

# Murray City Municipal Council Chambers Murray City, Utah

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**T**he Municipal Council of Murray City, Utah, met on Tuesday, the 24<sup>th</sup> day of April, 2007 at 6:30 p.m., for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

Roll Call consisted of the following:

Krista Dunn,	Council Chair
Pat Griffiths,	Council Member
Robbie Robertson,	Council Member - Conducted
Jim Brass,	Council Member
Jeff Dredge,	Council Member

Others who attended:

Daniel Snarr,	Mayor
Jan Wells,	Chief of Staff
Rondi Knowlton,	Mayor's Office
Frank Nakamura,	City Attorney
Shannon Huff Jacobs,	Council Director
Carol Heales,	Recorder
Doug Hill,	Public Service Director
Kevin Potter,	Battalion Chief
Craig Burnett,	Assistant Chief of Police
Don Whetzel,	Finance Director
Keith Snarr,	Economic Development Director
John Galanis & Family	Metering Technician
Citizens	

Mr. Robertson conducted the meeting.

## **A. OPENING CEREMONIES**

1. Pledge of Allegiance - Blaine Haacke, Acting General Manager, Power Department
2. Approval of Minutes

Motion to approve the minutes of April 17, 2007 made by Ms. Dunn.  
Ms. Griffiths 2<sup>nd</sup> the motion.  
Voice Vote taken, All ayes.  
Motion passed unanimously.

3. Special Recognition(s)

a. **Recognition of John Galanis for his completion of apprenticeship and certification by the U.S. Department of Labor as Journeyman Meter Technician.**

Staff Presentation: Blaine Haacke, Acting General Manager

Mr. Haacke noted that Mr. Galanis, a very positive influence in the Power Department, started with the City in 1997 as a meter reader. Mr. Galanis was promoted to apprentice meter tech four and one half years ago. This change required him to attend the four year Intermountain Power Superintendents Association (IPSA) program at Utah Valley State College (UVSC). Mr. Haacke said, after much sacrifice by John and his family, he completed his schooling.

Mr. Haacke added that Mr. Galanis has always been a high performer, both with the City and in school. On John's fourth year step at UVSC, he scored a 95% proficiency rate in the hands on and written tests.

Mr. Haacke presented Mr. Galanis the certificate he received from the U.S. Department of Labor.

Mr. Galanis introduced his family, and remarked that it had been a wonderful opportunity for him.

**B. CITIZEN COMMENTS** (Comments are limited to three minutes unless otherwise approved by the Council.)

Mr. Kevin Billings, 5670 S Crown Point Drive, Murray UT 84107

Mr. Billings expressed his concern and frustration with recent developments at the Legacy Inn Retirement Home, located at 5600 South 425 East. He said the retirement home is his immediate neighbor to the West. He said when the owners originally presented their business model to the City, it was to cater to residents that were 55 years or older. For a time the home lived up to that model, but now it has moved away from that model, and is now renting the rooms to what he would classify as *upper end transient people*. Specifically, the retirement home is renting studio apartments to anyone for \$370.00 per month, including utilities and access to laundry facilities.

Mr. Billings stated that he can assure that the residents moving in to the Legacy Inn Retirement Home are not elderly, and do not possess personal characteristics that benefit the City. He felt the home is turning into *Murray's new soup kitchen*.

Mr. Billings expressed support of the City's very progressive redevelopment, and commended the City for the job done. He said there is a pride of ownership in Murray, a community moving forward with a new high school, a new hospital, a recreation center, etc.. Mr. Billings said the point he is trying to make is that the Legacy Retirement Inn is catering to an element of society not becoming of Murray, nor has the business been approved to do this. These people are not making a commitment to the community. In the past month, at the retirement home, he had personally witnessed drug use, marital fights, broken car alarms, and music so loud that he can hear it in his home over the television. He added that the police now know the residents in the home by name due to all the problems.

Mr. Billings concluded by asking what more can he do? He has followed a process that included contacting Mayor Snarr and his Chief of Staff, Ms. Wells by email. After that, he spoke with Mr. Mark Boren of the Planning and Zoning Department. He has discovered that the owners of the Legacy Inn are not in compliance with their conditional use permit, which specifically states that the residents must be 55 years of age or older.

Mr. Billings said he understood that the area is zoned for multi-family use, and that he has no objection to this, however, he does have a problem with the fact that the Legacy Inn has come in and done the classic *bait and switch*. They are not living up to the regulations of the City or to what they promised to do at this location.

Mr. Billings wanted to bring this issue up with the City Council. He said he will continue to work with the Community Development Director and attempt to move this unwelcome neighbor out of the community.

C. CONSENT AGENDA

None

D. **Public Hearing(s)**

1. a. Staff and sponsor presentations, public comment and discussion prior to Council action on the following matter:

**Consider an Ordinance relating to Zoning; amends the Zoning Map for property located at 4991 and 4995 South Atwood Boulevard, Murray City, Utah from an R-M-15 (Residential Multiple-Family Medium Density) District to a G-O (General Office) District. (Leslie Saunders)**

Staff Presentation: Ray Christensen, Planning and Zoning Department

Mr. Christensen stated that this application had been presented to the Planning Commission, and received a positive, 5 - 0 vote by the Commission.

Sponsor Presentation: Leslie Saunders, owner

Ms. Saunders asked for the Council's approval to bring the property into compliance with the Master Plan. She stated that this building was originally built in 1953 as a medical office, and has had a variety of uses since then.

Ms. Saunders purchased the building approximately one and one half years ago, and has been trying to put the building back to its original use. She currently has a five year lease with an ophthalmologist and audiologist to conduct business there, which is in compliance with all City codes at this time.

Ms. Dunn stated that she had information that there was a beauty salon operating at this location. Ms. Saunders explained that those tenants had been evicted last September, and they were *inherited* tenants at the time she purchased the building.

Mr. Brass asked if it was not a legal non-conforming use for a medical office. Ms. Saunders stated that under the special use variance, the building use is in compliance and does not need to have the zone changed to continue, however, to bring the property into compliance with the Master Plan and to increase the equity of the property through a variety of uses, she would like to have it changed.

Ms. Griffiths asked what the long term intentions were for this property. Ms. Saunders stated that she would like to hold onto the property for her retirement. It is too small of a building, and the property is too small to change the building or add on to it.

### **Public Hearing Opened for Public Comment**

None Given

### **Public Hearing Closed**

- b. Council consideration of the above matter to follow Public Hearing.

Mr. Brass stated that he would feel more comfortable with an RNB designation, as a zoning of General Office concerns him as it allows many changes in the future, especially if neighboring properties were bought. A Residential Neighborhood Business (RNB) zone would be in keeping with the neighborhood character.

Ms. Dunn agreed with Mr. Brass' concerns, however, changing this zone would require additional work and regulations to be followed for any type of future change, including additional costs.

Frank Nakamura, Attorney, noted that the RNB was available.

Mr. Brass stated that he was reluctant to send Ms. Saunders through the process again. The Council members reluctantly agreed.

Motion to adopt the resolution made by Mr. Brass  
Ms. Dunn 2<sup>nd</sup> the motion.

Call vote recorded by Ms. Heales

**AYE/NAY**

<u>  A  </u>	Mr. Brass
<u>  A  </u>	Ms. Dunn
<u>  A  </u>	Mr. Dredge
<u>  A  </u>	Ms. Griffiths
<u>  A  </u>	Mr. Robertson

Motion passed 5-0

2. a. Staff and sponsor presentations, public comment and discussion prior to Council action on the following matter:

**Consider an Ordinance relating to Zoning; amends the Zoning Map for property located at 4221 South Main Street, Murray City, Utah from C-D-C (Commercial Development Conditional) District to TOD (Transit Oriented Development) District. (Hamlet Homes)**

Staff Presentation: Ray Christensen, Planning and Zoning

Mr. Christensen stated that this zone change request and a text amendment, had been brought before the Planning and Zoning Commission and had received a positive recommendation on a 5-0 vote.

Sponsor Presentation: Jim Paraskiva, Hamlet Homes

Mr. Parskiva stated that the zone change is an addition to existing neighborhood property that they own, which is already zoned for TOD. The Master Plan calls for mixed use, and he would like to do this on this parcel as well. He also noted that this property is within a 1/4 mile radius of the TRAX station and would be a benefit to the community.

**Public Hearing Opened for Public Comment**

None given

**Public Hearing Closed**

- b. Council consideration of the above matter to follow Public Hearing.

Ms. Dunn stated that as it is within a 1/4 mile radius, it would be fine.  
Mr. Brass remarked that 15 feet of the property is already zoned TOD.  
Ms. Griffiths noted that this would be an enhancement for the City.

Motion to adopt the resolution made by Ms. Griffiths.  
Mr. Brass 2<sup>nd</sup> the motion.

Call vote recorded by Ms. Heales

**AYE/NAY**

<u>  A  </u>	Mr. Brass
<u>  A  </u>	Ms. Dunn
<u>  A  </u>	Mr. Dredge
<u>  A  </u>	Ms. Griffiths
<u>  A  </u>	Mr. Robertson

Motion Passed 5-0

**E Unfinished Business**

None

**F. New Business**

1. Consider a Resolution authorizing the sale of Renewable Energy Credits to Carbon Solutions Group, LLC.

Staff Presentation: Blaine Haacke, Acting General Manager, Power Department

Mr. Haacke explained that the Landfill Gas Plan has been generating for eight months, and the City has found buyers for *Green Tags* or Renewable Energy Certificates (REC). He said Carbon Solutions will buy the REC's from the City. The City has generated close to 8000 mega watt hours, this represents the sale of *Green Tags* through December 31<sup>st</sup>, 2006. The best price they have been able to find is \$1.15 per mwh, which would be a revenue source to the City of approximately \$10,000. Passing this resolution would allow the sale; the last

agreement stated that any sale or transfer of the *Green Tags* requires the authorization and approval of the City Council.

Motion to adopt the resolution made by Ms. Dunn.  
Ms. Griffiths 2<sup>nd</sup> the motion

Call vote recorded by Ms. Heales

**AYE/NAY**

<u>  A  </u>	Mr. Brass
<u>  A  </u>	Ms. Dunn
<u>  A  </u>	Mr. Dredge
<u>  A  </u>	Ms. Griffiths
<u>  A  </u>	Mr. Robertson

Motion passed 5-0

**G. Mayor**

1. Report

Mayor Snarr expressed his pleasure at the progress being made on the Transit Oriented Development project. The Mayor feels that this will be a beautiful gateway into our City, and stated that this will be the first, bonafide Transit Oriented Development of significance along the North-South corridor.

2. Questions of the Mayor

None

**H. Adjournment**