

# **Murray City Municipal Council Chambers Murray City, Utah**

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The Municipal Council of Murray City, Utah, met on Tuesday, the 17<sup>th</sup> day of October, 2017 at 6:30 p.m., for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

The meeting was conducted by Jim Brass

Council Members Present:

Dave Nicponski, Council District 1  
Pamela Cotter, Council District 2  
Jim Brass, Council District 3  
Diane Turner, Council District 4/Council Chair  
Brett Hales, Council District 5

City Staff Present:

Blair Camp, Interim Mayor  
Jennifer Kennedy, City Recorder  
Briant Farnsworth, Attorney  
Janet Lopez, Council Administrator  
Janet Towers, Executive Assistant to the Mayor  
Craig Burnett, Police Chief  
Gil Rodriguez, Fire Chief  
Doug Hill, Public Services Director  
Mary Ann Kirk, Cultural Arts Director  
Tim Tingey, Administrative and Development Services (ADS) Director  
Mike Terry, Human Resources Director

Other's in Attendance:

Scouts  
Citizens

Mr. Brass called the meeting to order at 6:30 p.m.

**1. Opening Ceremonies**

**1.1 Pledge of Allegiance**

The Pledge of Allegiance was led by Mike Terry, Human Resources Director.

**1.2 Approval of Minutes**

**1.2.1 Council Meeting – September 19, 2017**

**1.2.2 Council Meeting – October 3, 2017**

MOTION: Ms. Turner moved to approve both sets of minutes. The motion was SECONDED by Mr. Hales. Voice vote taken, all “ayes.”

**1.3 Special Recognition**

**1.3.1 Presentation of a Congressional Record by Senator Orrin Hatch to former Mayor Ted Eyre’s Family.**

Presentation: Melanie Bowen, State Director for Senator Hatch  
Cameron Diehl, Executive Director of the Utah League of  
Cities and Towns

Ms. Bowen said this Congressional Record is a part of the United States Senate’s legacy. She said that Senator Hatch read this tribute to Mayor Eyre into the record on September 11, 2017. Ms. Bowen read the Congressional Record.

Ms. Bowen and Mr. Diehl presented the Congressional Record to Ruth Eyre and her family.

**1.3.2 Murray City Council Employee of the Month, Randy Pond, Murray City Code Enforcement Supervisor.**

Staff Presentation: Brett Hales, Councilmember  
Craig Burnett, Police Chief

Mr. Hales said the Council started the Employee of the Month program because they felt it was important to recognize the City’s employees. He presented Mr. Pond with a certificate, a gift card and told him his name would appear on the plaque located in the Council Chambers. He expressed his appreciation to Mr. Pond for all he does for the City.

Chief Burnett spoke about the work Mr. Pond has done during his time with the city.

**1.3.3 Introduction of the 2017 – 2018 Miss Murray, Jessica Christenson.**

Staff Presentation: Mayor Blair Camp

Mayor Camp said he attended the Miss Murray Pageant that was held on

September 13, 2017. He introduced Jessica Christenson, Miss Murray for 2018.

Ms. Christenson spoke about her platform H.O.P.E – Hold On Pain Ends [depression awareness and suicide prevention]. She explained she suffered from depression in Jr. High and High School and she wants to give hope to kids who are currently suffering from depression.

#### **1.3.4 Arts and Humanities Month Presentation**

Presentation: Wendy Richhart, Arts Advisory Board Chair

Ms. Richhart said October is Arts and Humanities month. She thanked the Council for their support of arts in the community. Ms. Richhart went over some of the upcoming arts programs and events noting that the 2018 season will include 22 free concerts and the Arts in the Park evening series in the newly remodeled Amphitheater. She then presented Doug Hill, Public Services Director, with a Community Art Award. Mr. Hill was involved in the beginning of the Cultural Arts Division and has consistently encouraged and supported its staff and programs.

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

### **Susan Halliday Carroll - Preserve Murray**

Ms. Carroll said she is speaking on behalf of Preserve Murray and they are concerned that the city's heritage is not being saved. The Vine Street Church, which has been a private school for years, is worth preserving. It was built in 1907 and it's a beautiful building. Preserve Murray represents many citizens who support the preservation of Murray's historic buildings, including the Murray First Ward building which the city has approved for demolition as part of a project to construct an assisted living center. Pursuant to paragraph four of the development agreement that the City Council approved on June 20, 2017, any changes to the configuration of the project shall be subject to approval by the Planning Commission. The development agreement also gives the Director of Administrative and Development Services the discretion to approve minor changes.

Ms. Carroll said there are other buildings that they know are not going to be preserved such as the three duplexes in the area and the Carnegie Library. Preserve Murray would like to see the chapel section of the Murray First Ward building incorporated into the assisted living center. They expect that any alternative to the approved development plans, no matter how small, will be presented to the Planning Commission for review, public comment, and approval pursuant to paragraph four of the development agreement. They also expect that the city and City Council will assure full compliance with the development agreement, the Planning Commission Certificate of Appropriateness and the approved development plans for the project.

Preserve Murray has prepared their own architectural plans showing that the Murray First Ward building could be incorporated into the senior assisted living center at less cost than

the developer's proposal. Preserve Murray recognizes that the city is often faced with tough decisions. However, the city is also responsible for preserving its historic fabric which includes historic buildings. Preserve Murray will do everything within their power to work with the city and its citizens to preserve Murray's historic fabric and to support city officials and policies that share this goal.

The Murray First Ward building is central to the history of this area. It was built in 1907 as a Stake Center and is almost as old as Murray City. It has been the center of not only religious worship but musical and theatrical performances as well. This building, that means so much to the community, could be a beautiful nondenominational chapel and worship space which would be an asset to the residents of the senior assisted living center. It would also be a lovely space for musical and theatrical programs for the residents because it has wonderful acoustics; it's a beautifully build space. This would enable the residents to enjoy their worship services. Ms. Carroll asked the Council not to destroy this building and everything it stands for.

**3. Consent Agenda**

**3.1 Consider confirmation of the Mayor's appointment of Bob Dunn to the Murray Personnel Advisory Board in an At-Large position to complete the remainder of a three-year term to expire June 30, 2019.**

MOTION: Mr. Hales moved to approve the Consent Agenda. The motion was SECONDED by Ms. Turner.

Council roll call vote:

Ms. Turner	Aye
Mr. Hales	Aye
Mr. Nicponski	Aye
Mrs. Cotter	Aye
Mr. Brass	Aye

Motion passed 5-0

**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 land use; amends the Zoning Map for a portion of the property located at approximately 99 West Wilson Avenue, Murray City, Utah from M-G (Manufacturing General District) to R-1-8 (Single-Family Low Density Residential District).**

Applicant: Lorraine O'Driscoll

Staff Presentation: Tim Tingey, ADS Director

Mr. Tingey said this item went before the Planning Commission on

September 21, 2017. This is a situation where the property was, at one time, owned by a single owner. The property was split and now has two owners. There is a lot line that goes through one of the structures so this is an opportunity to do a cleanup on that property and allow for .35 acres to change from commercial and become part of the residential area. Mr. Tingey noted this change is supported by the General Plan and both the Planning Commission and staff are recommending approval.

The public hearing was opened for public comment. No comments were given and the public hearing was closed.

**4.1.2 Council consideration of the above matter.**

MOTION: Mr. Nicponski moved to adopt the ordinance. The motion was SECONDED by Mr. Hales.

Council roll call vote:

Ms. Turner	Aye
Mr. Hales	Aye
Mr. Nicponski	Aye
Mrs. Cotter	Aye
Mr. Brass	Aye

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 17.170.110 of the Murray City Municipal Code relating to requirements for non-residential uses on the ground floor in the MCCD Zone.**

Staff Presentation: Tim Tingey, ADS Director

Mr. Tingey said this area, the MCCD, is the city's downtown area. The city wants to promote a mix of uses, commercial and residential, which is part of the vision for the area. There is a requirement that there can be no lower level residential allowed on proposals for both multi-family and apartment high rises; they must have lower level commercial and upper level residential. This proposal would allow for up to 15% of the ground floor to be used for residential amenity uses such as leasing offices, lobbies, and clubhouses.

Staff and the MCCD Design Review Committee had concerns that a large building, say 35,000 square feet, could have 3,000 to 4,000 square feet to use for lower level residential amenity use, where a smaller building

would not have that much. Staff felt it is important for a cap on that and recommended a modification to this proposal. They recommended allowing 15% or 1,000 square feet, whichever is less, of the lower level be used for residential amenity uses. Mr. Tingey noted that both staff and the Planning Commission are recommending approval.

Mr. Nicponski asked if this means that these proposals would only be able to have things such as leasing offices and lobbies on the first floor and that things like gyms would have to be on the second floor.

Mr. Tingey replied that was correct.

The public hearing was opened for public comment.

Janice Strobell – Murray City, Utah

Ms. Strobell said she lives about a block away from the MCCD and she has some deep feelings about it since it is right next to her neighborhood. She said she attended the Planning Commission meeting when this was discussed and there were four Planning Commission members who had reservations and wanted their concerns to be noted. She thinks that part of what the Planning Commission members are concerned about is limiting space for the commercial aspects of the MCCD.

Ms. Strobell asked what the city's goal for the ground floor of these projects is. She has heard from attending different meetings that the goal is to create a walkable community in the downtown area. Sadly, she has discovered that some of the most recent developments that have been approved in the MCCD have a ground floor that will be locked. The doors will not be open and available to the public. She asked how this helps create a walkable downtown. There are retail spaces that will be open to the public, but a lot of the new developments will be locked during business hours.

Mr. Brass closed the public hearing.

**4.2.2 Council consideration of the above matter.**

MOTION: Ms. Turner moved to adopt the ordinance. The motion was SECONDED by Mr. Nicponski

Council roll call vote:

Ms. Turner	Aye
Mr. Hales	Aye
Mr. Nicponski	Aye
Mrs. Cotter	Abstained
Mr. Brass	Aye

Motion passed 4-0 with 1 abstention

5. **Unfinished Business**

5.1 **None scheduled.**

6. **New Business**

6.1 **Consider a resolution approving an Interlocal Cooperation Agreement between the City and Salt Lake County for receipt by the City of Tier II Zoo, Arts and Parks Funds in the amount of \$79,000.**

Staff presentation: Doug Hill, Public Services Director

Mr. Hill said the city applied for and received a grant from the Salt Lake County Zoo, Arts and Parks (ZAP) fund. The city received \$79,000 that will go towards supporting the arts programs in Murray City. This agreement is to accept these funds and it also states how these funds are to be used. Primarily the funds can be used to support any of the city's arts and humanities programs.

MOTION: Mr. Hales moved to adopt the resolution. The motion was SECONDED by Mr. Nicponski

Council roll call vote:

Ms. Turner	Aye
Mr. Hales	Aye
Mr. Nicponski	Aye
Mrs. Cotter	Aye
Mr. Brass	Aye

Motion passed 5-0

6.2 **Consider a resolution approving and Interlocal Cooperation Agreement between the City and Utah Department of Transportation (“UDOT”) for the purpose of setting out the terms and conditions for utility work necessitated by the project identified as S-I15-7(324)297, I15; SB 12300 South to SR-201; in Salt Lake County, Utah, (“Project”) performed by the City.**

Staff presentation: Briant Farnsworth, Attorney

Mr. Farnsworth said UDOT is working on a project involving southbound I-15. To facilitate this project, they would like the cooperation of the city to relocate or modify some power facilities. The city's power department would like to do this work on their own rather than have a contractor of UDOT perform that work.

UDOT has proposed a master agreement that would allow the city to relocate or modify the facilities as needed. UDOT would then reimburse the city for the work. UDOT has a general agreement dealing with the general terms. The specific

amounts of reimbursement and the specific locations that would need to be moved or modified would come through in supplemental agreements as the project moves forward and UDOT determines what facilities need to be moved.

Mr. Farnsworth stated these types of agreements have been done in the past and are somewhat common.

MOTION: Mr. Nicponski moved to adopt the resolution. The motion was SECONDED by Ms. Turner

Council roll call vote:

Ms. Turner	Aye
Mr. Hales	Aye
Mr. Nicponski	Aye
Mrs. Cotter	Aye
Mr. Brass	Aye

Motion passed 5-0

**7. Mayor**

**7.1 Report**

Mayor Camp stated the Trans Jordan Landfill has several large piles of compost and wood chip products that they are reducing in price to clear out before the winter season. Anyone interested in getting some can go to the city's website for more information.

On Wednesday, October 25, 2017 at 7:00 p.m. Aimee Winder Newton, County Council Member will be holding a neighborhood meeting regarding Operation Rio Grande at Viewmont Elementary. This is in response to some of the complaints that have been coming out of the neighborhoods along the Jordan River Parkway. Representative Bruce Cutler will be there also.

The unveiling of the public art piece at the Murray Park Amphitheater will be on October 21, 2017 at 1:00 p.m. The area will be open until 3:00 p.m. for everyone to stop by and see the new art piece.

**7.2 Questions for the Mayor**

**8. Adjournment**

The meeting was adjourned at 7:27 p.m.