

# Murray City Municipal Council Chambers Murray City, Utah

---

**T**he Municipal Council of Murray City, Utah, met on Tuesday, the 15<sup>th</sup> day of September, 2015 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:

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

Others who attended:

Gil Rodriguez,	Fire Chief, Mayor Pro-Tem
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
Brenda Moore,	Controller
Tim Tingey,	Administrative and Development Services Director
Scouts	
Citizens	

## 1. Opening Ceremonies

### 1.1 Pledge of Allegiance – Mathew Prestwich

Ms. Turner asked the scouts in attendance to introduce themselves and state their troop number and the badge they are working on.

### 1.2 Approval of Minutes

1.2.1 None scheduled.

### 1.3 Special Recognition

1.3.1 The Mayor and Municipal Council of Murray City recognize and honor the National Exchange Club's "Proudly We Hail" Program.

Jennifer Brass, Murray Exchange Club President presenting.

Ms. Brass thanked the Council, Mayor and staff of Murray City for giving the Exchange Club this opportunity to honor their "Proudly We Hail" award winners. She read the Proclamation in its entirety.

Ms. Brass turned the time over to Mercedes Zel'Pappas, founder and operator of the co-op.

Ms. Zel'Pappas said the Utah Co-Op is proud to be part of Murray City. The Utah Co-Op is a charity grocery that is open to the public. They provide health options for everybody at extremely low prices.

Some of the other things they do are to help nationally and locally with different animal shelters. They provide homeless and senior outreach locally. In Guatemala, Honduras, El Salvador, and Belize they have a water and eyeglass program. These programs would not be possible without this wonderful community.

Ms. Brass said they would like to recognize and honor a very special young man, Rokko Caputo. She asked Jay Bollwinkel to say a few words about Mr. Caputo.

Mr. Bollwinkel said they have a flag pole in their neighborhood and they try to fly the flag every day. When the flag they had became old, they received a new flag. They called Mr. Caputo and asked him if he would like to display the new flag which he did with great care.

Mr. Caputo's family was introduced. It was mentioned that Mr. Caputo has between 20 and 30 flags.

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

No citizen comments were given.

3. **Consent Agenda**

3.1 None scheduled.

4. **Public Hearings**

4.1 Public Hearing #1

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

Consider an Ordinance relating to zoning; amends the Zoning Map for properties located at approximately 160 West Winchester Street, Murray City, Utah, from R-1-8 (Single-Family Low Density Residential District) to R-N-B (Residential Neighborhood Business District). (Rej Hintz applicant.)

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

Mr. Tingey said this item was taken to the Planning Commission for their recommendation on August 6, 2015. He showed a map of the property that includes three parcels that are either currently vacant or have residential uses on them. (Attachment 1.) The zoning is R-1-8 (Single-Family Low Density Residential) and the property is in between two R-N-B (Residential Neighborhood Business) districts. The proposal that is being discussed is to zone the property as R-N-B and to allow for those types of uses.

R-1-8 allows for primarily single-family homes in the area; it is a residential use. R-N-B also allows for residential uses as well as neighborhood type businesses. It is to be a transition zone from a major arterial, which Winchester Street is, to residential or other areas.

The Planning Commission recommended approval; staff is recommending approval as well.

Mr. Camp asked if the three parcels would be developed as one parcel.

Mr. Tingey replied it was likely but not guaranteed. If some of the smaller parcels were to be developed as commercial they probably would not have

the square footage, so most likely it would be developed into one parcel.

**Public Hearing Open for Public Comment**

Paul Sorensen – 6657 South 630 West, Murray, Utah

Mr. Sorensen asked what type of business is being proposed for the site. He said R-N-B has been a good transition with the other properties that are there. His only concern is that it is kept looking like a residential neighborhood area because there are a lot of really good neighbors that are still living in their homes next door and across the street. He said he appreciates the way the Council has kept it looking that way because his and his wife's business benefit from still having that good-old Murray neighborhood feeling.

Ms. Turner stated it is just the zoning issue tonight so there would be no comment regarding the project.

**Public comment closed.**

4.1.2 Council consideration of the above matter.

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

Call vote recorded by Jennifer Kennedy

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

Motion passed 5-0

4.2 Public Hearing #2

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

Consider an Ordinance amending Section 17.24.050 of the Murray City Municipal Code relating to Home Occupations.

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

Mr. Tingey said this item was brought before the Planning Commission on August 6, 2015 and it relates to home occupations. In residential districts, the City allows home occupations for certain uses. A home occupation is

an accessory use to the residential use that is there. People that want to utilize a business in their home for economic gain can have a home occupation if they meet certain requirements that are outlined in the City Code.

Back in 2010 there were questions regarding Reiki use. The State of Utah Department of Commerce talks about Reiki as a spiritual healing art performed on an individual by a practitioner by transmitting healing life force energy through the hands. That is outlined in the State of Utah Department of Commerce Administrative Standards. In 2010 the City did not have a definition of Reiki in the City Code. Based on that, the City Council adopted an Ordinance that required a Conditional Use Permit in Manufacturing General and CDC Commercial Development areas. Those would be the two locations, provided that individuals go through a Conditional Use Permit process, that Reiki would be allowed. In addition to that, Reiki was not restricted as a home occupation. Currently Reiki practitioners can apply for a home occupation license.

Mr. Tingey continued saying the State of Utah identifies Reiki as being separate from massage therapy. It is a separate type of use and is defined separately. Right now, through the State of Utah, Massage Therapists are required to go through significant oversight. They have to get licensing and background checks. There is not that requirement at the State of Utah for Reiki Practitioners. That has been a concern as the City has had more individuals coming in and the impacts that may occur in residential districts that there is no oversight of Reiki. Based on that, staff is recommending the Ordinance be modified and not allow Reiki practitioners to be in a home occupation and be restricted to Manufacturing General and CDC Zones through a Conditional Use Permit process.

Mr. Tingey said he wanted to provide more clarity to the proposed ordinance. The ordinance before the Council states that currently the prohibited uses for home occupations include Reiki and associated business uses. In order to provide more clarity, staff would like to propose that a use that is prohibited as a home occupation be, "*Reiki or other energy healing businesses unlicensed by the State.*" They are recommending approval of this ordinance with this modification.

Mr. Camp asked for clarification on what the impacts are that Mr. Tingey has concerns about regarding these businesses.

Mr. Tingey said the main issue is there are individuals coming to homes in a home occupation and that there is no State oversight like there is with massage therapy businesses. With lack of oversight the concern is there would be more difficulty with oversight of these home occupations.

Currently, if applicants go through a Conditional Use Permit, there is significant oversight in these commercial areas because they have to go through a public process that is noticed. Then, there can be conditions attached to the property through a Conditional Use Permit process. This does not necessarily happen with home occupations. If the applicant meets the requirements of a home occupation as an accessory use and there is no State oversight, the concern is the lack of oversight. This could contribute to concerns with this type of business being there with the number of residents and the number of clients that would be coming. Those are the types of concerns staff has.

Mr. Camp verified that what they are talking about is the number of people coming and going and the impact on the neighborhoods that way.

Mr. Tingey replied yes as well as the lack of oversight. The lack of background checks and the lack of any State licensing of these individuals. Reiki is somewhat similar to massage, but massage has oversight through the State and Reiki does not. You have clients coming to a location for this healing art.

Mr. Nicponski asked what is different now that wasn't the case a year ago.

Mr. Tingey answered they have had a lot of individuals that live in apartments and single-family homes wanting to locate a Reiki business in their homes. This has made staff relook at this and step back. The City has oversight through Conditional Use Permit processes but not through home occupations. That is what has changed.

Mr. Brass said if the State is not regulating Reiki, putting these businesses somewhere else does not change that. As he understands the Conditional Use Permit process, it is a use the City needs to allow with reasonable conditions that need to be stated in the City's Ordinance. He asked what oversight the City can give by doing this. What changes other than it is not in a home?

Mr. Tingey stated that for example, in a commercial area, there can be conditions placed on hours of business, parking, and other land use conditions. In addition to that, if the business is not meeting any of those conditions, the Conditional Use Permit can be revoked. That is the oversight in commercial areas.

Ms. Turner asked if there have been complaints about residential Reiki.

Mr. Tingey responded there have been no complaints that he is aware of. The City only has one Reiki home occupation establishment right now but

they are receiving a lot of inquiries and a number of individuals have come in looking at requesting this as a home occupation.

**Public Hearing Open for Public Comment**

**Bobbie Henry – 5000 South Glen Street, Murray, Utah**

Ms. Henry said part of the problem is that people don't know what Reiki is. The State defines Reiki as a spiritual healing art. Webster's defines spiritual as interchangeable and synonymous with religious or holy. Reiki is a name among many. There are different types of energy healing: Tai chi from China, Ayurvedic from India, and Kripalu which is Native American. All of these are ancient types of healing. These types of healing have been used throughout Asia, Europe and the United States. Some of them are considered to be religious types of healing. For some it is a way of life and for others it is a component of their religion. Mostly it is a focused prayer. Reiki is probably the most well-known because Ms. Henry feels it had the best marketing plan.

Ms. Henry feels that the Reiki community is a victim of identity theft. She thinks that people do not understand. It started a few years ago when a criminal element used the Reiki name to promote and disguise a sexually oriented prostitution business out of a storefront. This act set in motion a negative identity for everyone affiliated with Reiki or any kind of energy work. She feels that this particular ordinance further victimized and perpetuates the image of what they are not.

Ms. Henry reiterated that for many of them Reiki is a component of a religious or spiritual, just as other religions use the laying on of hands, Reiki is a form of focused prayer. Touch is not required. She feels this ordinance is a little bit of a Pandora's Box and is a little bit hard to defend. She is confused as to why this is happening now since they have been around for a long time.

**Donnetta Mitchell – 320 East Shamrock Drive, Murray, Utah**

Ms. Mitchell said she has been a certified Reiki Master for over five years. Reiki is focused prayer. Reiki means the essence of life. Reiki means a way to give a sense of completeness and connection to the creator. It isn't anything that you could not do in front of your mother or in front of the City Council.

When you think about Reiki in the home it is no different in terms of its impact than if she were giving music lessons or an Avon treatment. Reiki can be completely hands off. When you talk about the prohibition of other energy work; other energy work is prayer. Do we really want to go there? Do we really understand what it is that needs oversight?

Ms. Mitchell said identity theft is what we are talking about. Fear of what

it might be versus what it is. That is what she is hearing. In order to dispel the fear, she is willing to share with the Council more detail so they can make the right decision for Murray City. Murray City is a great place. It is tolerant and it understands there are different ways to get to the same goal. She asked for the Council's support in finding out what Reiki really is before they make a decision that could have far reaching unintended consequences.

Laurie Nielsen – 4971 South Beaver Brook Lane, Murray, Utah

Ms. Nielsen said she is a Reiki Practitioner. She educates people in energy and forms of energy healing. Energies are changing in the world. People are experiencing and feeling more energy and seeing things. People don't understand how their emotions and friction cause imbalance in the body. They don't understand how to address PDST aside from conventional western medicine.

When we talk about the definition of energy healing that is going to be incorporated into this ordinance, we are talking about Shamanism, Reverends and Christianity. We are talking about the laying-on of hands with an ointment to bless people. It is all a form of energy healing. Laying crystals around the body and using essential oils is a form of vibrational frequency healing to assist the body. It is all natural. There have become so many other forms of spirituality encompassed in energy healing because it is the whole person and the energy body. There becomes the problem with the definition and what all the City is going to incorporate, regulate and try to oversee.

Most of the people in the Reiki community are doing this part-time out of their homes. There is a convenience to operating inside your home because you are saving costs and overhead and it is part-time. Ms. Nielsen doesn't know one person that is making full-time money, 40 hours a week every week, off of Reiki. Energy healing and spiritual healing arts are not main stream yet but people are starting to understand that it heals, assists and brings wellness and balance to the whole being.

Ms. Nielsen said maybe there should not be a final decision tonight and perhaps open this up for another session of discussion between the community of energy healers. Most of them found out about this last night and are ill-prepared to be able to address some of the issues being brought up today. When you are only making possibly an extra \$150 a month to pay your extra bills, you cannot afford to go out and pay \$500 a month for a rental place along with the extra expenses just to make a little extra side cash to pay the bills.

The City does have something already in place. When applicants apply for a home occupation, the City has a form that the neighbors have to fill out.



She feels that form is a very effective oversight that could be improved. She would like to have a conversation which could be mutually beneficial for everyone.

Robin Johnson – 336 East 100 North, Farmington, Utah

Ms. Johnson said she is a Reiki Practitioner in Farmington and has been teaching for the last four years. When she started her practice she was very concerned, as a teacher, that she taught all her students all the things that would help them conform to the State laws. She called the Utah Department of Licensing and made sure they were compliant with what they require.

She provides each of her students a sheet straight from the State of Utah saying that Reiki is a spiritual practice. Massage is manipulating the tissue, using oils, and hot rocks. As long as you do not do any of that, you are fine doing Reiki in the State of Utah as a spiritual practice. Her students are well aware of the standards of Reiki as are all Reiki Practitioners.

Ms. Johnson said she does not know if this issue is coming up because of the problems that have happened recently with the businesses posing with a Reiki front. She read from a code of ethics she got out of her Reiki manual. It says, *“Value your clients and students and treat them with respect. Never engage in any illegal or immoral activity with your clients or students. Never touch inappropriate areas of their body. Never ask them to disrobe. Never make sexual comments, jokes or references. Abstain from the use of drugs or alcohol during all professional activities.”*

Ms. Johnson said she knows it can be confusing because of things that have happened that were very negative. Her own mother came to her for a Reiki session before going into surgery. When they were done, her mother said she was confused as to how something so good could be so bad. She was referring to the Reiki people who got arrested. Ms. Johnson had to explain they were arrested because they were not doing Reiki.

Reiki has been a blessing to Ms. Johnson and to her life to keep her emotionally balanced. It has been a blessing to her family. Her students treat between one to three people a week; none of them are doing this full-time. She only treats one or two clients per day. For most of them it is a gift to the community that they have these skills and are happy to share and help others into wholeness.

Judy Bradshaw – 848 West 1800 South, Woods Cross, Utah

Ms. Bradshaw said when you speak to a Reiki Practitioner, specifically a Master Reiki Practitioner, they get very passionate and emotional about all

of the wonderful wholeness and balancing that is done and the miracles that are brought by this beautiful gift.

Ms. Bradshaw is a little confused with some of the things that made her come to this meeting. It is a blessing to go to a client's home. While Reiki Practitioners may have people come to their homes, they also go to their client's homes as well. Many times they get people that have tried every other western modality, every pill and every doctor. They reach out and find a good Reiki Practitioner and they find peace, balance, and wholeness in their life. They learn about their own divinity and how to hold their body at an energy resolution that they can be whole and perform their daily tasks without being sick and without pain. That is what Reiki does.

Ms. Bradshaw said she does Reiki all day, every day. She does not work out of her home, she has a storefront. The ability for a healer to be able to do Reiki out of their home helps them out. She thinks some additional education would be a good idea.

Leigh Ann Schoenfeld – 195 East 4800 South, Murray, Utah

Ms. Schoenfeld said last January while she was on vacation, she fell and severely broke her ankle in three places and had to have surgery. They couldn't get the bone to heal and she was in a cast for about 22 weeks. She called her sister and niece, who both do Reiki and they all worked together hard. The next time she went into the doctor, her ankle had started to heal.

Reiki is such a great energy thing and it is nothing to do with touching anyone. She does not use it as a business, just for personal use. It doesn't hurt you, it can't hurt you. It can only improve your life. She has learned Reiki through her sister and she wanted to share that it is a very personal thing. She does it for her husband and it helps him get through the days. It is not something that somebody does in a dark corner that could hurt someone.

D'Ann Johnson – 6245 Mount Vista Drive, Taylorsville, Utah

Ms. Johnson said she is a Reiki Master, but it isn't what she does, it is who she is. It doesn't go away. Putting her in a storefront will not change that. If people come to her for help at 2:00 a.m., she is going to help them at 2:00 a.m.

Ms. Johnson understands the concerns about having inordinate amounts of persons coming to a home during the day but she has been to Tupperware parties that have had more attendance than Reiki shares. At the most there could be three to four cars in a driveway; no more than a birthday party and certainly much less than a mission farewell, bridal shower or baby shower.

Ms. Johnson said she sees both sides of the issue. However, the City is asking for confines on something that can no longer be confined. In her humble opinion, it would be like asking anyone on the Council to stop being who they are and only being it from 9-5 and only when they are in this building. That is an impossibility.

**Public comment closed.**

4.2.2 Council consideration of the above matter.

Mr. Camp said he has learned a lot about Reiki in the past couple of days. He said he is more concerned about the regulation of traffic and those kinds of things that the home occupation already covers. He is a little bit confused that this went through the Planning Commission without a single public comment and without any discussion by the Commission and they forwarded the Council a unanimous recommendation. He does not know if the word did not get out or what.

There has been a lot of discussion here tonight about this issue. He thinks it is less about what Reiki is and more about what the impact is going to be on the neighborhoods, if any, beyond any other home occupation. He does not know if he is prepared to vote on this tonight. He would consider looking at a continuation.

Mr. Brass said he is leaning that way too. He has learned a lot tonight. He has been having trouble with vertigo and out of desperation tried acupuncture. Although it is not the same thing, what he has learned is that it is not a crowd-source treatment. You are not going to get a lot of people in the room at the same time. It doesn't work that way, so traffic in the neighborhood does not bother him that much. He has questions about the spiritual side of it for the City Attorney that he would like to discuss with him at a later time.

He thinks an informational meeting at the Committee of the Whole would be good so they can learn more before they make a decision. Sometimes these decisions are easy and sometimes they are not. He is wondering what the unintended consequences would be of acting on this right now based on what he has heard tonight.

Mr. Nicponski said after he broke his back in an automobile accident back in 1981, he spent all of 1982 seeking out all sorts of rehabilitation. Reiki was one of the rehabilitative avenues he took and he felt good about it and had no regrets. He would not want to do anything to deter the availability of this practice. He thinks sometimes we overregulate and they need to be very cautious of that. He thinks more information on this would be for the better. He would support having this topic discussed at the Committee of

the Whole or whatever other avenue the Council Chair or other Councilmembers think would be best to pursue.

Mr. Hales said he could not go home and feel good about it if he voted to say yes to this. He would be thrilled to continue it. They are not really talking about the healing part of it. They are talking about the parking and business. He does not feel like it is something that needs to be regulated.

Mr. Nakamura said he appreciates that the Council is not focusing on Reiki itself, rather Reiki businesses and the intended disruption to the neighborhood. If you look at the uses that are prohibited such as medical offices and photo developing, there are not issues regarding whether they are good or bad businesses. The issue is whether there are parking and traffic issues. In a residential area that is what the City is attempting to regulate, not Reiki itself.

If this is discussed further, the focus needs to be on the governmental reasons of why this would be regulated. It would have to center on some of these other issues, not so much focused on the value of Reiki. He wants to make sure if this is continued, that is where the focus will be.

Mr. Camp said the ordinance specifies the prohibited uses that shall not be permitted as home occupations regardless of their conformance of all the other standards of this chapter. He understands why the City does not want painting of vehicles and that type of thing because of all the issues those can create. He asked Mr. Tingey to help him understand how Reiki, or this type of business, would be detrimental if they were conforming to all the other standards of the chapter.

Mr. Tingey said he thinks the biggest issue related to that is under the prohibited uses, it talks about uses that by the nature of the investment or operation of a pronounced tendency, once started, to rapidly increase beyond limits permitted for home occupations.

One of the reasons why there are prohibited uses such as medical or dental offices is if they are successful and continue to be successful, they are going to have a lot more potential clients coming to the site which could generate additional issues related to parking, hours of operation and things such as that.

That's the bottom line why we have prohibited uses with these other businesses and it would be similar with Reiki. If there is a lot of success that is occurring with that in a residential area, as an accessory use to a residence, there could be the tendency to have a rapid increase which could increase the probability of problems which would be an issue for a residential neighborhood. Home occupations are for economic gain. If

there is not a business, if the use is practiced without an economic gain, it is not a home occupation.

Mr. Nicponski stated one of the key elements that seem to reoccur with this is that there were not a lot of Reiki patients, one or two at the most on a daily basis. That is why is used the work overregulation when he discussed it.

Ms. Turner said it sounds like there are a lot of questions and she is not sure if they are prepared to continue this tonight.

Mr. Camp asked if it would be appropriate to table this issue to a future date.

Mr. Brass stated that under Roberts Rules, tabling is permanent but they can continue it until a later date. As Councilmember Camp said, Planning and Zoning's decision was unanimous. Even with that, they have picked out a very specific area which has concerned him from the beginning.

Mr. Brass made a motion to postpone a decision on this Public Hearing until the first meeting in November so there can be further discussion on the details of the Ordinance.

Mr. Nicponski seconded the motion.

Mr. Camp asked if the motion was to continue the Public Hearing or just the decision.

Mr. Brass replied just the decision, the Public Hearing has been closed.

Call vote recorded by Jennifer Kennedy

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

Motion passed 5-0

It was determined the date of the meeting would be November 17, 2015.

#### 4.3 Public Hearing #3

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

Consider an Ordinance amending the City's Fiscal Year 2015-2016 Budget.

Staff Presentation: Brenda Moore, Controller

Ms. Moore said most of these budget openings are due to projects. The City's fiscal year ends in the middle of the summer but our construction projects do not. Therefore, there are some budgets that need to be rolled over so they can be spent in fiscal year 2016.

There are some Class C funds in the amount of \$233,961 that need to be moved forward.

They are working on the Winchester Bridge Mitigation Projects which did not get started until July. That money, \$212,500, will be moved forward.

The Fire Department ambulance was ordered last September and as of today, the City does not have it. The amount being moved forward for that is \$200,000.

The City is working on a financial software conversion, \$342,468 will be moved forward for that.

The Cemetery is moving forward \$249,756. They are replacing their irrigation and doing some road projects.

The Parkway trail overlay is in process and \$94,262 will be moved forward for that.

The Heritage Center built some pickleball courts that were recently finished. They will move forward \$42,000 to pay for them this year.

The Wesley Area Road Project will have \$87,128 moved forward and \$200,000 will also be moved forward for the Fireclay intersection project. The Redevelopment Agency (RDA) will be paying for the Fireclay intersection project when it does happen so there needs to be approval for \$200,000 of budget revenue and expenditure to be transferred from the RDA to the Capital Projects to take care of that.

The City ordered a Hydro-excavator that was received in July so \$185,160 will be moved forward for that. The McGhie Springs Well project will also be moving money forward in the amount of \$980,520.

Ms. Moore said the other items are mostly grants that are not budgeted for. The State of Utah is sending the City \$20,000 to help revegetate the Jordan River burn area.

The Zoo, Arts and Parks, the ZAP tax, came in \$10,000 higher than the City anticipated.

The METRO Drug Enforcement Agency had excess asset forfeiture money they distributed amongst their participating Police Departments. The City will be receiving \$14,600 that the Police Department will be using to purchase cameras and radio equipment.

The Utah Commission on Criminal and Juvenile Justice Grant came in at \$2,500. The Victims of Crime Act (VOCA) Grant came in at \$35,427.

The State of Utah Emergency Medical Services Grant is being received in the amount of \$4,548 which will be used for medical equipment for the new ambulance. The City also received an Emergency Management Grant from the State of Utah in the amount of \$4,440.

Salt Lake County has given the City \$1,200,000 for road projects within the City.

The Heritage Center has received a CDBG Grant from Salt Lake County in the amount of \$116,000 to do some remodeling over at the Heritage Center.

PetSmart gives the City money every year for the Animal Shelter and to work on spaying and neutering animals. This year they are giving the City \$1,000.

We are also receiving \$38,000 from Salt Lake County for the North Jordan Canal Study. The City has paid for out part of that. The money has to be in our budget so we can pay the vendor then we will bill Salt Lake County.

### **Public Hearing Open for Public Comment**

No public comments given.

**Public comment closed.**

4.3.2 Council consideration of the above matter.

Mr. Hales made a motion to approve the Ordinance  
Mr. Nicponski seconded the motion

Call vote recorded by Jennifer Kennedy

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

Motion passed 5-0

**5. Unfinished Business**

5.1 None scheduled.

**6. New Business**

6.1 Consider a Resolution approving an Interlocal Cooperative Agreement between the City and the Utah Transit Authority (“UTA”) for the acquisition of property that is part of UTA’s private drive and create a public street to facilitate development of Fireclay Apartments, LLC.

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

Mr. Tingey said this is an agreement between three entities: UTA, Murray City, and Fireclay Apartments, LLC. The purpose of this is to be able to get right-of-way extended as part of the Fireclay Transportation Master Plan.

As part of the agreement the City’s obligations would be to construct a sidewalk on the UTA property to facilitate pedestrian activity, continue to work with the developer on developer improvements for the right-of-way, submit transportation modifications that the Council made, and provide adequate water through an easement through the right-of-way. The developer has to develop the road, put in an automatic gate to protect UTA’s property, and design and construct the road. UTA would dedicate the right-of-way to the City which is their primary reason for facilitating this.

It is important for the City to continue and have continuity in the Transportation Master Plan.

Mr. Brass made a motion to adopt the Resolution  
Mr. Camp seconded the motion

Call vote recorded by Jennifer Kennedy

  A   Mr. Hales  
  A   Mr. Nicponski  
  A   Mr. Camp  
  A   Mr. Brass



A Ms. Turner

Motion passed 5-0

- 6.2 Consider a Resolution authorizing the execution of an Interlocal Cooperation Agreement between various agencies and Murray City (“the Parties”) for the purpose of facilitating the establishment of the Salt Lake County Officer Involved Critical Incident Task Force (“OICI Task Force”).

Staff presentation: Craig Burnett, Police Chief

Chief Burnett said this is a task force the chiefs in the valley have been working on putting together. In the last legislative session, House Bill 361 was passed which regulates how officer involved critical incidents, such as officer involved shootings and things like that, are investigated. As a way of making things transparent, agencies are not able to investigate their own or be any part of the investigation. That is why on the officer involved shooting we had here about a month ago, we had to call in Sandy Police Department.

All cities have been utilizing these types of agreements. They have been working at this for a few months trying to come up with a solution that would be beneficial for everyone. The solution was to come up with a county-wide task force where everyone will input man-power and resources. This task force will be utilized for any of these types of incidents.

Ms. Turner said she thinks this is a great idea and she is glad it is happening.

Chief Burnett said it is a model that has been working in other areas of the state prior to this time. It has been a good working process with the other agencies and he thinks it will benefit everyone.

Mr. Camp made a motion to approve the Resolution  
Mr. Hales seconded the motion

Call vote recorded by Jennifer Kennedy

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

Motion passed 5-0

7. **Mayor**

7.1 Report

Chief Rodriguez read a Proclamation for the Daughters of the American Revolution.

7.2 Questions for the Mayor

**8. Adjournment**

---

Jennifer Kennedy, City Recorder

# Attachment 1





# 160 W. Winchester St.



MURRAY  
ADMINISTRATIVE &  
DEVELOPMENT SERVICES

