

Murray City Municipal Council Chambers Murray City, Utah

The Murray City Municipal Council met on Tuesday, May 21, 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 – Excused
Dale Cox, Vice Chair	District #2
Jim Brass	District #3 – Excused
Diane Turner	District #4
Brett Hales	District #5

Others in Attendance:

Doug Hill	Chief Administrative Officer (CAO)	Jan Lopez	Council Director
G.L. Critchfield	City Attorney	Jennifer Kennedy	City Recorder
Craig Burnett	Police Chief	Jennifer Heaps	Communications & Public Relations Director
Danny Astill	Public Works Director	Jon Harris	Fire Chief
Cory Wells	Water Superintendent	Chad Pascua	Battalion Chief
Blaine Haacke	General Manager of Power	Joey Mittelman	Fire Captain
Greg Bellon	Assistant General Manager of Power	Randy Hallam	Paramedic/Firefighter
Robert White	IT Director	Pride Alldredge	Fire Engineer
Danny Hansen	Senior IT Technician	Joe Treadwell	Battalion Chief
Jim McNulty	Community & Economic Development (CED) Manager	Kim Sorensen	Parks & Recreation Director
Citizens			

Opening Ceremonies

Call to Order – Mr. Cox called the meeting to order at 6:30 p.m. and excused Mr. Nicponski and Mr. Brass from the meeting.

Pledge of Allegiance – The Pledge of Allegiance was led by Doug Hill, CAO

Approval of Minutes

Council Meeting – April 16, 2019

Council Meeting – May 7, 2019

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

Special Recognition

1. Murray City Council Employee of the Month, Matt Youngs, Energy Services Manager, Power Department.

Staff Presentation: Brett Hales, Councilmember and Blaine Haacke, Power Department General Manager

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. Youngs with a certificate, a \$50 gift card and told him that his name would appear on the plaque located in the Council Chambers. He expressed his appreciation to Mr. Youngs for all he does for the City.

Mr. Haacke spoke about the work Mr. Youngs has done during the time he’s been employed by the city.

2. Consider a Joint Resolution of the Mayor and Municipal Council of Murray City, Utah to designate and support the week of May 19-25, 2019 as Emergency Medical Services (EMS) Week.

Staff Presentation: Chad Pascua, Assistant Fire Chief

Mr. Hill read the Joint Resolution and presented it to Assistant chief Pascua.

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

Council roll call vote:

Ms. Turner	Aye
Mr. Hales	Aye
Mr. Cox	Aye

Motion passed 3-0

Assistant Chief Pascua said this year’s theme for EMS week is “Beyond the Call”. He also went over some of the highlights the Fire Department has had over this past year which included hiring a new office assistant, working on the opioid crisis, working with a paramedic student, and creating the rescue task force.

Assistant Chief Pascua said the Fire Department is not going to do a barbeque like they normally do this year. Instead, they are teaming up with the Murray Senior Recreation Center and on June 12, 2019 will hold an event where they will be doing blood pressure checks and offering other first aid information. The Police Department will also be doing some demonstrations at that event. He noted that more details will be posted to social media soon.

Citizen Comments – Comments are limited to 3 minutes unless otherwise approved by the Council. No citizen comments were given.

Public Hearings

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

1. Consider an ordinance amending Chapter 17.48 of the Murray City Municipal Code relating to the City's sign code.
(See Attachment 1 for slides used during this presentation)

Staff Presentation: Jim McNulty, Development Services Manager

Mr. McNulty said the Community and Economic Development staff as well as the City Attorneys have been working on these amendments for 18 months. He noted that this item was discussed with the City Council at the May 7, 2019 Committee of the Whole meeting.

Mr. McNulty said a public hearing was held during the Planning Commission meeting on March 7, 2019. There was an individual from the International Sign Association at that meeting, James Carpentier, who let staff know that the proposed code looked good. Mr. Carpentier also gave staff a few ideas on things they could add or change to make the code better regarding Electronic Message Centers (EMC's) and allowing pedestal signs closer to residential areas.

Mr. McNulty stated the Planning Commission did not make a decision on this item during the March 7th meeting. Instead, they postponed a decision until April 4, 2019. This allowed staff to go through each item of the sign code again to ensure the code was what they wanted.

On April 4, 2019, the Planning Commission held a second public hearing for this item. No comments were given from the public at that meeting. Both staff and the Planning Commission are recommending approval of this proposal.

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

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

Turner.

Council roll call vote:

Ms. Turner Aye
Mr. Hales Aye
Mr. Cox Aye

Motion passed 3-0

2. Consider an ordinance amending Section 17.160.050 of the Murray City Municipal Code relating to the front setback for outdoor dining in the C-D Zone.
(See Attachment 2 for slides used during this presentation)

Staff Presentation: Jim McNulty, Development Services Manager

Mr. McNulty said the owners of Prohibition, LLC, a bar in Murray City, have proposed this change. This is dealing with outdoor dining for eating and drinking establishments. He explained that Prohibition already has an outdoor area. They are proposing to have an outdoor area that is covered, but unenclosed. Mr. McNulty explained the changes and noted that staff has looked at implementing this citywide. He noted that this is already allowed in the Murray City Center District (MCCD).

Mr. McNulty said staff feels this is a good change. The General Plan has criteria in place that promotes and encourages this. He noted that both staff and the Planning Commission are in favor of this change.

The public hearing was open for public comments.

Alexander Teemsma – Murray City, Utah

Mr. Teemsma said as a dog owner, he is in favor of this.

No other comments were given and Mr. Cox closed the public hearing.

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. Cox Aye

Motion passed 3-0

3. Consider a resolution approving the 2018 Municipal Wastewater Planning Program Report.

Staff Presentation: Danny Astill, Public Works Director

Mr. Astill said this a requirement that the State places on all collection system operators. It is also a requirement that anytime the city has a loan from the State Division of Water, this has to be done every year. This resolution needs to be passed by the resolution accepting the report.

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

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. Cox	Aye

Motion passed 3-0

Business Items

1. Consider a resolution approving and authorizing execution of an Interlocal Cooperation Agreement between Murray City Corporation and Salt Lake County for a contribution of TRCC Funds to assist in financing the restoration of the Murray Theater.

Staff Presentation: Kim Sorensen, Parks and Recreation Director

Mr. Sorensen said he is asking the Council to approve this resolution. The city was awarded \$3,636,500 to renovate the Murray Theatre. The city will receive the money in two lump sums; one in 2019 and one in 2020. The cost estimate to renovate the theater is about \$7,300,000 so the city will need to come up with matching funds for this TRCC grant.

Mr. Hales asked Mr. Sorensen how he got this grant.

Mr. Sorensen explained the city has been asking the county for funds for a number of years. This project has a lot of interest not only from Murray, but from both the county and the state.

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. Cox	Aye

Motion passed 3-0

2. Consider an ordinance amending Chapter 2.51 of the Murray City Municipal Code relating to the appointment of representatives to governing boards of interlocal entities. G.L. Critchfield presenting

Staff Presentation: G.L. Critchfield, City Attorney

Mr. Critchfield said pursuant to State Law and by agreement, the city is a member of 12 Interlocal Entities. Chapter 2.51 of the city code sets out six of those that we are members and staff want to add the other six to update the ordinance.

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

Council roll call vote:

Ms. Turner	Aye
Mr. Hales	Aye
Mr. Cox	Aye

Motion passed 3-0

Mayor's Report and Questions

Mr. Hill went over the following items:

- Mayor Camp along with Councilmember Nicponski and Councilmember Brass are in Las Vegas at the International Conference of Shopping Centers. This is one of the largest gatherings of retailers anywhere in the world and the city is hoping they are down there recruiting some good businesses and retail stores to come to Murray City.
- The city has awarded the contract for the Vine Street project. Early next week, staff from the Public Works Department will be delivering notices to the residents that live on both sides of Vine Street between 900 East and 1300 East letting them know that the project will be starting toward the first part of June and go until the fall of this year.
- There has been no flooding in the city with the exception of some areas in Murray Park, which was designed to be a flood plain. The cooler temperatures have helped slow the snow coming out of the mountains. The water temperature in the creeks is currently close to 44 degrees. He encouraged residents to watch their children and stay away from the water. Staff from Public Works, Public Safety and Risk management are meeting to talk about ways to improve safety along the creeks and the Jordan River.
- The city's firefighters are over at Costco raising money for Primary Children's Hospital.
- The outdoor pool will be open Memorial Day weekend between 2:00 p.m. and 6:00 p.m. due to cooler temperatures.

Adjournment

The meeting was adjourned at 7: 18 p.m.

Jennifer Kennedy, City Recorder

Attachment 1

CITY COUNCIL MEETING

May 21, 2019



LAND USE ORDINANCE SECTION 17.48, SIGN CODE REGULATIONS



Planning Commission Public Hearing March 7, 2019

- The Planning Commission held a public hearing
- City staff presented the proposed Sign Code
- The Planning Commission took public comment
- James Carpentier with the International Sign Association provided public comments related to the Sign Code for our consideration
- The Planning Commission continued the item until April 4, 2019 allowing for City staff to review the additional information presented on March 7, 2019



Planning Commission Meeting April 4, 2019

- City staff presented the proposed Sign Code
- City staff informed the Planning Commission that all suggestions presented on March 7, 2019 were considered
- City staff went through the revisions with the Commission and then asked for a positive recommendation to the City Council
- The Planning Commission opened the item for public comment; however, no additional comments were provided



Staff Findings

1. The proposed text amendments to Section 17.48, Sign Code Regulations will preserve and enhance the aesthetic, traffic safety, and environmental values of Murray City while at the same time providing for ample and adequate means of communication to the public, including, but not limited to, providing a wide latitude for a variety and design of signs to promote local businesses within the City.
2. The proposed text amendments are consistent with the purpose of Title 17, Murray City Land Use Ordinance.
3. The proposed text amendments are consistent with the Goals & Policies of the Murray City General Plan.
4. The proposed text amendments are consistent with recent case law (e.g. Reed v. the Town of Gilbert).



Staff & Planning Commission Recommendation

City staff recommended that the Planning Commission forward a recommendation of APPROVAL to the City Council for the proposed amendments to the Murray City Land Use Ordinance, Section 17.48, Sign Code Regulations.

On March 7, 2019 and April 4, 2019, the Planning Commission held public hearings to consider this item. On April 4, 2019, the Planning Commission forwarded a recommendation of APPROVAL to the City Council for the proposed amendments to the Murray City Land Use Ordinance, Section 17.48, Sign Code Regulations.

City staff is recommending that the City Council APPROVE the proposed amendments to the Murray City Land Use Ordinance, Section 17.48, Sign Code Regulations.



SECTION 17.48.040, DEFINITIONS

1. Electronic Message Center (EMC)
2. Flashing Sign
3. Property Development
4. Residential Property For Sale
5. Special Events



SECTION 17.48.110, GENERAL SIGN STANDARDS

D. Sign Illumination

4. EMC update which adds a reference to LED, LCD, or Flipper Matrix Technology. Also includes the updated requirement of .03 foot-candles over ambient lighting conditions.



SECTION 17.48.130, SIGNS NOT REQUIRING A PERMIT

A. General Provisions for Signs not requiring a Permit.

- 8. Temporary Residential Signs.
- 9. Temporary Commercial Signs.



SECTION 17.48.140, SIGNS THAT REQUIRE A PERMIT

G. Projecting Signs.

- 3. Minimum horizontal distance of 20' required.

H. Pedestal Signs.

- 8. A pedestal sign must be at least 300 feet away from a residential use.

I. Wall Signs.

- 1.b. Design Standard wording.



SECTION 17.48.180, TOD, MCCD & MU SIGNS

A. Attached Signs.

- b. Storefront signs allowed with external or internal illumination.

D. Prohibited Signs.

1. Internally illuminated signs with acrylic, panaflex or similar are now allowed.
2. Vacuum formed acrylic sign faces, letter, or cabinets are now allowed.
3. Internally illuminated pan channel letters with exposed neon are now allowed.



SECTION 17.48.280, EMC SIGNS

D. EMC updates which adds a reference to LED, LCD, or Flipper Matrix technology. Also includes the requirement of .03 foot-candles over ambient lighting conditions.

F. Allows for an EMC within 300 feet of a residential use, but may not operate between the hours of 10:00 PM and 6:00 AM of the following day unless approved by the Planning Commission.



Attachment 2

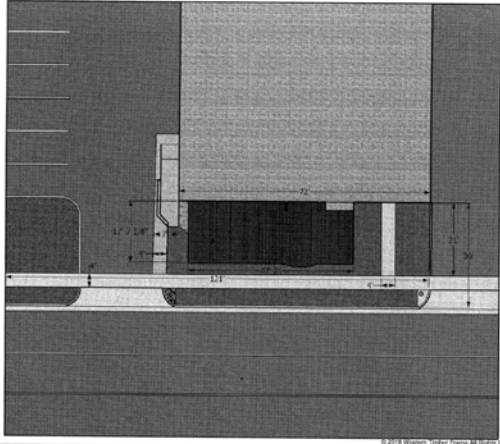
CITY COUNCIL MEETING

May 21, 2019



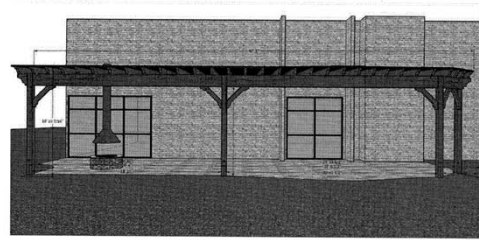
Land Use Ordinance
Section 17.160.050(A),
Front Yard Setback for Outdoor Dining
C-D, Commercial Development







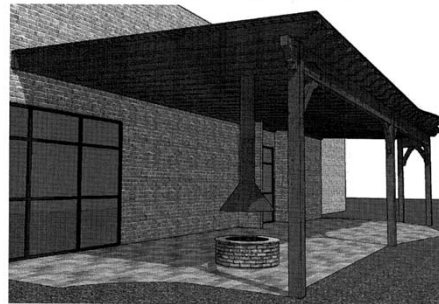
Subject property, looking north



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Existing patio area



Applicant's Proposed Amendment

17.160.050: FRONT YARD

- A. The minimum depth of the front yard for main buildings shall be twenty feet (20'). The first ten feet (10') of property except for drive approaches shall be landscaped as herein specified, with the exception of covered dining at an eating or drinking establishment located in the C-D Zone of Murray's Restaurant & Entertainment District located between 5900 South and East Winchester Street, from State Street to Fashion Boulevard. The minimum depth of the front yard to the covered dining shall be ten feet (10'). The first ten feet (10') of the property except for the drive approaches shall be landscaped as herein specified.



Staff Alternative Proposal

17.160.050: FRONT YARD

- A. The minimum depth of the front yard for main buildings shall be twenty feet (20'). The first ten feet (10') of property except for drive approaches shall be landscaped as herein specified. Covered and unenclosed outdoor dining areas for eating or drinking establishments may be allowed to encroach up to ten feet (10') if the Planning Commission finds that the proposed outdoor dining area meets the following criteria:
- Architecturally compatible with the form, materials, and colors of the main building;
 - Does not result in a violation of minimum parking requirements;
 - Does not negatively impact vehicular or pedestrian safety;
 - Does not impede access to adjoining or nearby properties;
 - Maintains or provides the required ten feet (10') of landscaped setback as herein specified.



Staff Findings

1. The proposed text amendment can positively support Key Initiative #4: Linking Centers/Districts as per the adopted Murray City General Plan.
2. A carefully considered, purposeful exception to the required setbacks of the C-D Zone for outdoor dining will bring beneficial activity to many areas of the City and encourage reinvestment in retail properties within important commercial corridors.
3. The proposed amendment carefully considers potential impacts to other businesses, traffic patterns, and appropriate methods of application for this type of allowance.



Staff & Planning Commission Recommendation

On February 21, 2019, the Planning Commission held public hearing to consider this item. The item was then continued by the Commission to allow City staff to have a discussion with the City Council. On April 2, 2019, this proposal was discussed with the Council during a COW meeting. The Council encouraged City staff to come up with wording allowing for outdoor dining to be allowed within the C-D Zone citywide.

On April 18, 2019, the Planning Commission held a public hearing and forwarded a recommendation of APPROVAL to the City Council for the proposed text amendment (City staff alternative) to the Murray City Land Use Ordinance, Section 17.160.050(A), Front Yard Setback for Outdoor Dining.

City staff is recommending that the City Council APPROVE the proposed text amendment (City staff alternative) to the Murray City Land Use Ordinance, Section 17.160.050(A), Front Yard Setback for Outdoor Dining.

