

# Murray City Municipal Council Chambers Murray City, Utah

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The Murray City Municipal Council met on Tuesday, May 7, 2019 at 6:30 p.m. for a meeting held in the Murray City Center Council Chambers, 5025 South State Street, Murray, Utah.

**Council Members in Attendance:**

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

**Others in Attendance:**

Blair Camp	Mayor	Jan Lopez	Council Director
G.L. Critchfield	City Attorney	Jennifer Kennedy	City Recorder
Doug Hill	Chief Administrative Officer	Jennifer Heaps	Communications & Public Relations Director
Craig Burnett	Police Chief	Brenda Moore	Controller/Acting Finance Director
Danny Hansen	IT	Jon Harris	Fire Chief
Robert White	IT Director	Kim Sorensen	Parks & Recreation Director
		Jim McNulty	Community & Economic Development (CED) Manager
Scouts		Citizens	

**Opening Ceremonies**

Call to Order – Mr. Nicponski called the meeting to order at 6:30 p.m.

Pledge of Allegiance – The Pledge of Allegiance was led by Jim McNulty, CED Manager

**Approval of Minutes**

Council Meeting – April 2, 2019

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

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

Jack Pate – Murray City, Utah

Mr. Pate has an office at 36 West Fireclay Avenue. He said there are a lot of apartment buildings and parking problems by his office. He requested the city do some parking regulation, which they did. The city installed two hour parking signs which are being ignored. Mr. Pate was told that the city did not have the resources to patrol for parking issues, so he watched for parking issues to report to the police. When he called to report the information he collected to the police department, he was told the City Prosecutor has forbidden the police to ticket parked cars.

Mr. Pate said Murray has an excellent reputation, but they do need to have some type of parking enforcement.

Adam Thompson – Murray City, Utah

Mr. Thompson asked where the Mayor and City Council stand on the plastic bag ordinance discussion that is coming up on May 14, 2019. He feels this issue will have unintended consequences. He is wondering why the flyer that was handed out advertising the meeting only addressed one side of this issue and tries to push people towards banning plastic bags.

Mr. Thompson said banning plastic bags can actually increase litter in the city, not decrease it. Creating alternative bags leaves a higher carbon footprint than creating a plastic bag does and sustainable bags have to be used 143 times to get the same output as a plastic bag. He doesn't think this decision is as simple as, what he sees as, Murray sending a signal out that they are better than other communities. He thinks the cost of banning plastic bags far outweighs the benefits of banning them.

Senator Kathleen Riebe – Senate District 8

Senator Riebe said the budget was interesting this year because of the restructuring of the tax plan. They thought they had a lot of money going into the session but found out they didn't have as much money coming out of the session and during the session there was a bill that was going to change the tax structure that fell apart. The Tax Task Force has been created and will start working soon.

Senator Riebe said the thought was to have services taxed, but there was a lot of pushback from the community. They are now going to go back and see if they can come up with a better plan for that. She knows that Murray is dramatically impacted by point of sales tax and she was very cognizant of that during the session. She works hard with the League of Cities and Towns to ensure no city is negatively impacted by any tax changes.

**Public Hearings**

Staff and sponsor presentations and public comment will be given prior to Council action on the following matters.

1. Consider an ordinance relating to land use; amends the Zoning Map for the property located at 1104 West Winchester Street, Murray City, Utah from the O-S (Open Space) Zoning District to the R-1-6 (Single-Family Medium Density Residential) Zoning District. Applicant: Think Architecture

Staff Presentation: Jim McNulty, CED Manager

(See Attachment 1 for slides used during this presentation)

Mr. McNulty said this property is 2.19 acres and is currently zoned open space. He showed an aerial view of the site and noted that the property backs up to the city's golf course.

Mr. McNulty said the rezoning of this property to R-1-6 is supported by the Future Land Use Map designation and will not have negative impacts to the surrounding properties infrastructure or utilities. The requested rezoning has been carefully considered based on the characteristics of the site and surrounding area and the policies and objectives of the 2017 Murray City General Plan. Both staff and the Planning Commission have recommended approval of this proposal. Mr. McNulty noted that the Planning Commission's vote was unanimous in favor of the zoning amendment.

Ken Olson – Applicant

Mr. Olson introduced himself as the owner of the property and asked the Council if they had any questions for him. No questions were asked.

Mr. Hales asked Mr. McNulty how many homes would be allowed or could fit on this property.

Mr. McNulty replied a maximum of 10 – 12 homes could fit on this property.

The public hearing was open for public comments.

Kate Sturgeon – Murray City, Utah

Ms. Sturgeon asked the City Council to think carefully about this decision. It's 10 – 12 homes next to the golf course, but they are not making land or greenspace anymore and once it's gone, it's gone. She asked if this is the best use for this property. She asked the Council to also consider how congested this area is becoming.

Scott Haupt – Murray City, Utah

Mr. Haupt would like to see this property stay the same rather than to see homes built on it. There is no additional land here in Murray and he thinks if the city could purchase the property it could be used for a dog park or a pickle ball court.

Scott McGavin – Murray City, Utah

Mr. McGavin said he is one of the owners of the property. He said he has had several meetings with Dave Carruth, who manages the maintenance at the golf course, because people use his property on Winchester Street to get through to the city's property and

steel things from the golf course maintenance shed. Mr. McGavin has photos of someone who has been on his property that he has turned over to the police. People have been living in the house that is on the property and it has been a nightmare for the Murray Police Department. He believes putting homes on that property would be an upgrade to the neighborhood.

Mr. Nicponski closed the public hearing.

Mr. Hales said he knows the city doesn't own this property, but that they tried to purchase that property in the past. He wanted to know why the city never purchased this property.

Mayor Camp replied the Turpin's, who owned that property for many years, were unwilling to sell it to the city.

MOTION: Ms. Turner 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

Motion passed 3-0

2. Consider a resolution approving a waiver of rent to the Boys and Girls Club of Greater Salt Lake.

Staff Presentation: G.L. Critchfield, City Attorney

Mr. Critchfield said the Council has been provided with a proposed resolution and a proposed lease agreement between the city and the Boys and Girls Club. Sometime ago, the city purchased, what was formally Creekside High School. That was purchased subject to two tenants who had leases with the school district, so the city took over those leases. Now the city is looking to change those leases. When the city purchased that property, the intent was not to be a landlord, but the property came available at a good time. KidsEat has given the city notice that they are going to vacate, so this lease will only be with the Boys and Girls Club.

The city has proposed to waive the rent for the Boys and Girls Club if they maintain the building and the grounds and they are amenable to that. This is a non-profit organization receiving a gift which requires the City Council's approval.

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

Ms. Turner asked what the value of the gift would be.

Mr. Critchfield replied at the time the city purchased the building, they were renting it for \$1,000 a month or about \$0.80 a square foot, which he believes is below market rate. He thinks the current market rate is between \$1.25 or \$1.50 per square foot.

Mr. Hales asked how long the lease agreement would be for.

Mr. Critchfield replied the time period is not filled in on the agreement. There has been talk and the thought was to have the lease for two years at the most.

MOTION: Mr. Hales moved to adopt the resolution adding the lease agreement would be for no more than two years. The motion was SECONDED by Ms. Turner.

Council roll call vote:

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

Motion passed 3-0

**Business Items**

1. Consider a resolution adopting the Tentative Budget, as amended, for the Fiscal Year beginning July 1, 2019 and ending June 30, 2020 and scheduling a hearing to receive public comment before the final budget is adopted.

Staff Presentation: Brenda Moore, Controller/Acting Finance Director

Ms. Moore said her staff has made the adjustments that were requested. They added \$30,000 to help a department within the General Fund pay for a clean vehicle. They also increased the sidewalks allocation by \$100,000 and made some small technical changes that were overlooked in the previous budget.

MOTION: Mr. Hales 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

Motion passed 3-0

2. Consider a resolution approving the Murray Central Station Small Area Plan. This item was postponed to a June meeting.

## **Mayor's Report and Questions**

Mayor Camp went over the following items:

- The Parks and Recreation Master Plan Survey will close this week. They have had over 1,200, almost 1,300 responses.
- The Utah Department of Transportation (UDOT) is working on I-15 and the city is receiving calls about the bridge work on I-15 over Winchester Street and further south by the Trax. Unfortunately, the work is loud, will be heard in the evening hours, and is expected to continue for the next six weeks. Anyone with questions can also contact UDOT directly.
- Mayor Camp thanked the departments that participated in the Arbor Day celebration last Friday. There were 300 – 400 people in attendance, including elementary school students. He thanked the Parks, Power, and Public Works Department as well as the Shade Tree Commission for their help with the event.
- The secondary art show for Junior High and High School students is currently on display at Fashion Place Mall near Dillard's. It will be on display through Thursday during regular mall hours.

Mr. Nicponski thanked the Mayor for his professional and outstanding job he did in selecting the city's new finance director.

## **Adjournment**

The meeting was adjourned at 7:05 p.m.

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Jennifer Kennedy, City Recorder

# Attachment 1

# CITY COUNCIL MEETING

May 7, 2019



## Parkway Village Rezoning Zoning Map Amendment

1104 West Winchester Street

Existing Zoning Designation: Open Space, O-S Zone

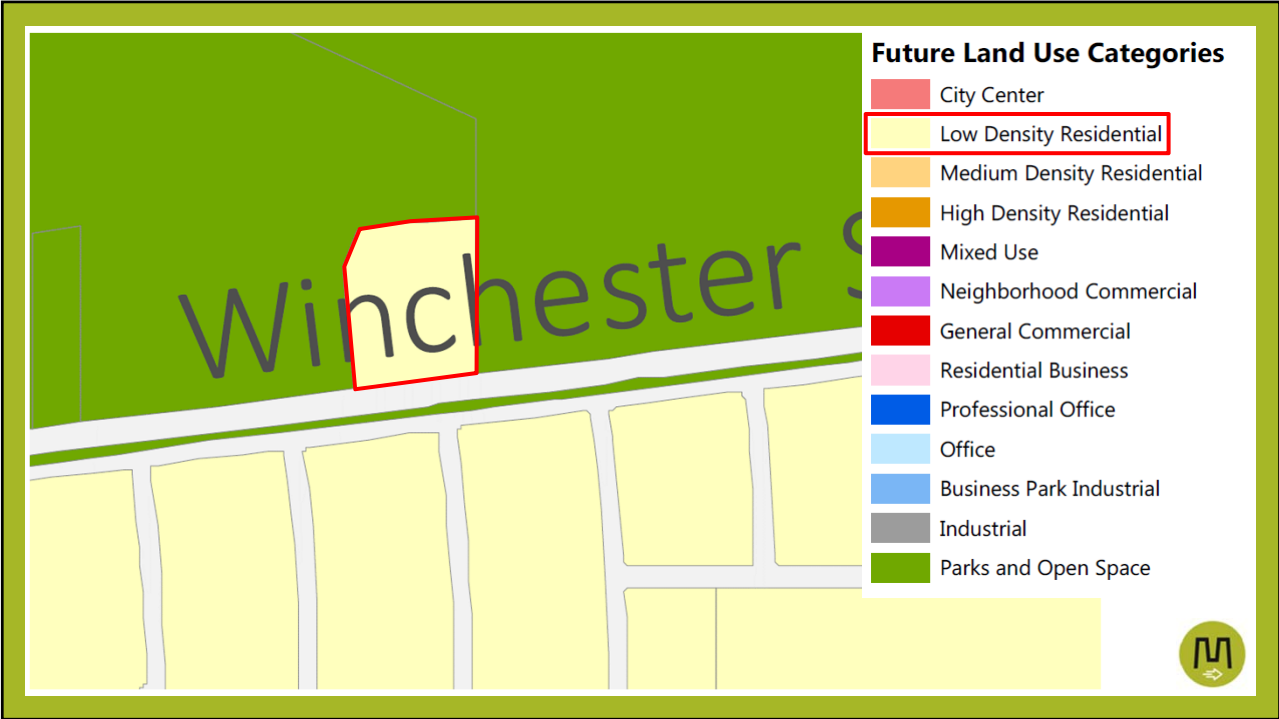
Proposed Zoning Designation: Single Family Residential, R-1-6 Zone

Property Size: 2.19 Acres











Subject property, looking north across Winchester Street



Looking south across Winchester Street



Looking west down Winchester Street from the subject property



## Staff Findings

1. The rezoning of the property to R-1-6 is supported by the Future Land Use Map designation of Low Density Residential and will not have negative impacts to the surrounding properties, infrastructure, or utilities.
2. The requested rezoning has been carefully considered based on the characteristics of the site and surrounding area and the policies and objectives of the 2017 Murray City General Plan, and have been found to support the goals of the Plan.
3. The proposed amendment to the Zoning Map from O-S to R-1-6 is in harmony with the established Low Density Residential land use designation of the subject property.





Staff & Planning  
Commission  
Recommendations  
to Amend the  
Murray City Zoning  
Map

City staff recommended that the Planning Commission forward a recommendation of APPROVAL to the City Council for the requested amendment to the Zoning Map designation for the property located at 1104 West Winchester Street from Open Space, O-S to Single-Family Residential, R-1-6.

On March 7, 2019, the Planning Commission held a public hearing and forwarded a recommendation of APPROVAL to the City Council for the requested amendment to the Zoning Map designation for the property located at 1104 West Winchester Street from Open Space, O-S to Single-Family Residential, R-1-6.

