

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

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The Municipal Council of Murray City, Utah, met on Tuesday, the 15<sup>th</sup> day of May 2018 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 Brett Hales

Council Members Present:

Dave Nicponski, Council District 1  
Dale Cox, Council District 2 – Excused  
Jim Brass, Council District 3  
Diane Turner, Council District 4/Council Chair  
Brett Hales, Council District 5

City Staff Present:

Blair Camp, Mayor  
Jennifer Kennedy, City Recorder  
G.L. Critchfield, City Attorney  
Janet Lopez, Council Administrator  
Doug Hill, Chief Administrative Officer  
Jennifer Heaps, Communications and Public Relations Director  
Craig Burnett, Police Chief  
Julie Jackson, Evidence Technician  
Teresa Hoffman, Office Administrator  
Kristin Reardon, Records Supervisor  
Gil Rodriguez, Fire Chief  
Jon Harris, Deputy Fire Chief  
Mike Dykman, Administrative Assistant Chief  
Matt Boulden, Fire Captain  
Joe Treadwell, Battalion Chief  
Daren Wightman, Paramedic/Firefighter  
Rick Best, Paramedic/Firefighter  
Steve Roberson, Paramedic/Firefighter  
Kim Sorensen, Parks and Recreation Director  
Tim Tingey, Administrative and Development Services (ADS) Director  
Danyce Steck, Finance Director  
Kim Fong, Library Director  
Jackie Sadler, Court Clerk

Other's in Attendance:

Scouts  
Citizens

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

**5. Opening Ceremonies**

**5.1 Pledge of Allegiance**

The Pledge of Allegiance was led by Zach Marsh

**5.2 Approval of Minutes**

**5.2.1 Council Meeting – April 17, 2018**

MOTION: Mr. Brass moved to approve the minutes. The motion was SECONDED by Mr. Nicponski. Voice vote taken, all “ayes.”

**5.3 Special Recognition**

**5.3.1 Murray City Council Employee of the Month, Julie Jackson, Evidence Technician, Murray City Police.**

Staff Presentation: Brett Hales, Councilmember and 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 Ms. Jackson with a certificate, a \$50 gift card and told her that her name would appear on the plaque located in the Council Chambers. He expressed his appreciation to Ms. Jackson for all she does for the City.

Chief Burnett spoke about Ms. Jackson’s time with the city.

**5.3.2 Consider a Joint Resolution of the Mayor and Municipal Council of Murray City, Utah to Designate and Support May 20 – 26, 2018 as Emergency Medical Services Week.**

Staff Presentation: Mayor Blair Camp and Chad Pascua, Battalion Chief

Battalion Chief Pascua said this year’s theme for Emergency Medical Services (EMS) Week is “Stronger Together.” He went over some of the highlights the Fire Department had this past year. Some of those highlights include: carrying two medications, Ketamine and Ativan, taking possession of their second refurbished ambulance, and working with the Police Department on Rescue Taskforce Teams.

Battalion Chief Pascua recognized Nick Haskin, Paramedic/Firefighter, who was recognized by Utah Valley University as an outstanding Paramedic Mentor. He also recognized Jake Christensen, Paramedic/Firefighter, who was recognized by St. Mark’s Hospital as EMS Provider of the Year.

Battalion Chief Pascua reminded everyone that on Saturday, May 26, 2018 the Fire Department will have their annual barbeque at Fire Station #84 located at 163 East 5900 South.

Dr. Adam Balls, Medical Director, spoke about how the Fire Department cares about each member of the community. They are not satisfied with the status-quo. They provide cutting-edge treatment, medications, training, and education that will save the lives of community members and ensure they are safe and protected.

Dr. Balls read an excerpt that appears on the EMS Strong website:  
*“Your dedication to improving the lives of others is a hallmark of the EMS profession. But we can only do so much individually. The truth is, we're at our best when (and because) we work together-within our EMS service, with neighboring departments, hospitals and other healthcare providers. Responding and providing care side-by-side, with countless hours of preparation and training, we impact the lives of our patients, their families, and our communities. It's about so much more than lights and sirens. It's about giving the most of ourselves in the name of helping others. It's about being there for people when things go wrong—and doing our part to help make sure things go right. It's about supporting each other when things get tough and being there for our communities when they look to us for help. It's about being in service to others, every day. Every day, you're called upon to help others through one of the most frightening times of their lives. Every day, you're called upon to provide a sense of security and relief during chaotic and challenging situations. Every day, you're called upon to do the work that only a select few can do. Every day, you're chosen to answer the call of a career that demands passion, purpose and heart - from all those that wear the uniform, day in and day out.”*

Mayor Camp read the Joint Resolution.

MOTION: Mr. Brass moved to adopt the Joint Resolution. The motion was SECONDED by Ms. Turner.

Council roll call vote:

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

Motion passed 4-0

Mayor Camp presented the Joint Resolution to Battalion Chief Pascua. He asked all the first responders in attendance to standup and be recognized.

**5.3.3 Consider a Joint Resolution of the Mayor and Municipal Council of Murray City, Utah, to Recognize and Support the Kids Eat! Foundation and to Proclaim May 15, 2018 as “No Murray Child Goes**

## **Hungry” Day.**

Staff Presentation: Mayor Blair Camp  
Mayor Camp read the Joint Resolution.

MOTION: Ms. Turner moved to adopt the Joint Resolution. The motion was SECONDED by Mr. Brass.

Council roll call vote:

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

Motion passed 4-0

Mayor Camp presented the Joint Resolution to Lynda Brown, CEO/President of Kids Eat. Ms. Brown spoke about the Kids Eat program.

**6. Citizen Comments** – Comments are limited to 3 minutes unless otherwise approved by the Council.  
Bob Dunn – Murray City, Utah

Mr. Dunn wanted to let everyone know that Lynda Brown won the Maytag Award for Boys and Girls Clubs of America and she was recognized for that at a reception in San Diego, California.

Paul Sorensen – Murray City, Utah

Mr. Sorensen said a few weeks ago, his son had an accident as he was pulling out of Murray High School at the intersection of 5460 South State Street. Mr. Sorensen was wondering if there is any way to put in a left-hand turn light at that intersection. During the school rush hours there is a high number of lesser experienced drivers in that area. Mr. Sorensen said he doesn't know if this is a county or state road or a city issue, but he would love to take some pictures and do whatever is needed to get a left-hand turn signal at that light.

Matthew Hepworth – Murray City, Utah

Mr. Hepworth said recently he saw a funny cartoon in a newspaper that had tongue and cheek names for all the different cities. Murray City was listed as the I.R.M. – the Independent Republic of Murray. Mr. Hepworth believes that speaks to how responsive the Council has been to its citizens.

Mr. Hepworth stated there are two decisions the Council has made that keep him in the city. The first one was the decision to get on UTOPIA and the other was the decision to create the Canal Trail. There is a sign that says the hours of the Canal Trail are 6:00 a.m. to 10:00 p.m. He thinks those are appropriate times since it is summer and those are pretty much the daylight hours. He also feels those are appropriate hours for the winter when the daylight hours are shorter.

DeLynn Barney – Murray City, Utah

Mr. Barney said he is opposed to eminent domain. Forcing people to sell or leave the property they own is an affront to the Constitution to life, liberty and the pursuit of happiness as well as to personal property rights. Mr. Barney stated he is opposed to a new City Hall without the vote of the populous. He is opposed to any property tax increase specifically because the money would go to the Redevelopment Agency instead of other services.

Mr. Hales asked the scouts in attendance to introduce themselves.

7. Consent Agenda

7.1 None scheduled.

8. Public Hearing

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 relating to Land Use; amends the Zoning Map for the property located at approximately 4878 South Murray Blvd., Murray City, Utah from the C-D (Commercial Development) zoning district to the R-M-15 (Residential Multi-Family) zoning district.**

Applicant: Brighton Development, LLC

Staff Presentation: Tim Tingey, ADS Director

Mr. Tingey said this item was considered by the Planning Commission on April 19, 2018. The property is about 3.3 acres of vacant land and is currently zoned for commercial development. The proposal to change the zoning to residential multi-family is consistent with the General Plan. There are single and multi-family residential properties to the south of this property and commercial properties to the north. The future land use for this property is medium density residential.

Mr. Tingey went over some of the elements of a medium density residential development. He said medium density residential allows for 15 units per acre, but this property would most likely only have 36 to 40 units total. There are also allowances for single-family residential detached homes and duplexes. There are parking requirements of 2.5 parking stalls per unit as well.

Mr. Tingey reminded the Council that there is no proposal, this is simply a rezone.

Shawn Poor – Brighton Homes

Mr. Poor said he believes changing the zoning for this property would be good for this site. Brighton Homes spoke with city staff about future

projects along Little Cottonwood Creek and they feel that whatever project they create would be an asset to those projects.

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

Mr. Brass said he likes that the developer is entertaining the idea of continuing the trail along the creek from Murray Blvd. to the Jordan River. He would like to see a buffer zone so homes aren't being built right up to the Parkway Trail.

### **8.1.2 Council consideration of the above matter.**

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

Council roll call vote:

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

Motion passed 4-0

## **9. Unfinished Business**

### **9.1 None scheduled.**

## **10. New Business**

### **10.1 Consider a resolution authorizing and approving proceedings in eminent domain for three parcels located at 18 West 5<sup>th</sup> Avenue, Murray City, Utah.**

Staff presentation: Tim Tingey, ADS Director

Mr. Tingey said the Council has received a memo from him, the resolution related to eminent domain, and other notice letters relating to this item. Mr. Tingey said this is not an easy issue. It has been talked about with the City Council before. Both the United States and Utah Constitutions allow eminent domain which is defined as the taking of private property for public use and paying just compensation for the property. Mr. Tingey explained the area where this property is located has been designated as a redevelopment area for a long time. There is a need for public improvements in the area including right-of-way improvements, new roads, and a new City Hall.

The property is about 1.7 acres and has three parcels on it. The city sent the property owner a letter with an appraisal in January 2018. Since that time, the city has been actively negotiating with the property owner and have even come to a point where a price was agreed upon for a purchase and sales agreement. However, there are a

few concerns related to the title and the title not being clear that have been brought to the city's attention. If the title is not clear, the city may end up having to pay twice for the property.

The city has been trying to work through these issues with the Strasser Organization. The Strasser Organization have recently identified a title company that may be willing to insure the title on the property and have provided that information to the city.

Mr. Tingey said the city wants to make sure it doesn't have to pay twice for the property, so they will continue to work to see if they can get the title insurance. Another way to clear the title is to go through eminent domain which is why the Council is being asked to consider this resolution tonight. If the Council approves this resolution it will give the city the opportunity to file for eminent domain. Mr. Tingey reiterated that staff will continue to negotiate and work through the title issues but would like to see the resolution approved so there is the opportunity to move forward with eminent domain if necessary.

Colin Strasser, Strasser Organization.

Mr. Strasser said this is about the taking of land that started in February 2017. At that time, the Council thought it was best to not make a decision on eminent domain. The city, due in large part to Mr. Tingey's diligent efforts, has been successful in acquiring all the properties in that area except for his. Mr. Strasser said the property isn't actually his in some respect because of the title issues. The title issues are minor and wouldn't affect 90% of real estate transactions that occur on a daily basis.

Mr. Strasser said he hopes the Council does not vote in favor of eminent domain. He thinks the title insurance is days away from being resolved. He doesn't think the city should ever do eminent domain and he thinks the city has done a great job in making it so they don't have to.

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

Council roll call vote:

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

Motion passed 4-0

- 10.2 Consider a resolution adopting the Tentative Budget, as amended, for the Fiscal Year beginning July 1, 2018 and ending June 30, 2019 and scheduling a public hearing to receive public comment before the Final Budget is adopted.**

Staff presentation: Danyce Steck, Finance Director

Ms. Steck said the budget went through a reconciliation process where the Council added \$140,000 to the budget for sidewalk improvements. She added that all the wages and benefits have also been adjusted to the correct levels. She is asking the Council to adopt this amended, tentative budget and set a public hearing for the budget on Tuesday, June 5, 2018 at 6:30 p.m. Public comments will be given at that meeting and the final budget will be adopted on Tuesday, June 12, 2018 at 6:30 p.m.

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

Council roll call vote:

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

Motion passed 4-0

**11. Mayor**

**11.1 Report**

Mayor Camp said due to the work of city staff and the Attorney's office, the bonding company for the contractor that worked on the pickle ball courts has agreed to allow the city to finish up the pickle ball court project. There will be a drinking fountain installed this week and the lighting should be completed next week.

Mayor Camp stated the city is hosting an e-waste recycling and document shredding day on Saturday, June 9, 2018 from 9:00 a.m. – 11:00 a.m. at the Public Services building. The event is open to all Murray City residents.

**11.2 Questions for the Mayor**

**12. Adjournment**

The meeting was adjourned at 7:35 p.m.