

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 25th day of September, 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
Mike Wagstaff,	Deputy for Legislation
Frank Nakamura,	City Attorney
Shannon Huff Jacobs,	Council Director
Carol Heales	Recorder
Doug Hill,	Public Services Director
Pete Fondaco	Police Chief
Gil Rodriguez,	Fire Chief
Dennis Hamblin,	Community Development Director
Anne Von Weller,	Deputy Director of Public Services
Phil Roberts,	Fire Marshall
Scott Stanger,	City Engineer
Ken White,	Power Department Operations Manager
Blaine Haacke,	Power Department General Manager
Dee Linge & Family	Retiree, Power Department
Bill Finch, Layne Henage,	PUD Task Force
Noel Anderson, David Hunter	
Citizens	

A. OPENING CEREMONIES

1. Pledge of Allegiance - Bill Finch, Citizen
2. Approval of Minutes

Motion to approve the minutes of September 18, 2007 made by Ms. Griffiths.
Ms. Dunn 2nd the motion.

Call vote recorded by Ms. Heales

AYE/NAY

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

Motion passed 5-0

3. Special Recognition(s)

1. **Consider a Joint Resolution of the Mayor and Municipal Council of Murray City, Utah for Commendation of Dee Linge upon his Retirement.**

Mr. Robertson read the Resolution.

Motion to approve the resolution made by Ms. Griffiths.

Mr. Brass 2nd the motion

Call vote recorded by Ms. Heales

AYE/NAY

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

Motion passed 5-0

Mayor Snarr presented the resolution to Mr. Linge, expressing his thanks for the excellent work Mr. Linge has provided over the years.

Mr. Linge expressed his appreciation to the City, and to his crews and co-workers. He thanked the City for the opportunity to have served the City for so long, and introduced his family.

Ken White, Murray City Operations Manager, recognized Mr. Linge and thanked him for his years of service, and for the support he gave to the

department.

Mr. Robertson asked for a moment to recognize the Boy Scouts in attendance, and asked them to stand and introduce themselves, their leaders, and the merit badges that they are working on.

The Boy Scouts and their leaders introduced themselves.

2. **Consider a Joint Resolution of the Mayor and Municipal Council of Murray City, Utah, designating October, 2007, as *National Disability Employment Opportunity Awareness Month*.**

Mr. Robertson read the Resolution.

Motion to adopt the resolution made by Ms. Dunn
Mr. Dredge 2nd the motion

Call vote recorded by Ms. Heales

AYE/NAY

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

Motion passed 5-0

Mayor Snarr recognized the members of the Disability Resource Advisory Board for the good work that they accomplish. The City has a program that allocates money annually to insure our community is accessible to all those with disabilities. These programs are very important to the City.

Mayor Snarr presented the resolution to the Board with his thanks.

3. **Consider a Joint Resolution of the Mayor and Municipal Council of Murray City, Utah, declaring and supporting October 8-12, 2007, as *“Ribbon Week” - Safe and Healthy Community*.**

Mr. Robertson read the Resolution.

Motion to adopt the resolution made by Mr. Brass.
Ms. Dunn 2nd the motion

Call vote recorded by Ms. Heales

AYE/NAY

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

Motion passed 5-0

Mayor Snarr presented the resolution to Deb Ashton, stating that she has done a great job with Murray School District promoting Red Ribbon Week. The importance of this program is well understood, and the City appreciates her work and supports all of the efforts of the School District and the support of the Police Department to educate and enlighten the youth on the consequences of drug abuse.

Ms. Ashton thanked the Council members, and passed out a packet promoting health and safety throughout the schools in the community.

Ms. Ashton said one of the main concepts that they have highlighted this year has been to help students understand why they promote Red Ribbon Week, and to educate parents, students and teachers to know that prevention is not a one week event, it is the core of the prevention of substance abuse. They are making a concerted effort in reaching out to the students, helping them be successful in school.

Events that are coming up: October 11, 2007, at the High School, all of the students of the Murray School District will be invited to Pathways - a presentation on the *New Face of Drugs*. Last year, with only the high school invited, they had over 400 attend the presentation. She noted that it is very scary that the new drugs are so similar to vitamins in appearance, and many can't tell the difference, so this is a great program.

The theme this year is *Create Your Future*; helping people to promote a dialogue on making healthy choices, safe and drug free.

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

None given

C. CONSENT AGENDA

Mr. Robertson asked that the following confirmations be taken together.
No objections noted.

1. Consider confirmation of the Mayor's reappointment of Kelli Kercher to the Disability Resource Advisory Board as a Public/Private Organization Representative for a term expiring October 1, 2010.
2. Consider confirmation of the Mayor's reappointment of Brandon Horrocks to the Disability Resource Advisory Board as a Public/Private Organization Representative for a term expiring October 1, 2010.

Ms. Griffiths made the motion to approve both of the re-appointments.
Mr. Dredge 2nd the motion.

Call vote recorded by Ms. Heales

AYE/NAY

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

Motion passed 5-0.

D. Public Hearing(s)

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

- 1. Consider an Ordinance relating to Land Use; amends the Zoning Map for property located at 1052 West Bullion Street, Murray City, Utah from A-1 (Agricultural District) to R-1-8 (Single-Family, Low Density Residential District). (Applicant: Richard Mace)**

Staff Presentation: Dennis Hamblin, Community Development Director

Mr. Hamblin stated that this had been reviewed by the Planning Commission on August 02, 2007 and had received a favorable 4-0 recommendation.

Teresa McCandles, 2100 W 4700 S, Realtor for Mr. Mace, applicant

Ms McCandles stated that most of the cars in the front lot have been removed from the property, and the rest will be removed for certain. At this time, they would like to subdivide the property, and sell the front lot. He would like to have the option of selling the other lots, and therefore is requesting the subdivision.

Public Hearing Opened for Comment

None Given

Public Hearing Closed.

Council consideration of the above matter to follow Public Hearing.

Mr. Dredge made the motion to approve the Ordinance.
Mr. Brass 2nd the motion.

Call vote recorded by Ms. Heales

AYE/NAY

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

Motion passed 5-0.

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

Consider an Ordinance amending Section 17.08.020 of the Murray Municipal Code relating to Definitions of Building Height, Accessory Building Height, Grade and Open Space.

Consider an Ordinance amending Sections 16.16.090, 16.16.140(A), 16.16.180(D), of the Murray Municipal Code relating to Subdivisions and Private Streets.

Consider an Ordinance amending Chapter 17.58 of the Murray Municipal Code relating to Planned Unit Development.

Consider an Ordinance enacting Chapter 17.58 of the Murray Municipal Code relating to Single-Family Residential Infill Development.

Staff Presentation: Doug Hill, Public Services Director

Mr. Hill stated that these ordinances deal only with Single-Family residences, and is not intended to address Multi-Family, Commercial, Retail, or Industrial properties in the City.

The background on this is that over the past 100 years, Murray City has grown and developed to the point that there is very little land left in the City. The parcels that are left, are usually the *challenged* areas of the City, areas that for some reason or another, have not been developed, are small in nature, or have other reasons.

These undeveloped areas have created challenges for the City and the ability to apply long standing ordinances. Last year, a Planned Unit Development (PUD) Task Force was created to look at these issues. This Task Force met for several months, came up with recommendations, and presented them to the Council in February of this year. In the meantime, the City departments also began developing recommendations that they felt should be put in place.

Over the past year, these groups have worked on recommendations and changes for PUD's, streets, and "monster" homes; there have been unified recommendations and these were forwarded to the Planning Commission, and are now in front of the Council.

Essentially, what is before you now, are draft ordinances that were developed by City staff, recommendations of the PUD Task Force, and the Minutes and recommendations of the Planning Commission. This issue is quite complex, and very important in the far-reaching effects that it has in determining the future development of the City, and due to these issues, there may be three different recommendations on how to move forward, creating a challenge to the Council as to which recommendations you would like to go with.

Mr. Hill asked if the Council would prefer to have him go over each issue separately, if they would like to move to the Committee of the Whole for more discussion, or take time to review, after hearing Public Comment.

Mr. Dredge agreed that with the amount of information, the suggestion of moving this to Committee of the Whole is a good idea.

Ms. Dunn & Mr. Brass asked if it could be covered in a Committee of the Whole meeting, or if it might be better in a joint Council/Planning Commission work session.

Mr. Hill stated that a joint meeting may be a better idea, due to the amount of information that would be needed to cover in a one-hour Committee meeting.

Ms. Griffiths agreed, remarking that these are complex, multiple issues with some having three recommendations, and a joint meeting would be more valuable.

Public Hearing Opened for Comment

Bill Finch, 1055 Chevy Chase Drive
Member of the PUD Task Force

Mr. Finch thanked the City for their assistance in the review of these ordinances. The Task Force wanted to create an ordinance that would promote a City they could be proud of, uphold aesthetic value, and have livable neighborhoods compatible with surrounding properties. He stated that he wanted to clarify some things on the PUD ordinance, referring to a memo (attached) from Mr. Hill to Mr. Hamblin, under *Building Height*, the Task Force recommendation was 28', the Staff was 35', and the County was 35' to mid-roof. They came up with a 32' to the crest of the roof.

Mr. Finch felt that this was a good compromise. Many of the other recommendations of the Task Force on these ordinances were also recommended by the Commission and the Staff. He noted that the Task Force had not made recommendations on the Infill Development or the street access, on the open-space recommendation, the Task Force had not include sidewalks, park-strips and

pathways; but the recommendations on the balance of open-space is in accordance with their recommendations. On P.U.D. density, they went with a sliding density scale, where the staff recommended none-must meet underlying zone, and the P&Z compromised on that.

Sidewalks, PUD, Park-Strips, & Infill Development, they thought these would be included in a PUD, so they did not make recommendations. On the Set-Backs, he thought they had recommended 25' on the front, and 20' on the rear, 20' on the side, which P&Z went with. On the PUD quality standards, the architects wanted to have aesthetic values and the Task Force wanted to eliminate that. They did not quite understand what the Task Force was proposing. They had proposed a 6-12 pitched roof, but there is a 4-12 requirement to have lifetime shingles guaranteed, and they felt that there could be good aesthetic value with a 4-12 pitch. On the materials, they were against vinyl siding; they did not discuss the protection strips, but did discuss the appeal time, deciding upon 30 days which the P&Z agreed on.

On the Infill Ordinance, he felt that is where the City will run into the *Monster Homes*. They had not heard anything on the Task Force's *Monster Homes* proposals, but would like to have the same height restrictions, same set-backs, and the need to look at underlying zoning so that there is no down zoning; they must conform to current zoning & Master Plan. In some of the other ordinances: Ordinance 17.08.02 page 3 Section D(1), the Task Force would like to see left in: *Height and intensity of buildings and uses shall be arranged around the boundaries of the planned unit development to be compatible with existing adjacent developments or zones*. This has been crossed out in all the ordinances, and he would like to see that left in.

Also, on 17.56.040 item 1, *uses of dimensions, elevations, building materials and locations of proposed structures*, Mr. Finch would like to leave "sketch" in the ordinance, and change to 'sketch of elevations'. In 17.56.060, he feels that 14 calendar days are not enough for an appeal, this should be 30 days.

Mr. Finch stated that he went to Salt Lake County and Holladay City and obtained copies of their ordinances; many of the cities in the area are putting all of these items into one ordinance: street width, height, set-backs, etc pertaining to that ordinance, and they have included sketches. He felt that this is a good idea that would be helpful in going before the Planning Commission, having all information in one area. Mr. Finch also noted that set-backs should be from the curb, or if there is a sidewalk, it should be from the sidewalk. There are vehicles now that are 20' long, and if you only have a 20' set-back and there is a sidewalk, these vehicles will be blocking the sidewalk. He thinks that this should be addressed in the ordinance.

Layne Henage, 1117 E Belle Meadows Way

Mr. Henage stated that he is both a real estate developer, and on the Task Force. On the PUD ordinances, he felt that it was correct to eliminate the building materials section. With the price of land, no one will be able to build affordable housing anymore, the houses being built are of higher quality and value, and the builders will be using materials of high aesthetic quality as well. He does not feel it is right to try and legislate design. He also stated that there have been good compromises in this draft ordinance.

Mr. Henage noted that he had concerns that PUD's used to be one acre; they have recommended that it goes to two acres. He stated that many developers are upset with this. On the Infill portion, in going to two acres it makes a much nicer area, but with this ordinance you can use less than an acre, and this shouldn't be. Many developers would argue that it takes too long to get enough people together to do the larger areas, but the City shouldn't be concerned with that. They should insure that the two acre minimum will develop nicer areas in the long run.

Noel Anderson, 9 W Washington Ave

Mr. Anderson was also on this Task Force committee; they did have a very diversified committee for this, with their motto being: *Murray Does Not Do Ugly*. They spent a lot of time compromising and discussing their proposals, with a unanimous vote on each decision. As a committee, they are concerned with the Infill ordinance. They felt that all that was done was for the benefit of the City only, not for their own ends; and the committee is upset and concerned over the monster homes and the changes to land that developers are doing to get around the ordinances.

David Hunter, 1278 Springshire Lane

Mr. Hunter said that he was Co-Chair of the Task Force, and felt that the goal of the committee was to codify the design standards, to enhance the quality of Murray's development; not to make it more difficult or stringent for developers, but have them adhere to standards to enhance Murray. Many felt that the large homes issues have had some good compromises, without legislating design, but offer guidelines in design. He remarked that he had enjoyed working with the Task Force, the City and staff.

Public Hearing Closed

Council consideration of the above matter to follow Public Hearing.

Mr. Brass stated that he had concerns over the Infill ordinance, and made a motion to continue the hearing, without date, to further clarify intentions.

Ms. Griffiths concurred with Mr. Brass and 2nd the motion to continue without a date.

Ms. Griffiths also extended her appreciation to the Task Force and Staff for their time and effort on these complicated issues.

Call vote recorded by Ms. Heales

AYE/NAY

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

Motion to continue without date passed 5-0.

Ms. Griffiths expressed her appreciation on the diversity that has gone into the issue. The Council does not always have the input to make decisions, and the expertise that is provided is very helpful, and she values that help.

Mr. Robertson echoed the sentiment and stated that they do not wish to rush into something and make mistakes in doing so.

Mr. Dredge stated that he felt that the Task Force has only had the City and Community's interest and benefit in mind, and noted his appreciation.

E Unfinished Business

None.

F. New Business

None Scheduled

G. Mayor

Report

Mayor Snarr remarked that the Intermountain Medical Center had their grand opening recently, and acknowledged the cooperation of all to get the facility opened. The land use there has been a big improvement.

There are still some challenges with the surrounding properties, but the City will work its way through these.

The sidewalks and curb & gutters are coming out on 5300 S. and State Street, as they redesign that intersection, and hopefully the weather will permit them to get at least one batch of asphalt in prior to winter. UDOT has stepped up on the project, and the Mayor thanked the staff for their help in getting that property deeded to the City.

The light poles are being moved right now, and it is exciting to know that the intersection there will be able to accommodate much more traffic in the future.

Questions of the Mayor

Ms. Griffiths noted that, at the ribbon cutting ceremony, the views from the upper floors of the hospital really showed off the beauty of our City, and how much it had grown and flourished.

The Mayor agreed and stated that the view really showed off how beautiful our park has become; he also remarked how wonderful the landscaping was done at the hospital and that they have really made an effort to enhance the area.

Mayor Snarr also mentioned that the ground breaking for the new methane gas facility should be in November.

H. Adjournment