of not transferring any asset funds less than \$500.00. Tangible assets will not be shared unless it is determined that the asset will yield enough funds to give each participating agency the minimum of \$500.00. In order for each agency to receive their designated share, the asset must total \$13,440 or more.

The sharing percentages listed represent an equitable share in accordance with the statute and are based on each Task Force member agency's contribution to the task force. Contribution includes manpower, tangible contributions such as equipment and facilities, and financial contributions for revolving expenses. If one Task Force member agency provides a greater financial responsibility to the Task Force, such agency should receive a higher share reflective of the financial contribution.

The Task Force may deviate from the above percentages on a case-by-case basis as needed upon concurrence of the Task Force Executive Board. Deviations from the agreed upon percentages generally would only occur in rare cases that were substantially complete prior to referral to the Task Force. Requests for a larger than usual share shall be requested in writing, via email, to the Task Force Commander who will forward that request to the members of the Executive Board and notify the person making the request of their decision.

Change in Participation: This appendix of the Memorandum of Understanding will be updated each time a change in task force member or manpower contribution occurs and/or if a change in financial/administrative responsibilities occurs. Notice of any changes will be in accordance with Section 23 Notices and Appendix(s) Changes.

EXECUTION

Metropolitan Narcotics Task Agreement.

Agreed this _____ day of _____, 2020 for Murray PD.

ATTEST:

Chief or Authorized Agency Rep.

Print Name

Recorder Signature

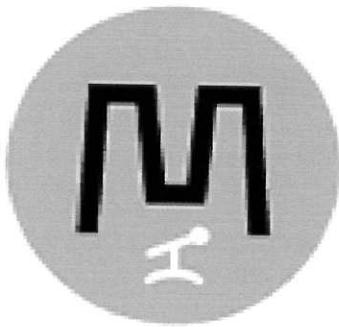
Print Name

Approved as to legal form and compliance with applicable law.

Agency attorney, if required

Date

Print Name



MURRAY
CITY COUNCIL

Adjournment