

Murray City Municipal Council Chambers Murray City, Utah

Tuesday, April 6, 2021

The Murray City Municipal Council met on Tuesday, April 6, 2021, at 6:30 p.m. (or as soon as possible thereafter) for a meeting held electronically without an anchor location in accordance with Utah Code 52-4-207(4), due to infectious disease COVID-19 Novel Coronavirus. The Council Chair determined that conducting a meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location because physical distancing measures may be difficult to maintain in the Murray City Council Chambers.

The public was able to view the meeting via the live stream at www.murraycitylive.com or <https://www.facebook.com/Murraycityutah/>.

Council Members in Attendance:

| | |
|-------------------|----------------------------------|
| Kat Martinez | District #1 |
| Dale Cox | District #2 |
| Rosalba Dominguez | District #3 – Council Chair |
| Diane Turner | District #4 – Council Vice-Chair |
| Brett Hales | District #5 – Conducting |

Others in Attendance:

| | | | |
|------------------|-------------------------------------|------------------|-----------------------------|
| Blair Camp | Mayor | Jennifer Kennedy | Council Director |
| G.L. Critchfield | City Attorney | Brooke Smith | City Recorder |
| Patti Johnson | Council Office Administrator III | Jennifer Heaps | Chief Communication Officer |
| Matt Erkelens | Forestry Supervisor | Ben Ford | Wastewater Superintendent |
| Chris Zawislak | Senior Civil Engineer | | |

Opening Ceremonies

Call to Order – Councilmember Hales called the meeting to order at 6:30 p.m.

Pledge of Allegiance – The Pledge of Allegiance was led by Doug Hill.

Approval of Minutes

Council Meeting – March 2, 2021
Council Meeting – March 16, 2021

MOTION: Councilmember Turner moved to approve both minutes. The motion was SECONDED by Councilmember Dominguez.

Council roll call vote:

Ayes: Councilmember Martinez, Councilmember Cox, Councilmember Dominguez, Councilmember Turner, Councilmember Hales

Nays: None

Abstentions: None

Motion passed 5-0

Special Recognition

1. **Consider a Joint Resolution of the Mayor and Municipal Council of Murray City, Utah declaring Friday, April 30, 2021, as Arbor Day.**

Mayor Camp read the Joint Resolution into the record (Resolution number 21-08).

MOTION: Councilmember Hales moved to approve the Joint Resolution. The motion was SECONDED by Councilmember Dominguez

Council roll call vote:

Ayes: Councilmember Martinez, Councilmember Cox, Councilmember Dominguez, Councilmember Turner, Councilmember Hales

Nays: None

Abstentions: None

Motion passed 5-0

Presentation: Mayor Camp and Matt Erkelens

Matt Erkelens shared Arbor Day is celebrated on April 30, 2021, throughout the world and will be planting a few trees in the arboretum to celebrate. The City's Shade Tree and Beautification Commission's primary objective is to educate the community, by promoting the planting and care of trees and vegetation that will continually add beauty and value to our community. Murray City has been the longest-running city in Utah with the Tree City USA designation. For the past 44 years, Murray City has requested all citizens to support efforts to protect our trees and woodlands, to plant trees that will beautify our City.

Mayor Camp and the Council shared their thanks for the Shade Tree and Beautification Commission, and they look forward to future celebrations when we can gather in person.

Citizen Comments

Jenny Greenwood – Read into the record by Jennifer Kennedy

My heart had stopped! Pure panic surged through my entire body. A car is going to hit that child on their bike and there is NOTHING I can do. The child turns quickly, almost losing control. Horns are honking. An older gentleman in a large truck stops just in time. The child makes it but the nearly EIGHT cars in the intersection of 800 W and Anderson Ave don't move. I suspect we're all trying to process what just happened. And the crossing guard.....non-existent.

I drive home with my heart still pounding and quickly email the principal at Viewmont Elementary. I drive through this intersection on 800 W and Anderson Ave every school day. It's a crowded intersection during drop-off and pick-up and it makes me nervous every time. Some people believe this is a 3-way stop. I've seen people make left-hand turns in front of oncoming traffic. I have to make a left-hand turn on to 800 W from Anderson Ave but if someone is trying to make a right-hand turn I do not have clear visibility of the crosswalk. I'm a 40 year old and this intersection scares me and we're expecting children to navigate this intersection on their own?!

To my surprise Mrs. King replied to say she had no control over where crossing guards are placed so I spoke with an officer at the Murray Police Department. He said the crossing guard situation has not been adjusted for 15 years and his only option was to make it known to the higher ups. I'd don't presume to understand the bureaucracy of government but if we're to the point that we can't even get a simple crossing guard at a dangerous intersection for our children, what are we really accomplishing?

I implore you to do something, and not after the fact when a child has lost their life. Be proactive and make a difference.

Christy Anderson – Read into the record by Jennifer Kennedy

My name is Christy Anderson; I'm a Murray resident in District 5 and a member of the Mayor's Arts Advisory Board.

I'm sure you have heard from several board members and other citizens about the downtown district. I'd like to add my thoughts, which include a perspective from developing the Murray City logo nearly 20 years ago. Many of the issues then still apply today; it may be helpful to see some of the principles that brought together a variety of city representatives.

Thanks for your consideration and for all you do for the city.

Jamie Nagle – Read into the record by Jennifer Kennedy

I called the City and was informed that public comment was conducted virtually right now due to COVID. Therefore, I respectfully ask that my comments read during public comment in your next City Council meeting.

My name is Jamie Nagle and I am the Chair of the Hilltop Park HOA located directly East of the ShinyShell Carwash located on 900 E and 4608 S. The car wash is a fairly new business and I am sure is still working out some operational issues. However, since opening a few months ago, we have had a continual problem with excessive noise from cars who stay at the carwash and clean out the interior of their cars. Near daily the base from the car stereo's is so loud that it literally rattles the windows of our homeowners and when it happens it lasts for 30-60 minutes at a time. There is no way to call the carwash as when you call them there isn't an option to speak to a person. In addition to the noise, the carwash has VERY bright neon lights that light up when a car is going through the carwash.

The red neon lights at the end of the car wash are so blinding during the dusk and night hours that you have to keep your blinds closed because it is painful to look out your windows. The beautiful views of sunsets are inhibited now by the unnecessary lights. Finally, several nights a week, all the lights are left on all night long and the light pollution makes it look like it is light outside.

I understand that our HOA is not alone in our frustration over these issues. While I know growth is inevitable, responsible growth can make for good neighbors. I ask you to please address the issues of sound and light pollution with this carwash as well as the imminent building that is taking place to the South of the carwash. As a former elected official, I understand how difficult it can be to enforce these issues, especially when they happen after hours when code enforcement is unable to respond. However, there has to be a solution and I am asking the City Council to please consider all options in enforcing these issues, including leveling fines against the establishment, each time this happens, for violation of noise and light pollution.

Donnetta Mitchell– Read into the record by Jennifer Kennedy

Donetta Mitchell and the Kessimakis' have questions regarding the Interlocal Agreement with Salt Lake County relating to Atwood Blvd.

- *What is the long-term plan for Atwood Blvd. The residents had been given assurance that no business traffic would be allowed access or egress on Atwood. Does this interlocal agreement now change that agreement and business traffic will be allowed on Atwood?*
- *With the new easement, What happens if the City takes the parking away from the business on the North East Corner of Atwood Blvd & 4500 S? is there another agreement that will give access to parking some other way?*
- *With recent changes on Atwood Blvd (Sacred Energy/Janet Wall?) we are concerned that decisions are being made without citizen input. Who will watch out for our interests?*

Residents are already upset about traffic from businesses overflowing onto Atwood Blvd. If there is a plan to widen Atwood Blvd. or put in a light at the intersection of 4500 S and Atwood, or make some other changes, the residents would like to know about it.

Sage Fitch – Read into the record by Jennifer Kennedy

I am writing to you all as a Murray resident concerned about future developments in Murray which as I understand the council have asked to have paused, as the city staff evaluate current and future infrastructure.

I first want to thank you for choosing to take a pause, rather than plowing ahead, and for taking the time to thoughtfully evaluate the direction that Murray is moving forward with in regards to its general plan, design guidelines, and zoning ordinances.

My concern, and the reason I am writing to you today, is to ask that you consider that rezoning in, or adjacent to single family neighborhoods to allow for higher density, not

only threatens those neighborhoods but threatens to undermine the very feeling that keeps people in Murray and makes it a desirable place to live.

There is a place for high density and mixed use development, but it is not in or adjacent to single family neighborhoods, and allowing for vacant land to be developed at higher density is reckless and greedy. High density is working on Vine and 300 west, it is a great idea at the old Kmart on 9th east, but it does not make sense on Bullion or Vine and Center. High density in these locations threatens to undermine existing neighborhoods, by increasing traffic congestion, sewer infrastructure, and pedestrian safety to name a few. In my neighborhood, we must have close to 30 kids that are out riding bikes, playing nerf gun, and generally loving life. I have also heard that we will have a boom of COVID babies, with at least 4 more babies on the way soon! Child and car safety is a big concern for many of us as we have seen more and more cars cutting through on Wasatch and Center, and often going too fast. Higher density development in this area will only bring more traffic and demand for on street parking which is already at a critical level, especially on Center St.

I would also ask you to take a hard look at our current ordinances that allow development which is not to scale to existing homes, and allows development with limited setbacks. I am sure that if it was the lot next to you being developed you would not feel comfortable with a towering home blocking your mountain views. I am sure the homeowner on 4800 South and Atwood felt this very way when a huge, not to scale white modern home was constructed towering over their property and blocking mountain views to the east. It certainly does embrace a feeling of inequity. Those who have the financial means, can't go big enough, but those who are already invested in a modest home in Murray that is in scale with the existing neighborhood, will certainly not be protected and will eventually lose out on more than just their views. This is not just my opinion, it is a viewpoint I often hear when I talk with neighbors and friends. That Murray will allow whatever the developer proposes. That the push for higher density development always wins.

Design, scale, and setbacks matter. Careful planning and zoning and well thought out ordinances are extremely important to keep Murray a desirable place to live, for those that already live here and those that want to live here. I implore you to carefully consider ordinance language changes which increase setbacks, mandate developments that are to scale, and encourage design guidelines that are harmonious with the existing areas.

Thank you for this opportunity to provide input and I thank you for your consideration of this email.

Consent Agenda

None scheduled.

Public Hearings

- 1. Consider a resolution approving the 2020 Municipal Wastewater Planning Program (MWPP) Report.**

Presentation: Ben Ford

Ben Ford gave a recap of the Murray City 2020 Municipal Wastewater Planning Program (MWPP). Mr. Ford shared that the report is a requirement of the collections systems operating permit and a condition of receiving future State of Utah financial assistance loans.

This report provides general and specific information about the following:

- The overall condition of our collections system
- Average yearly users' charges
- The financial health of our wastewater fund
- If we have a written Management Plan and if we are in compliance
- If we have completed a Capacity Assurance Plan, i.e. Wastewater Master Plan with hydraulic modeling

The meeting was open to public comments. No public comments were received.

MOTION: Councilmember Cox moved to approve the Joint Resolution. The motion was SECONDED by Councilmember Martinez.

Council roll call vote:

Ayes: Councilmember Martinez, Councilmember Cox, Councilmember Dominguez, Councilmember Turner, Councilmember Hales

Nays: None

Abstentions: None

Motion passed 5-0

Business Item

- 1. Consider an Interlocal Cooperation Agreement with Salt Lake County to receive property in the public use (4500 S Atwood Blvd).**

Presentation: Chris Zawislak

Chris Zawislak shared that the Interlocal Agreement provides for the City to obtain a parcel of property (22-06-332-001) that the city is currently using as part of our Right-of-Way. This parcel contains the roadway, park strip, and sidewalk sections on the East side of the intersection of Atwood Blvd (300 East) adjacent to 4500 South. Salt Lake County took possession of this parcel in 1980 during an annual tax sale and the property could be sold to a private citizen. Since the city uses it as part of the existing Right-of-Way, the County is allowing the City to take sole possession of this parcel and preserve it as a City Right-of-Way for \$91.27.

The floor was opened for questions.

Councilmember Dominguez asked Mr. Zawislak to share with the council how this Right-of-Way property ownership issue was discovered.

Mr. Zawislak shared that last September he met with Utah Department of Transportation (UDOT) officials who were doing design work for a potential pedestrian crosswalk. When Mr.

Zawislak was doing research, he noticed that this parcel was not in the City's Right-of-Way and was available for private ownership. Mr. Zawislak reached out to the County and found out that this property could be purchased by the city because it was a tax lien.

Councilmember Turner asked if UDOT is going to put a pedestrian crosswalk in that intersection.

Mr. Zawislak responded that UDOT is in the process of designing one and has met with the landowners on the corners to discuss the potential. However, nothing has been formalized at this time.

MOTION: Councilmember Martinez moved to approve the Interlocal Cooperation Agreement. The motion was SECONDED by Councilmember Turner.

Council roll call vote:

Ayes: Councilmember Martinez, Councilmember Cox, Councilmember Dominguez, Councilmember Turner, Councilmember Hales

Nays: None

Abstentions: None

Motion passed 5-0

Mayor's Report and Questions

Mayor Camp shared the following updates:

- Mayor Camp shared that the Interlocal Cooperation Agreement with Salt Lake County to receive property for public use (4500 S Atwood Blvd) was found because UDOT is working on a design. The purchase of this property is to make sure the city can use the parcel for a Right-of-Way and prevents private ownership, which could cause problems later on.
- The City is going to start the Neighborhood Dumpster Clean-up process in the next couple of weeks. The residents in this area will receive a postcard with instructions in the mail. If you have questions about the program, feel free to contact the Public Works Department at 4646 S 500 W or (801) 270-2440.
- The developer who requested the zoning change for 935 Bullion has withdrawn his application during the Planning Commission meeting last Thursday.
- Mask Mandate coming to end – The Legislation, House Bill 294, that which signed into law on March 24, terminates the mask mandate this coming Saturday. However, the legislation does require three benchmarks to be met for the mask mandate to be lifted:
 - 1) A two-week COVID-19 case rate of less than 191 per 100,000;
 - As of Monday, the State has met this threshold.
 - 2) Less than 15% of intensive care unit beds occupied by COVID-19 patients; and
 - As of Monday, the ICU percentage is 9.4%.
 - 3) The state receives — but not administers — at least 1.63 million vaccinations.
 - This is anticipated to happen by the second or third week of May.

When all three benchmarks have been met, then the mask mandate will be lifted. In the

meantime, the mask mandate will expire. However, Salt Lake County Health Department can extend the mandate from April 10 until all three benchmarks have been met. The County is scheduled to meet this Friday to discuss if the order will be extended.

In the meantime, an executive order has been drafted for Murray City, if the County does not extend the mask mandate until all three benchmarks are met. Once all three benchmarks are met, the city will lift the executive order and have no additional requirements for a mask. The city may request that people who come into public places like customer service or library wear a mask, but the city has no authority to require it once the mandate and executive order are lifted.

Councilmembers express their thanks for preparing an executive order if the three thresholds have not been met by the time the mask mandate has come to an end.

Councilmember Dominguez asked what the requirements will be for the city staff once the mask mandate ends.

Mayor Camp shared that staff and citizens can be encouraged to wear masks, but it will be a personal choice when the mask mandate and executive order are lifted. Due to the city buildings being public, the city will not have any authority to require a mask to be worn once the three thresholds have been met.

Adjournment

The meeting was adjourned at 7:06 p.m.

Brooke Smith, City Recorder