



**MURRAY CITY MUNICIPAL COUNCIL  
COMMITTEE OF THE WHOLE**

---

---

The Murray City Municipal Council met as a Committee of the Whole on Tuesday, December 7, 2010, in the Murray City Center, Conference Room #107, 5025 South State Street, Murray, Utah.

**Members in Attendance:**

Darren V. Stam	Council Vice Chairman
Jim Brass	Council Member
Jared A. Shaver	Council Member

**Members Excused:**

Jeff Dredge	Council Chairman
Krista Dunn	Council Member

**Others in Attendance:**

Dan Snarr	Mayor
Jan Wells	Mayor's Chief of Staff
G.L. Critchfield	Attorney's Office
Michael D. Wagstaff	Council Executive Director
Janet M. Lopez	Council Office
Tim Tingey	Comm & Econ Dev Director
Carol Heales	City Recorder
Jennifer Kennedy	Recorder's Office
Jennifer Brass	Citizen

Vice Chairman Stam called the meeting to order at 6:15 p.m. and welcomed those in attendance. He excused Jeff Dredge and Krista Dunn due to out of town travel.

**Minutes:**

Mr. Stam asked for action or corrections on the minutes from the Committee of the Whole meeting held on November 9, 2010, and the City Council Retreat on November 10, 2010. Mr. Shaver moved approval of the minutes for the Committee of the Whole meeting on November 9, 2010. Mr. Brass seconded. The motion passed unanimously. Mr. Brass moved approval of the minutes from the Council Retreat held on November 10, 2010. Mr. Shaver seconded the motion. The motion carried.

**Business Item #1: Ordinance discussion on Reiki - Tim Tingey**

In the next couple of weeks there will be a proposed ordinance change to address the Reiki business services, Mr. Tingey explained. For background, he described some of the concerns of staff that have prompted the changes.

Mr. Tingey stated that he had worked closely with the attorney's office, recorder's office, and police department in discussing this issue. He noted that there are about 40 Reiki business establishments in the City. Ms. Kennedy confirmed that these are the total establishments and independents with business licenses. Complaints have been received from adjacent businesses, which have caused the City to evaluate the issue carefully.

Massage therapists are defined in the standard land use code, and they are required through the state to obtain a license. The state has come out with a description of Reiki as a spiritual healing art. They have specifically said that it is not an element of massage therapy, and if they utilize any of the practices of massage, then they must become licensed as a massage therapist. There is no licensing or scrutiny of Reiki. This fact has prompted the concerns and modification to the land use ordinance.

The complaints involve police investigations, which have discovered that there are some establishments that are not Reiki, but actually more tied to sexually oriented businesses. He clarified that he is not saying that situation exists everywhere, however, in one specific use the owner said they are spiritual healing art and massage therapy. A business license was granted, and they located in an R-M-10 area, which is a designated professional office complex. In the R-M-10 area, an adjacent property owner voiced a complaint about what was being done in that location. The police investigation revealed that the advertisements for that business were more like a sexually oriented business than a therapy business.

Mr. Tingey stressed that because of this situation, it has caused the City to look at the land use ordinance and scrutinize these businesses more, especially due to the large number of applications that have come in. The staff proposal is to define a Reiki spiritual healing art business as a category in the standard land use code. Second, the business would be required to go through the conditional use permit process in the C-D-C, commercial development or manufacturing general area. That will allow the City to look at each business during the process. If it is a legitimate business, then it will go through a legitimate process to obtain a business license for the establishment.

The public hearing for this issue will be held on January 4, 2011, and the planning commission has given their recommendations, which the Council will see in the documents for that hearing.

Mr. Shaver asked if Reiki business can be defined by what it is not, as well as, what it is. For example, he said that their advertising could say that the spiritual healing includes massage therapy. Mr. Tingey expressed that, according to the state definition, if the healer is touching people in any way, it is in the massage therapy category. Under Reiki spiritual healing art there is no contact. He said that the standard land use code

has a definition of massage, and now there will be a definition of Reiki. Mr. Shaver confirmed that if others come along saying they are spiritual healers, they will fit under Reiki in the code.

Mayor Snarr gave an example of a client who might bump into the healer; that might take things to another level. He asked what would happen in that instance if the healer insisted they did not do that purposely. Mr. Stam stated that the definition might include spiritual healing, with no physical contact. Mr. Tingey said that it helps the City to define according to the state language, and other spiritual healers would, indeed, be under that classification.

It was clarified by Ms. Kennedy that there are probably about six Reiki establishments with 40 to 45 practitioners. No one is operating out of their home as far as the City is aware.

Mayor Snarr asked if multiple things are carried on at the same location. Ms. Kennedy said that some do massage and Reiki.

Ms. Shaver asked if complaints had been received from other than land use people. Mr. Tingey responded that the police had received other complaints. There being no further questions, Mr. Tingey concluded his presentation.

Mr. Stam declared the meeting adjourned at 6:25 p.m.

Janet M. Lopez  
Council Office Administrator