

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 21st day of November, 2006 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

Other who attended:

Daniel Snarr,	Mayor
Jan Wells,	Chief of Staff
Frank Nakamura,	City Attorney
Shannon Huff Jacobs,	Council Director
Carol Heales,	City Recorder
Dennis Hamblin.	Planning & Zoning
Gil Rodriguez	Fire Chief
Wayne Oberg,	Recreation Coordinator
Keith Huber	Police Department

A. OPENING CEREMONIES

1. Pledge of Allegiance

Craig Campbell, Murray Youth Government Mayor

2. Approval of Minutes, November 14, 2006 Council meeting

Motion to approve made by Ms. Griffiths.
2nd by Mr. Brass

Voice Vote passed unanimously.

Mr. Robertson said there is a tradition at council meetings to ask the Boy Scouts and their leaders to introduce themselves and state what merit badges they are working on.

Troop #847 scouts and leader introduced themselves.

3. Special Recognition(s)

Introduction and swearing in of the 2006-2007 Murray Youth Government. Advisor, Wayne Oberg, spoke on the accomplishments of the Youth Government and gave a brief overview of Shadow Day.

Swearing in conducted by Carol Heales, City Recorder:

Craig Campbell, Mayor
Shalae Steadman, Chief of Staff
Rachael Manwaring, Administrative Assistant
Tyson Tharp, Council District #1
Madison Neiswender, Council District #2
Elyse Timothy, Council District #3
Megan Campbell, Council District #4
Ruth Allred, Council District #5
Marissa Purser, City Recorder
Taylor Wessman, Treasurer
Krisina Lewis, Historian
John Fisihautu, Parliamentarian
Dani Njord, Marketing Director
Lexie Olivia Grant, Member

B. CITIZEN COMMENTS (Comments are limited to 3 minutes unless otherwise approved by the Council.)

1. Ms. Shannon Green, 878 East 47 South, SLC, UT.
Ms. Green stated that she is a student at the University of Utah, and is involved in a community service project here in Murray's voting precinct 4432. She said the project involved working on resolving traffic control issues due to a residential Christmas lighting display. She said she has worked diligently with the City on this project and appreciated their help.
2. Mr. C. W. Marsh (Bill), 5476 Dunbarton Dr, Murray, UT.
Mr. Marsh read a letter that he submitted to the Council regarding his concerns about a residential construction project located at 5484 S Dunbarton Drive. Mr. Marsh was concerned about the quality of the project, and felt that there were errors and deficiencies in the information on the plans, specifications, and construction site conditions.

He stated that he had spoken with the City's building department about his concerns, and that construction had been suspended pending review and correction. Mr. Marsh recommended to the Council and the City that they admonish the professional engineer for the errors and plan omissions, and that the

engineer be restricted from providing engineering services to the City. He felt that Snarr Construction should be reprimanded for their negligence, publicly apologize to Mayor Snarr for casting a shadow on his name, and insure better supervision in the future.

Mr. Marsh expressed his thanks and appreciation to Jim Brass for personally responding to his concerns. He also thanked the citizens who encouraged his call for action.

C. CONSENT AGENDA

None scheduled.

D. PUBLIC HEARING(S)

1. At approximately 6:40 P.M.

a. PUBLIC HEARING #06-37

Consider an Ordinance relating to Zoning; amends the Zoning Map for property located at 703 East Winchester Street, Murray City, Utah from R-1-8 (Single-Family Low Density Residential District) to R-N-B (Residential Neighborhood Business District). (Dolores Lord)

Staff presentation: Dennis Hamblin, Community Development Director.

Mr. Hamblin stated that this item, a request for re-zone of this property from R-1-8 to R-N-B, appeared before the Planning Commission on September 21st, 2006. The general plan for the area shows a neighborhood business classification. The proposal is for an office building to be developed on this property at a future date. The Planning Commission gave a favorable recommendation on this re-zone with a vote of 5 to 0.

Mr. Randy Cochran requested the Council's approval of the zone change on behalf of the sponsor, Delores Lord and Ned Walker

PUBLIC HEARING OPENED FOR PUBLIC COMMENT

Pam Squires, 687 E Winchester St., Murray, UT:

Ms. Squires stated that she has concerns with the number of traffic accidents and parking issues on the residential streets, since the City re-zoned the area. She felt that if the re-zoning of this property was approved there would be a marked increase in traffic problems. She said she opposes the re-zoning.

Jeff Squires, 687 E Winchester St., Murray, UT:

Mr. Squires felt that many of the residents in the area, that are for the zone change, no longer have street access and that a zone change would give them a viable alternative to selling their residential properties. He said the property being considered for a zone change does have access from 725 East and could easily be sold as residential. He felt that it would benefit the neighborhood to keep it zoned as a residential property. He said he opposes the zoning change.

Mildred Collett, 709 E Winchester St., Murray, UT:

Ms. Collett disagreed with the comment regarding the number of accidents in this area, stating that the change of access off of 725 East would be a help to the residents of the area, and would resolve access and parking problems that now exist. She recommended the zoning be changed.

Verl Greenhalgh, 771 E, Labrum Ave., Murray, UT:

Mr. Greenhalgh questioned the need for a zone change, and asked if this could be done on a limited use basis. He wondered if a zone change would mandate that the balance of the properties going East would require the same zone change. He added that there have been problems with the storm water and drainage in that area.

Tiffany Kirkham, 753 Labrum Ave, Murray, UT:

Ms. Kirkham expressed concerns in that although the zoning is designed to be transitional in nature, it would still generate more traffic in the neighborhood, and she has concerns for the children and the elderly persons in the area, and would be opposed to the zone change.

Ms. Dunn agreed that the traffic in this area was a concern. She felt that a change in access may be possible due to the depth of the property. If so, the area would continue to maintain a neighborhood feeling.

Mr. Dredge said he was torn about the zone change request because it may increase the traffic in the neighborhood. He felt many people may not choose to exit onto the more heavily traveled Winchester Street.

Ms. Griffiths pointed out that the Council does not have control over site plans and future developments of the property, but could only approve the zone change.

PUBLIC HEARING CLOSED

Ms. Dunn made a motion to deny the change in zoning due to traffic, and the ability to have the entrance to the property in the residential area.

Mr. Dredge 2nd the motion.

Call Vote recorded by Ms. Heales

AYE/NAY

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

Motion passed 5-0

Both Mr. Brass and Ms. Griffiths expressed their reservations about their decision to deny the zone change.

2. At approximately 6:50 P.M.

b. PUBLIC HEARING 06-39

Consider an Ordinance relating to Zoning; amends the Zoning Map for property located at 217 West Winchester Street, Murray City, Utah from R-1-8 (Single-Family Low Density Residential District) to R-N-B (Residential Neighborhood Business District). (Carrie Butterfield)

Staff Presentation: Dennis Hamblin, Community Development Director

Mr. Hamblin stated that this request was reviewed by the Planning Commission on September 7, 2006, and comes with a favorable, 4 to 0 vote, recommendation for a change from R-1-8 to R-N-B.

Carrie Butterfield, Sponsor, 9860 N Oquirre View Dr., Eagle Mountain:
Ms. Butterfield stated that she would very much like to see this motion passed.

PUBLIC HEARING OPENED FOR PUBLIC COMMENT

None given.

PUBLIC HEARING CLOSED

Mr. Brass commented that there is currently a State Farm insurance agency one door up, near the TRAX line. He added that this area is exactly what the R-N-B zone was created for.

Ms. Dunn agreed with Mr. Brass, and stated that it would make sense for this area to be zoned as R-N-B.

Mr. Brass made a motion to approve the zone change.

Ms. Griffiths 2nd the motion.

Call Vote recorded by Ms. Heales

AYE/NAY

 A Mr. Robertson
 A Mr. Brass
 A Ms. Griffiths
 A Ms. Dunn
 A Mr. Dredge

Motion passed 5-0

3. Approximately 6:50 p.m.

c. PUBLIC HEARING 06-40

Consider an Ordinance relating to Land Use; amends Section 17.145.060 of the Murray City Municipal Code relating to the relationship between the Downtown Historic Overlay District and other City Ordinances.

Staff Presentation: Frank Nakamura, City Attorney

Mr. Nakamura explained that the General Land Use ordinances that apply citywide have very specific provisions that apply to the Downtown Historic Overlay District (DHOD) area. Under normal statutory construction, more restrictive provisions apply. The City has clarified the ordinances to insure that if there is a conflict between provisions in the General Land Use provisions, and the Downtown Historic Overlay District provisions, that the more restrictive DHOD provisions would apply.

PUBLIC HEARING OPENED FOR PUBLIC COMMENT

None given.

PUBLIC HEARING CLOSED

No Council discussion given

Motion made by Ms. Griffiths to adopt the Ordinance.

Ms. Dunn 2nd the motion.

Call Vote recorded by Ms. Heales

AYE/NAY

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

Motion passed 5-0

E UNFINISHED BUSINESS

1. None scheduled.

F. NEW BUSINESS

1. Consider a Resolution approving an Interlocal Cooperation Agreement between the City and the United States Postal Service to share parking spaces.

Staff Presentation: Frank Nakamura, City Attorney

Mr. Nakamura explained that the United States Postal Service (USPS) had approached the Mayor about using the Murray City Hall parking lot for their employees. After a discussion with Carol Heales, City Recorder, it was determined that the space near Ken Price ball field could be used for their parking, with the understanding that accommodations would need to be made during times of activities at the field. The City would notify the USPS with a seven day advance notice of any planned activities. The lease agreement is for \$12,000 per year, and may be terminated at any time by the City.

Ms. Dunn felt that if the parking is available, sharing the space is a good idea. She did, however, express concerns regarding the need to find other alternatives for parking when events such as the Babe Ruth Baseball Series last several days. She wondered where the postal employees would park during those events.

Mr. Nakamura assured the Council that this issue had been discussed with the USPS, and the City would work with them to find alternative parking during those events. He said if it did pose a problem, the City does have the right to terminate the agreement.

Mayor Snarr commented that the USPS is aware that they are woefully lacking in parking resources at their location. In meeting with the Postmaster at this location, although the City wants to assist them in their situation, the Mayor emphasized the City's need for the parking space during these events.

Ms. Griffiths expressed her feeling that the USPS should be more accommodating to others as well; such as the Murray Theater patrons being allowed to park at the USPS facility when it is closed. She felt that if they are expecting accommodation from the City, or others, then the USPS should exercise the same understanding and willingness to cooperate.

Mayor Snarr explained that the decision by the USPS to not allow parking after hours is not specific to the Murray location. It is a companywide policy to insure against liability.

Mr. Robertson asked if the City would also take on liability issues by allowing this agreement. Mr. Nakamura stated that yes, the City does take on some liability. He also stated that if problems do arise, then we do have the protection of being able to terminate the agreement at any time.

Mayor Snarr explained that the City has allowed several postal employees to park at our facility for years, but that now, with the extensive growth of the number of employees at this postal facility, changes need to be made.

Ms. Dunn made a motion to approve the agreement.

Mr. Brass 2nd the motion.

Call Vote recorded by Ms. Heales

AYE/NAY

 A Mr. Robertson
 A Mr. Brass
 A Ms. Griffiths
 A Ms. Dunn
 A Mr. Dredge

Motion passed 5-0

2. Consider a Resolution Adjusting the 2006 Regular Meeting Schedule of the Murray City Municipal Council for the months of November and December, 2006.

Staff Presentation: Krista Dunn, Council Chair

Ms. Dunn explained that the City is required to hold a minimum of 2 council meetings per month. During busy months such as November and December, one of the three meetings is generally cancelled. She made note that all requirements are still being met.

Mr. Brass made a motion to accept the new schedule.
Ms. Griffiths 2nd the motion.

Call Vote recorded by Ms. Heales

AYE/NAY

 A Mr. Robertson
 A Mr. Brass
 A Ms. Griffiths
 A Ms. Dunn
 A Mr. Dredge

Motion passed 5-0

G. MAYOR

1. Report

Mayor Snarr thanked everyone for their work on the Cottonwood overpass dedication.

Mayor Snarr mentioned the article in the Salt Lake Tribune about Fashion Place Mall expansion.

The Mayor wished all a joyful Thanksgiving holiday.

2. Questions of the Mayor

None

H. ADJOURNMENT

Recorded by Carol Heales