

**MURRAY CITY MUNICIPAL COUNCIL
COUNCIL MEETING**

Minutes of Tuesday, December 3, 2024

Murray City Hall, 10 East 4800 South, Council Chambers, Murray, Utah 84107

Attendance:

Council Members:

Paul Pickett	District #1
Pam Cotter	District #2 – Council Chair
Rosalba Dominguez	District #3
Diane Turner	District #4
Adam Hock	District #5 – Council Vice-Chair

Others:

Brett Hales	Mayor	Jennifer Kennedy	City Council Executive Director
Doug Hill	Chief Administrative Officer	Pattie Johnson	Council Administration
Brooke Smith	City Recorder	Mark Richardson	Deputy Attorney
Craig Burnett	Police Chief	Brenda Moore	Finance Director
Lori Edmunds	Cultural Arts Director	Traci Black	Parks Department
Kim Sorensen	Parks & Recreation Director	Phil Markham	CED Director
Greg Bellon	Power Director	Matt Youngs	Assistant Power Director
Russ Kakala	Public Works Director	Elvon Farrell	Economic Development Specialist
Ben Ford	Wastewater Superintendent	Aaron Frisk	Water Superintendent
Stephen Olsen	Assistant Fire Chief	Joey Mittelman	Fire Chief
Zac Smallwood	Planning Manager	Rob White	IT Director
Citizens & Guests			

Call to Order: 6:30 p.m. – Vice Chair Hock

Approval of Minutes: Council Meeting, November 12, 2024.

MOTION: Ms. Turner moved to approve, and Ms. Cotter SECONDED the motion.

Voice vote taken, all “Ayes.” Approved 5-0

Special Recognition:

- **Recognition of Station 81 Crew and Rick Johansen.** Assistant Fire Chief Travis Bodtcher explained how Northview Firefighter Rick Johansen and Murray Fire Station 81-C crew members acted to save a life. He reviewed the actions taken by off duty Firefighter Johansen who came up the patient and sustained CPR for six minutes until Murray firefighters and paramedics arrived at the scene to assist. Each firefighter/paramedic was commended for heroic measures and was presented with a Life Saver Award by Murray Fire Chief Mittelman.

Citizen Comments:

Sonya Jensen – Murray Resident

Ms. Jensen said this was her second time to address the Council about ongoing crime issues at the apartments across from her home on Fairbourne Avenue which have turned deadly now. Property owners of the apartment complex are Highland Partners. She reported frequent police activity, provided exact dates and times of events including incidents involving guns, SWAT teams, and the fatal shooting on November 21, 2024. She expressed concern for the safety of nearby children and described a deteriorating quality of life for her and her neighbors. She said they no longer feel safe using their front yards or allowing children to play outside. She stressed that as the crime continues to escalate, she fears someone else will be shot. She urged the Council to hold the property owners accountable, stating no resident should have to live under such conditions that feel like a war zone.

Scott Hansen – Murray Resident

Mr. Hansen expressed support for the two UAMPS power supply proposals to be considered by City Council. He said having worked as a risk manager in the energy industry for 38 years, he had knowledge and experience in the industry. As someone who strongly supported green energy, he wanted to share that the technology to go 100% green is not there. He favored natural gas and said natural gas was a natural fit with low emissions that supports peak, power generation and base load power.

DeLynn Barney – Murray Resident

Mr. Barney raised concerns about parking issues in downtown Murray near his home. He urged the City to review parking ordinances for businesses parking near residential areas. He expressed gratitude to the first responders who were awarded special recognition and shared his personal appreciation for a medical team that saved his life in the past.

Consent Agenda:

1. Consider confirmation of the Mayor's appointment of Aaron Hildreth to the Planning Commission for a term beginning January 2025 through January 2028.
2. Consider confirmation of the Mayor's appointment of Traci Black to the Arts Advisory Board for a term beginning January 2025 through January 2028.
3. Consider confirmation of the Mayor's reappointment of Blair Lyon to the Arts Advisory Board for a term beginning January 2025 through January 2027.
4. Consider confirmation of the Mayor's reappointment of Pace Gardner to the Arts Advisory Board for a term beginning January 2025 through January 2027.

Mayor Hales introduced those citizens who were in attendance and requested that the City Council approve each proposed appointment.

MOTION: Ms. Cotter moved to approve the Consent Agenda. Ms. Dominguez SECONDED the motion.

Council Roll Call Vote:

Mr. Pickett	Aye
Ms. Cotter	Aye
Ms. Dominguez	Aye
Ms. Turner	Aye
Mr. Hock	Aye
Motion passed:	5-0

Public Hearings:

1. Consider a resolution approving the 2024 Murray City Water Conservation Plan. Water Superintendent Aaron Frisk recapped about the previous Committee of the Whole work session when Council Members learned about the proposed Water Conservation Plan. Mr. Frisk said the conservation plan would be made available on the City's website and at the City's public works facility.

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

MOTION: Ms. Turner moved to approve the resolution. Ms. Dominguez SECONDED the motion.

Council Roll Call Vote:

Mr. Hock	Aye
Mr. Pickett	Aye
Ms. Cotter	Aye
Ms. Dominguez	Aye
Ms. Turner	Aye
Motion passed:	5-0

2. Consider an ordinance enacting Section 17.76.190 of the Murray City Municipal Code relating to residential short-term rentals and amending Sections 17.76.020 and 17.84.060 of the Murray City Municipal Code relating to the determination of permitted and conditional uses. Planning Manager Zachary Smallwood reviewed the reason the City was addressing STRs (short-term rentals) now was due to a statistics report put out by the Kem C. Gardner Policy Institute in October in 2024 that related to shared housing along the entire Wasatch Front. The report indicated that STRs increased significantly between 2022 and 2023 according to census tracking data, which included an increase in the Murray area.

Mr. Smallwood explained that when staff first received a business license application for a STR property, they realized that the City had no specific zoning ordinance that allowed or outlawed them. This created a loophole in City Code so a moratorium was placed on STRs until a decision could be made about how the City would handle them. He confirmed that staff had met with Council Members numerous times and in workshops to discuss policy guidance before the moratorium would expire in January 2025. As a result the city would like an ordinance that allows STRs to operate responsibly, with minimal disruption to neighborhoods, while still protecting housing availability and create a framework for fair enforcement.

Mr. Smallwood said the proposed ordinance does not allow for unhosted sharing or dedicate vacation rentals in the City of Murray and the hope is to work towards a more lenient policy going forward. Staff would reevaluate the ordinance in one year and return to the Council with feedback about how the enforcement was going. For now the proposal is that all STRs must be hosted sharing, meaning the owner is present during the guests stay. Mr. Smallwood reviewed parking requirements, details related to enforcement and how the ordinance would help maintain integrity of neighborhoods, encourage responsible hosting and provide clear direction for the City allowing the City to enforce with more objective criteria. Mr. Smallwood noted findings to confirm why staff supports the proposal and why the Planning Commission voted 4-3 to forward a positive recommendation to the City Council on October 17, 2024.

The public hearing was open for public comments.

Joe Christensen – Murray Resident

Mr. Christensen shared his experience as a STR owner by suggesting one recommendation to the proposed ordinance. He explained that parking requirements should not be related to the number of bedrooms in a STR. Because a single bedroom can accommodate more than one guest, bedrooms should be limited to just two guests, with two extra people. This would deter large groups of people from showing up to stay. He believed property managers have more guests when more beds are placed in bedrooms and STRs end up housing large groups of people. When multiple families show up and large parties are hosted neighborhoods and communities are negatively impacted. He expressed appreciation for the City's efforts to regulate STRs.

The public hearing was closed.

Mr. Smallwood said the suggested bedroom restriction was a great idea that would be more applicable if the City were implementing unhosted STRs or dedicated vacation rentals. He would consider applying bedroom regulations when staff reevaluates the Code in one year.

Ms. Dominguez asked how the new ordinance would affect existing STRs. Mr. Smallwood said they would not be subject to the new rules, they would be grandfathered in and be required to register with the City and obtain a business license. This way all STRs could be tracked going forward and if a STR did not operate for a year, the non-conforming status would no longer apply.

Mr. Pickett asked how property tax revenue was affected by STRs. Finance Director Brenda Moore said homeowners living full-time at their residence would qualify for the residential exemption. However, if a property is owned by a corporation with no individual residing on site as the owner, the STR would be classified as commercial property and would not qualify for the residential exemption.

MOTION: Ms. Turner moved to adopt the ordinance. Mr. Pickett SECONDED the motion.

Council Roll Call Vote:

Mr. Pickett	Aye
Ms. Cotter	Aye
Ms. Dominguez	Nay
Ms. Turner	Aye
Mr. Hock	Aye
Motion passed:	4-1

Ms. Dominguez supported the Council's work on the STR ordinance but thought it was too strict. She felt funding, staffing and software alone could manage STRs without requiring home occupancy. She proposed adding a covenant to prevent corporations from buying neighborhood properties, which she believed inflates housing costs and limits access to ownership for low-income residents.

3. **Consider an ordinance amending Sections 12.28.030 and 12.28.040 of the Murray City Municipal Code related to Golf Course fees.** Parks Director Kim Sorensen said the request to amend the existing ordinance was related to increasing golf fees by 11% at the Murray Parkway. The cost for nine holes would increase from \$18 to \$20, 18-holes from \$36 to \$40 and a new fee of \$15 would be added for a shotgun round. Mr. Sorensen confirmed that golf fees had not increased in two years and that the proposed increase would better align Murray Parkway with similar golf courses.

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

MOTION: Mr. Pickett moved to approve the ordinance. Ms. Cotter SECONDED the motion.

Council Roll Call Vote:

Mr. Pickett	Aye
Ms. Cotter	Aye
Ms. Dominguez	Aye
Ms. Turner	Aye
Mr. Hock	Aye
Motion Passed:	5-0

4. **Consider an ordinance annexing real property located between approximately Van Winkle Expressway to 900 East and 4800 South to the Boundary of Murray City at 4840-4890 South.** City Recorder Brooke Smith gave an overview and history about the annexation request and the

requirements to submit a notice of intent. She discussed a timeline regarding the efforts made to process the request that involved a few setbacks. Ms. Smith said all legal requirements for the annexation petition had been met as per Utah Code Title 10, Chapter 2, Part 4 and the proposal was ready for final consideration.

The public hearing was open for public comments.

Mark Burgess – Murray Resident.

Mr. Burgess expressed gratitude to the City for considering the annexation saying he could not think of a better municipality in the county that he would rather be a part of. He shared challenges and frustrations of the past related to getting help to the area from various police forces due to being a small county island. He expressed happiness for knowing that Murray police officers might be serving his area now.

Steve Aste – Cottonwood Heights resident and Murray Business Owner.

Mr. Aste said his business was located in the annexation area and wondered if the zoning would change once the annexation was approved. He and his staff enjoyed the existing views that cover the sides of the Van Winkle Expressway. He did not want to see condominiums constructed in those natural areas.

Marv Hendricks – Murray Resident.

Mr. Hendricks shared enthusiasm for the annexation and expressed excitement about living in Murray and not Unincorporated Salt Lake County. He said having gone through the annexation process twice, he was grateful for understanding the hard work involved and he appreciated getting to know his neighbors better through it all.

The public hearing was closed.

Ms. Cotter addressed the wetlands located near the annexation area and asked who owned them. Community and Economic Development Director Phil Markham said the wetlands and wooded areas along both sides of Van Winkle Expressway, which is tied up in water rights are watersheds owned by Salt Lake City utilities. With current water issues in Utah he believed the chances of Salt Lake City ever relinquishing the land or selling it for development were very very small.

MOTION: Ms. Cotter moved to approve the ordinance. Ms. Dominguez SECONDED the motion.

Council Roll Call Vote:

Mr. Pickett	Aye
Ms. Cotter	Aye
Ms. Dominguez	Aye
Ms. Turner	Aye
Mr. Hock	Aye
Motion Passed:	5-0

Business Items:

1. **Consider a resolution providing advice and consent to the Mayor's appointment of Chad Wilkinson as the City's Community and Economic Development Department Director.** Mayor Hales introduced Mr. Wilkinson and said Council Members met him during the previous Committee of the Whole work session. The Mayor said Mr. Wilkinson was set to be sworn into his position in early 2025, at the start of the new year.

MOTION: Ms. Turner moved to approve the resolution. Ms. Cotter SECONDED the motion.

Council Roll Call Vote:

Mr. Pickett	Aye
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Ms. Cotter Aye
Ms. Dominguez Aye
Ms. Turner Aye
Mr. Hock Aye
Motion Passed: 5-0

2. Consider a resolution approving the execution of a Memorandum of Understanding between the Central Valley Water Reclamation Facility ("CVWRF") and the City regarding their respective ownership and maintenance responsibilities. Wastewater Superintendent Ben Ford said the purpose of the resolution was to clarify ownership boundaries and maintenance responsibilities for the two connection points that Murray City has with Central Valley Water Reclamation.

MOTION: Ms. Dominguez moved to approve the resolution. Mr. Pickett SECONDED the motion.

Council Roll Call Vote:
Mr. Pickett Aye
Ms. Cotter Aye
Ms. Dominguez Aye
Ms. Turner Aye
Mr. Hock Aye
Motion Passed: 5-0

3. Consider a resolution approving and authorizing execution of an amendment to an Interlocal Cooperation Agreement between Murray City Corporation and Salt Lake County for a contribution of TRCC Funds to assist in financing the restoration of the Murry Theater. Parks Director Kim Sorensen said the amendment of the agreement would extend TRCC (Tourism, Recreation, Culture and Convention) grant funding terms from December 31, 2024 to June 30, 2025.

MOTION: Ms. Dominguez moved to approve the resolution. Ms. Cotter SECONDED the motion.

Council Roll Call Vote:
Mr. Pickett Aye
Ms. Cotter Aye
Ms. Dominguez Aye
Ms. Turner Aye
Mr. Hock Aye
Motion Passed: 5-0

4. Consider a resolution approving and authorizing execution of an amendment to an Interlocal Cooperation Agreement between Murray City Corporation and Salt Lake County for a contribution of TRCC Funds to assist funding construction of Riverview Park improvements. Parks Director Kim Sorensen said TRCC grant funding in the amount of \$400,000 was originally received from Salt Lake County for improving Riverview Park. It was necessary to extend the terms of the agreement to December 31, 2024 from the original expiration date of September of 2024, because additional money in the amount of \$40,000 was spent in October of 2024. Approval would allow the City to collect the \$40,000 in TRCC funding to pay for the additional work that was needed.

MOTION: Ms. Cotter moved to approve the resolution. Ms. Turner SECONDED the motion.

Council Roll Call Vote:
Mr. Pickett Aye
Ms. Cotter Aye
Ms. Dominguez Aye
Ms. Turner Aye
Mr. Hock Aye

Motion Passed: 5-0

5. **Consider a resolution authorizing and approving the Power County Power Project Power Sales Contract with Utah Associated Municipal Power Systems; and related matters.** Power Director Greg Bellon discussed agenda items number five and six together. Mr. Bellon provided both resolutions that would authorize and approve two Power Sales Contracts with UAMPS (Utah Associated Municipal Power Systems). One for the Power County Power Sales Contract and the other for the Millard County Power Sales Contract. He explained that the Murray Power Department would like to be part of both projects in the future.

Mr. Bellon said the natural gas fired Peaker Plant would be a 200 megawatt facility located in Millard County Utah with a commercial operating date of 2029. The other facility called the Baseload plant, would be located in Power County, Idaho, would generate 360 megawatts of energy, would be a gas and steam turbine plant, and is referred to as a combined cycle resource. The Baseload Plant is estimated to be ready in 2031.

Mr. Bellon recapped that Council Member studied both power plants in detail in a previous work session and also in individual meetings. He expressed appreciation to the Council for thoughtful questions and concerns during those past meetings and firmly believed both proposals were the best opportunity for Murray City.

Mr. Bellon recommended that the City Council approve power sales contracts for both natural gas plants in Power County and Millard County. He explained that if approved, the first step moving forward involves completing a cluster study of each facility. Once cluster studies are completed, Pacific Corp would analyze the results to determine the impact on their system and evaluate what might be needed to begin constructing both projects. He said Murray Power staff and UAMPS agree that both resources would provide a reliable and viable power source for Murray for many years to come.

MOTION: Mr. Hock called for a motion on the Power County Power Project Power Sales Contract:

Ms. Dominguez moved to approve the resolution. Mr. Pickett SECONDED the motion.

Council Roll Call Vote:

Mr. Pickett	Aye
Ms. Cotter	Aye
Ms. Dominguez	Aye
Ms. Turner	Aye
Mr. Hock	Aye
Motion Passed:	5-0

6. **Consider a resolution authorizing and approving the Millard County Power Project Power Sales Contract with Utah Associated Municipal Power Systems; and related matters. Greg Bellon presenting.** Presentation was given as noted above.

MOTION: Mr. Hock called for a motion on the Millard County Power Project Power Sales Contract:

Ms. Dominguez moved to approve the resolution. Ms. Cotter SECONDED the motion.

Council Roll Call Vote:

Mr. Pickett	Aye
Ms. Cotter	Aye
Ms. Dominguez	Aye
Ms. Turner	Aye
Mr. Hock	Aye
Motion Passed:	5-0

Mr. Hock announced that Ms. Dominguez would be leaving the Murray City Council and this was her last council meeting. Ms. Dominguez expressed excitement for her new opportunity and shared heartfelt gratitude to the Council, Mayor, staff, citizens, and her family for the years she had the privilege to serve as a Murray City Council Member.

Mayor's Report and Questions: Mayor Hales congratulated Ms. Dominguez on her victory as member-elect of the Utah House of Representatives, representing District 35. Mayor Hales expressed gratitude to Chief Burnett and his officers for handling a recent difficult incident with a quick arrest and noted upcoming holiday events scheduled in the City.

Adjournment: 8:10 p.m.

Pattie Johnson
Council Office Administrator III