



**Minutes of the
Millcreek City Council
February 12, 2024
5:00 p.m.
Work Meeting
7:00 p.m.
Special Meeting**

The City Council of Millcreek, Utah, met in a public work meeting and regular meeting on February 12, 2024, at City Hall, located at 1330 E. Chambers Avenue, 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 (excused)
Silvia Catten, District 1
Thom DeSirant, District 2
Cheri Jackson, District 3
Bev Uipi, District 4

City Staff

Mike Winder, City Manager
Francis Lilly, Assistant City Manager
Alex Wendt, Deputy City Recorder
Kurt Hansen, Facilities Director
John Brems, City Attorney
Rita Lund, Communications Director
Sean Murray, Planner
Katie Larsen, Planner
John Miller, Public Works Director

Attendees: Chief Zach Robinson, Rick Hansen, Scott Adams, Rebecca Adams, Clara Rickey, Ann Franke

Minutes by Alex Wendt, Deputy City Recorder

WORK MEETING – 5:00 p.m.

TIME COMMENCED – 5:04 p.m.

Mayor Pro Tempore Bev Uipi called the work meeting to order. She introduced Rita Lund Communications Director, who then introduced the new Millcreek Emergency Manager, Chris Catalano. He expressed that he would work with the staff and Council to help Millcreek be ready for emergencies. Previously he worked for the city of New York, and Salt Lake City.

1. Chief Zach Robinson, Unified Fire Authority Report

Chief Robinson gave the report on 4th quarter numbers for Unified Fire. There were 1,400 incidents in Millcreek in quarter 4 and 468 calls were emergent calls, these are calls where full lights and sirens are used. Top fire dispatches are for structure fires, sick people, falls, breathing problems, public service assistance, a person unconscious, or detector malfunctions. Ninety percent of fire calls UFA responds in 7 minutes and 22 seconds, 50 percent of calls are answered in 4 minutes and 35 seconds. This is from dispatch until arrival. The west side of Millcreek is far

busier than the east side of the city for fire calls. Apartments and care facilities make up a great deal of the calls. Certain areas are also more prone to traffic accidents.

All UFA divisions are working on their proposed budgets for the next fiscal year. Some priorities are wages and benefits, reducing vacancies, employee health and wellness programs, ensuring value for the communities they serve. UFA just completed their strategic plan for 2021-2023. The 2024-2026 plan will be presented to the UFA Board for adoption in February. UFA finished a new fire station in Magna. Crews moved in on January 4th. Fire Station 112 in Millcreek is still under construction. Permits have been approved for the seismic retrofit. Additional requirements are necessary due to the station's location in the alluvial floodplain. The project is focused on a "collapse prevention" approach to retrofit vs "immediate occupancy" to ensure that UFA gains the greatest value from the limited budget available. Mayor Pro Tempore asked if UFA purchased a home to have a temporary station. Chief Robinson said that UFA did buy the home. Chief Robinson shared a winter safety message. Residential home fires occur more in winter than in any other time. Test your smoke detectors, have a carbon monoxide detector, plan two ways to get out of your home. If you use a portable heater keep it 3 feet away from combustibles.

2. Consideration of ZM-23-008/SDA 23-006, Application for a rezone at 1190 E Bonner Way from A-1 to R-1-5 zoning designation to allow for uniform zoning. Applicant Scott Adams, Planner: Katie Larsen

Katie Larsen reported that applicant Scott Adams filed a rezone application for the property at 1190 E Bonner Way. The property is currently zoned A-1. Each lot must be contained entirely in a single zoning district. The northern property on Bonner Way must be rezoned to R-1-5 for lot lines to be adjusted. Rezoning the property will help the Bonner property with less restrictive zoning. There are no agricultural uses in the area. The future land use map designates this area as neighborhood 1. Property owners within 600 feet of the project were notified and no feedback was received. The Millcreek Community Council and Planning Commission gave unanimous votes of approval. Each lot must be contained in one zoning district. Granting a rezone does not go against the goals in the general plan or the future land use map. No further development will be allowed. Staff asked that this rezone be approved. Applicant Scott Adams said he appreciated the assistance from Ms. Larsen.

3. Electric Vehicle Grant and Hybrid Replacement Vehicles, Public Works Director: John Miller

John Miller, Public Works Director, explained how the city has received grants to obtain plug-in hybrid vehicles or electric vehicles. This will help replace three fleet vehicles with three plug-in hybrid vehicles. The sale of two or three vehicles will help offset the costs. Two temporary charging stations would be in the east parking lot, and two charging stations next to city hall.

4. Update on 900 E, 2000 E, and Pickleball Projects, Public Works Director: John Miller

Mr. Miller explained that an open ditch is being filled in on 2000 E. The road on 2000 E looks bad but the city will be resurfacing the road concurrently with the ditch project. Canyon Rim Park tennis courts will be converted to Pickle Ball courts by August. Council Member Jackson asked Mr. Miller to add the pickle ball project to the Capitol Improvements page on the city website. A few trees will have to be removed to build the pickle ball courts. Several other plantings have been made in Canyon Rim Park; they will take time to grow. All trees taken out of the park will be replaced. Seventeen new trees will go in and six have been or will be taken out. Gravel and low water shrubs will be added. Mr. Miller said that they always avoid taking out

trees. Arborists have been to the park to help current trees. Council Member Jackson said that Tree Utah was a great partner to help plant more trees in Canyon Rim Park. Many trees in the park are very old. Rita Lund said she is working on conducting another tree planting project. The 900 East project has been on winter hold. Curb, gutter, and sidewalk will be added, bike lanes will be added. 900 East will be repaved after the project is finished. 1300 E between 4500 S to 4220 S is missing sections of curb, and sidewalk. The project will include pavement, bike lanes, curb, gutter, and sidewalk. The road will be re-paved. Mr. Miller has been working on the design concept for the 3900 S transportation trail. The state of Utah has ranked the 3900 S project from West Valley to Millcreek as their highest ranked project to complete. The total project will cost \$30 million.

5. Staff Reports

Assistant City Manager Francis Lilly explained that the city signed a contract with EPG to begin design of Millcreek Common Phase 2. This is part of a \$7.25 million project. EPG has begun work on the design of the project. They will bring a concept to review with the Council.

City Manager Mike Winder said that April 17-19 is the mid-year Utah League of Cities and Towns Conference. The City will be issuing a request for proposals for a hotel site in the east parking lot next to city hall. Next step is to put out an RFP and see what bids roll in. The City owns the land and can be picky about what goes on the property. Millcreek is the largest city in Utah without a hotel. Council Member DeSirant asked Mr. Winder to explain why the city would want a hotel. St. Marks Hospital has asked for Millcreek to have a hotel, it helps bring in sales tax, and transient room tax money to Millcreek. A hotel would help bring higher end restaurants to the area, it can help with tourism, and business travelers, there could be mini conferences held there and at the Grandview room on the 6th floor of city hall. Even a small hotel can be helpful. Council Member DeSirant asked about the size of a hotel. Mr. Winder said that the size of the hotel is up in the air and the RFP will help determine this. There is a 55-foot height limit.

Elise Summers has been hired to fill the open position as Economic Development Assistant. She has worked on the Business Council. She starts March 4, 2024. Community Champion awards are coming up on February 26th. Negotiations are ongoing with Check City for Millcreek to buy the property. The closing date is May 1st. Lisa Dudley Finance Director is working on fiscal new year prep. There is a list of needs for city communication. A new job posting will be created for a marketing manager. Public Works needs a public information officer to work in house on communication for construction projects. This will work with many city departments.

Mr. Winder gave a legislative update. HB 290 is ranked choice voting amendments. Millcreek opposes this bill that would kill ranked choice voting in Utah. Senate Bill 172, this would allow the Parleys Mine to expand. Work is being done to kill this bill. HB 502 is also about mining. Millcreek has come out as very opposed to this bill. Mr. Lilly said the legislature is working on the issue of affordable housing. HB 168 would adopt a statewide building code for modular building units. The Utah League of Cities and Towns is supportive of this. Council Member Jackson explained that SB 214 would modify the Community Renewable Energy Program where municipalities would be allowed to enter the program without adopting the program. This would hurt the Community Renewable Energy Agency.

Mr. Lilly gave an update on community councils. Community Council training took place on Saturday. Over 50% of the community council members attended the training. Council Member

Catten asked if Salt Lake City Community Councils are subject to the Open and Public Meetings Act. Salt Lake City Community Councils are registered community organizations, they must post minutes and post bylaws. Mr. Lilly said that he believes strongly in the role of community councils.

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

There was none.

Council Member DeSirant moved to adjourn the work meeting at 6:19 p.m. Council Jackson seconded. Mayor Pro Tempore Uipi called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, and Mayor Pro Tempore Uipi voted yes. The motion passed unanimously.

REGULAR MEETING – 7:00 p.m.

TIME COMMENCED: 7:05 p.m.

1. Welcome, Introduction and Preliminary Matters

1.1 Pledge of Allegiance

Mayor Pro Tempore Bev Uipi called the meeting to order and led the pledge of allegiance.

Mayor Pro Tempore asked if the Council would entertain a motion to move item 3.3 to the beginning of the agenda right after public comment.

Council Member DeSirant made the motion to move item 3.3, Consideration of Resolution 24-07, to the beginning of the agenda, right after public comment, but before planning matters. Council Member Catten seconded the motion. Mayor Pro Tempore Uipi asked for the vote. Council Member DeSirant voted yes, Council Member Catten voted yes, Council Member Jackson voted yes, Mayor Pro Tempore Uipi voted yes. The motion passed unanimously.

1.2 Public Comment

Dan Jackson thanked the Council for treating him so fairly with his land use issues. Staff has been very nice.

Mayor Pro Tempore asked if the Deputy Recorder had received any public comments online. The Deputy Recorder said he had received public comments online. Mayor Pro Tempore Uipi asked the Deputy Recorder to summarize the comment. The Deputy Recorder said that the city had received public comment from Martine Feltinski who said that the resolution the City Council is considering is a political hit job on Natalie Cline and that there is not a fair investigation or a fair hearing, this is equivalent to a lynching and a hoax.

Millcreek Resident Anne explained that her children are in high school and middle school. She has dealt with people bullying her children and does not like the idea of an

elected official bullying a child.

3.3 Discussion and Consideration of Resolution 24-07, A Resolution of The Millcreek City Council Adding Millcreek’s Voice to The Many Others Demanding State School Board Member Natalie Cline Own Up To Her Actions By Immediately Resigning Her Elected Post.

Mayor Pro Tempore Uipi read resolution 24-07.

WHEREAS, the Millcreek Council (“Council”) met in regular session on February 12, 2024 to consider, among other things, approving a resolution adding Millcreek’s voice to the many others demanding State School Board Member Natalie Cline own up to her actions by immediately resigning her elected post; and

WHEREAS, the Millcreek community deplores bullying of our children in any form, especially when done by an adult, and especially when that adult is an elected official who must be held to a higher standard; and

WHEREAS, State School Board Member Natalie Cline posted a photo of a girls high school basketball player on Tuesday, February 6, 2024, falsely implying that she is transgender, and through her reckless and cruel post encouraged online vitriol and threats in the comments that put that student, her team, her school, and her community in danger; and

WHEREAS, this is not the first time Board Member Cline has made false, inflammatory, divisive, and unfair social media posts about our public schools, students, and teachers; for which she has been formally reprimanded by the State School Board multiple times; and

WHEREAS, Millcreek students attend high schools in the Granite School District where this bullying was targeted and is damaging to our community; and

WHEREAS, on February 9, 2024, the Granite School District Board overwhelming voted calling on “colleagues from school boards throughout the state and other elected officials to join us in demanding Board member Cline’s immediate resignation from the State Board of Education”; and

WHEREAS, Millcreek desires to send a formal message of love and support to the targeted young woman athlete, her family, her team, her school, our school district, and any others who may feel hurt and shame from Board Member Cline’s online actions.

NOW THEREFORE, BE IT RESOLVED by the Council that Millcreek adds its voice to the many others demanding State School Board Member Natalie Cline own up to her actions by immediately resigning her elected post.

This Resolution assigned No. 24-07, shall take effect immediately on passage.

Mayor Pro Tempore Uipi opened this item up for discussion. Council Member DeSirant said that the actions of Ms. Cline were reprehensible and expressed concern due to legislation passed at the state level and that transgender people will be targeted unfairly. The Legislator and Executive Branch bear responsibility for bills that have been signed into law. Council Member Catten said that most people who represent their constituents do care about their constituents and represent them well, but it is clear that Ms. Cline

does not. Council Member Jackson said that for any adult to target a child on social media is reprehensible. For any adult to do this is disappointing and sends the wrong message. Ms. Cline should take responsibility for her actions and resign from the state school board. Mayor Pro Tempore Uipi said that it is challenging to be a teenager and to be a student athlete is even harder. She feels so much pain for the student athlete. It is the job of adults to support children in their endeavors. She is honored to join the Granite School District in their call to action with this resolution and hopes this does not happen again.

Council Member Jackson moved to adopt Resolution 24-07, A Resolution of The Millcreek City Council Adding Millcreek's Voice to The Many Others Demanding State School Board Member Natalie Cline Own Up To Her Actions By Immediately Resigning Her Elected Post. Council Member DeSirant seconded the motion. The Deputy Recorder called for the vote. Council Member Jackson voted yes, Council Member DeSirant voted yes, Council Member Catten voted yes, and Mayor Pro Tempore Uipi voted yes. The motion passed unanimously.

2. Planning Matters

2.1 Discussion and Consideration of Ordinance 24-01, Amending Title 19 Of The Millcreek Code Of Ordinances By Amending Chapter 19.04 Definitions, Repealing Chapters 19.08, 19.10, And 19.12 And Enacting A Revised Chapter 19.12 Forestry Recreation Estate (FRE) Zone

Planner, Sean Murray, explained this item is the enactment of the Forestry Recreation Estate Zone and repealing old code. About a month ago a resident filed an application with the city, and he will keep his property rights to subdivide his property. The goal of this ordinance is to keep the mountains free of development. The applicant has finished his application in full and has a vested right to that application.

Council Member DeSirant moved to approve Ordinance 24-01, Amending Title 19 Of The Millcreek Code Of Ordinances By Amending Chapter 19.04 Definitions, Repealing Chapters 19.08, 19.10, And 19.12 And Enacting A Revised Chapter 19.12 Forestry Recreation Estate (FRE) Zone. Council Member Catten seconded the motion. The Deputy Recorder called for the vote. Council Member DeSirant voted yes, Council Member Catten voted yes, Council Member Jackson voted yes, and Mayor Pro Tempore Uipi voted yes. The motion passed unanimously.

2.2 Discussion and Consideration of Ordinance 24-02, Rezoning Certain Property from The FR-1, FR-2.5, FR-5, FR-10, And FR-20 Zone To The Forestry Recreations Estate (FRE) Zone.

Planner Sean Murray, explained the ordinance takes the FR Zones and turns them into the FRE Zone. There had to be two ordinances. One to amend code title 19 and then this ordinance changing the zones.

Council Member Jackson moved to adopt Ordinance 24-02, Rezoning Certain Property from The FR-1, FR-2.5, FR-5, FR-10, And FR-20 Zone To The Forestry Recreations Estate (FRE) Zone. Council Member DeSirant seconded the motion. The Deputy Recorder called for the vote. Council Member Jackson voted yes, Council Member DeSirant voted yes, Council Member Catten voted yes, Mayor Pro Tempore Uipi voted yes.

2.3 Discussion and Consideration of Ordinance 24-05, Amending The Millcreek Together General Plan By Changing The Future Land Use Map In The Area Of 3743 South 900 East From Retail/Office To Neighbourhood 3

Planning Director Francis Lilly asked the Council to not consider items 2.3, 2.4, and 2.5 at this time because the developer needs to do more work regarding parking and signatures.

Council Member Jackson moved to table items 2.3, 2.4, 2.5, for a future meeting. Council Member Catten seconded the motion. The Deputy Recorder called for the vote. Council Member Jackson voted yes, Council Member Catten voted yes, Council Member DeSirant voted yes, and Mayor Pro Tempore Uipi voted yes. The motion passed unanimously.

2.4 Discussion and Consideration of Ordinance 24-06, Rezoning Certain Property Located At Approximately 3739 South 900 East From The Commercial (C-3) Zone To The Residential Multifamily (R-M) Zone

This item was tabled for a future meeting.

2.5 Discussion and Consideration of Ordinance 24-07, Approving A Development Agreement For BV Lotus Calla PH 2, A 3.05 Acre Commercial And Residential Mixed Use Development Pertaining To Property Generally Located At 3743 South 900 East

This item was tabled for a future meeting.

3. Business Matters

3.1 Discussion and Consideration of Resolution 24-05, Approving an Interlocal Cooperation Agreement with Salt Lake County Relating to the Conduct of the Community Development Block Grant Urban County Program for the Program Year Beginning July 2024

Mr. Winder explained to the Council that Salt Lake County has been managing the Millcreek CDBG and Millcreek would still like Salt Lake County to manage this for the city. They do a great job working with Millcreek.

Council Member Jackson moved to adopt Resolution 24-05, Approving an Interlocal Cooperation Agreement with Salt Lake County Relating to the Conduct of the Community Development Block Grant Urban County Program for the Program Year Beginning July 2024. Council Member DeSirant seconded the motion. The Deputy Recorder called for the vote. Council Member Jackson voted yes, Council Member DeSirant voted yes, Council Member Catten voted yes, and Mayor Pro Tempore Uipi voted yes. The motion passed unanimously.

3.2 Discussion and Consideration of Resolution 24-06, Adopting the Millcreek Historic Preservation Commission Scope of Collection Policy

Planning Director Francis Lilly said this document will govern staff and the Historic Preservation Commission and help them determine what documents to keep and display on the city Historic Preservation Commission website. Sean Murray said this resolution will protect documents, protect staff, and residents. It creates a clear chain of custody.

Council Member Catten moved to adopt Resolution 24-06, Adopting the Millcreek Historic Preservation Commission Scope of Collection Policy. Council Member Jackson seconded the motion. The Deputy Recorder called for the vote. Council Member Catten voted yes, Council Member Jackson voted yes, Council Member DeSirant voted yes, and Mayor Pro Tempore Uipi voted yes. The motion passed unanimously.

4. Reports

4.1 Mayors Report

Mayor Pro Tempore Uipi said Mayor Silvestrini is excused from the meeting. Mayor Pro Tempore Uipi thanked Mr. Lilly for conducting the community council training over the weekend. Council Member DeSirant thanked Mr. Lilly for all the work he does with the community councils.

4.2 City Council Member Reports

Council Member Jackson said the Valentine Hearts Afire event will be held at the Ice Ribbon and swing dancing lessons will be held on the 6th floor.

4.3 Staff Reports

There were no staff reports.

4.4 Unified Police Department Report

There was not a report from the Unified Police Department.

5. Consent Agenda

5.1 Approval of the January 9, 2024, Work Meeting and Regular Meeting Minutes

Council Member DeSirant moved to approve the January 9, 2024, Work Meeting and Regular Meeting Minutes. Council Member Jackson seconded the motion. Mayor Pro Tempore Uipi called for the vote. Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Catten voted yes, and Mayor Pro Tempore Uipi voted yes. The motion passed unanimously.

6. New Items for Subsequent Consideration

There were none.

7. Calendar of Upcoming Meetings


- Mt. Olympus Community Council Mtg., 3/4/24, 6:00 p.m.
- Millcreek Community Council Mtg., 3/5/24, 6:30 p.m.
- Canyon Rim Citizens Association Mtg, 3/6/24, 6:30 p.m.
- East Mill Creek Community Council Mtg., 3/7/24, 7:00 p.m.
- City Council Mtg. 3/11/24 7:00 p.m.


8. Closed Session (If Needed)

The Council may convene in a closed session to discuss items as provided by Utah Code Ann. §52-4-205.

9. Adjournment

ADJOURNED: Council Member Jackson moved to adjourn the meeting at 7:35 p.m. Council Member DeSirant seconded. Mayor Pro Tempore Uipi called for the vote. Council Member Jackson voted yes, Council Member DeSirant voted yes, Council Member Catten voted yes, and Mayor Pro Tempore Uipi voted yes. The motion passed unanimously.

APPROVED:  _____ Date
Bev Uipi, Mayor Pro Tempore

Attest:  _____
Alex Wendt, Deputy Recorder