

# Murray City Municipal Council Chambers Murray City, Utah

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**T**he Municipal Council of Murray City, Utah, met on Tuesday, the 6<sup>th</sup> day of May, 2014 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:

Brett Hales,	Council Chair
Jim Brass,	Council Member – Conducted
Blair Camp,	Council Member
Diane Turner,	Council Member
Dave Nicponski,	Council Member – Excused

Others who attended:

Ted Eyre,	Mayor
Jan Wells,	Chief Administrative Officer
Jennifer Kennedy,	City Recorder
Frank Nakamura,	City Attorney
Janet Lopez,	Council Administrator
Janet Towers,	Executive Assistant to the Mayor
Craig Burnett,	Police Chief
Gil Rodriguez,	Fire Chief
Mike Dykman,	Battalion Chief
George Zboril,	Fire Inspector
Jeff Ellis,	Battalion Chief
Daren Wightman,	Paramedic/Firefighter
Doug Hill,	Public Services Director
Justin Zollinger,	Finance Director
Tim Tingey,	Administrative and Development Services Director
Citizens	

## 5. Opening Ceremonies

5.1 Pledge of Allegiance – Danny Astill

5.2 Approval of Minutes

5.2.1 April 15, 2014

Mr. Camp made a motion to approve the minutes with corrections  
Mr. Hales seconded the motion

Voice vote taken, all “ayes.”

5.3 Special Recognition

5.3.1 A Joint Resolution of the Mayor and the Municipal Council of Murray City, Utah recognizing and supporting May 18 – 24, 2014 as Emergency Medical Services Week “Dedicated for Life.”

Staff presentation: Mayor Ted Eyre

Mayor Eyre read the Joint Resolution in its entirety.

Mr. Hales made a motion to approve the Joint Resolution  
Ms. Turner seconded the motion

Call vote recorded by Jennifer Kennedy

  A Ms. Turner  
  A Mr. Hales  
  A Mr. Camp  
  A Mr. Brass

Motion passed 4-0

Mayor Eyre presented the Joint Resolution to Gil Rodriguez, Fire Chief.

Chief Rodriguez thanked the City Council for doing this. He introduced the EMS (Emergency Medical Services) Chief, Mike Dykman and turned the time over to him.

Mr. Dykman reminded everyone that at the conclusion of EMS Week on May 24, 2014 which is a Saturday, they will have their traditional EMS barbeque at Station 84, which is the station on 5900 South on the old Cottonwood Hospital property. The barbeque runs between 11:00 am to 2:00 pm. You can come by and get a hamburger, hotdog and some drinks.

They will have their apparatus and the ambulance there. He said they have had a lot of success with this in the past and it has become a tradition. They like to think of it as the first picnic of summer.

Mr. Dykman said he would like to talk about EMS Week and the theme this year which is, "Dedicated for Life." Approximately 80% of the calls the Fire Department goes on are medical calls. The other 20% are fire calls. EMS is a big part of what they do.

Mr. Dykman said how important their paramedic and ambulance programs are to the Fire Department and to the City. Those programs strengthen their ability to respond, not only on medical and fire calls, but to all kinds of emergency calls. Their ambulances are busy and they have success stories daily on people they help. They have crews that are dedicated to what they do.

Mr. Dykman thanked the Mayor and members of the Council. Murray is part of a big system in Salt Lake County. He would like to think that Murray City is a leader in that system. Some of the things they have done with their 12 lead heart monitors and hypothermic resuscitation techniques they are using make them not only ahead of people in the County; they are ahead of people in the nation.

Mr. Dykman said he will pick up an EMS magazine and people are all excited about what they have done; Murray City has been doing it for five years. He thinks Murray City is really progressive and ahead of a lot of places in the country. We are fortunate to have a world-class hospital in our City. That is an asset.

Mr. Dykman again thanked the Mayor and Council for the support they give them. That support helps support the overall Fire Department mission which is to provide emergency medical services, fire response and emergency response of all kinds to the City.

Mr. Dykman had everyone from the Fire Department in attendance stand and say how long they have been with the Department. He said if the other crews were here, it would be pretty amazing on the amount of time, effort and professionalism these guys put into their job every day and the service it provides the citizens.

Mr. Dykman reiterated the Fire Department is grateful for the Mayor and Councils support. They are proud to do this and they do the best job they can. They know they make a difference.

Mr. Brass thanked the Fire Department. He said if you have a problem, it is real nice to hear that siren coming. It is even nicer to know that it is our

own people. The 12 lead saved his life and it saved another person's life the next night. It's amazing the level of service the Fire Department provides. He will truly be forever thankful to them. If you ever need them, call them. They are amazing.

Mr. Hales said he agrees with Mr. Brass.

Mr. Camp thanked the Fire Department also. He said he knows first-hand what they are doing out there. The technology that Mr. Dykman talked about is saving lives. It is a really great thing. They are looking to budget for the upcoming year, money to upgrade the life packs to keep that technology current because it is so important.

**6. Citizen Comments** (Comments are limited to 3 minutes unless otherwise approved by the Council.)

John Herbert – 4367 South Brick Oven Way, Murray, Utah

Mr. Herbert said he is a resident of Murray and an avid cyclist. He wanted to leave the Council with a couple more thoughts beyond Doug Hill's, Public Services Director, presentation that was done during the previous meeting.

Mr. Herbert said the east-west and north-west routes through the City are hard to find for a lot of cyclists. It is complicated as Mr. Hill's presentation outlined. With state roads, parking, residents and businesses, it is a complicated thing.

Mr. Herbert said that towards the end of the presentation it was less about what you cannot do and more about what you can do. He hoped the Council would direct their thinking as to what they can do for cyclists. Cycling is certainly growing in popularity. There are a lot of voters now that are cyclists. Murray City is in the center of the valley so a lot of times cyclists want to come through the City on their way from someplace to someplace else. Mr. Herbert says he starts in Murray then he goes out then comes back on his rides. There are cities that are adjacent to Murray so hopefully the City can figure out the best ways to connect their roads to the other cities roads.

Mr. Herbert said he also sits on the Salt Lake County Bike Advisory Committee. He is the Vice-Chair of the County's Bike Advisory Committee. To the extent the City forms a task force or have their own advisory committee, they can certainly look to them for some advice and support. He said if the City is going to organize, as they talked about, a task force to look at striping or whatever the current set of biking projects are, Mr. Herbert would be happy to volunteer for that.

Mr. Herbert added that the other thing they are doing with the County is engaging in a new venture with the residents of Emigration Canyon. There is a lot of animosity between the residents of that canyon and cyclists. The cyclists thwarted their state legislative proposals earlier this year. They are going to form a motorist and cyclist committee with a professional facilitator and work through the acrimony to the common

set of issues. The County is going to put some money behind this to support infrastructure development on Emigration Canyon Road. To the extent that the County can help the City, they will be happy to work with the City in the best way they can.

Bruce Cutler – 6051 South Mohican Circle, Murray, Utah

Mr. Cutler said that he made it through the Republican Convention without having to go through a Primary so he will be running for the Utah State Legislature for District 44. He will be the only one from Murray doing that. He would like to be the representative for the Utah State Legislature for that district this fall.

Mr. Cutler said he is interested in continuing to serve the City. He has served for eight years on the School Board and six years on the Library Board. He is grateful for those opportunities and has a great desire to continue to serve the City of Murray. He would love to have the Council's support and looks forward to being able to serve the community.

**7. Consent Agenda**

Mr. Brass asked that all items be taken together; no objections were given.

7.1 Consider confirmation of Mayor Eyre's appointment of Scott Finlinson to serve as a Murray City Hearing Officer for a three-year term to expire May 6, 2017.

7.2 Consider confirmation of Mayor Eyre's appointment of Jim Harland to serve as a Murray City Hearing Officer for a three-year term to expire May 6, 2017.

Ms. Turner made a motion to adopt the Consent Agenda  
Mr. Camp seconded the motion

Call vote recorded by Jennifer Kennedy

  A Ms. Turner  
  A Mr. Hales  
  A Mr. Camp  
  A Mr. Brass

Motion passed 4-0

**8. Public Hearings**

8.1 Public Hearing #1

8.1.1 Staff and sponsor presentations and public comment will be given prior to Council action on the following matter:

Consider an Ordinance amending Sections 17.146.080, 17.168.090, and

17.170.140 of the Murray City Municipal Code relating to on street parking in the Mixed Use (M-U), Transit Oriented Development (TOD), and Murray City Center District (MCCD) zoning districts.

Staff Presentation: Tim Tingey, Administrative and Development Services Director.

Mr. Tingey stated this item was considered for a recommendation by the Planning Commission on March 20, 2014. The purpose of these areas, the Mixed Use, Transit Oriented Development and Murray City Center District is they are all located close to Trax and Front Runner stops. Some of the original vision and purposes behind the Ordinances was to create more of a pedestrian-oriented area and to facilitate more people using Trax and the transit systems rather than vehicles.

Mr. Tingey said that as part of that there are two components related to parking. One is there is a reduction in parking in each of these areas in comparison to other areas in the City. That reduction hopefully promotes more people using the transit systems rather than utilizing their cars.

The other part of this is that in the Ordinance that was adopted by the Council it allowed to have on-street parking in these areas be counted toward the parking requirements for new developments or existing developments if they are expanding. Mr. Tingey reiterated the purpose was to focus more on transit uses and people utilizing transit rather than cars and vehicles.

He continued saying there were some unintended consequences which prompted this change to be proposed. The consequences relate to when you have areas in these three districts where there are long stretches of roads and you have the parking that is required or allowed to be utilized on those roads, it creates situations where people have to go a long ways to get to their residential or commercial unit which is an unintended consequence that is a problem.

In addition to that, when you have on street parking counting towards the minimums of the parking requirements for development it creates situations where people are utilizing those parking stalls most of the time. You have fire access issue, snow removal issues and a variety of other unintended consequences.

Mr. Tingey said they are still promoting the use of transit systems. There is still the reduction in the parking required for these areas, but they feel it is very important to not allow the on street parking to be counted towards the minimum requirements for parking for development.

That is what is being proposed tonight in these three areas; Mixed Use, Transit Oriented Development, and Murray City Center District. The Planning Commission reviewed this and recommended approval. They have submitted their recommendation to the Council. Staff is also recommending approval of this proposal as well.

Mr. Tingey noted a letter that was submitted to the Council for the record by Eliot Setzer. (Attachment 1)

Public Hearing Open for public comment.

No comments were given.

Public comment closed.

8.1.2 Council consideration of the above matter.

Mr. Camp said he does not want to speak for the Fire Department but he had an opportunity to speak with some members of the Fire Department the other day and there are some issues with access in some of these, especially in the residential areas in the evenings and middle of the night. He thinks this is a good move. The unanimous vote of the Planning Commission also sends a strong message.

Mr. Brass said they put this Ordinance together and everyone's intentions were good to create a walkable community. They are still trying to do that for downtown. They did find out that we still suffer from a lack of transportation in this state and so people still drive their cars. Until we can get a grocery store that people in walkable communities can walk to, for instance, they need to drive. Therefore, the numbers of cars we are finding in our TOD are quite a bit more than anticipated.

He continued saying he had driven through there and done a few ride alongs with some of our Police Officers. At night it is packed and if he was trying to bring an emergency vehicle through there, it would be scare. It is real tight and it is real tough for the residents.

The other thing is that he and Ms. Turner went to Washington D.C. for the National League of Cities and Towns Conference. One of the topics they talked about was parking and how residents in the area were not using the structured parking. They were parking on the streets and people could not get to the businesses causing the businesses to suffer. They ended up changing the parking regulations and all of the sudden all these spots opened up. If you wanted to go to a restaurant, you could actually park in front of it.

We have business in Fireclay and part of the requirement in our walkable areas is that we have commercial retail on the ground floors. People need to be able to get to that whether they park their car there or walk there. This is a tough one and right now he does not see where the City has a choice until we can find a better solution.

Mr. Camp made a motion to adopt the Ordinance  
Ms. Turner seconded the motion

Call vote recorded by Jennifer Kennedy

  A   Ms. Turner  
  A   Mr. Hales  
  A   Mr. Camp  
  A   Mr. Brass

Motion passed 4-0

**9. Unfinished Business**

9.1 None scheduled.

**10. New Business**

10.1 Consider a Resolution approving an Interlocal Cooperation Agreement between the City and Salt Lake County approving conveyance of surplus Salt Lake County property by Quit Claim Deed to the City for no fee.

Staff presentation: Doug Hill, Public Services Director

Mr. Hill said that Salt Lake County owns property on Southwood Drive and Glen Oaks Street which is approximately 6300 South and 900 East. That property has recently come under development. The property owner approached Salt Lake County and asked them sell a portion of that property along the roads to them. This caused Salt Lake County to look at the rest of the property that they own along those roads. The County would like to deed that property to Murray City at no cost. It is not very much; it is only 367 square feet. It is mostly on the corner of Southwood Drive and Glen Oaks Street but there is a strip of property that runs along Glen Oaks Street as well.

Mr. Hill added that staff is recommending approval of this Interlocal Cooperation Agreement which would allow the Attorney's office to execute a Quit Claim Deed from the County to the City and the City would own that property. The property would become part of a park strip for future development.

Mr. Camp asked Mr. Hill if the cost of doing the curb and gutter and park strip



would be part of a development.

Mr. Hill said as he understands it, the Murray School District has either purchased or is in the process of purchasing the remaining property there from Clarus Vision. They are developing on 900 East and Murray School District is interested in purchasing the back property to build single-family residential homes on. They do that for their students to get experience in construction and then they sell those homes to people who are interested in living in Murray.

When all is said and done, this property, that is part of the right-of-way, would become part of the park strip and sidewalk that the City would require at the time of development. In the meantime, the City will continue to maintain this property until something happens.

Mr. Camp asked if this was the Cracraft Property.

Mr. Hill replied it is.

Ms. Turner made a motion to approve the Resolution  
Mr. Hales seconded the motion

Call vote recorded by Jennifer Kennedy

  A   Ms. Turner  
  A   Mr. Hales  
  A   Mr. Camp  
  A   Mr. Brass

Motion passed 4-0

- 10.2 Consider an Ordinance amending Sections 2.30.050, 7.04.020, 12.28.020, 13.08.010, 13.32.130, and 13.48.040 of the Murray City Municipal Code regarding Reserves for City Enterprise Funds.

Staff presentation: Justin Zollinger, Finance Director

Mr. Zollinger said a few months ago, the City went through a process of evaluating our reserves in terms of economic uncertainty, natural disasters, and equipment failure in the Enterprise Funds. With the help of the Department Heads, specifically Mr. Hill and Blaine Haacke, Power Department General Manager, they came up with some numbers so they started analyzing the City's reserves in terms of our overall revenues that we have available.

They started to see a naturally reoccurring percentage that was sufficient to cover a natural disaster. Although you never though. If you have a natural disaster you do not know if that is going to be sufficient, but you know you can plan as best as

you can. That is what they did. They came to a percentage of 25%. In addition to the research and work they did, they wrote into the policy some best practices for reserves. Twenty-five percent, in addition, by a rating agency is considered a great reserve. If you have that they will give you high ratings for that. So if we have to go out and bond, we will have the best rating we could possibly get as we apply for credit.

In addition, not using reserves for operations is a best practice. Using reserves for one time purchases is just fine but you need to have a policy to build your reserves back up to that 25% level. You do not want to be so rigid that you cannot use the reserves because that is what they are there for. You want to have liquidity in case of an emergency.

Another thing is that if you have an emergency, you may qualify for Federal reimbursement but there is still going to be a period of time in which you are going to have to pay out some money to take care of things before that reimbursement comes. Sometimes it can take one to two years to receive that reimbursement.

Mr. Zollinger said he is very pleased and excited to be able to work and this and get it to this point. It also simplifies the City Code. Right now it is kind of complex. Various funds have different ways of calculating. This also adjusts with time. As our rates change, our reserves change with it which is another positive aspect of our policy that we have.

Mr. Hales said they appreciate that Mr. Zollinger is conservative enough to protect the City but to also understand that when the need is there that we would never not use those reserves for a need. He told Mr. Zollinger he has done a phenomenal job.

Mr. Zollinger expressed his appreciation to the Department Heads who put the work into this to help get information for them.

Ms. Turner thanked Mr. Zollinger. She told him he does a great job and they really appreciate it.

Mr. Camp asked Frank Nakamura, City Attorney, if this ordinance change requires a public hearing.

Mr. Nakamura replied there is nothing in State law that requires a public hearing. This is not really a budgetary change, the fund is the same, it is just the line item reserve has a different limit on it.

He continued saying we only need to have a public hearing if we are increasing the budget. We are not doing that. It is just a matter of identifying reserves. The other time we would need to have a public hearing is if we were transferring

money from the Enterprise fund to the General fund. We are not doing that either. It is only when we go outside the funds that we have to have a public hearing.

Mr. Brass added that in some cases, like in the documents they received for Power, they designated specific reserve accounts that we have already taken care of. We had to update this anyway because those accounts do not exist anymore.

Mr. Hales made a motion to adopt the Ordinance  
Mr. Camp seconded the motion

Call vote recorded by Jennifer Kennedy

  A   Ms. Turner  
  A   Mr. Hales  
  A   Mr. Camp  
  A   Mr. Brass

Motion passed 4-0

## 11. Mayor

### 11.1 Report

Mayor Eyre thanked the Council for the unbelievable, countless hours they have put in to the consideration of the UTOPIA and Macquarie proposal. If anybody ever thinks that serving on the City Council is a part time job all they have to do is consider the number of hours they have put in, not only on everything else, but on this particular item. It has been way above and beyond the call.

Mayor Eyre also thanked all the members of the executive staff that have also been involved in this and the Department Heads who have formed a committee to consider this item. They have taken time out of all their other duties to consider this item. Mayor Eyre said he does not know if there will be another item that is going to be more important over the next couple of decades than this one.

Mayor Eyre stated to the public the City is very much involved in their consideration of this matter and we want to make sure we have some public meetings available for them to come to. Those times and places have yet to be determined. We will be doing that in the future so that we can get the input from our citizens because we value that a great deal.

Mr. Brass told Mayor Eyre he should include himself in that because he has put in a lot more hours than they have. For being newly elected, what a burden to get dropped in your lap.

Mr. Brass encouraged the citizens to attend those meetings because they

desperately need input and discussion.

11.2 Questions for the Mayor

**12. Adjournment**

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Jennifer Kennedy, City Recorder

# Attachment 1

Eliot Setzer  
4739 S Brown Street  
Murray, UT 84107

May 6, 2014

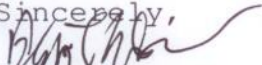
Murray City Council  
5025 S State Street  
Murray, UT 84107

Murray north and west of the Murray High-Murray Park-Mick Riley-Big Cottonwood Creek greenbelt is very poorly set up to compete for future car-oriented business activity due to Vine Street, 4800 South, 5300 South, and Main Street ending at problematic intersections (and State Street being near capacity) and due to competition from the real highway "Crossroads of the West" a few miles to the north. The area's layout and location are instead extremely attractive for pedestrian-, bicycle-, and public transportation-oriented business such as car-free tourism, education, and large local employers attracted to the "Hub of Salt Lake County"; UTA's just-proposed August bus route changes validate this. Murray is fortunate to have the Fashion Place area as a car-oriented alternative center with freeways in all directions, meaning that car-oriented developments can be channelled away from this area without driving them out of the city.

In order to favor pedestrians and bicyclists, automobile cross-traffic conflicts, which are dangerous and which disrupt otherwise carefree walks and bike rides, have to be minimized. Since conflicts at street intersections are inevitable, this means minimizing curb cuts for private driveways, or, in other words, minimizing off-street parking access points. Main Street in Salt Lake City has only one private curb cut between South Temple and 400 South, and this fact is vital to its attractiveness. The proposed ordinance change sends the message that on-street parking is worthless and off-street parking is preferred, which is completely wrong. Notably, small developments that could potentially account for all their required parking in on-street form as the zoning is now would, assuming no shared parking arrangements, be required to each create a dedicated curb cut after the change.

Even more significant is the massive loss of developable floor area when parking is pushed onto private land that is not already set up for the passage of cars. If compared with the Center Street height rezoning, which affected at most sixty feet by two Salt Lake block lengths by one story (about 52800 square feet of floor area), this parking change would affect approximately 17 block lengths of street by two sides of each street by eight feet of parallel parking by one story, about 180000 square feet or 3.5 times 52800, in the MCCD alone. This neglects parts of street that cannot be used for parking (which ought to be fewer after redevelopment due to consolidation of curb cuts), but also fails to account for new streets planned in the MCCD, the need for HUGE DEDICATED PARKING AISLES in off-street locations (not just continuously packed cars), and the often far greater value of ground floor space over less accessible (what would be on Center Street) fourth and fifth floor space. Overall, I would guess that, in the MCCD alone, the long-term value of the potential floor area lost in this parking change might be thirty times that of the value lost by lowering height limits on Center Street, and has to be weighed proportionately.

Finally, I will suggest that Murray has enough land zoned for dense and transit-oriented developments that it could start planning for eventual creation of a small parking enforcement division that could be revenue neutral or positive (maybe from futuristic metering, but initially from tickets) and could provide the situation-specific oversight necessary to prevent any kind of parking abuse.

Sincerely,  
  
Eliot Setzer