



**Minutes of the
Millcreek City Council
August 14, 2023
6:30 p.m.
Work Meeting
7:00 p.m.
Regular Meeting**

The City Council of Millcreek, Utah, met in a public work meeting and regular meeting on August 14, 2023, at City Hall, located at 3330 S. 1300 E., Millcreek, UT 84106. The meeting was live streamed via the City's website with an option for online public comment.

PRESENT:

Council Members

Jeff Silvestrini, Mayor
Silvia Catten, District 1
Thom DeSirant, District 2
Cheri Jackson, District 3
Bev Uipi, District 4

City Staff

Francis Lilly, Assistant City Manager
Elyse Sullivan, City Recorder
Mike Winder, City Manager
John Brems, City Attorney
Kurt Hansen, Facilities Director
Rita Lund, Communications Director
(electronic)
Aimee McConkie, City Events Director
John Miller, Public Works Director
Fred Lutze, Planning Engineer
Robert May, Long Range Planning
Manager

Attendees: Rick Hansen, Tracy Rawle, Justin Mackin, Julie Jackson

WORK MEETING – 6:30 p.m.

TIME COMMENCED – 6:30 p.m.

Mayor Silvestrini called the work meeting to order.

1. City Hall Construction Update; Kurt Hansen, Facilities Director

Kurt Hansen gave an overview of where the city had been with obtaining a bond for the project, selecting the general contractor and architect, breaking ground on March 17, 2022, having various material delays and cost increases, and in grants received. He showed a time lapse of the construction in photographs. He gave an overview of the building's current status, which was 89% complete. The shared parking garage began construction on July 10, 2023. Hansen showed the council various renderings side by side with progress pictures. One of the pictures was of a millstone that would be used on site which was the inspiration for the Millcreek Common logo. Hansen then gave an overview of where the city hall was going. The building would include restaurants, a climbing wall, and a city clock. He needed to learn the

new building systems and put out a custodial service request for proposals. The neighboring mixed use building would take 30 months of construction and the parking garage would take 24 months. The city offices would move into the new building over two weekends. The formal ribbon cutting was set for October 10, 2023.

Council Member Jackson asked if Hansen had help with the new facility. Hansen said he had several employees assisting him as well as new softwares. Winder pointed out the parking garage would take longer than a normal parking garage because it was being built in conjunction with the mixed use building. Council Member Uipi asked about the moving process. Hansen said a moving company would be hired. He showed renderings of the clock for the climbing wall and the area for construction on Chambers Avenue. Council Member Uipi asked about the Unified Police Department (UPD) moving into the city hall. Hansen said they would move themselves. Mayor Silvestrini said Millcreek currently paid for UPD's building lease and it would be purchasing furniture they did not already have for the new space.

Aimee McConkie said the city was calling for vendors for a Harvest Market at Millcreek Common. She showed images of five store fronts and renderings of market stands in the public market. She showed renderings of the outdoor space and mentioned the city was seeking proposals for caterers for an approved list for use in the community room. The grand opening would help people see how the spaces in the city hall would function. Winder and Mayor Silvestrini expressed appreciation to staff in overseeing the project. The council concurred.

2. Discussion of Agenda Items, Correspondence, and/or Future Agenda Items

There was none.

Council Member Jackson moved to adjourn the work meeting at 7:04 p.m. Council Member Uipi seconded. Mayor Silvestrini called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

REGULAR MEETING – 7:00 p.m.

TIME COMMENCED: 7:06 p.m.

1. Welcome, Introduction and Preliminary Matters

1.1 Pledge of Allegiance

Mayor Silvestrini called the meeting to order and led the pledge of allegiance.

1.2 Public Comment

There was none.

Council Member Uipi thanked Aimee McConkie and her team for their efforts on the Pacific Islander event at Millcreek Common.

2. Business Matters

2.1 Discussion and Consideration of Resolution 23-41, Authorizing and Approving Proceedings in Eminent Domain as Necessary

Mike Winder said the Town and Country Plaza (southwest corner of 3300 S and 1300 E) had been envisioned as a public plaza. He said there was road widening needed on 3300 S and 1300 E. A utility box also needed to be located closer to the intersection. Mayor Silvestrini noted this intersection had been problematic for a while, and it would receive additional traffic with Millcreek Common. The Millcreek Community Council had made the quick merge on 1300 E. (heading south) a top priority for improvement. The public had also been calling for the intersection to be more pedestrian friendly.

Francis Lilly said the Millcreek Transportation Plan (2018), Millcreek City Center Plan (2019), Local Link Transit Study (2022), and 3300 South Corridor Study (2023) identified gateways to the city center. Fred Lutze said for gateways and connectivity, there was interest in activating the site. The 3300 South Corridor Study, in conjunction with UDOT, identified a mixed use path and specific lane and right-of-way widths. The City Center Master Plan identified boulevard section dimensions of 3300 S. He showed the council renderings of a public plaza on the corner. He said a walkable urban place that is iconic, an amenity and gathering place for the whole city, and a design that supported transportation alternatives was in plans for the city center. A variety of strategies should be employed to make the edges of the site more permeable and increase connectivity to and within the City Center. The implementation of these strategies should consider all modes of travel. Street design should be pedestrian-focused through new laneways, arcades, transparent storefronts, and connected plazas. To improve pedestrian connectivity, the city should encourage smaller blocks, wider and improved sidewalks, additional and safer signalized crosswalks, narrower streets when possible, and other traffic calming measures.

Lilly noted the city had also been working with UTA on bus shelters and stops on 3300 S. UTA had identified this intersection as needing an enhanced bus stop. There was a significant irrigation canal that ran adjacent to the property that would have to eventually be upgraded and moved. Mayor Silvestrini said a more robust bus service would help with the increased population in the area. He asked about deceleration issues. Lutze said a deceleration lane was considered for the project on the southeast corner of the intersection on 1300 E with a right turn lane onto 3300 S. The General Plan discussed the intersection of 1300 E and Richmond Street as being a key intersection. He wanted to focus on key intersections for creating gateways. Narrow plazas and sidewalks can make it difficult for people to stop and congregate because they feel like there is no room. He showed a picture example of a similar large plaza space in Sugarhouse. He said gateways were critical in making places safer and more inviting.

Winder said the public purposes for the resolution were road widening, a corner plaza, and utility box relocation. A challenge with redevelopment is private property impact. Discussions have been had with the impacted property owners. An appraisal of the property has been done. He said if property was acquired under threat of condemnation, then a 1033 exchange could take place which could be beneficial for tax reasons.

Mayor Silvestrini asked for public comment.

Justin Mackin, RTTTA, LLC counsel, said the city presented generalities. His experience involved more detail at this point in condemnation proceedings. He said the property owner was not seeking a tax benefit. The property owner had owned the property for 16 years. It was a profitable location with three tenants, Check City, Verizon Wireless, and the cell tower. He said there were no city plans for construction. He suggested tabling the proposal until something was being proposed. The proposed resolution did not acknowledge a public plaza. He felt it was premature to file an eminent domain action on this property especially since there were not any plans for the rest of 3300 S, a state highway. He noted that the east side of 1300 E did not have a building on it, so if the purpose was to widen 1300 E, more property could be taken from that side. He said the reasons for condemnation kept changing over time and it seemed the use was being targeted. He felt the city's \$2 million appraisal was low and they would be seeking another property appraisal. The businesses and cell tower would also need to be relocated which would cost in total about \$3-4 million. He asked the council to recognize the need for timely construction of a project which would be done for the best public interest with the least private injury. He felt a creative solution to the problem could be found.

Winder said the resolution was general which referenced transportation and livability goals and objectives of the city. The road widenings and plaza had been referenced in emails to the property owners since September 2022. The additional utility work was relatively new, as discovered last winter when burying power lines. He said staff did not create specific construction plans and timelines without the legislative body's consent to proceed with eminent domain if necessary. The construction documents could be prepared over the winter in time for the 2024 construction season. Mayor Silvestrini said the council participated in the 3300 S Corridor Study and understood the chicken and egg element. The road improvements would be the priority, but it was hard to undertake without knowing the cost. Council Member Catten asked about the responsibility of moving the cell tower. Winder said it would need to be moved if the plaza extended that far, but plans indicated it would not and the tower would remain. Council Member Uipi pointed out section 4(1) of the resolution, that city staff would still continue to negotiate with the property owner. Winder confirmed and noted staff had worked with 48 other properties in acquiring city center property without the use of condemnation. Council Member Uipi read the third whereas clause of the resolution, "...the City has the necessary funding to complete the Project and expects to be able to complete the project within a reasonable time after all property necessary for the Project is obtained." Winder said the current budget included a significant sum to proceed with initial work on this project.

Council Member Catten wondered what a creative solution would be as mentioned by Mackin. Mackin showed the council a city provided rendering with the plaza consuming the cell tower and another rendering not including the cell tower to illustrate inconsistency. He said a solution would be to remove the Check City portion of the building and retain the remainder and cell tower.

Tracy Rawle, site property owner, said parts of the building could be trimmed and still allow both businesses to operate. Mayor Silvestrini said if the council adopted the resolution, nothing precluded continued conversations with the property owners.

Council Member Uipi moved to approve item 2.1, Resolution 23-41, Authorizing and Approving Proceedings in Eminent Domain as Necessary. John Brems recommended the resolution be modified to add “creation of a plaza” to the second whereas clause under the definition of the project. **Council Member Uipi amended the motion to approve item 2.1, Resolution 23-41, for the road and creation of a plaza. Council Member DeSirant seconded.** Council Member Catten asked if authoring proceedings meant the city had the executive decision to either work with the property owners or not. Brems said yes, this was the legislative body’s last decision on the matter. Mayor Silvestrini said this could lead to a lawsuit to condemn the property, but there were hopes for a resolution. Council Member Catten asked if there had been discussions on anything other than all or nothing taking. Winder said no, but there could be. Council Member Uipi said this was a top priority for the Millcreek Community Council before Millcreek became a city. She hoped for a creative solution. **The Recorder called for the vote. Council Member Catten voted no, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed.**

2.2 Discussion and Consideration of Ordinance 23-30, Amending Millcreek Code Sections 2.04.050 and 2.06A.030 Regarding Compensation Paid to City Council Members and the Mayor to be Effective January 1, 2024

Mayor Silvestrini said there had been a public hearing and the council had taken public comment on two separate occasions. There had been no public comment on the matter since the last council meeting.

Council Member DeSirant moved to approve Ordinance 23-30, Amending Millcreek Code Sections 2.04.050 and 2.06A.030 Regarding Compensation Paid to City Council Members and the Mayor to be Effective January 1, 2024. Council Member Uipi seconded. The Recorder called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

Council Member Uipi left the meeting at 7:48pm and continued participation electronically.

Mayor Silvestrini offered Granite School Board Member Julie Jackson the opportunity to speak. Jackson thanked the council for being great partners. Council Member Catten pointed out Jackson had been a valuable resource on the Promise Health Coalition.

3. Reports

3.1 Mayor’s Report

Mayor Silvestrini reported the successful Pacific Islander event. He acknowledged the VentureOut! mistakes made at Fortuna Park and the staff was sensitive to that. He was planning for the convention of the Utah League of Cities and Towns in September.

3.2 City Council Member Reports

Council Member Jackson reported attending community council meetings. There would be a joint Planning Commission meeting later that week. She helped the Promise Program distribute school supplies at the Holladay Hills Apartments. The Millcreek Youth Council also collected and distributed 100 backpacks of school supplies in conjunction with the Granite School Foundation. She acknowledged the Night Out Against Crime and car show event. Council Member DeSirant said he attended a City Cast event.

3.3 Staff Reports

Mike Winder said the September all staff meeting would teach staff the moving process for the new city hall. He said the action on the eminent domain resolution would help conversations progress.

4. Consent Agenda

4.1 Approval of July 25, 2023 Work Meeting and Regular Meeting Minutes

Council Member Jackson moved to approve item 4.1, the work meeting and regular meeting minutes for July 25, 2023. Council Member DeSirant seconded. Mayor Silvestrini called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

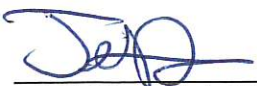
5. New Items for Subsequent Consideration

There were none.

6. Calendar of Upcoming Events

- Planning Commission Mtg. 8/16/23 5:00 p.m.
- Joint Millcreek/Murray Council Special Mtg. 8/21/23 6:00 p.m.
- City Council Mtg. 8/28/23 7:00 p.m.

ADJOURNED: Council Member DeSirant moved to adjourn the meeting at 7:58 p.m. Council Member Jackson seconded. Mayor Silvestrini called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

APPROVED:  Date 9-11-2023
 Jeff Silvestrini, Mayor

Attest: 
 Elyse Sullivan, City Recorder