



SL **SALT LAKE**
COUNTY
ANIMAL SERVICES

MILLCREEK

2018 ANNUAL REPORT

Salt Lake County Animal Services is dedicated to providing superior support, education, protection and advocacy for all animals and members of the community.

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DIRECTOR'S NOTES



2018 was a year of new ideas and new partnerships. Animal Services welcomed new members to our family as we now have the addition of a Sheriff's Deputy to our agency. Our Field department's teamwork is stronger than ever with the promotion of 4 new Field Sergeants. And county wide animal service agencies have joined together to get animals reunited with families by participating in the free microchip program.



Animal Services also strengthened our communication and participation amongst our contracted jurisdictions with the formation of our new Advisory Committee. Each jurisdiction is represented ensuring that the needs of their residents are met. Together we are able to streamline processes, expand services, and maintain our no-kill mission.



Thousands of animals received a second chance at Animal Services. Through shelter programs and community resources we helped over 14,000 animals in 2018! We also launched several highly successful events and networking campaigns. Our development team raised over \$94,000 in in-kind donations and almost \$200,000 in cash donations. Fundraising and adoption events saw record numbers. The staff at Animal Services works tirelessly to make our community better.



With the help of over 41,000 volunteer hours, animals in the shelter received love and care and our most vital programs thrived. Many volunteers even welcomed animals into their homes that needed extra TLC. From behavioral animals, medical cases, and neonatals; 438 animals received special care in foster homes while searching for their forever families.

AGENCY STATISTICS



| Species By Age | Cats | | | Dogs | | | Cats and Dogs | | | Others | All |
|---|-------------------------------|--------------|--------------|--------------|--------------|--------------|---------------|--------------|--------------|-----------------------------|--------------|
| | Adults | Up to 5 Mths | Totals | Adults | Up to 5 Mths | Totals | Adults | Up to 5 Mths | Totals | Totals | Totals |
| Beginning Animal Inventory as of 1/1/2018 | 121 | 14 | 135 | 47 | 0 | 47 | 168 | 14 | 182 | 14 | 196 |
| Stray / At Large | 1,734 | 869 | 2,603 | 2,616 | 112 | 2,728 | 4,350 | 981 | 5,331 | 788 | 6,119 |
| Relinquished by Owner | 11 | 5 | 16 | 40 | 4 | 44 | 51 | 9 | 60 | 1 | 61 |
| Owner Requested Euthanasia | 27 | 0 | 27 | 72 | 0 | 72 | 99 | 0 | 99 | 3 | 102 |
| Transferred in from Agency | 35 | 1 | 36 | 106 | 29 | 35 | 141 | 30 | 171 | 3 | 174 |
| Returned from Foster | 51 | 268 | 319 | 93 | 33 | 126 | 144 | 301 | 445 | 17 | 462 |
| TNR (Cats) | 357 | 76 | 433 | 0 | 0 | 0 | 357 | 76 | 433 | 0 | 433 |
| DOA - Dead on Arrival | 381 | 20 | 401 | 125 | 9 | 134 | 506 | 29 | 535 | 293 | 828 |
| Other Intakes | 196 | 43 | 239 | 322 | 13 | 335 | 518 | 56 | 574 | 109 | 683 |
| Total Intake | 2,792 | 1,282 | 4,074 | 3,374 | 200 | 3,574 | 6,166 | 1,482 | 7,648 | 1,214 | 8,862 |
| Total Adjusted Intake | 2,333 | 994 | 3,327 | 3,084 | 158 | 3,242 | 5,417 | 1,152 | 6,569 | 901 | 7,470 |
| Adoption | 456 | 418 | 874 | 903 | 98 | 1,001 | 1,359 | 516 | 1,875 | 122 | 1,997 |
| Returned to Owner | 234 | 18 | 252 | 1,957 | 44 | 2,001 | 2,191 | 62 | 2,253 | 65 | 2,318 |
| Transferred to Another Agency | 54 | 16 | 70 | 91 | 1 | 92 | 145 | 17 | 162 | 4 | 166 |
| Sent to Rescue/Rehab | 464 | 344 | 808 | 72 | 3 | 75 | 536 | 347 | 883 | 437 | 1,320 |
| Returned to the Wild | 937 | 116 | 1,053 | 0 | 0 | 0 | 937 | 116 | 1,053 | 81 | 1,134 |
| Subtotal: Live Outcomes | 2,145 | 912 | 3,057 | 3,023 | 146 | 3,169 | 5,168 | 1,058 | 6,226 | 709 | 6,935 |
| Sent to Foster | 38 | 259 | 297 | 88 | 37 | 125 | 126 | 296 | 422 | 16 | 438 |
| DOA - Dead on Arrival | 360 | 22 | 382 | 117 | 9 | 126 | 477 | 31 | 508 | 277 | 785 |
| Died | 41 | 28 | 69 | 12 | 4 | 16 | 53 | 32 | 85 | 67 | 152 |
| Lost in Care | 2 | 0 | 2 | 0 | 0 | 0 | 2 | 0 | 2 | 1 | 3 |
| Shelter Euthanasia | 189 | 62 | 251 | 68 | 1 | 69 | 257 | 63 | 320 | 136 | 456 |
| Owner Requested Euthanasia | 27 | 5 | 32 | 74 | 0 | 74 | 101 | 5 | 106 | 3 | 109 |
| Total Outcomes | 2,802 | 1,288 | 4,090 | 3,382 | 197 | 3,579 | 6,184 | 1,485 | 7,669 | 1,209 | 8,878 |
| Adjusted Total Outcomes | 2,377 | 1,002 | 3,379 | 3,103 | 151 | 3,254 | 5,480 | 1,153 | 6,633 | 913 | 7,546 |
| Live Release Rate | Cats and Dogs : 93.86% | | | | | | | | | All Animals : 91.90% | |

INTAKES

OUTCOMES

JURISDICTION STATISTICS

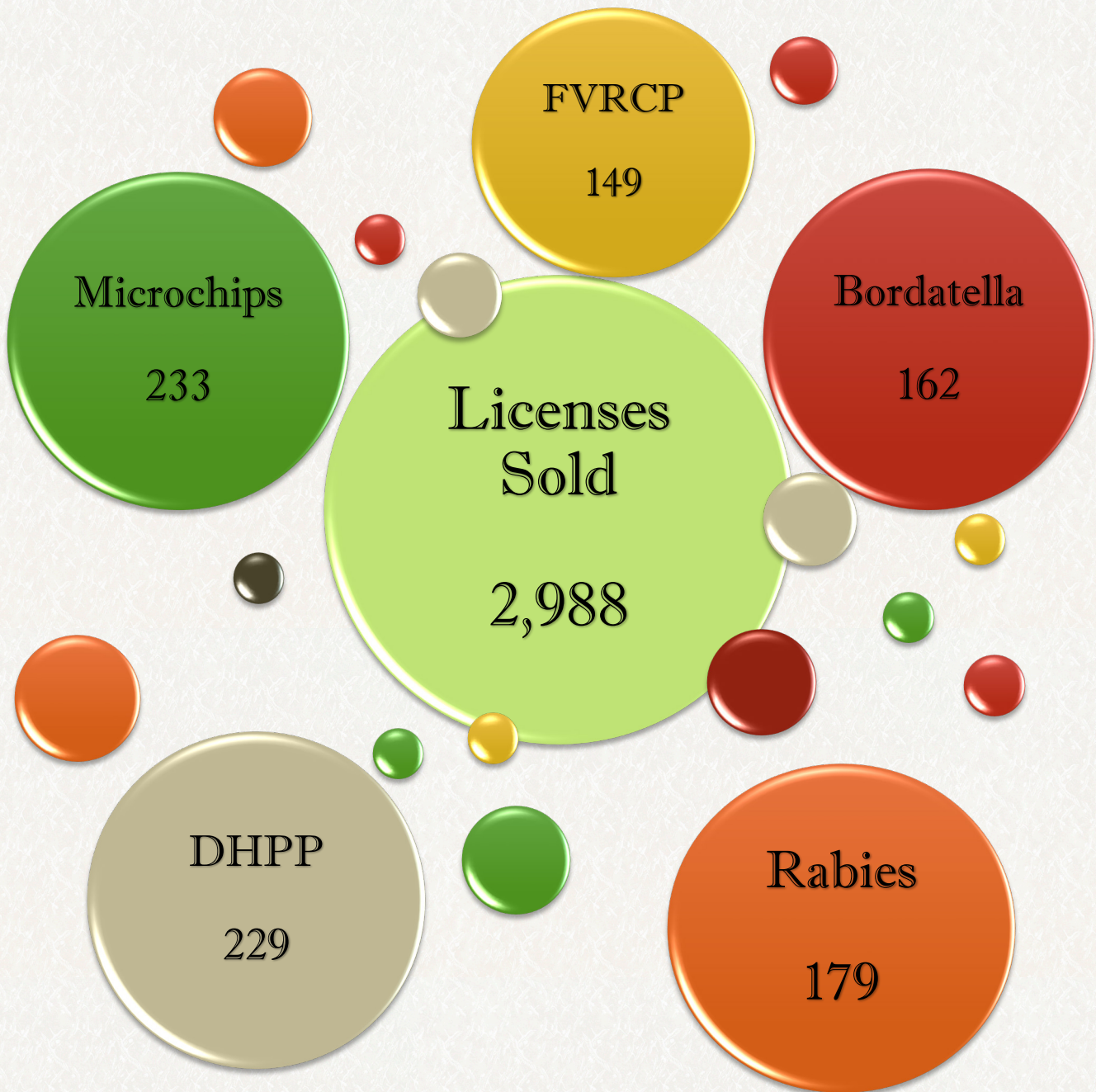


| Species By Age | Cats | | | Dogs | | | Cats and Dogs | | | Others | All |
|---|-------------------------------|--------------|------------|------------|--------------|------------|---------------|--------------|------------|-----------------------------|------------|
| | Adults | Up to 5 Mths | Totals | Adults | Up to 5 Mths | Totals | Adults | Up to 5 Mths | Totals | Totals | Totals |
| Beginning Animal Inventory as of 1/1/2018 | 21 | 1 | 22 | 6 | 0 | 6 | 27 | 1 | 28 | 0 | 28 |
| Stray / At Large | 152 | 46 | 198 | 242 | 10 | 252 | 394 | 56 | 450 | 99 | 549 |
| Relinquished by Owner | 2 | 5 | 7 | 3 | 0 | 3 | 5 | 5 | 10 | 0 | 10 |
| Owner Requested Euthanasia | 1 | 0 | 1 | 4 | 0 | 4 | 5 | 0 | 5 | 1 | 6 |
| Transferred in from Agency | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Returned from Foster | 3 | 57 | 60 | 9 | 15 | 24 | 12 | 72 | 84 | 1 | 85 |
| TNR (Cats) | 14 | 6 | 20 | 0 | 0 | 0 | 14 | 6 | 20 | 0 | 20 |
| DOA - Dead on Arrival | 44 | 0 | 44 | 12 | 0 | 12 | 56 | 0 | 56 | 31 | 87 |
| Other Intakes | 25 | 2 | 27 | 38 | 2 | 40 | 63 | 4 | 67 | 5 | 72 |
| Total Intake | 241 | 116 | 357 | 308 | 27 | 335 | 549 | 143 | 692 | 137 | 829 |
| Total Adjusted Intake | 193 | 59 | 252 | 283 | 12 | 295 | 476 | 71 | 547 | 104 | 651 |
| Adoption | 65 | 69 | 134 | 87 | 22 | 109 | 152 | 91 | 243 | 10 | 253 |
| Returned to Owner | 21 | 4 | 25 | 186 | 4 | 190 | 207 | 8 | 215 | 1 | 216 |
| Transferred to Another Agency | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Sent to Rescue/Rehab | 62 | 27 | 89 | 3 | 0 | 3 | 65 | 27 | 92 | 49 | 141 |
| Returned to the Wild | 36 | 3 | 39 | 0 | 0 | 0 | 36 | 3 | 39 | 10 | 49 |
| Subtotal: Live Outcomes | 184 | 103 | 287 | 276 | 26 | 302 | 460 | 129 | 589 | 70 | 659 |
| Sent to Foster | 2 | 10 | 12 | 16 | 0 | 16 | 18 | 10 | 28 | 3 | 31 |
| DOA - Dead on Arrival | 39 | 0 | 39 | 13 | 0 | 13 | 52 | 0 | 52 | 26 | 78 |
| Died | 4 | 3 | 7 | 0 | 1 | 1 | 4 | 4 | 8 | 14 | 22 |
| Lost in Care | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Shelter Euthanasia | 22 | 1 | 23 | 4 | 0 | 4 | 26 | 1 | 27 | 18 | 45 |
| Owner Requested Euthanasia | 1 | 0 | 1 | 4 | 0 | 4 | 5 | 0 | 5 | 1 | 6 |
| Total Outcomes | 252 | 117 | 369 | 313 | 27 | 340 | 565 | 144 | 709 | 132 | 841 |
| Adjusted Total Outcomes | 210 | 107 | 317 | 280 | 27 | 307 | 490 | 134 | 624 | 102 | 726 |
| Live Release Rate | Cats and Dogs : 94.39% | | | | | | | | | All Animals : 90.77% | |

INTAKES

OUTCOMES

JURISDICTION SUMMARY



2018 FIELD STATISTICS

| AN Codes | Description | Jan | Feb | Mar | April | May | June | July | Aug | Sept | Oct | Nov | Dec | Totals |
|----------------------|--|-----|-----|-----|-------|-----|------|------|-----|------|-----|-----|-----|--------|
| 1, 2, 2C, 2D | P/U ANIMAL CONFINED | 12 | 4 | 22 | 22 | 17 | 12 | 15 | 21 | 24 | 26 | 32 | 20 | 227 |
| 4, 4C, 4CD, 4DR, 4IP | ANIMAL BITE | 7 | 9 | 20 | 28 | 27 | 17 | 25 | 8 | 16 | 13 | 12 | 9 | 191 |
| 5, 5IP | DOG AT LARGE | 11 | 5 | 9 | 9 | 12 | 9 | 11 | 14 | 12 | 14 | 16 | 10 | 132 |
| 6, 6IP 7 | DEAD ANIMAL | 4 | 3 | 8 | 4 | 6 | 11 | 12 | 7 | 16 | 5 | 3 | 7 | 86 |
| 8 | DOG PACK - ROAMING | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| 9 | BARKING DOG - NUISANCE | 18 | 8 | 8 | 9 | 14 | 7 | 10 | 14 | 17 | 11 | 16 | 10 | 142 |
| 10 | UNLICENSED ANIMAL | 0 | 1 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 4 |
| 11, 11DR, 11IP | VICIOUS DOG | 10 | 11 | 10 | 11 | 19 | 21 | 3 | 20 | 8 | 13 | 7 | 7 | 140 |
| 12 | P/U SICK STRAY | 1 | 0 | 1 | 1 | 0 | 2 | 2 | 1 | 0 | 0 | 0 | 0 | 8 |
| 13, 13DR | CHECK W/COMPLAINANT | 6 | 11 | 8 | 16 | 16 | 13 | 16 | 27 | 10 | 12 | 10 | 11 | 156 |
| 14 | CRUELTY INVESTIGATION | 4 | 8 | 22 | 14 | 10 | 14 | 17 | 21 | 24 | 8 | 12 | 24 | 178 |
| 14IP | CRUELTY IN PROGRESS | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 1 | 0 | 3 |
| 15 | TOO MANY ANIMALS | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| 16 | INJURED ANIMAL | 4 | 8 | 2 | 1 | 2 | 5 | 0 | 2 | 3 | 2 | 6 | 4 | 39 |
| 17, 17DR | CANYON/PARK PATROL | 1 | 1 | 10 | 13 | 17 | 4 | 3 | 4 | 19 | 9 | 5 | 10 | 96 |
| 19 | PERMIT INSPECTION | 5 | 0 | 0 | 0 | 0 | 0 | 1 | 2 | 0 | 1 | 3 | 5 | 17 |
| 20, 20IP | STRAY INVESTIGATION | 12 | 13 | 12 | 13 | 21 | 17 | 17 | 24 | 20 | 23 | 11 | 10 | 193 |
| 23, 23IP | LIVESTOCK PROBLEM | 1 | 0 | 0 | 1 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 4 |
| 24 | - WILD/EXOTIC ANIMAL | 0 | 0 | 3 | 0 | 1 | 2 | 0 | 1 | 0 | 0 | 0 | 0 | 7 |
| 25 | - ANIMAL TO VET/GROOMER | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 2 | 2 | 1 | 1 | 0 | 8 |
| 26 | - ANIMAL IN DISTRESS / RESCUE | 1 | 1 | 0 | 0 | 1 | 1 | 1 | 0 | 2 | 1 | 0 | 0 | 8 |
| 27 | - ODOR / FECES PROBLEM | 0 | 1 | 1 | 7 | 1 | 2 | 1 | 4 | 2 | 1 | 1 | 0 | 21 |
| 29 | - EDUCATION / PR PRESENTATION | 0 | 1 | 0 | 1 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 4 |
| 31 | - WATERSHED VIOLATION | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| 32 | - SPECIAL ASSIGNMENT | 1 | 0 | 0 | 0 | 2 | 3 | 3 | 0 | 3 | 0 | 1 | 0 | 13 |
| 33, 33IP | AGENCY ASSIST | 6 | 4 | 6 | 5 | 8 | 1 | 3 | 5 | 7 | 5 | 1 | 2 | 53 |
| 35 | - FERAL CAT NUISANCE | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 1 |
| 37 | - CAT IN A TRAP | 1 | 0 | 0 | 1 | 0 | 4 | 1 | 4 | 2 | 3 | 1 | 0 | 17 |
| 38, 38IP | BIRD RESCUE | 2 | 2 | 1 | 2 | 12 | 15 | 7 | 3 | 1 | 1 | 1 | 0 | 47 |
| 39, 39DR | AREA PATROL | 22 | 16 | 17 | 17 | 6 | 1 | 3 | 5 | 8 | 1 | 4 | 3 | 103 |
| 42 | - DOMESTIC FOUL PROBLEM / NUISANCE | 6 | 2 | 1 | 0 | 0 | 1 | 1 | 2 | 2 | 1 | 1 | 0 | 17 |
| 43 | - DOMESTIC FOWL PERMIT INSPECTION | 0 | 3 | 1 | 3 | 3 | 8 | 2 | 0 | 4 | 0 | 0 | 0 | 24 |
| 44 | - HOME QUARANTINE RELEASE | 1 | 5 | 3 | 1 | 3 | 1 | 7 | 1 | 10 | 2 | 7 | 2 | 43 |
| 45 | - ANIMAL IN VEHICLE - IN DISTRESS | 0 | 4 | 4 | 9 | 23 | 18 | 28 | 15 | 7 | 0 | 4 | 5 | 117 |
| 46 | - RACCOON PROBLEM | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 1 | 0 | 0 | 3 |
| 47 | - EMERGENCY RESPONSE | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 1 |
| 48 | - BARKING DOG - ANON COMPLAINANT | 2 | 4 | 6 | 2 | 0 | 4 | 3 | 3 | 6 | 2 | 5 | 1 | 38 |
| 49 | P/U BARKING DOG PACKET | 0 | 0 | 1 | 0 | 0 | 4 | 2 | 0 | 2 | 0 | 0 | 2 | 11 |
| 50 | - TRANSFER ANIMAL TO PROPER JURISDICTION | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 2 |
| 51 | - ANIMAL TRANSFER/ BF KITTEN PRGM | 0 | 0 | 1 | 1 | 4 | 3 | 5 | 4 | 4 | 3 | 0 | 0 | 25 |
| 52 | - TRAP - NEUTER - RELEASE | 6 | 12 | 4 | 15 | 11 | 5 | 4 | 3 | 1 | 6 | 2 | 2 | 71 |
| Totals | | 144 | 140 | 182 | 207 | 239 | 205 | 209 | 218 | 234 | 167 | 164 | 144 | 2253 |

2018 FIELD STATISTICS

| 2018 Field Nights & Weekends Statistics | | | | |
|---|--|------------------|---------------|-------------|
| AN Codes | Description | Afterhours Calls | Weekend Calls | Totals |
| 1, 2, 2C, 2D | P/U ANIMAL CONFINED | 92 | 51 | 143 |
| 4, 4C, 4CD, 4DR, 4IP | ANIMAL BITE | 50 | 27 | 77 |
| 5, 5IP | DOG AT LARGE | 32 | 34 | 66 |
| 6, 6IP, 7 | DEAD ANIMAL | 15 | 19 | 34 |
| 9 | BARKING DOG - NUISANCE | 39 | 30 | 69 |
| 10 | UNLICENSED ANIMAL | 2 | 2 | 4 |
| 11, 11DR, 11IP | VICIOUS DOG | 35 | 26 | 61 |
| 12 | P/U SICK STRAY | 2 | 2 | 4 |
| 13 | CHECK W/ COMPLAINANT WAITING | 39 | 46 | 85 |
| 14, 14IP | CRUELTY INVESTIGATION | 58 | 46 | 104 |
| 16 | INJURED ANIMAL | 19 | 9 | 28 |
| 17, 17DR | CANYON/PARK PATROL | 27 | 29 | 56 |
| 19 | PERMIT INSPECTION | 1 | 1 | 2 |
| 20, 20IP | STRAY INVESTIGATION | 59 | 54 | 113 |
| 23, 23IP | LIVESTOCK PROBLEM | 2 | 2 | 4 |
| 24, 24IP | WILD/EXOTIC ANIMAL | 3 | 3 | 6 |
| 25 | - ANIMAL TO VET/GROOMER | 1 | 2 | 3 |
| 26 | - ANIMAL IN DISTRESS / RESCUE | 6 | 0 | 6 |
| 27 | - ODOR / FECES PROBLEM | 9 | 5 | 14 |
| 29 | - EDUCATION / PR PRESENTATION | 1 | 0 | 1 |
| 32 | - SPECIAL ASSIGNMENT | 3 | 0 | 3 |
| 33, 33IP | AGENCY ASSIST | 22 | 8 | 30 |
| 35, 37, 52 | FERAL CAT | 18 | 2 | 20 |
| 38, 38IP | BIRD RESCUE | 19 | 17 | 36 |
| 39, 39DR, 40 | AREA PATROL | 31 | 56 | 87 |
| 42 | - DOMESTIC FOUL PROBLEM / NUISANCE | 2 | 0 | 2 |
| 43 | - DOMESTIC FOWL PERMIT INSPECTION | 5 | 6 | 11 |
| 44 | - HOME QUARANTINE RELEASE | 11 | 10 | 21 |
| 45 | - ANIMAL IN VEHICLE - IN DISTRESS | 34 | 28 | 62 |
| 46 | - RACCOON PROBLEM | 0 | 1 | 1 |
| 47 | - EMERGENCY RESPONSE | 0 | 1 | 1 |
| 48 | - BARKING DOG - ANON COMPLAINANT | 12 | 12 | 24 |
| 49 | P/U BARKING DOG PACKET | 4 | 4 | 8 |
| 50 | - TRANSFER ANIMAL TO PROPER JURISDICTION | 0 | 1 | 1 |
| 51 | - ANIMAL TRANSFER/ BF KITTEN PRGM | 8 | 5 | 13 |
| Totals | | 661 | 539 | 1200 |

| 2018 Field Response Times (in minutes) | | | | | | | | | | | | | | | | | |
|--|-----|-----|-----|-----------------|-------|-----|------|-----------------|------|-----|------|-----------------|-----|-----|-----|-----------------|------------|
| Priorities | Jan | Feb | Mar | 1st Quarter Avg | April | May | June | 2nd Quarter Avg | July | Aug | Sept | 3rd Quarter Avg | Oct | Nov | Dec | 4th Quarter Avg | Annual Avg |
| Priority 1 | 11 | 16 | 16 | 14 | 28 | 19 | 20 | 22 | 17 | 21 | 32 | 23 | 28 | 34 | 22 | 28 | 22 |
| Priority 2 | 5 | 19 | 22 | 15 | 30 | 22 | 64 | 39 | 21 | 30 | 45 | 32 | 33 | 61 | 34 | 43 | 32 |
| Priority 3 | 46 | 65 | 42 | 51 | 39 | 51 | 44 | 45 | 71 | 66 | 47 | 61 | 62 | 45 | 43 | 50 | 52 |

4TH QUARTER EMPLOYEES OF THE MONTH



Dr. Dawn Kelly

Clinic Manager

Here's a few things the staff had to say about her:

- Dr. Dawn has made so many big positive changes around the shelter that I think that warrants some celebration!
- She has really worked hard to take big strides in helping the animals & the efficiency of the programs as well as the animal care staff.
- She has been so super helpful with getting staff involved in programs such as Click For Quiet, the enrichment program, and changing the assessments to something more standardized.

OCTOBER - Dr. Dawn Kelly



Erika Muñoz

Animal Control Officer

Here is what the staff had to say about her:

- She is a very kind and compassionate person.
- She is a hard worker and extremely efficient.
- Erika is very detail oriented and willing to help out in other areas when needed.

NOVEMBER - Erika Muñoz



Marissa Diamond

Animal Care Specialist

Here is what the staff had to say about her:

- Marissa is always willing to help out wherever needed.
- She is great with animals and really cares for them.
- She always has a positive attitude and is great with our customers and her co-workers.

DECEMBER - Marissa Diamond

4TH QUARTER VOLUNTEERS OF THE MONTH



Animal Services would like to thank our October volunteer of the month: Janet Harnsberger!

"My favorite thing about volunteering is hearing the cats, especially the ones with the 'feral' markings, cuddle up and start purring. My second favorite thing is to work with such a dedicated care of good folks who are saving SO MANY animals' lives."



Salt Lake County Animal Services would like to thank our November volunteer of the month: Nymaya Osman!

"I had been volunteering with animals for about 3 years already, before I joined SLCoAS. I was very interested in how our shelter served the county with respect to animal care and control. I was pleased to find that besides animal control, the shelter also does adoptions."



Animal Services would like to thank our December volunteer of the month: Dawn Vagstad!

Per Dawn: "I can't imagine what it would be like for a dog to be waiting for a home at any shelter. If there is any kindness I can show to a dog to just make him or her feel special and loved, that is worth everything. It feels great to get a dog outside. Each dog loves to be touched and talked to. Some dogs love to play with a ball. My favorite part is walking the sidewalk with them, talking to them and being in the sunshine. Love it."

ANNUAL HIGHLIGHTS

4 New Field Sergeants

Sgt. Randy Love

Sgt. Marcy Seale

Sgt. Karl Carpenter

Sgt. Cassandra Hoppe-Kelsay

Holiday Photo Shoot

24 Cats

Fancy Attire or Ugly Sweaters

12 Dogs

Giving Tuesday

Cat event @ Tinker's Cat Cafe

Dog event @ RoHa Brewing Project

Cats vs. Dogs fundraiser

Raised over \$11,500

The collage features 24 hexagonal elements. Each hexagon contains either a photograph or a text label. The photographs show various scenes: a white utility truck, a man in a uniform, a man with a dog, a man in a Christmas sweater holding a cat, a woman with a dog, a woman with a dog, a group of people at a table, a group of people holding signs, a group of people at a table, and a group of people at a table. The text labels are: "4 New Field Sergeants", "Sgt. Randy Love", "Sgt. Marcy Seale", "Sgt. Karl Carpenter", "Sgt. Cassandra Hoppe-Kelsay", "Holiday Photo Shoot", "24 Cats", "Fancy Attire or Ugly Sweaters", "12 Dogs", "Giving Tuesday", "Cat event @ Tinker's Cat Cafe", "Dog event @ RoHa Brewing Project", "Cats vs. Dogs fundraiser", and "Raised over \$11,500".

ANNUAL EVENTS

Tats for Cats Fundraiser



Snuggle with Adoptable Pets



ANNUAL EVENTS

Humane Education

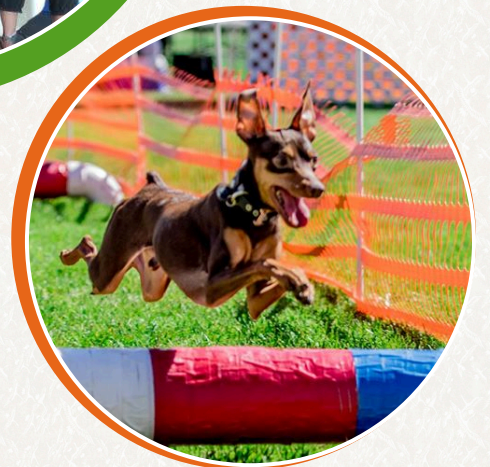


Parades



ANNUAL EVENTS

Petapalooza



ANNUAL EVENTS

Spayghetti Fundraiser



PROGRAMS & RESOURCES

Free Feline Fix



Salt Lake County Animal Services' Free Feline Fix Program offers spay and neuter solutions for the first 40 cats on the 1st Thursday of every month.

Each patient receives a health exam, vaccinations, microchips (if needed), spay or neuter surgery, and aftercare medications if needed. Each cat is supervised and operated on by our licensed Veterinarians and highly trained Vet Techs.

This vital program offers low cost solutions for financially burdened residents within our jurisdictions. The only requirement is residents license their cats at the time of surgery.

Safe Haven



Salt Lake County Animal Services' Safe Haven program is a crucial life-saving program for victims of domestic violence, sudden hospitalizations, protective custody, etc.

This program allows families to heal and focus on getting stabilized without having to worry about their furry family members. Citizens in need are referred to us by appropriate enforcement agencies.

Each pet receives basic and medical care through our facility and, when possible, placed in specialized foster homes until their family is able to be reunited. Contact Enforcement Misha Talmon at mtalmon@slco.org.

CONTACT INFORMATION

Carrie Sibert

•
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Liaison
Coordinator*

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•
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801-214-2700
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File No. ZT-18-015

City Council Staff Report

Meeting Date: March 11, 2019
Applicant: Staff

Request: Amendments to Title 12 and Title 19 of the Millcreek Code with Respect to Noticing Requirements for Public Hearings and Public Meetings

Prepared By: Blaine Gehring, AICP, Planner

SYNOPSIS AND SCOPE OF DECISION

The Community Development team has been hard at work on an ordinance codifying our public noticing requirements. These proposals come from our experience in the last year plus.

We are proposing the following:

1. Doing a 600-foot notice for zone changes and general plan map amendments.
2. Doing a 300-foot notice for conditional use permits, special exceptions, subdivisions, etc.
3. Where an application is within 600 feet of a community council district boundary, we will notify and solicit input from **both community councils**.
4. If we receive an application on a month that a community council *does not* hold a meeting, we may hold a neighborhood meeting in lieu of a community council meeting. We will still solicit your input, but it will be in writing, and not at a meeting. Since our Planning Commission meets once a month, we prefer not to defer a complete application for an entire month because a community council isn't meeting in July or December. State law allows an applicant to force a hearing on a complete application if the city doesn't schedule it within a month or so.
5. We are also codifying our practice of sometimes holding neighborhood meetings before a formal application is submitted. The applicant will bear the burden of noticing and scheduling the meeting and providing us with proof of notice for the following:
 - a. Future land use map amendments.
 - b. Rezones and development agreements.
 - c. Conditional use applications for uses requiring new construction, or for a use that is anticipated to create traffic or parking demand at least 20 percent greater than the existing use.
 - d. PUDs.

- e. Multi-family developments in a residential zone.

Pursuant to **§19.05.030** of the Millcreek Code, the Planning Commission shall make a recommendation to the Millcreek Council for land use ordinances, zoning maps, official maps, and amendments.

At the (date) Planning Commission Meeting, the Planning Commission unanimously recommended approval of this ordinance.

PROPOSED ORDINANCE AMENDMENTS

A draft of the proposed amendments to Titles 2 and 19 of the Millcreek Code is as follows:

2.56.100 Community Councils; Planning And Zoning Recommendations

1. The ~~city planning and development services division~~ community development department shall submit to all members of the community council copies of the city planning commission public meeting agendas, text changes to the zoning ordinance, zoning or conditional use applications pertaining to territory located within each community district, and applications for extraordinary relief and exceptions pursuant to the city Code of Ordinances. Community councils are encouraged to make recommendations concerning such applications to the city planning and development services.
2. The staff of the ~~city planning and development services division~~ **community development department** shall act as the staff to each community council on planning and zoning matters and shall also arrange meetings between the applicants and community councils when so requested.
3. Each community council shall provide to the city a current schedule of its meeting times, places and dates, and the names, addresses, e-mail addresses, and phone numbers of all members of the community council.
4. **Where an application is within six hundred feet of the boundaries of another community district, the community development department shall submit the application for review by the community councils of each community district.**
5. **In the event that a community council does not hold a public meeting within one month of the city receiving a complete land use application requiring community council input, the community development director may hold a neighborhood meeting in lieu of a community council meeting and provide a report to the community council on the neighborhood meeting. The Community Development Director shall notify the community council chair of the date and time of the neighborhood at least seven days in advance of that meeting, in order to give the Community Council the opportunity to participate in the meeting.**

19.43.438 Public Hearings and Meetings

A. Public Hearings. A public hearing means a hearing at which members of the public are provided a reasonable opportunity to comment on the subject of the hearing, pursuant to UCA 10-9a-103(45). Public hearings shall be conducted for the following land use decisions:

1. When adopting or amending a general plan;
2. When enacting or amending zoning ordinances or the zoning map, a public hearing before the planning commission is required, but is not required before the city council;
3. Vacation or amendment of platted street, right-of-way or easement;
4. Annexation policy plans and applications;
5. Vacating or changing a subdivision plat, but only as required by state law;
6. Any other land use decision for which a public hearing is required by law.

B. Public Meetings. Public meeting means a meeting that is required to be open to the public under Utah State Code Title 52, Chapter 4, Open Meetings Act (UCA 10-9a-103(46)). All land use decisions made by the city council, planning commission or a community council shall be rendered during open and public meetings. The community development director may also conduct public meetings related to land use applications or other land use issues.

C. Public Comment. Public comment may also be allowed in any public meeting at the discretion of the public body. Except as provided above, a public body need not allow public comment where a public hearing is not required by this section or state law.

D. Solicitation of Input. Regardless of whether a meeting is held, prior to making a land use decision the public body may solicit input from affected citizens and property owners and provide a reasonable opportunity for those individuals to express themselves. This may be accomplished through public outreach activities conducted prior to the land use decision in a manner that is consistent with the requirements of due process and fair review and provides an opportunity for the applicant and others participating in the review of the application to respond to the information presented. Relevant information gathered in the process of review is to be included in the meeting record.

E. The community development director may require a neighborhood meeting to help solicit better neighborhood input on land use application described in (1 and 2) below, prior to a complete land use application being submitted to the city.

1. Developments in a residential zone:

- a. General Plan Amendments resulting in a change to the future land use map.
- b. Rezones and Adoptions of Development Agreements
- c. Multi-family developments
- d. Planned unit developments.

2. Nonresidential developments abutting a residential development or residential zone boundary:

- a. General Plan Amendments resulting in a change to the future land use map.
- b. Rezones and Adoptions of Development Agreements.
- c. conditional use applications for uses requiring new construction, or for a use that is anticipated to create traffic or parking demand at least 20 percent greater than the existing use.
- d. Planned unit developments.

3. If a complete application is submitted prior to a Planning Commission meeting held on a month where a community council meeting is not scheduled to be held, a neighborhood meeting may be conducted in lieu of a community council meeting.

4. Applicant's Burden to Conduct a Neighborhood Meeting. If required by the Community Development Director, the applicant shall organize a neighborhood meeting, and provide adequate proof of notice, to include the following:

- a. The applicant shall send a written notice stating the place, date and time of the neighborhood meeting to all residential property owners, as identified in the Salt Lake

County recorder's records, whose property is within the required notice radius for the land use applications described in 19.04.439 below.

- b. The applicant shall notify these owners at least one week prior to the neighborhood meeting.
- c. The neighborhood meeting shall be conducted at a location within Millcreek.
- d. Phone calls or informal door to door contacts shall not be considered to constitute a neighborhood meeting.
- e. The record of a neighborhood meeting shall include:
 - (1) A list of all individuals who were notified;
 - (2) A roster of attendees; and
 - (3) A copy of the minutes.

19.04.439 Public Notices

A. Required Notice. The land use authority shall schedule and hold any required public hearing or public meeting according to the provisions of this code and state statute. Public notices for land use decisions not described in this section shall be given in accordance with state statute. The city shall provide notice of the date, place, and time of public hearings or public meetings with the relevant community councils, planning commission, and city council, if applicable, within the timeframes established by this section, or as provided by state statute or city ordinance.

1. Mailed Notices. The applicant shall bear the cost of mailing notices. Notice shall be provided by first class mail by the City to property owners and affected entities as established below:

- a. Conditional Use Permits. Notice shall be mailed at least seven days prior to the community council public meeting to any property owners within a three-hundred-foot radius of the property lines of the property on which the conditional use is proposed.
- b. Right-of-Way Vacations. Notice shall be given in accordance with state statute UCA 10-9a-609.5(2). Notices shall be mailed at least ten days prior to the public hearing to the following parties:
 - i. Any property owner whose property is accessed by the portion of the right-of-way that is proposed to be vacated.
 - ii. Any property owners within three hundred feet of the portion of the public right-of-way that is proposed to be vacated.
 - iii. All property owners whose property is in between the portion of the right-of-way to be vacated and the nearest street intersection.

c. Subdivision Approvals and Amendments to Subdivision Plats.

- i. Notice shall be given in accordance with state statute UCA 10-9a.608(1)(c). Additional notices shall be mailed at least ten days prior to the public hearing to any property owners within a three-hundred-foot radius of the boundary of the proposed subdivision plat amendment.
- ii. For an amendment to a recorded subdivision that involves the alteration or removal of an easement, private right-of-way, condition, limitation, or special requirement, only those persons or entities who have a direct interest in, or who will be directly affected by the proposed change (including the applicant) must be notified of any pending action.

- d. Zoning Map Amendments. Notice shall be mailed at least seven days prior to the community council public meeting to any property owners within a six-hundred-foot radius of the boundary of the proposed zoning or future land use map amendment.
 - e. General Plan/Future Land Use Map Amendments. Notice shall be mailed at least seven days prior to the community council public meeting to any property owners within a six-hundred-foot radius of the boundary of the future land use map amendment.
2. Publication of Notices. Notices shall be published by the following methods, unless otherwise provided for by state statute.
- a. Mailed notices shall be prepared and mailed by city staff and paid for by the applicant.
 - b. Public notices shall be published on the city's website and on the state's public notice website at least ten days prior to a public hearing, and at least seven days prior to a public meeting.
 - c. Notices for public hearings shall be published in a newspaper of general circulation in the area at least ten days prior to the public hearing.
 - d. A hard copy of any public notice issued by the land use authority shall be posted at city hall at least twenty-four (24) hours prior to a public hearing or a public meeting.
3. Posting on Site. Notification signage shall be posted on the property or land for which a conditional use permit, right-of-way vacation, subdivision plat approval, amendment to a subdivision plat, or zoning or future land use map amendment is considered, at least five days prior to the first public meeting on the matter. Notice shall be posted by the community development department and shall be clearly visible from the right-of-way.

COMMUNITY COUNCIL INPUT

In January, the Community Councils reviewed the ordinance recommended approval.

PLANNING STAFF ANALYSIS

Staff feels these ordinance amendments are needed to better clarify public hearings and public meetings and how they are to be noticed. Expanding the notice boundary for legislative acts is in keeping with the City's goal for greater transparency and including allowing multiple Community Councils to make recommendations on projects that are close to community district boundaries will facilitate better community engagement and participation by our Community Councils.

Staff examined the impact of extending the notice boundaries for legislative decisions, such as rezones, and are recommending the following:

1. Keep the 300-foot notice for conditional use permits, special exceptions, subdivision amendments, etc.
2. Go to a 600-foot notice for zone changes and general plan amendments.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission sends a recommendation to the City Council to adopt the amendments as presented by a unanimous vote.



3330 South 1300 East
Millcreek, UT 84106
801-214-2700
millcreek.utah.gov

File # ZM-19-002

City Council Staff Report

Meeting Date: March 11, 2019
Applicant: Northstar Builders LLC
Property Address: 3580 South 900 East
Parcel IDs: 16-32-156-001

Request: Rezone from R-2-6.5 to R-M to allow 36 additional condominium units at 3580 South 900 East (Capri Park Townhouse Apartments) subject to a development agreement.

Zone: R-2-6.5 Medium Density Residential Multifamily
Community Council: Millcreek Community Council
Prepared By: Blaine Gehring, AICP, Planner

SYNOPSIS AND SCOPE OF DECISION

Northstar Builders, LLC is requesting a rezone of an old pitch and putt golf course area in the Capri Park Townhouse Apartments complex from R-2-6.5 to R-M to allow additional condominium units to be built. Pursuant to Chapter 19.60.020 of the Millcreek Code, the R-M zone allows multi-family developments as conditional uses. The zone change would allow for additional condominium units to be built in the Capri Townhouse Apartments complex.

| Existing Zoning | Existing Land Use | Surrounding Uses and Zones | Site Improvements | Size of Property |
|-----------------|------------------------------|----------------------------------|--|------------------|
| R-2-6.5 | Vacant pitch and putt course | R-M/ R-1-6/R-1-8/ R-2-6.5/ C-2/M | 36 townhouse units as part of Capri Park Townhouse Apts. | 1.93 acres |

Per §19.90.010 of the Millcreek Code, the Millcreek City Council may amend the number, shape, boundaries, or area of any zone or any regulation within any zone. Zone changes shall not be made or become effective unless the same shall have been proposed by or be first submitted for the recommendation of the planning commission. Per §19.60.070, in any rezoning process, a development

Request: Rezone from R-2-6.5 to R-M

File #: ZM-19-003

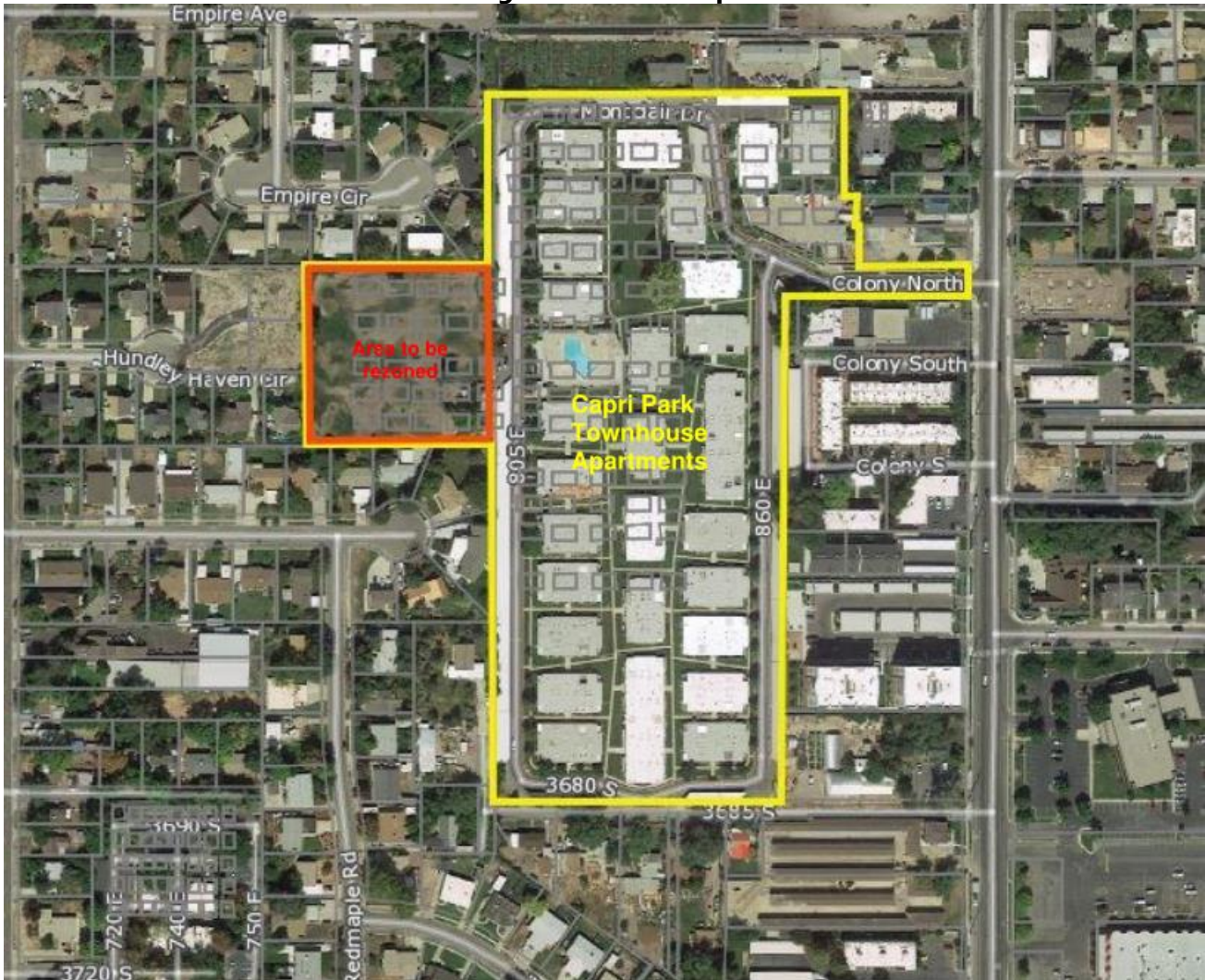
agreement shall be required at the sole discretion of the City. A development Agreement is an agreement negotiated and entered into by the City with a property owner and/or developer, pursuant to a proposed development within the City.

If the City Council approves this petition and adopts an R-M Zone, a multi-family development is allowed as a conditional use as per Chapter 19.44.020 of the Millcreek City Code with the approval of the Millcreek City Planning Commission.

Conditional uses are regulated under Chapter 19.84 of the Millcreek Code. They are presumed compatible with the zone and with the general plan, and permits are to be approved if reasonably anticipated detrimental effects can be mitigated.

SITE & VICINITY DESCRIPTION

Figure 1: Aerial map

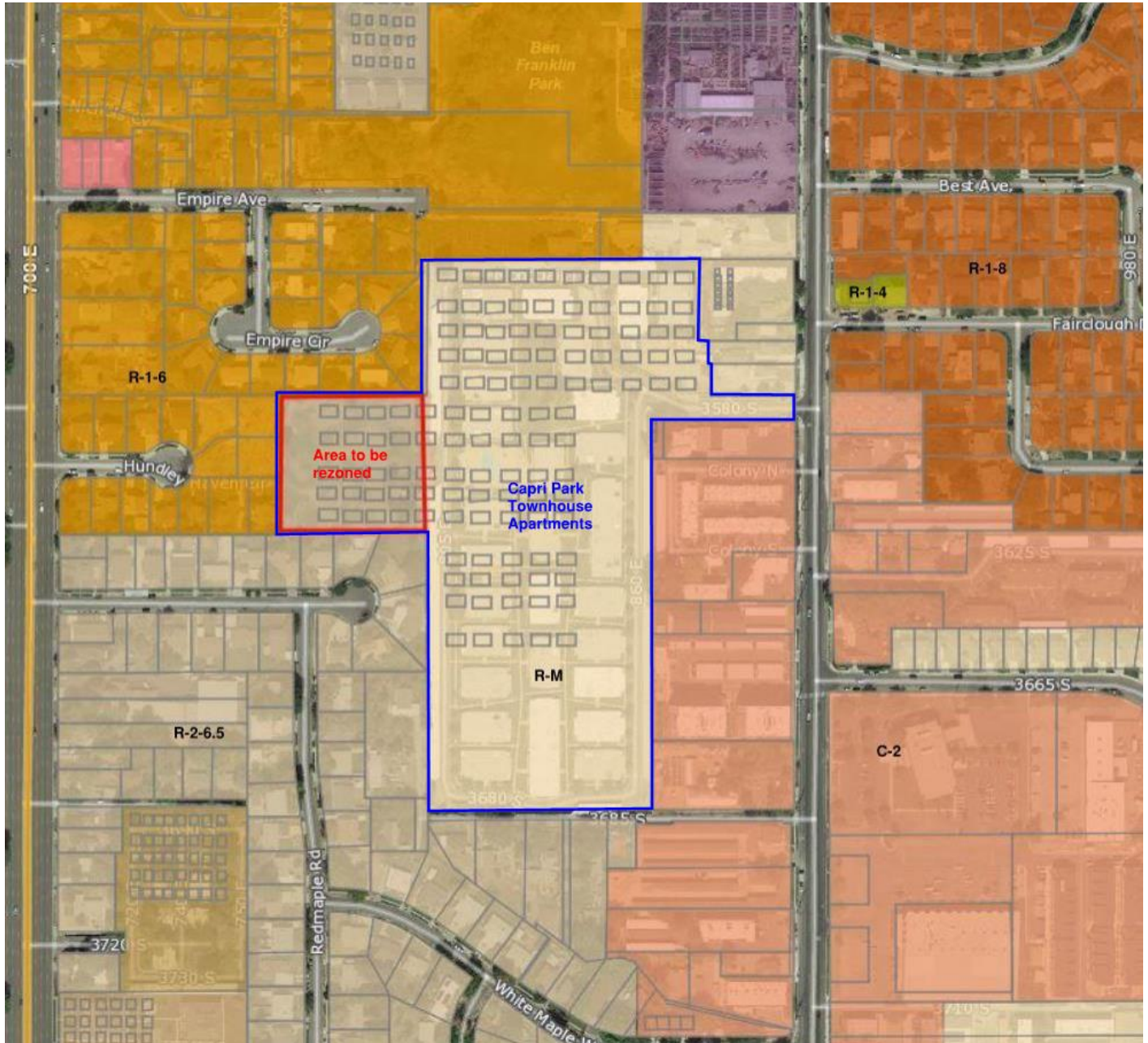


Request: Rezone from R-2-6.5 to R-M

File #: ZM-19-003

The specific site to be rezoned is adjacent to R-1-6 zoning to the north, R-2-6.5 to the south and R-M to the east. There is C-2 Zoning adjacent to Capri Park on the east. The problem is that the old golf course area is zoned R-2-6.5 where the rest of Capri Park is zoned R-M. Northstar is seeking a rezone of that property to not only conform to the rest of the complex but to allow them to build the additional units.

Figure 2: Zoning Map



PROJECT INFORMATION

Existing Land Use and Proposed Change

The Capri Park Townhouse Apartments were built between 1975-1978 with a pitch and putt golf course as an amenity. Due to lack of use and funds to maintain the course, it has not been used for some time.

Northstar Builders has been working with the Homeowners Association to build additional units in the old golf course area in addition to other units near the front entrance. In exchange, Northstar will repair the swimming pool and help build a new clubhouse on the existing pool deck along with a new maintenance building at cost.

Proposed Uses. Northstar Builders plan to update the 1.93 acre golf course area along with an RV parking and maintenance shed pad near the front entrance with 40 new for-sale condominium units. These will be one-bedroom units in 10 single story 4-plex buildings. The units will be age-restricted to 55 and over and six of those units will be deed restricted as affordable housing addressing Millcreek’s need for affordable housing for those 55 and over. Northstar has been working with the existing homeowners association on design so as to maintain the existing context and general aesthetics of the community.

Density. The R-M zone requires 2,000 square feet per unit for multi-family of 5 or more units. The 1.93 acre golf course site would allow for 42 units. There are 36 units proposed on that site.

Figure 3: Concept Plan



Site Layout. The requested rezone site is located at the west side of the Capri Park complex.

Access. Access will be off 900 East through the existing complex to the west side.

Dedication. No new street dedication is required.

Parking. The units are one-bedroom which require 1.5 parking stalls per unit plus .33 guest spaces per unit

Request: Rezone from R-2-6.5 to R-M

File #: ZM-19-003

for a total of 73 spaces. Capri Park is a senior housing area which qualifies for a 20% reduction in parking, so the total required stalls are 58. The applicant's proposal meets the overall residential parking requirement. If this rezone petition is approved, the approved parking ratio will be established as part of a conditional use permit.

Open Space. The new rezoned area will be required to meet or exceed the 40% required open space requirement.

Building Design. The applicant has been working with the HOA and is proposing a building design that will be compatible with the existing units in the complex.

Unit Characteristics and Affordable Housing Set-Asides. All units will be age-restricted with 6 of the 40 proposed units deed-restricted. Northstar will be offering the other units for sale at market prices. The 6 affordable units will be listed at and tied to 80% of Average Median Income (AMI) which is identified as approximately \$178,000.

Amenities. To replace the golf course amenity, Northstar will be helping to build a new clubhouse on the existing pool deck which will include a kitchen, multiple gathering places and outdoor barbecues along with a new maintenance building at cost.

Utilities and Waste Removal. The new units will be part of the waste collection system already provided in Capri Park.

Fire Code Considerations. All fire considerations have received preliminary approval from the fire marshal.

Exceptions. The applicant is not seeking any exceptions to the required standards of the Millcreek City Code.

Figure 4: Elevations

Unit Elevations



FRONT



LEFT

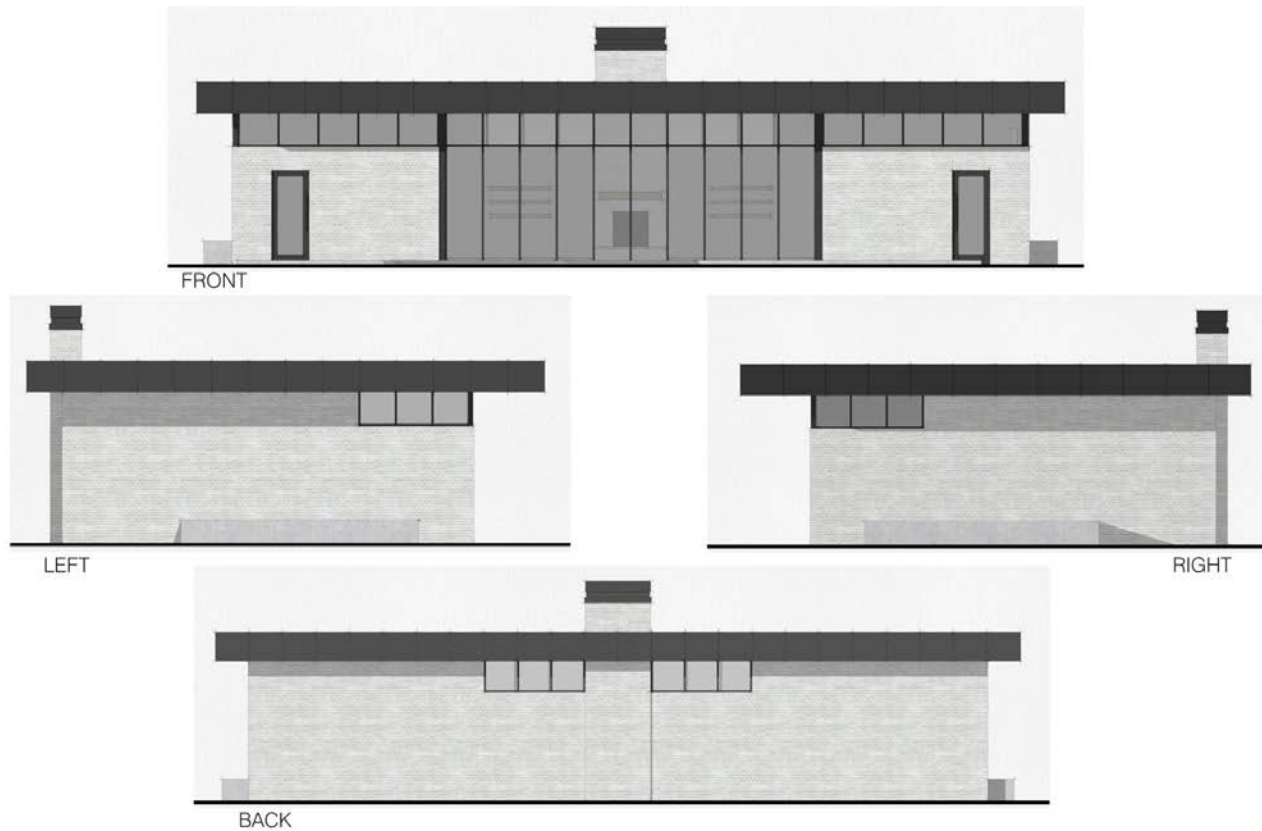


RIGHT



BACK

Clubhouse Elevations



GENERAL PLAN CONSIDERATIONS

All of Capri Park, including the golf course area, is designated Neighborhood 3 on the new future land use map which allows for the higher residential density. The housing plan in the new general plan states the following: "There are approximately 1,308 units/beds in senior living, assisted living, and retirement communities in Millcreek, with about 1,383 households over 65 renting their current home. Furthermore, the City has a population of approximately 9,271 over 65. As this group continues to age, there will be additional need for senior living, assisted living, and retirement communities in Millcreek." The six deed-restricted units will help fill part of that need.

DEVELOPMENT AGREEMENT CONSIDERATIONS

Staff is recommending that this rezone be subject to a development agreement. In addition, because this rezone will also be subject to a conditional use for the multiple family residential, this project may return to the Planning Commission for a conditional use permit approval.

Staff is recommending that a proposed development agreement address the following:

1. The development of 40 new one-bedroom units on an existing 1.93 acre portion of property owned by the Capri Park Homeowners Association.
2. Construction of a 2,500 square foot club house to replace the amenity described as a "Pitch and Putt" golf course, as indicated on the original plat attached as Exhibit B. The clubhouse shall include a large kitchen, multiple gathering places, and outdoor barbecues.
3. Construction of a maintenance shed between 1,500 and 1,800 square feet.
4. Addition of 57 resident and guest parking stalls.
5. Deed-restrict a minimum of six of the units to provide affordable owner-occupied senior housing for at least 15 years. The six units will be listed at and tied to 80% of current AMI identified as approximately \$178,000.
6. Update the codes, covenants, and restrictions to promote the long-term viability of the Capri Park Homeowners Association.
7. Ensure that the design of the new dwellings is compatible with the existing structures. Cladding materials will be limited to a yellow brick veneer to match the materials on the existing structures. The new structures will incorporate pitched roofs.
8. The construction of a vehicular access gate from 900 East including security cameras.
9. Compliance with the fire code, including the provision of fire suppression systems in all new structures.
10. The new dwellings will be limited to one story in height.

COMMUNITY COUNCIL RESPONSE

At a meeting on Tuesday, February 5, 2019, the Millcreek Community Council unanimously recommended this application for rezone from R-2-6.5 to R-M, subject to a development agreement.

PLANNING STAFF ANALYSIS AND FINDINGS

Planning Staff finds that the rezone is an appropriate addition to this R-M zoned area and will be compatible with existing adjacent development. This project complies with the City's general plan. The proposed project is compatible with the commercial and residential uses in the vicinity and would establish one consistent zone for the entire development. Planning staff recommends approval of this rezone petition, subject to a development agreement. The applicant's proposal to rezone the property at 3580 South 900 East from R-2-6.5 to R-M will facilitate new development in the Capri Park Townhouse Apartments complex that will enhance and improve the overall appearance and economics of the complex.

PLANNING COMMISSION RECOMMENDATION

Request: Rezone from R-2-6.5 to R-M

File #: ZM-19-003

At their meeting on February 20, 2019, the Planning Commission voted to send a recommendation to approve the proposed rezone of the pitch and putt area of the Capri Park Townhouse Apartments from R-2-6.5 to R-M to the City Council, subject to a development agreement by unanimous vote.



MILLCREEK COMMUNITY DEVELOPMENT

3330 SOUTH 1300 EAST
MILLCREEK, UTAH 84106

MEMORANDUM

To: **City Council**
From: **Francis Xavier Lilly, AICP, Director**
Meeting Date: **11 March 2019**

Re: ZT-18-011 – Residential Dog Boarding

Applicant: **Ellen Greeneisen, Hiking Hounds, LLC**

In light of information presented by Salt Lake County Animal Services (SLCAS) at your meeting on February 25, 20189, staff recommends adoption of an ordinance allowing residential dog boarding as a home business in Millcreek. Staff is presenting two options for you.

Option A would require that all dog boarding take place within the residence, or an attached garage.

Option B would allow a residential dog boarding business to use an accessory structure to board dogs. Accessory structures would be subject to the following standards:

Shelters may be within the primary residence in an accessory building in a rear yard only, provided that the accessory building is set back at least 40 feet from any human dwelling, school or church located on an abutting property not owned by the licensee, and 1,000 feet from any other accessory building used as a shelter for a dog boarding business. Distances are to be measured from the edge of the shelter to the nearest edge of any human dwelling, school or church.

These standards are what the Planning Commission recommended, and are similar to the standards that are required for residential chicken coops. The addition of the 1,000 foot separation requirement is based on a literature review that showed that a typical dog bark can be heard up to 1,000 feet away. This standard would mean that not every dog boarding business would be eligible for an accessory structure.

Staff is including Option B because SLCAS raised a concern about dogs being boarded in a household, particularly with children around. Their preference is that dogs be kenneled separately from the residential living space. However, there are clear neighbor objections to the use of an accessory structure other than an attached garage, and an allowance for the use of an accessory structure would be inconsistent with the city's overall policy prohibiting accessory structures for use in a home business.

MILLCREEK, UTAH
ORDINANCE NO. 19-09

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF TITLES 5 AND 19 OF THE
MILLCREEK CODE OF ORDINANCES WITH RESPECT TO RESIDENTIAL DOG
BOARDING**

WHEREAS, the Millcreek Council (“Council”) met in regular session on March 11, 2019, to consider among other things, approving an ordinance amending various sections of Title 5 and Title 19 of the Millcreek code of ordinances with respect to residential dog boarding; and

WHEREAS, Utah Code Ann. § 10-9a-503 provides in part that the Council may amend any regulations of a zoning district; and

WHEREAS, Millcreek (“City”) has adopted a comprehensive zoning ordinance (“Zoning Ordinance”); and

WHEREAS, City staff, City consultants, and other persons have recommended that the Council revise the Zoning Ordinance with respect to residential dog boarding; and

WHEREAS, Utah Code Ann. § 10-9a-502 provides that the planning commission shall provide notice as required by Subsection 10-9a-205(1)(a) and, if applicable, Subsection 10-9a-205(4) and hold a public hearing on the proposed land use ordinances; and

WHEREAS, on October 10, 2018, the required notice was published; and

WHEREAS, on October 24, 2018, the proposed amendment was submitted to the planning commission for its recommendation; and

WHEREAS, on October 24, 2018, the planning commission held the required public hearing with respect to amending various sections of Title 19 of the Millcreek Code of Ordinances; and

WHEREAS, at the December 19, 2018, planning commission meeting the Millcreek Planning Commission recommended amending various sections of Title 19 of the Millcreek Code of Ordinances; and

WHEREAS, the Millcreek Code of Ordinances, provides among other things, that before finally adopting any code amendments, the Council shall consider the application during a public meeting which has been properly noticed in compliance with the provisions of Title 52, Chapter 4, of the Open and Public Meetings Act; and

WHEREAS, on March 6, 2019, the Council caused the required notice to be given; and

WHEREAS, on March 11, 2019, the Council considered amending various sections of Title 5 and Title 19 of the Millcreek Code of Ordinances.

OPTION A

NOW THEREFORE, BE IT ORDAINED by the Council that that Title 5 Business Licenses and Regulations and Title 19 Zoning be amended as attached (designated by interlineating the words to be deleted and underlining the words to be added).

This Ordinance assigned no. 19-09, shall take immediate effect as soon as it shall be published or posted as required by law and deposited and recorded in the office of the City's recorder.

PASSED AND APPROVED this 11th day of March, 2019.

MILLCREEK COUNCIL

By: _____
Jeff Silvestrini, Mayor

ATTEST:

Elyse Greiner, City Recorder

Roll Call Vote:

| | | |
|-------------|-----|----|
| Silvestrini | Yes | No |
| Marchant | Yes | No |
| Jackson | Yes | No |
| Catten | Yes | No |
| Uipi | Yes | No |

CERTIFICATE OF POSTING

I, the duly appointed recorder for Millcreek, hereby certify that:
ORDINANCE 19-09: AN ORDINANCE AMENDING VARIOUS SECTIONS OF TITLES 5 AND 19 OF THE MILLCREEK CODE OF ORDINANCES WITH RESPECT TO RESIDENTIAL DOG BOARDING was passed and adopted the ____ day of _____ 2019 and certifies that copies of the foregoing Ordinance 19-09 were posted in the following locations within the municipality this ____ day of _____, 2019.

1. Millcreek City Office, 3330 S. 1300 E., Millcreek, UT 84106
2. Millcreek Community Center, 2266 E. Evergreen Ave., Millcreek, UT 84109
3. Calvin S. Smith Library, 810 E. 3300 S., Millcreek, UT 84106

Elyse Greiner, City Recorder

OPTION A

5.23 – Residential Dog Boarding

5.23.020 – Residential Dog Boarding Defined

“Residential dog boarding” means a home business where an occupant of a single-family residence in an R-1 zone provides temporary care for no more than four (4) household dogs for a fee, dogs being not less than four months old, and owned by others not residing at same address. Temporary care includes daycare and overnight boarding and/or care.

5.23.030 – License; Required

It is unlawful to conduct or operate a residential dog boarding business without having obtained a license therefor.

5.23.030 – License; Application; Contents

- A. Applications shall contain the following information:
 - a. The location of the dog boarding businesses.
 - b. The number of dogs intended to be boarded at a time.
 - c. Proof of business liability insurance.
 - d. The name, address, and telephone number of a local responsible party who is available by telephone.
 - e. Such other information as the license official shall from time to time require.

- B. The application shall include a statement by the applicant affirming that the applicant is currently in compliance with all legal requirements.

5.23.040 – License; Application; Investigation

- A. Applications shall be referred by the license official to Salt Lake County Animal Services or such other agency as the license official may deem appropriate to make or cause to be made an investigation of the premises, the applicant and other relevant matters. Agency recommendation as to the issuance or denial of the license, based on the above inspections, shall then be referred to the Director for approval or to recommend denial in accordance with the provisions of MKC 5.02.010 through MKC 5.02.140.

- B. A license that has been granted may be suspended or revoked for any violation of the provisions of this chapter, or for any of the reasons as contained in MKC 5.07.020.

- C. Any appeal of a decision to deny, suspend or revoke a license shall be heard in accordance with those procedures established by MKC 5.02.140 through MKC 5.02.180.

5.23.050 – License; Fee

The annual fee for a license under this chapter shall be the same as the general business license fee, as defined in MKC 5.08.040.

5.23.060 – Inspections for Compliance

OPTION A

After a license has been granted, the license official may make periodic inspections of residential dog boarding business, including all required vaccination records, to ensure compliance with this chapter and all other applicable law.

5.23.070 – Requirements and Limitations.

- A. A residential dog boarding business shall be maintained to the following minimum standards:
1. Residential dog boarding businesses are subject to the following limitation on the number of dogs on the premises, including dogs that are owned by the owner of the business:
 - a. Boarding of dogs is prohibited on lots less than 6,000 square feet in area.
 - b. For residential lots between 6,000 square feet and 8,000 square feet, no more than two dogs may be boarded at a time, and no more than four dogs may be on the premises at any time.
 - c. For residential lots 8,000 square feet or greater, no more than four dogs may be boarded at a time, and no more than six dogs may be on the premises at any time.
 2. Pick up and drop off of dogs must occur between the hours of 7:00 am and 7:00 pm.
 3. Residential dog boarding businesses shall maintain all licenses required Salt Lake County Animal Services.
 4. Residential dog boarding businesses shall continually comply with the Millcreek Animal Code.
 5. Residential dog boarding businesses shall continually comply with the standards for Home Businesses, established in MKC 19.85.
 6. Residential dog boarding businesses shall have in force business liability insurance, separate from a homeowner's or renter's insurance policy, adequate to protect third parties from the consequence of bodily injury or property damage arising from the dog boarding business.
 7. Nuisance Dogs:
 - a. Dogs that are boarded shall not constitute a nuisance as defined by 8.01.010 of the Millcreek Code. If any dog in the care of a residential dog boarding business is deemed a nuisance, such nuisance may be grounds for suspension or revocation of the business license, pursuant to MKC Chapter 5.07.

OPTION A

- b. Any dog that barks on the premises of a residential dog boarding business for a period of at least ten minutes shall be considered a per se nuisance, and such nuisance may be grounds for suspension or revocation of the business license, pursuant to MKC Chapter 5.07
 8. Dogs must be licensed within the origin of their jurisdiction. Operator shall have record of license and current vaccination records of all dogs in its care, as required by Salt Lake County Animal Services.
 9. Residential dog boarding businesses shall dispose of all solid animal waste daily, and place the waste in an enclosed container.
 10. With the exception of pick up, drop off, or walking on public rights-of-way, outdoor activities for dogs while being boarded shall be limited to rear yards only.
 11. The rear yard shall be fully enclosed with an opaque fence material that is not incompatible with designs in terms of fencing materials used by residential properties within 300 feet of the applicant's property. Fencing must be secure, including self-closing gates, to prevent escape.
 12. Residential dog boarding businesses shall provide an enclosed shelter, with climate control, and smooth walls to protect the dogs from weather conditions and minimize noise. Shelters may be within the primary residence or in an attached garage.
 13. While outside of an enclosed shelter, dogs must be supervised and accompanied by either the licensee or designee, so as to prevent nuisances caused by the dogs, including, but not limited to, noise and odor.
 14. Dogs shall be treated in a humane matter, including, but not limited to, adequate opportunity for exercise, freedom from restraints, hydration, food, protection from weather and extremes of temperature, and protection from other animals.
- B. Limits.** The total number of residential dog boarding business licenses issued within Millcreek shall be limited as follows:
- a. The maximum number of residential dog boarding businesses shall be calculated for each Community District within Millcreek. Each Community District shall have a minimum base of four (4) residential dog boarding businesses plus one (1) permit for every 300 single-family detached dwellings within each Community District Boundary.
 - b. The total number of available licenses shall be recalculated biennially based on an estimated number of single-family dwellings within Millcreek derived by the Community Development Department.

OPTION A

- c. If a complete application meeting all other requirements for approval is received after the maximum number of licenses has been issued within the Community District the proposed residential dog boarding business is located within, the application shall be placed on a waiting list in order of the date of receipt of a completed application. The list shall be reviewed on an annual basis. No fees will be due until a license becomes available. An application is deemed complete by the Business License Official upon completion of all information required by the provisions of this chapter, the Millcreek Animal Code, and the Millcreek Business License Code.

5.19.080 - Separate Violations

For purposes of prosecution of violations of this chapter, each day that any violation occurs, or that applicable taxes and fees are unpaid, is deemed to constitute a separate violation.

Chapter 19.04 DEFINITIONS

19.04.325 Kennel

"Kennel" means the keeping of three or more dogs, at least four months old.

19.04.450 Residential Dog Boarding

"Residential dog boarding" means a home business where an occupant of a single-family residence in an R-1 zone provides temporary care for no more than four (4) household dogs for a fee, dogs being not less than four months old, and owned by others not residing at same address. Temporary care includes daycare and overnight boarding and/or care.

19.85.010 Subject And Definition

1. "Home business" shall mean any business activity, other than those listed below, which is conducted entirely within a dwelling or attached garage and is clearly incidental, secondary and in addition to the use of the structure for dwelling purposes. The purpose of the home business chapter is to allow the use of a portion of a home by one of its residents for business purposes, while establishing standards to ensure that the business use of the home will not adversely impact the residential character of the neighborhood in which the home business is located.
2. "Home business" shall not include the following business activities taking place at the home:
 1. Motor vehicle, trailer or boat repair;
 2. Any use involving the storage or sale of inflammable, explosive or hazardous materials;
 3. Junkyards;
 4. Mortuaries or crematoriums;
 5. Sexually oriented businesses;
 6. Lawn mower or small engine repair;

OPTION A

7. Auto body and/or fender work;
 8. Towing operations;
 9. Vehicle sales or rentals;
 10. Welding, iron works, foundries;
 11. Major appliance repair (washers, dryers, refrigerators, etc.).
3. Uses that are listed as permitted or conditional uses in residential zones and are specifically defined under MKZ 19.04 are subject to a conditional or permitted use approval process, but are not subject to regulation under this chapter. Such uses include, but are not limited to, short-term rentals, home daycare, home preschools, uses involving the raising, breeding, training, housing, keeping or care of animals, except for residential dog boarding as defined in MKC Chapter 19.04 and subject to the requirements established in MKC Title 5, residential health care, residential facilities for elderly or disabled persons, bed and breakfast inn or homestay, boarding houses, etc.
4. The following activities are exempted from regulation under this chapter:
1. Garage or yard sales; provided the sale is held for not more than three consecutive days, and no more than two times per year at the same location, and no consignment goods are offered for sale;
 2. Temporary social gathering sales that do not exceed one day, such as candle parties, book parties, etc. not to exceed four occurrences per year.

MILLCREEK, UTAH
ORDINANCE NO. 19-09

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF TITLES 5 AND 19 OF THE
MILLCREEK CODE OF ORDINANCES WITH RESPECT TO RESIDENTIAL DOG
BOARDING**

WHEREAS, the Millcreek Council (“Council”) met in regular session on March 11, 2019, to consider among other things, approving an ordinance amending various sections of Title 5 and Title 19 of the Millcreek code of ordinances with respect to residential dog boarding; and

WHEREAS, Utah Code Ann. § 10-9a-503 provides in part that the Council may amend any regulations of a zoning district; and

WHEREAS, Millcreek (“City”) has adopted a comprehensive zoning ordinance (“Zoning Ordinance”); and

WHEREAS, City staff, City consultants, and other persons have recommended that the Council revise the Zoning Ordinance with respect to residential dog boarding; and

WHEREAS, Utah Code Ann. § 10-9a-502 provides that the planning commission shall provide notice as required by Subsection 10-9a-205(1)(a) and, if applicable, Subsection 10-9a-205(4) and hold a public hearing on the proposed land use ordinances; and

WHEREAS, on October 10, 2018, the required notice was published; and

WHEREAS, on October 24, 2018, the proposed amendment was submitted to the planning commission for its recommendation; and

WHEREAS, on October 24, 2018, the planning commission held the required public hearing with respect to amending various sections of Title 19 of the Millcreek Code of Ordinances; and

WHEREAS, at the December 19, 2018, planning commission meeting the Millcreek Planning Commission recommended amending various sections of Title 19 of the Millcreek Code of Ordinances; and

WHEREAS, the Millcreek Code of Ordinances, provides among other things, that before finally adopting any code amendments, the Council shall consider the application during a public meeting which has been properly noticed in compliance with the provisions of Title 52, Chapter 4, of the Open and Public Meetings Act; and

WHEREAS, on March 6, 2019, the Council caused the required notice to be given; and

WHEREAS, on March 11, 2019, the Council considered amending various sections of Title 5 and Title 19 of the Millcreek Code of Ordinances.

OPTION B

NOW THEREFORE, BE IT ORDAINED by the Council that Title 5 Business Licenses and Regulations and Title 19 Zoning be amended as attached (designated by interlineating the words to be deleted and underlining the words to be added).

This Ordinance assigned no. 19-09, shall take immediate effect as soon as it shall be published or posted as required by law and deposited and recorded in the office of the City’s recorder.

PASSED AND APPROVED this 11th day of March, 2019.

MILLCREEK COUNCIL

By: _____
Jeff Silvestrini, Mayor

ATTEST:

Elyse Greiner, City Recorder

| | | |
|-----------------|-----|----|
| Roll Call Vote: | | |
| Silvestrini | Yes | No |
| Marchant | Yes | No |
| Jackson | Yes | No |
| Catten | Yes | No |
| Uipi | Yes | No |

CERTIFICATE OF POSTING

I, the duly appointed recorder for Millcreek, hereby certify that:
ORDINANCE 19-09: AN ORDINANCE AMENDING VARIOUS SECTIONS OF TITLES 5 AND 19 OF THE MILLCREEK CODE OF ORDINANCES WITH RESPECT TO RESIDENTIAL DOG BOARDING was passed and adopted the ____ day of _____ 2019 and certifies that copies of the foregoing Ordinance 19-09 were posted in the following locations within the municipality this ____ day of _____, 2019.

1. Millcreek City Office, 3330 S. 1300 E., Millcreek, UT 84106
2. Millcreek Community Center, 2266 E. Evergreen Ave., Millcreek, UT 84109
3. Calvin S. Smith Library, 810 E. 3300 S., Millcreek, UT 84106

Elyse Greiner, City Recorder

OPTION B

5.23 – Residential Dog Boarding

5.23.020 – Residential Dog Boarding Defined

“Residential dog boarding” means a home business where an occupant of a single-family residence in an R-1 zone provides temporary care for no more than four (4) household dogs for a fee, dogs being not less than four months old, and owned by others not residing at same address. Temporary care includes daycare and overnight boarding and/or care.

5.23.030 – License; Required

It is unlawful to conduct or operate a residential dog boarding business without having obtained a license therefor.

5.23.030 – License; Application; Contents

- A. Applications shall contain the following information:
 - a. The location of the dog boarding businesses.
 - b. The number of dogs intended to be boarded at a time.
 - c. Proof of business liability insurance.
 - d. The name, address, and telephone number of a local responsible party who is available by telephone.
 - e. Such other information as the license official shall from time to time require.
- B. The application shall include a statement by the applicant affirming that the applicant is currently in compliance with all legal requirements.

5.23.040 – License; Application; Investigation

- A. Applications shall be referred by the license official to Salt Lake County Animal Services or such other agency as the license official may deem appropriate to make or cause to be made an investigation of the premises, the applicant and other relevant matters. Agency recommendation as to the issuance or denial of the license, based on the above inspections, shall then be referred to the Director for approval or to recommend denial in accordance with the provisions of MKC 5.02.010 through MKC 5.02.140.
- B. A license that has been granted may be suspended or revoked for any violation of the provisions of this chapter, or for any of the reasons as contained in MKC 5.07.020.
- C. Any appeal of a decision to deny, suspend or revoke a license shall be heard in accordance with those procedures established by MKC 5.02.140 through MKC 5.02.180.

5.23.050 – License; Fee

The annual fee for a license under this chapter shall be the same as the general business license fee, as defined in MKC 5.08.040.

5.23.060 – Inspections for Compliance

OPTION B

After a license has been granted, the license official may make periodic inspections of residential dog boarding business, including all required vaccination records, to ensure compliance with this chapter and all other applicable law.

5.23.070 – Requirements and Limitations.

- A. A residential dog boarding business shall be maintained to the following minimum standards:
1. Residential dog boarding businesses are subject to the following limitation on the number of dogs on the premises, including dogs that are owned by the owner of the business:
 - a. Boarding of dogs is prohibited on lots less than 6,000 square feet in area.
 - b. For residential lots between 6,000 square feet and 8,000 square feet, no more than two dogs may be boarded at a time, and no more than four dogs may be on the premises at any time.
 - c. For residential lots 8,000 square feet or greater, no more than four dogs may be boarded at a time, and no more than six dogs may be on the premises at any time.
 2. Pick up and drop off of dogs must occur between the hours of 7:00 am and 7:00 pm.
 3. Residential dog boarding businesses shall maintain all licenses required Salt Lake County Animal Services.
 4. Residential dog boarding businesses shall continually comply with the Millcreek Animal Code.
 5. Residential dog boarding businesses shall continually comply with the standards for Home Businesses, established in MKC 19.85.
 6. Residential dog boarding businesses shall have in force business liability insurance, separate from a homeowner's or renter's insurance policy, adequate to protect third parties from the consequence of bodily injury or property damage arising from the dog boarding business.
 7. Nuisance Dogs:
 - a. Dogs that are boarded shall not constitute a nuisance as defined by 8.01.010 of the Millcreek Code. If any dog in the care of a residential dog boarding business is deemed a nuisance, such nuisance may be grounds for suspension or revocation of the business license, pursuant to MKC Chapter 5.07.

OPTION B

- b. Any dog that barks on the premises of a residential dog boarding business for a period of at least ten minutes shall be considered a per se nuisance, and such nuisance may be grounds for suspension or revocation of the business license, pursuant to MKC Chapter 5.07
 8. Dogs must be licensed within the origin of their jurisdiction. Operator shall have record of license and current vaccination records of all dogs in its care, as required by Salt Lake County Animal Services.
 9. Residential dog boarding businesses shall dispose of all solid animal waste daily, and place the waste in an enclosed container.
 10. With the exception of pick up, drop off, or walking on public rights-of-way, outdoor activities for dogs while being boarded shall be limited to rear yards only.
 11. The rear yard shall be fully enclosed with an opaque fence material that is not incompatible with designs in terms of fencing materials used by residential properties within 300 feet of the applicant's property. Fencing must be secure, including self-closing gates, to prevent escape.
 12. Residential dog boarding businesses shall provide an enclosed shelter, with climate control, and smooth walls to protect the dogs from weather conditions and minimize noise. Shelters may be within the primary residence or in an attached garage.
 13. Shelters may be within the primary residence in an accessory building in a rear yard only, provided that the accessory building is set back at least 40 feet from any human dwelling, school or church located on an abutting property not owned by the licensee, and 1,000 feet from any other accessory building used as a shelter for a dog boarding business. Distances are to be measured from the edge of the shelter to the nearest edge of any human dwelling, school or church.
 14. While outside of an enclosed shelter, dogs must be supervised and accompanied by either the licensee or designee, so as to prevent nuisances caused by the dogs, including, but not limited to, noise and odor.
 15. Dogs shall be treated in a humane matter, including, but not limited to, adequate opportunity for exercise, freedom from restraints, hydration, food, protection from weather and extremes of temperature, and protection from other animals.
- B. Limits.** The total number of residential dog boarding business licenses issued within Millcreek shall be limited as follows:
- a. The maximum number of residential dog boarding businesses shall be calculated for each Community District within Millcreek. Each Community District shall have a

OPTION B

minimum base of four (4) residential dog boarding businesses plus one (1) permit for every 300 single-family detached dwellings within each Community District Boundary.

- b. The total number of available licenses shall be recalculated biennially based on an estimated number of single-family dwellings within Millcreek derived by the Community Development Department.
- c. If a complete application meeting all other requirements for approval is received after the maximum number of licenses has been issued within the Community District the proposed residential dog boarding business is located within, the application shall be placed on a waiting list in order of the date of receipt of a completed application. The list shall be reviewed on an annual basis. No fees will be due until a license becomes available. An application is deemed complete by the Business License Official upon completion of all information required by the provisions of this chapter, the Millcreek Animal Code, and the Millcreek Business License Code.

5.19.080 - Separate Violations

For purposes of prosecution of violations of this chapter, each day that any violation occurs, or that applicable taxes and fees are unpaid, is deemed to constitute a separate violation.

Chapter 19.04 DEFINITIONS

19.04.325 Kennel

"Kennel" means the keeping of three or more dogs, at least four months old.

19.04.450 Residential Dog Boarding

"Residential dog boarding" means a home business where an occupant of a single-family residence in an R-1 zone provides temporary care for no more than four (4) household dogs for a fee, dogs being not less than four months old, and owned by others not residing at same address. Temporary care includes daycare and overnight boarding and/or care.

Chapter 19.85 HOME BUSINESS

19.85.010 Subject And Definition

19.85.020 Standards

19.85.030 Regulations And Enforcement

19.85.010 Subject And Definition

- A. "Home business" shall mean any business activity, other than those listed below, which is conducted entirely within a dwelling or attached garage and is clearly incidental, secondary and in addition to the use of the structure for dwelling purposes. Residential dog boarding may utilize an accessory structure other than a garage subject to the requirements and limitations established in MKC Title 5. The purpose of the home business chapter is to allow the use of a

OPTION B

portion of a home by one of its residents for business purposes, while establishing standards to ensure that the business use of the home will not adversely impact the residential character of the neighborhood in which the home business is located.

- B. "Home business" shall not include the following business activities taking place at the home:
1. Motor vehicle, trailer or boat repair;
 2. Any use involving the storage or sale of inflammable, explosive or hazardous materials;
 3. Junkyards;
 4. Mortuaries or crematoriums;
 5. Sexually oriented businesses;
 6. Lawn mower or small engine repair;
 7. Auto body and/or fender work;
 8. Towing operations;
 9. Vehicle sales or rentals;
 10. Welding, iron works, foundries;
 11. Major appliance repair (washers, dryers, refrigerators, etc.).
- C. Uses that are listed as permitted or conditional uses in residential zones and are specifically defined under MKZ 19.04 are subject to a conditional or permitted use approval process, but are not subject to regulation under this chapter. Such uses include, but are not limited to, short-term rentals, home daycare, home preschools, uses involving the raising, breeding, training, housing, keeping or care of animals, except for residential dog boarding as defined in MKC Chapter 19.04 and subject to the requirements established in MKC Title 5, residential health care, residential facilities for elderly or disabled persons, bed and breakfast inn or homestay, boarding houses, etc.
- D. The following activities are exempted from regulation under this chapter:
1. Garage or yard sales; provided the sale is held for not more than three consecutive days, and no more than two times per year at the same location, and no consignment goods are offered for sale;
 2. Temporary social gathering sales that do not exceed one day, such as candle parties, book parties, etc. not to exceed four occurrences per year.

MILLCREEK, UTAH
RESOLUTION NO. 19-03

**A RESOLUTION OF THE MILLCREEK COUNCIL APPROVING AN INTERLOCAL
COOPERATION AGREEMENT BETWEEN MILLCREEK AND SALT LAKE COUNTY
ON BEHALF OF THE COUNTY CLERK ELECTIONS DIVISION FOR THE 2019
MUNICIPAL ELECTION SERVICES**

WHEREAS, the Millcreek Council ("Council") met in regular meeting on March 11, 2019 to consider, among other things, approving an Interlocal Cooperation Agreement between Millcreek and Salt Lake County on behalf of the County Clerk Election's Division for the 2019 municipal election services; and

WHEREAS, the Utah Local Cooperation Act (UTAH CODE ANN. § 11-13-101, et seq.) (the "Act") provides that two local governmental entities are authorized to enter into agreements with each other, upon a resolution to do so by their respective governing bodies, to do what each agency is authorized by law to perform; and

WHEREAS, Salt Lake County and Millcreek are governmental entities as contemplated in the Act; and

WHEREAS, Salt Lake County and Millcreek are required to and therefore authorized to provide election services; and

WHEREAS, Millcreek has determined that it is best interests of the inhabitants of Millcreek to enter into an Interlocal Cooperation Agreement with Salt Lake County for such election services; and

WHEREAS, an Interlocal Cooperation Agreement for such election services has been prepared for approval which sets forth the purpose thereof, the extent of participation of the parties, and the rights, duties and responsibilities of the parties. A copy of the Interlocal Cooperation Agreement for such election services is attached hereto.

NOW, THEREFORE, BE IT RESOLVED that the attached Interlocal Cooperation Agreement for such election services is approved, and the Mayor and Recorder are hereby authorized and directed to execute and deliver the same.

This resolution, assigned No. 19-03, shall take effect immediately upon passage and acceptance as provided herein.

PASSED AND APPROVED by the Council this 11th day of March 2019.

MILLCREEK COUNCIL

Jeff Silvestrini, Mayor

ATTEST:

Elyse Greiner, City Recorder

Roll Call Vote:

| | | |
|-------------|-----|----|
| Silvestrini | Yes | No |
| Marchant | Yes | No |
| Jackson | Yes | No |
| Catten | Yes | No |
| Uipi | Yes | No |

INTERLOCAL COOPERATION AGREEMENT

between

MILLCREEK

and

**SALT LAKE COUNTY on behalf of the
COUNTY CLERK'S ELECTION'S DIVISION**

FOR MUNICIPAL ELECTION

THIS AGREEMENT is made and entered into the ____ day of _____, 2019, by and between SALT LAKE COUNTY (the "County"), a body corporate and politic of the State of Utah, on behalf of the Salt Lake County Clerk's Office, Elections Division; and Millcreek (the "City") a municipal corporation created under the laws of the State of Utah.

RECITALS:

WHEREAS, the County desires to provide the services of its clerk's office, elections division, to the City for the purpose of assisting the City in conducting the City's 2019 primary and general municipal elections; and

WHEREAS, the City desires to engage the County for such services; and

WHEREAS, the parties are public agencies and are therefore authorized by the Utah Interlocal Cooperation Act, UTAH CODE ANN. §§ 11-13-101 to -608 (2018), to enter into agreements to cooperate with each other in a manner which will enable them to make the most efficient use of their resources and powers.

A G R E E M E N T:

NOW THEREFORE, in exchange for valuable consideration, including the mutual covenants contained in this Agreement, the parties covenant and agree as follows:

1. **Term.** The County shall provide election services described below to the City commencing on the date this Agreement is executed and terminating on December 31, 2019.

Either party may cancel this Agreement upon thirty (30) days written notice to the other party. Upon such cancellation, each party shall retain ownership of any property it owned prior to the date of this Agreement, and the City shall own any property it created or acquired pursuant to this Agreement.

2. **Scope of Work.** The services to be provided by the County shall be as set forth in the Scope of Work, attached hereto and incorporated by reference as Exhibit “A.” Generally, the County shall perform the listed election functions as set forth in Exhibit “A” and as needed to ensure implementation of the City’s 2019 primary and general municipal elections.

3. **Legal Requirements.**

a. The County and the City understand and agree that the 2019 City primary and general municipal elections are the City’s elections. The City shall be responsible for compliance with all legal requirements for these elections. The City agrees to translate ballot issues, if any, into Spanish. The County will provide the remaining Spanish translations for the ballot and other election materials as required by law. The County agrees to work with the City in complying with all legal requirements for the conduct of these elections and conduct these elections pursuant to the direction of the City, except as provided in this Agreement and Exhibit “A.” The County agrees to disclose and maintain election results through its website merely as a courtesy and convenience to the City. The City, and not the County, is responsible to resolve any and all election questions, problems, and legal issues that are within the City’s statutory authority.

b. The County and the City understand and agree that the County does not offer the services or resources to conduct an instant runoff voting election described in sections 20A-4-603 and -604, UTAH CODE ANN. (2018). Accordingly, the County is not obligated by this Agreement to provide the services necessary for the City to participate

in the Municipal Alternative Voting Methods Pilot Project described in Chapter 20A-4, Part 6, UTAH CODE ANN. (2018).

4. **Cost.** In consideration of the services performed under this Agreement, the City shall pay the County an amount not to exceed the estimate attached hereto and incorporated by reference as Exhibit “B.” The County shall provide a written invoice to the City at the conclusion of the elections, and the City shall pay the County within thirty days of receiving the invoice. The invoice shall contain a summary of the costs of the election and shall provide the formula for allocating the costs among the issues and jurisdictions participating in the elections. In the case of a vote recount, election system audit, election contest, or similar event arising out of the City’s election, the City shall pay the County’s actual costs of responding to such events, based on a written invoice provided by the County. The invoice amount for these additional services may cause the total cost to the City to exceed the estimate given to the City by the County. For such consideration, the County shall furnish all materials, labor and equipment to complete the requirements and conditions of this Agreement.

5. **Governmental Immunity.** The City and the County are governmental entities and subject to the Governmental Immunity Act of Utah, UTAH CODE ANN. §§ 63G-7-101 to –904 (2018) (the “Governmental Immunity Act”). Nothing in this Agreement shall be deemed a waiver of any rights, statutory limitations on liability, or defenses applicable to the City or the County under the Governmental Immunity Act or common law. Each party shall retain liability and responsibility for the acts and omissions of their representative officers. In no event shall this Agreement be construed to establish a partnership, joint venture or other similar relationship between the parties and nothing contained herein shall authorize either party to act as an agent for the other. Each of the parties hereto assumes full responsibility for the negligent operations, acts and omissions of its own employees, agents and contractors. It is not the intent

of the parties to incur by Agreement any liability for the negligent operations, acts, or omissions of the other party or its agents, employees, or contractors.

6. **No Obligations to Third Parties.** The parties agree that the County's obligations under this Agreement are solely to the City. This Agreement shall not confer any rights to third parties.

7. **Indemnification.** Subject to the provisions of the Act, the City agrees to indemnify and hold harmless the County, its agents, officers and employees from and against any and all actions, claims, lawsuits, proceedings, liability, damages, losses and expenses (including attorney's fees and costs), arising out of or resulting from the performance of this Agreement to the extent the same are caused by any negligent or wrongful act, error or omission of the City, its officers, agents and employees and including but not limited to claims that the County violated any state or federal law in the provision of election services under this Agreement.

8. **Election Records.** The City shall maintain and keep control of all records created pursuant to this Agreement and from the elections relevant to this Agreement. The City shall respond to all public record requests related to this Agreement and the underlying elections and shall retain all election records consistent with the Government Records Access and Management Act, UTAH CODE ANN. §§ 63G-2-101 to -901 (2018), and all other relevant local, state and federal laws.

9. **Service Cancellation.** If the Agreement is canceled by the City as provided above, the City shall pay the County on the basis of the actual services performed according to the terms of this Agreement. Upon cancellation of this Agreement by either party, the County shall submit to the City an itemized statement for services rendered under this Agreement up to the time of cancellation and based upon the dollar amounts for materials, equipment and services set forth herein.

10. **Legal Compliance.** The County, as part of the consideration herein, shall comply with all applicable federal, state and county laws governing elections.

11. **Agency.** No agent, employee or servant of the City or the County is or shall be deemed to be an employee, agent or servant of the other party. None of the benefits provided by either party to its employees including, but not limited to, workers' compensation insurance, health insurance and unemployment insurance, are available to the employees, agents, or servants of the other party. The City and the County shall each be solely and entirely responsible for its own acts and for the acts of its own agents, employees and servants during the performance of this Agreement.

12. **Force Majeure.** Neither party shall be liable for any excess costs if the failure to perform arises from causes beyond the control and without the fault or negligence of that party, e.g., acts of God, fires, floods, strikes or unusually severe weather. If such condition continues for a period in excess of 60 days, the City or the County shall have the right to terminate this Agreement without liability or penalty effective upon written notice to the other party.

13. **Notices.** Any notice or other communication required or permitted to be given under this Agreement shall be deemed sufficient if given by a written communication and shall be deemed to have been received upon personal delivery, actual receipt, or within three (3) days after such notice is deposited in the United States mail, postage prepaid, and certified and addressed to the parties as set forth below:

Salt Lake County Salt Lake County Mayor
2001 South State Street, N2-100
Salt Lake City, Utah 84190

and

Pam Tueller
Fiscal Manager
Salt Lake County Clerk's Office

2001 South State, Suite S1-200
Salt Lake City, Utah 84190-1050
email: ptueller@slco.org

City

Millcreek City Recorder
3330 S. 1300 E.
Millcreek, UT 84106
email: egreiner@millcreek.us

14. **Required Insurance Policies.** Both parties to this Agreement shall maintain insurance or self-insurance coverage sufficient to meet their obligations hereunder and consistent with applicable law.

15. **Independent Contractor.** Because the County is consolidating election functions in order to conduct multiple, simultaneous elections on August 13, 2019, and on November 5, 2019, certain decisions by the County referenced in Exhibit “A” may not be subject to review by the City. It is therefore understood by the parties that the County will act as an independent contractor with regard to its decisions regarding resources, procedures and policies based upon providing the same scope and level of service to all participating jurisdictions made for the benefit of the whole as set forth in Exhibit “A.”

16. **No Officer or Employee Interest.** It is understood and agreed that no officer or employee of the County has or shall have any pecuniary interest, direct or indirect, in this Agreement or the proceeds resulting from the performance of this Agreement. No officer or employee of the City or any member of their families shall serve on any County board or committee or hold any such position which either by rule, practice or action nominates, recommends or supervises the City’s operations or authorizes funding or payments to the City.

17. **Ethical Standards.** The City represents that it has not: (a) provided an illegal gift to any County officer or employee, or former County officer or employee, or to any relative or business entity of a County officer or employee, or relative or business entity of a former County officer or employee; (b) retained any person to solicit or secure this contract upon an agreement

or understanding for a commission, percentage, brokerage or contingent fee, other than bona fide employees of bona fide commercial agencies established for the purpose of securing business; (c) breached any of the ethical standards set forth in State statute or section 2.07, Salt Lake County Code of Ordinances; or (d) knowingly influenced, and hereby promises that it will not knowingly influence, any County officer or employee or former County officer or employee to breach any of the ethical standards set forth in State statute or Salt Lake County ordinance.

18. **Interlocal Agreement.** In satisfaction of the requirements of the Utah Interlocal Cooperation Act, UTAH CODE ANN. §§ 11-13-101 to -608 (2018), (the “Interlocal Act”), in connection with this Agreement, the City and the County agree as follows:

a. This Agreement shall be approved by each party, pursuant to section 11-13-202.5 of the Interlocal Act;

b. This Agreement shall be reviewed as to proper form and compliance with applicable law by a duly authorized attorney on behalf of each party, pursuant to Section 11-13-202.5 of the Interlocal Act;

c. Any duly executed original counterpart of the Agreement shall be filed with the keeper of records of each party, pursuant to section 11-13-209 of the Interlocal Act;

d. Except as otherwise specifically provided herein, each party shall be responsible for its own costs of any action performed pursuant to this Agreement, and for any financing of such costs; and

e. No separate legal entity is created by the terms of this Agreement. No real or personal property shall be acquired jointly by the parties as a result of this Agreement. To the extent that a party acquires, holds or disposes of any real or personal property for

use in the joint or cooperative undertaking contemplated by this Agreement, such party shall do so in the same manner that it deals with other property of such party.

f. County and City Representatives.

i. The County designates the County Clerk as the County's representative to assist in the administrative management of this Agreement and to coordinate performance of the services under this Agreement.

ii. The City designates the City's Recorder as the City's representative in its performance of this Agreement. The City's Representative shall have the responsibility of working with the County to coordinate the performance of its obligations under this Agreement.

19. **Counterparts.** This Agreement may be executed in counterparts by the City and the County.

20. **Governing Law.** This Agreement shall be governed by the laws of the State of Utah both as to interpretation and performance. All actions including but not limited to court proceedings, administrative proceedings, arbitration and mediation proceedings, shall be commenced, maintained, adjudicated and resolved within Salt Lake County.

21. **Integration.** This Agreement embodies the entire agreement between the parties relating to the subject matter of this Agreement and shall not be altered except in writing signed by both parties.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first above written.

SALT LAKE COUNTY:

Mayor or Designee
Date: _____

Recommended for Approval:

Sherrie Swensen
Salt Lake County Clerk

Approved as to Form:

By: _____
Deputy District Attorney
Date: _____

MILLCREEK:

Jeff Silvestrini, Mayor
Date: _____

Attest:

Elyse Greiner, City Recorder

Exhibit "A"
2019 Municipal Elections
Scope of Work

The City agrees to the consolidation of all election administrative functions to ensure the successful conduct of multiple, simultaneous municipal, local district elections and county elections and the County agrees to conduct vote by mail/consolidated polls elections for the City.

In a consolidated election, decisions made by the County regarding resources, procedures and policies are based upon providing the same scope and level of service to all the participating jurisdictions and the City recognizes that such decisions, made for the benefit of the whole, may not be subject to review by the City.

Services the County will perform for the City include, but are not limited to:

- Ballot layout and design
- Ballot ordering and printing
- Machine programming and testing
- Delivery of supplies and equipment
- Provision of all supplies
- Election vote center/early vote locations
- Vote by Mail administration
- Updating state and county websites
- Tabulating, reporting, auditing and preparing canvassing election results
- Conducting recounts as needed
- All notices and mailings required by law (except those required by Utah Code Ann. Ch. 11-14, Part 2 and § 20A-9-203)
- Direct payment of all costs associated with the elections to include vote center workers, training, polling places, rovers.

The City will provide the County Clerk with information, decisions, and resolutions and will take appropriate actions required for the conduct of the elections in a timely manner.

The County will provide a good faith estimate for budgeting purposes (Exhibit "B"). Election costs are variable and are based upon the offices scheduled for election, the number of voters, the number of jurisdiction participating as well as any direct costs incurred.

The City will be invoiced for its pro-rata share of the actual costs of the elections which will not exceed the estimate in Exhibit B. In the event of a state or county special election being held in conjunction with a municipal election, the scope of services and associated costs, and the method of calculating those costs, will remain unchanged.

Exhibit "B"
2019 Election Estimate
Millcreek

Below is the good faith estimate for the upcoming *2019 Municipal Election* for Millcreek City. The city will be billed for actual costs, which will not exceed this estimate.

Assumptions for providing this estimate consist of the following:

- A. Active voters (as of 1/17/2019): 34,546
- B. Worst case primary election.
- C. General election for the 2019 offices below.

| 2019 Offices | Estimate |
|-----------------------|-----------------|
| Mayor | |
| Council 1 | |
| Council 3 | |
| Vote By Mail Election | \$129,875.48 |

MILLCREEK, UTAH
ORDINANCE NO. 19-07

**AN ORDINANCE OF THE MILLCREEK COUNCIL
ADOPTING MILLCREEK'S 2019 AMENDED REGULAR
MEETINGS SCHEDULE**

WHEREAS, on March 11, 2019 the Millcreek Council (the “*Council*”) met in regular session to consider, among other things, adopting Millcreek’s 2019 amended regular meetings schedule; and

WHEREAS, Utah Code Ann. § 52-4-202(2) provides that any public body which holds regular meetings that are scheduled in advance over the course of a year shall give public notice at least once each year of its annual meeting schedule; and

WHEREAS, Utah Code Ann. § 10-3-502 provides that the council of each municipality shall, by ordinance, prescribe the time and place for holding its regular meetings which shall be held at least once each month.

NOW, THEREFORE, BE IT ORDAINED by the Council that the attached 2019 amended meeting schedule be adopted as the Council regular meeting schedule and the City Recorder is directed to give notice hereof as required by Utah Code Ann. § 52-4-202(2).

PASSED AND APPROVED this 11th day of March 2019.

MILLCREEK COUNCIL

By: _____
Jeff Silvestrini, Mayor

ATTEST:

Elyse Greiner, City Recorder

| | | |
|-----------------|-----|----|
| Roll Call Vote: | | |
| Silvestrini | Yes | No |
| Marchant | Yes | No |
| Jackson | Yes | No |
| Catten | Yes | No |
| Uipi | Yes | No |

CERTIFICATE OF POSTING

I, the duly appointed recorder for Millcreek, hereby certify that:
ORDINANCE 19-07: AN ORDINANCE OF THE MILLCREEK COUNCIL ADOPTING
MILLCREEK'S 2019 AMENDED REGULAR MEETINGS SCHEDULE
was passed and adopted the ____ day of _____ 2019 and certifies that copies of the
foregoing Ordinance 19-07 were posted in the following locations within the municipality this
____ day of _____, 2019.

1. Millcreek City Office, 3330 S. 1300 E., Millcreek, UT 84106
2. Millcreek Community Center, 2266 E. Evergreen Ave., Millcreek, UT 84109
3. Calvin S. Smith Library, 810 E. 3300 S., Millcreek, UT 84106

Elyse Greiner, City Recorder



AMENDED MILLCREEK MEETINGS SCHEDULE 2019

All Millcreek meetings and hearings are open to the public and held every month at City Hall, located at 3330 S. 1300 E., Millcreek, UT 84106, unless otherwise posted.

City Council

2nd & 4th Monday

Regular Meeting – 7:00 p.m.

Work Meeting – 5:00 p.m. (as needed)

3rd Monday

Work Meeting – 5:30 p.m.

January 14

February 11

March 11

April 8

May 13

June 10

July 8

August 12

September 9

October 14

November 12 (Tuesday)

December 9

January 28

February 25

March 25

April 22

May 28 (Tuesday)

June 24

July 22

August 26

September 23

October 28

November 25

December 23

March 18

April 15

May 20

June 17

July 15

August 19

September 16

October 21

November 18

December 16

Community Reinvestment Agency

2nd & 4th Monday (same dates as City Council)

Regular Meeting – 7:00 p.m., or as soon thereafter as the City Council meeting recesses/concludes

Planning Commission

3rd Wednesday

Regular Meeting – 5:00 p.m.

January 16

May 15

September 18

February 20

June 19

October 16

March 20

July 17

November 20

April 17

August 21

December 18

Meeting dates and times are subject to change or cancellation.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations during any meeting or hearing should notify the City Recorder's Office, (801) 214-2601 at least two days prior to the meeting date.

MILLCREEK, UTAH
ORDINANCE NO. 19-08

ORDINANCE REAFFIRMING THE ADOPTION OF THE PARKS, RECREATION, TRAILS, AND OPEN SPACE IMPACT FEE FACILITIES PLAN AND PARKS, RECREATION, TRAILS, AND OPEN SPACE IMPACT FEE ANALYSIS; ADOPTING AN IMPACT FEE ENACTMENT THAT IMPOSES A PARKS, RECREATION, TRAILS, AND OPEN SPACE IMPACT FEE; PROVIDING FOR THE CALCULATION AND COLLECTION OF SUCH FEE; AND PROVIDING FOR APPEAL, ACCOUNTING, SEVERABILITY OF THE SAME, AND OTHER RELATED MATTERS

WHEREAS, the Millcreek Council (“Council”) met in regular meeting on March 11, 2019, to consider, among other things, reaffirming the adoption of the Parks, Recreation, Trails, and Open Space Impact Fee Facilities Plan, and Parks, Recreation, Trails, and Open Space Impact Fee Analysis; adopting an Impact Fee Enactment that imposes a Parks, Recreation, Trails, and Open Space Impact Fee; providing for the calculation and collection of such fee; and providing for appeal, accounting, severability of the same, and other related matters; and

WHEREAS, the Council finds that it is in the public interest to reaffirm the adoption of a Parks, Recreation, Trails, and Open Space Impact Fee Facilities Plan (“Impact Fee Facilities Plan”) and Parks, Recreation, Trails, and Open Space Impact Fee Analysis; (“Impact Fee Analysis”) to address impacts of development upon the City; and adopt this Impact Fee Enactment (“Impact Fee Enactment”) that imposes a Parks, Recreation, Trails, and Open Space Impact Fee; and

WHEREAS, the City is a local political subdivision of the state of Utah and has authority pursuant to Utah Code Ann. § 11-36a-101, et seq. (the “Impact Fee Act”) to mitigate the impact of new development on public facilities by enacting an impact fee; and

WHEREAS, on October 22, 2018, the Council adopted the Impact Fee Facilities Plan and the Impact Fee Analysis after notice and public hearing according to law; and

WHEREAS, the Council finds that the Impact Fee Facilities Plan identifies demands placed upon existing public facilities by new development activity and proposes means by which the City will meet those demands and has generally considered all revenue sources, including impact fees, and anticipated dedication of system improvements, to finance the impacts on system improvements; and

WHEREAS, the Council finds that the Impact Fee Analysis identifies the anticipated impacts on or consumption of existing capacity of public facilities by anticipated development activities, identifies impact on system improvements required by anticipated development activities to maintain the established level of service for each public facility, demonstrates how those anticipated impacts are reasonably related to the anticipated development activities and estimates the proportionate share of the cost for existing capacity that will be recouped and the cost of impacts on system improvements that are reasonably related to the new development activity; and

WHEREAS, the Council finds that the impact fees which are enacted pursuant to this Impact Fee Enactment are necessary to achieve an equitable allocation to the costs borne in the past and to be borne in the future, in comparison to the benefits already received and yet to be received; and

WHEREAS, on October 9, 2018, notice of the date, time, and place of a public hearing to consider the adoption of this Impact Fee Enactment was mailed to each affected entity, posted on the City's official website, and published on the Utah Public Notice website, and on October 11, 2018 was published in the *Salt Lake Tribune* and *Deseret News*; and

WHEREAS, on October 11, 2018, copies of this Impact Fee Enactment were made available to the public; and

WHEREAS, on October 22, 2018, the Council held a public hearing regarding the adoption of this Impact Fee Enactment.

NOW, THEREFORE, BE IT ORDAINED as follows:

Section 1. Findings; Authority; Purpose.

The Council finds and determines that growth and development activities in the City will create additional demand and need for parks, recreation, trails, and open space, and the Council finds that persons responsible for growth and development activities should pay a proportionate share of the costs of such planned facilities needed to serve the growth and development activity. The Council further finds that based on the Impact Fee Facilities Plan and Impact Fee Analysis that impact fees are necessary to achieve an equitable allocation of the costs borne in the past and to be borne in the future, in comparison with the benefits already received and yet to be received. The provisions of this Impact Fee Enactment shall be liberally construed in order to carry out the purpose and intent of the Council in establishing this impact fee program.

Section 2. Definitions.

Except as provided below, words and phrases that are defined in the Impact Fee Act shall have the same meaning in this Impact Fee Enactment.

2.1 Applicant shall mean any person or entity that intends, or is otherwise interested in obtaining, development approval, such as a building permit.

2.2 Impact Fee(s) shall mean the stated impact fee assessed (less all allowable exemptions, adjustments, credits, reimbursements, or other adjustments required by this Impact Fee Enactment and/or the Impact Fee Act) for system improvements based on the requirements of this Impact Fee Enactment.

Section 3. Reaffirming the Adoption of the Impact Fee Facilities Plan and Impact Fee Analysis. The Council hereby reaffirms the adoption of the Impact Fee Facilities Plan attached as exhibit “A” and the analysis reflected therein. The Council also hereby reaffirms the adoption of the Impact Fee Analysis attached as exhibit “B” and the analysis reflected therein. The Council hereby adopts and determines to maintain the current level of service as set forth in the Impact Fee Facilities Plan and Impact Fee Analysis.

Section 4. Impact Fees Accounting.

4.1 Impact Fees Accounting. The City has established a separate interest-bearing ledger account with the Utah Public Treasurer’s Investment Fund for each type of public facility for which impact fees are collected. Interest earned on such account shall be allocated to that account.

(a) *Reporting.* At the end of each fiscal year, the City shall prepare a report on each fund or account showing the source and amount of all monies collected, earned, and received by the fund or account and each expenditure from the fund or account. The report shall identify impact fees by the year in which they were received, the project from which the funds were collected, the system improvements for which the funds were budgeted, and the projected schedule for expenditures. The report shall be in a format developed by the State Auditor that is certified by the City’s Chief Financial Officer and shall be transmitted annual to the State Auditor.

(b) *Impact Fee Expenditures.* The City may expend Impact Fees collected pursuant to this enactment only for systems improvements that are (i) identified in the Impact Fee Facilities Plan and (ii) for specific public facilities type for which the fee was collected.

(c) *Time of Expenditure.* Impact Fees collected pursuant to this Impact Fee Enactment shall be expended or encumbered for a permissible use within six (6) years of the receipt of those funds by the City. For purposes of this calculation, the first funds received shall be deemed to be the first funds expended.

(d) *Extension of Time.* The City may hold unencumbered impact fees collected pursuant to this Impact Fee Enactment for longer than six (6) years if the Council identifies in writing (i) an extraordinary and compelling reason why the fees should be held longer than six (6) years; and (ii) an absolute date by which the fees will be expended.

4.2 Refunds. The City shall refund any Impact Fee collected pursuant to this Impact Fee Enactment paid by an Applicant, plus interest actually earned on such amounts, when (i) the Applicant does not proceed with the development and/or building activity and files a written request for a refund; (ii) the fees have not been spent or encumbered; and (iii) no impact has resulted.

4.3 Additional Fees and Costs. The Impact Fees authorized hereby are separate from and in addition to user fees and other charges lawfully imposed by the City, such as engineering and inspection fees, building permit fees, review fees, and other fees and costs that may not be included as part of the Impact Fee.

4.4 Fees Effective at Time of Payment. Unless the City is otherwise bound by a contractual requirement, the Impact Fee shall be determined in accordance with the provisions of Section 5 below.

Section 5. Impact Fee Imposed, Amount, and Procedure.

5.1 Impact Fee Imposed. Impact Fees are hereby imposed on the basis of the Impact Fee Analysis and shall be paid as a condition of issuing a building permit from the City or other development approval.

5.2 Impact Fee Amount. There is hereby imposed an impact fee as follows:

| | |
|----------------------------------|-----------------|
| Single-Family Residential | \$494.68 |
| Multi-Family Residential | \$440.75 |

5.3 Application Procedure. Each Applicant shall make application in writing to the City on forms provided by the City for determination of the amount of the required Impact Fee payable by the Applicant. Each Applicant shall provide all information requested by the City to allow the City to verify the accuracy of the information presented by the Applicant. The City's designated representative shall consider the information presented by the Applicant and determine the resulting Impact Fee.

Section 6. Exemptions, Adjustments, and Credits.

6.1 Exemption. The City may, on a project-by-project basis, authorize exemptions to the Impact Fee imposed for development activity that the City determines to be of broad public purpose to justify the exception, such as low income housing, the state, a school district, or a charter school (the school district and charter school on the same basis) and, except for low-income housing, establish one or more sources of funds other than the Impact Fee to pay for that development activity.

6.2 Adjustments. The City may adjust Impact Fees at the time the fee is charged to ensure that the Impact Fees are imposed fairly and respond to (i) unusual circumstances in specific cases, (ii) a request for a prompt and individualized impact review for the development activities of the state or a school district or a charter school and an offset or credit for a public facility for which an Impact Fee has been or will be collected, or (iii) permits adjustments of the amount of the Impact Fee to be imposed on a particular development based upon studies and data submitted by the Applicant.

6.3 Credits and Reimbursements.

(a) The City shall give the Applicant a credit against the Impact Fee for any dedication of land for, improvements to, or new construction of, any system improvements provided by the Applicant if the facilities are system improvements or are dedicated to the public and offset the need for identified system improvements.

(b) The City shall ensure that the Applicant be allowed a credit against or proportionate reimbursement of the Impact Fee if the Applicant, including a school district or charter school, dedicates land for a system improvement, builds and dedicates some or all of the system improvement, or dedicates a public facility that the City and the Applicant agrees will reduce the need for a system improvement.

Section 7. Service Area. Service areas are hereby designed and established as the entire City.

Section 8. Appeal Procedures.

8.1 Application. The appeal procedure applies to challenges to the legality of Impact Fees, the interpretation and/or application of those fees.

8.2 Request for Information Concerning the Fee. Any person or entity required to pay the Impact Fee may file a written request for information concerning the fee with the City. The City will provide the person or entity with the Impact Fee Facilities Plan, Impact Fee Analysis, and other relevant information relating to the impact fee within two (2) weeks after receipt of the request for information.

8.3 Appeals. The validity of the Impact Fee may be challenged as set forth in the Impact Fee Act.

Section 9. Severability. If any section, subsection, paragraph, clause, or phrase of this Impact Fee Enactment shall be declared invalid for any reason, such decision shall not affect the remaining provisions of this Impact Fee Enactment, which shall remain in full force and effect, and for this purpose, the provisions of this Impact Fee Enactment are declared to be severable.

Section 10. Effective Date. The Impact Fee imposed pursuant to this Impact Fee Enactment shall take effect June 9, 2019 (at least 90 days after its enactment).

ADOPTED by the Council this 11th day of March, 2019.

MILLCREEK

Jeff Silvestrini, Mayor

ATTEST:

Elyse Greiner, City Recorder

Roll Call Vote:

| | | |
|-------------|-----|----|
| Silvestrini | Yes | No |
| Marchant | Yes | No |
| Jackson | Yes | No |
| Catten | Yes | No |
| Uipi | Yes | No |

CERTIFICATE OF POSTING

I, the duly appointed recorder for Millcreek, hereby certify that:

ORDINANCE 19-08: ORDINANCE REAFFIRMING THE ADOPTION OF THE PARKS, RECREATION, TRAILS, AND OPEN SPACE IMPACT FEE FACILITIES PLAN AND PARKS, RECREATION, TRAILS, AND OPEN SPACE IMPACT FEE ANALYSIS; ADOPTING AN IMPACT FEE ENACTMENT THAT IMPOSES A PARKS, RECREATION, TRAILS, AND OPEN SPACE IMPACT FEE; PROVIDING FOR THE CALCULATION AND COLLECTION OF SUCH FEE; AND PROVIDING FOR APPEAL, ACCOUNTING, SEVERABILITY OF THE SAME, AND OTHER RELATED MATTERS

was passed and adopted the ____ day of _____ 2019 and certifies that copies of the foregoing Ordinance 19-08 were posted in the following locations within the municipality this ____ day of _____, 2019.

1. Millcreek City Office, 3330 S. 1300 E., Millcreek, UT 84106
2. Millcreek Community Center, 2266 E. Evergreen Ave., Millcreek, UT 84109
3. Calvin S. Smith Library, 810 E. 3300 S., Millcreek, UT 84106

Elyse Greiner, City Recorder



**Minutes of the
Millcreek City Council and
Planning Commission
February 23, 2019
9:30 a.m.
Special Joint Meeting**

The City Council of Millcreek, Utah, met in a special public meeting on February 23, 2019 at Adib's Rug Gallery, located at 3092 S. Highland Dr., Millcreek, UT 84106.

PRESENT:

Council Members

Jeff Silvestrini, Mayor
Silvia Catten, District 1
Dwight Marchant, District 2 (not in attendance)
Cheri Jackson, District 3
Bev Uipi, District 4 (not in attendance)

City Staff

John Geilmann, City Manager
Elyse Greiner, City Recorder
Francis Lilly, Community Development Director
Mike Winder, Economic Development Director
Nicole Lindsay, Assistant to Econ. Dev. Director
Ashley Cleveland, Promise Program Manager
Erin O'Kelley, Planner

Planning Commissioners (none in attendance)

Fred Healey, Chair
Tom Stephens, Vice Chair
David Allen
Russ Booth
Dave Carlson
Scott Claerhout
Mark Mumford
Heather Wilson
Shawn LaMar

Attendees: Marv Poulson, Cory Fischer, John Janson, Ruthie Landies, Anna Clare Shepherd, Carol Elliott, Chad Bramble, Betty Streed, Sharee Hughes, Deirdre Paulsen, Steven Parkin, Robert Myers, Linda Lee, Wayne Johnson, Chris Gerac, Sasha Richadson, Virginia Petersen, Grant & Trisha Madsen, Gary Hanneman, Larry Frank, Jeremy Carver, Todd Budy, Myrta Smith, Cameron Ellsworth, Andrew Clement, Becky Streed, Hilary Lambert, and Karen Snellman.

WORK MEETING – 9:30 a.m.

TIME COMMENCED: 9:36 a.m.

Mayor Silvestrini welcomed the public.

Mike Winder thanked Dr. Adib for letting Millcreek use his facility. He said Cottonwood Development was developing to the west and north of Adib's Rug Gallery, and as part of that approval, the developers bought the lilac strip on Highland Drive and gave it to the City. They also provided funds for maintenance of the property and donated a water wheel. Winder

encouraged the public to interact with the exhibits displayed by sharing their ideas and thoughts about what they would like to see happen with the Mountair streetscape design and the configuration of Highland Drive.

Marv Poulson commented on the history of the lilacs on the Mountair streetscape. He said the lilacs had been around for 80 years and are historical. He also said they are durable plants. He felt that some should remain in the area.

It was asked how wide the streetscape is. Mayor Silvestrini said it is about 1,000 feet long and 30-40 feet wide.

The remainder of the meeting was conducted in an open house format with multiple conversations taking place simultaneously.

1. Discussion on Mountair Streetscape Design

2. Discussion on Future of Highland Drive

The meeting adjourned at 10:34 a.m.

APPROVED: _____ **Date**

Jeff Silvestrini, Mayor

Attest:

Elyse Greiner, City Recorder



**Minutes of the
Millcreek City Council
February 25, 2019
5:00 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 February 25, 2019 at City Hall, located at 3330 S. 1300 E., Millcreek, UT 84106.

PRESENT:

Council Members

Jeff Silvestrini, Mayor
Silvia Catten, District 1
Dwight Marchant, District 2
Cheri Jackson, District 3
Bev Uipi, District 4

City Staff

John Geilmann, City Manager
Elyse Greiner, City Recorder
Rita Lund, Communications & Programs Director
Francis Lilly, Community Development Director
Kurt Hansen, City Services Director
John Miller, Public Works Director
Mike Winder, Economic Development Director
Laurie Johnson, HR-Finance Director
Frederick Lutze, Planning Engineer

Attendees: Salt Lake County Animal Services Director Talia Butler, Salt Lake County Animal Services Liaison Carrie Sibert, Kory Holdaway, Jane Young, Linda Milne, Terri Tyner, Ellen Greeneisen, Scot Morgan, Suzanne Dunbar, Ashley and Dave Spatafore, Michael Lasko, Andrea Pullos, Brandy Farmer, Alex Horton, Maxwell Malmrose, Erik Ross, Parker N., Doug Nieman, Doug Smith, Carli Jager, Gary Hanneman, Chief DeBry, and Detective Allen.

WORK MEETING – 5:00 p.m.

TIME COMMENCED: 5:03 p.m.

Mayor Silvestrini called the meeting to order.

1. Presentation on Ranked Choice Voting; Kory Holdaway

Kory Holdaway said last year H.B. 33 was passed and it created a pilot program to permit municipalities to conduct nonpartisan races using instant runoff voting or ranked choice voting. The bill established an opt in process and provided a sunset date of 2026. He said it was not a right or left-winged issue but a voting policy. In 2019, H.B. 277 was introduced and it extends the opt in date to April 15 instead of January 1 for the municipal election. It also allows for a later filing date for candidates declaring office and there is an appropriation of \$250,000 to assist cities in the education and administration. There are currently six cities who have opted in for 2019; Cottonwood Heights, West Jordan, Lehi, Payson, Vineyard, and Salem. Holdaway said the benefits of ranked choice voting is greater voter engagement, more

civil campaigns, and cost savings by not needing a primary election. He went over a sample ballot and explained how the process works. Voters choose who they would prefer as their first choice. If a candidate receives more than 50% of the first-choice votes, the candidate is elected. If not, the lowest vote getter is eliminated, and the voters' ballots are counted for the second choice. Salt Lake County does not have the equipment to support this type of voting. Holdaway said cities can contract with a vendor or another county that provides it. There would need to be voter education about the new process.

Holdaway mentioned that West Jordan was considering withdrawing from ranked choice voting this year. Council Member Catten asked if the \$250,000 appropriation was split among the 6 participating cities. Holdaway said yes and that it was a one-time appropriation for 2019.

Mayor Silvestrini said later on the agenda the Council would consider a resolution to approve an interlocal agreement with Salt Lake County for election services. The City Recorder said Salt Lake County requested that cities approve the agreements before March 8, 2019. The Council requested more research be done on the topic before they approve anything because the issue felt rushed. Council Member Catten expressed favor for the education appropriation.

2. Discussion on Formation of Blue Ribbon Commission for Fiber Infrastructure; Mayor Silvestrini

Mayor Silvestrini said he has asked UTOPIA and EntryPoint to answer a series of questions, but UTOPIA has not responded yet. He said the Council should get more input from the residents by forming a commission. Council Member Marchant suggested asking interested residents to disclose what their biases are on the matter. Council Member Catten said it would be important to get people who are against it and to get a range of people from all over the City. Council Member Uipi suggested a 7 person count for the commission. Council Member Marchant suggested soliciting applications through the community councils to get people from across the City. Council Member Jackson suggested the application be set up for how applications are for the Planning Commission. Mayor Silvestrini said he would set up an application that asks for address, background, and conflicts/biases and it send through the e-newsletter and through the community councils. Mayor Silvestrini suggested having the providers be part of the committee. Council Member Jackson did not like that concept and suggested that the providers present to the committee. She also wondered if there were other companies that provided the service that the Council had not heard from. She said she would provide Mayor Silvestrini with the planning commission application so he would not have to create a new one. Mayor Silvestrini said the expectation of the commission would be to decide whether Millcreek should pursue fiber and what model and then present it to the Council. Council Member Catten asked for a timeline. Mayor Silvestrini said the commission should come up with a recommendation in 6 months, but ideally 3-4 months. Council Member Catten brought up a concern about safety with internet crimes and wondered if there was an increase with other cities after providing fiber. Council Member Marchant said the commission could research that.

3. Discussion on Residential Dog Boarding; Talia Butler, Salt Lake County Animal Services Director

Mayor Silvestrini said some of the concerns the Council would like to hear from Talia Butler about is that the use is going on anyway, so should Millcreek regulate residential dog boarding or ignore it; and what does regulating it do to the expectation for people who want to

do this business. He said the issues are traffic, noise, and smell. Mayor Silvestrini said he considered zero tolerance on barking.

Talia Butler said the proposed ordinance was well-written. She thought limiting the number of licenses in the City was a good idea. Butler said she pulled up rover.com today and there were 700 people boarding dogs in Millcreek. Council Member Marchant asked how people sign up to board. Butler said it is done through an app. Butler said it made sense to have a provision in the land use ordinance regulating dog boarding. She had two concerns; protection from other animals because there may be an issue if animals are not sterilized, and safety for children inside the homes. Butler said there are specific guidelines in Salt Lake County Code Title 8 regarding bites, but she did not know how to resolve the issue for Millcreek. Council Member Uipi asked if other cities have another ordinance about safety. Butler said this proposed draft is the first of its kind. Council Member Jackson asked about language in the business license ordinance. Francis Lilly asked how often bites are reported to Butler. Butler said 60% are. Lilly said the controlled licenses could be cross-referenced with bite reports. Mayor Silvestrini asked about getting complaints for businesses that are being conducted in residential zones. She said it is a problem all over the County. Mayor Silvestrini asked for advice. Butler said staying ahead of the issue is better than nothing. She recommended having guidelines for regulating the business in code.

Mayor Silvestrini asked how Salt Lake County deals with complaints. Butler said they can enforce barking and biting, but not running a business. She does not write citations for issues of land use. Council Member Marchant asked why the code could not say if you have children, you cannot operate this type of business, or at least limit the age range. Council Member Catten asked about requiring the business to have a maximum insurance policy. Mayor Silvestrini said insurance is required by the proposed ordinance. Butler said she monitors commercial businesses. Council Member Uipi brought up the distinction between running the business in the home or out of an accessory structure. Butler said from the animal standpoint, the accessory structure would be a benefit because it separates the animals from the household, and she would prefer that. Mayor Silvestrini asked if Butler could foresee an increase in the City's contract cost with enforcing this issue. She said no, the contract cost would be going down this year. Mayor Silvestrini said he was concerned about a zero-tolerance policy for noise or smell. Butler said the complainant must fill out a barking log, then it goes to court, and there is a judge's ruling on whether a penalty is upheld. She said it is hard to build a case on barking, but it is easier to build a case on waste complaints. It would be very hard to build a case with boarded dogs changing every day. Mayor Silvestrini brought up license revocation. Butler said a nuisance can happen anywhere, not just at a business. Lilly asked if Millcreek allows residents to run this business, what type of license would the County require. She said it would follow the commercial permit process, which costs \$250 and requires an inspection. Lilly said there needs to be a good understanding between Millcreek and Salt Lake County to understand the enforcement of each license.

4. Legislative Update and Direction to Staff; Capstone Strategies, LLC, Millcreek's Lobbyist

Dave and Ashley Spatafore went through updates on bills relevant to Millcreek that are being heard in the Utah State Legislature.

- S.B. 34 Affordable Housing Modifications – Francis Lilly testified in committee and the bill passed in committee. It is at House Rules due to the fiscal note. The Utah League of Cities and

Towns should support the bill but if the funding is taken away or significantly reduced, to not support the bill because cities will be set up to fail. The appropriation is \$20 million one-time, and an additional \$4 million every year. Governor Herbert suggested \$15 million one-time and \$2 million ongoing.

- H.B. 245 Community Reinvestment Agency Revisions – Mike Winder said the Utah Taxpayers Association was against it but then decided it was more transparent. The bill is moving along.
- S.B. 77 Tax Increment Amendments – may be held in the House tomorrow.
- S.B. 56 Community Reinvestment Agency Report Amendments – The Utah Association of Counties would have to put together a transparent database for project areas. Cities do not want counties in cities' business. It was agreed that the Governor's Office of Economic Development will be the repository.
- S.B. 160 Body Camera Disclosure Amendments – the law currently states that after an incident, an officer can turn the body camera off while speaking to a superior. This bill says that after any use of force by the officer, they cannot turn off their body camera. Mayor Silvestrini said it interferes with command staff and personnel communications. He said the Unified Police Department (UPD) Board discussed body cameras at their meeting. Cameras and storage of data is expensive. A trial was conducted in UPD and 30% of officers wore them. The Board needs to decide whether to discontinue program, stay with the 30%, or expand cameras to whole force which would be \$500,000 a year. He said the study showed that wearing the body cameras had no effect on internal affairs or police interactions. He brought up that sometimes the cameras do not capture situations completely. Dave Spatafore said the use of force does not have one definition across agencies. The bill is on the Senate floor.
- S.B. 187 County Planning and Services Amendments - Mayor Silvestrini said Salt Lake County provides fire services to Big Cottonwood Canyon. Current state law prohibits a county paying for municipal services in incorporated areas and Brighton Town will incorporate in 2020. The County may not make the \$3 million contribution for that service. Either Brighton would need to cover that cost, or it would get distributed through the Unified Fire Service Authority which would result in a tax increase for everyone. This bill would permit a county to make that type of a contribution. Salt Lake County agreed to continue paying for the service if Brighton participated in the Mountainous Planning Commission which is a county commission to regulate planning decisions in all of the canyons. Mayor Silvestrini said the Association of Community Councils Together (ACCT) opposed the bill because they do not like the Mountainous Planning Commission, but a lot of the members will be adversely affected. He said the fire station in the canyon would close and first response would come from Cottonwood Heights. Mayor Silvestrini solicited support for this bill. He said the Canyon Rim Citizens Association was withdrawing from ACCT and the Mt. Olympus Community Council will support the bill. The Mayor said UPD patrols the canyons through the Sheriff's Office.
- H.B. 31 Water Supply and Surplus Water Amendments – passed in committee and was packaged with two other bills to move together without amendments.
- H.B. 79 Interlocal Provision of Law Enforcement Service – went through committee today. Mayor Silvestrini said it gives UPD the ability to appoint their own chief outside of the Sheriff.
- Council Member Uipi asked about H.B. 415 Local Law Enforcement Structure and Governance Amendments. Spatafore said he had not read the bill, it was numbered today, but it involved citizen oversight of law enforcement.
- H.B. 93 County Formation Amendments – Dave Spatafore said if an area of a county wants to form its own county, everyone in that county votes. This bill would only allow those people affected by the change to vote. Winder said it is on the House floor.
- H.B. 311 Governmental Immunity Revisions - Ashley Spatafore said it went to committee. Mayor Silvestrini said it would extend the statute of limitations for when claims can be filed. He said it exposes Millcreek to more liability and higher insurance premiums. The Spatafores encouraged the Mayor to look at the substitute.

- H.B. 354 Business Regulation Amendments - includes peer-to-peer transactions, like storage, that cannot be regulated by municipalities. Mayor Silvestrini said it could include short term rentals, dog boarding, and other uses and it is too broad for municipalities to not be able to regulate to protect the health, safety, and welfare of the community.

5. Reports from Millcreek Staff

None.

6. Discussion of agenda items, correspondence, and/or future agenda items

None.

Council Member Jackson moved to adjourn the work meeting at 6:49 p.m. Council Member Uipi seconded. Mayor Silvestrini called for the vote. The motion passed unanimously.

REGULAR MEETING – 7:00 p.m.

TIME COMMENCED: 7:11 p.m.

1. Welcome, Introduction and Preliminary Matters

1.1 Pledge of Allegiance

Mayor Silvestrini called the meeting to order and scouts from troop 495 led the pledge of allegiance.

1.2 Unified Police Department Officer of the Month for January 2019

Chief DeBry introduced Detective Jared Nichols as a new officer with the Millcreek precinct. He then introduced Andrew Jensen as Officer of the Month for January 2019. Chief DeBry read Officer Jensen’s citation which stated that he conducted proactive policing that lead to a traffic stop of an individual with arrest warrants, he seized narcotics, and received information from the suspect on other cases. The Citizens Advisory Board for Unified Police Department presented Officer Jensen with a gift.

1.3 Public Comment

Terri Tyner, 4590 S. Westview Drive, said she appreciated Francis Lilly’s thoughtfulness and research in regard to the dog boarding discussion. She said she is a property owner in Olympus Cove and would not oppose boarding dogs, like on rover.com, with boarding 1-2 dogs in a house. She said she was concerned about the Hiking Hounds business. She said she did not understand why Hiking Hounds was still operating a dog boarding business. She said she was opposed to dog boarding businesses, such as Hiking Hounds.

2. Business Matters

2.1 Presentation of Draft Storm Drain Master Plan; J-U-B and Millcreek Public Works

Michael Lasko, J-U-B Engineering, said he has been working with Millcreek staff for about a year on this project. He offered to combine agenda items 2.1, 2.2., and 2.3 together in the same presentation. He began his presentation on the Utility

Maintenance Fee Study and said in his last presentation to the Council he presented failing storm drains examples in the City. He said they discussed compliance with the Municipal Separate Storm Sewer System (MS4) Act and indicated the storm drain system deficiencies on a map. The solutions were to be compliant with the Clean Water Act through the MS4 program, fix the storm drain system in a reasonable timeframe, and have a dedicated revenue source, which explains the need for a storm drain utility fee.

Lasko showed the Council a table of storm drain utility fees by city in the Salt Lake Valley. Frederick Lutze said rates are different for other cities by calculating the commercial square footage of impervious area. Mayor Silvestrini asked about fee ranges for Holladay and Cottonwood Heights. Lasko said there was not a known rate. He said for Millcreek, a \$6.00 rate would be a reactive approach with 30-40% of conditions being improved, a \$7.00 rate would be a reactive approach with 50% of conditions improved, and an \$8.00 rate would be a proactive approach with 70-80% of conditions improved, all of which would meet MS4 requirements. John Miller said anywhere the City has corrugated metal pipe, it will fail. Mayor Silvestrini asked about the likelihood of paying fines for noncompliance for not maintaining the system. Miller said it was not an option. Salt Lake County paid \$250,000 in fines. Miller said the engineering department will do compliance full-time instead of focusing on their other duties whereas this fee could pay for a full-time employee to do only this.

Lasko said the purpose of the Storm Drain Master Plan is to identify capital facilities plan projects, meet EPA requirements, and integrate roadway and storm drain improvements. Lasko went through figures of the 70% known storm drain system which included 173,000 linear feet of reinforced concrete pipe, 21,500 linear feet of corrugated metal pipe, 11,500 linear feet of polyethylene, and 13,350 of other material pipe. The purpose of the capital facilities plan should address capacity issues, provide MS4 compliance, and improve conditions of pipes. If the monthly rate was \$8.00, there would be dedicated funding of \$2.5 million over a 10-year period. If the monthly rate was \$7.00, there would be \$2.3 million over a 10-15-year period, and a \$6.00 fee would provide \$2 million over a 15-30-year period. For every dollar of the utility maintenance fee, Millcreek would gain \$300,000 of revenue. That amount of revenue could buy less than half a mile of 18" storm drain pipe, 7.3 lane miles of chip seal, or 17.5 lane miles of slurry seal.

Lasko said the purpose of the Transportation Master Plan is to promote environmental compatibility and integrate roadway and storm drain improvements. J-U-B developed a functional classification for the transportation network roadway system. Lasko said they generated typical road sections and Lasko illustrated some. He also highlighted sample capital improvement projects. Roadway project funding options are from the general fund, state and federal grants, bonds, and developers. Council Member Uipi asked about project #11 on Wasatch Blvd tying into the 3900 S. project. Lasko said it was separate from the 3900 S. project. Mayor Silvestrini said Millcreek has the need to do work on 1300 E. and Highland Drive. Council Member Marchant said he gets a lot of complaints on 1300 E. from 3900 S. to 4500 S. Miller said 1300 E. is a priority, but the grants he applied for were with projects that best met the qualifications of the

grant to increase the likelihood of getting them. He said the Master Plan will be a good tool to highlight priorities on future project grants. Lasko said there were a lot of minor projects that could be addressed with a little amount of money.

Mayor Silvestrini asked about the road condition index. Miller said the Overall Condition Index provides ratings between 0-100, with 100 being a new overlaid road. The average of the City is below 70, which is the target. Miller said the City would have to pay 5 times the amount to do an overlay instead of a slurry, so it is worth it to maintain good roads. Mayor Silvestrini said he would like to see a map that shows the road condition index overlaid on the other projects map to get a true depiction of the roads in the City within the transportation master plan. Mayor Silvestrini said the storm drain utility fee frees up funding for road projects. Miller said there are over 178 miles of road in Millcreek and the 3900 S. project from 2300 E. to Wasatch Boulevard is \$8.5 million. Council Member Catten asked how storm drains are being prioritized in the 10-year span. Lasko said the flooding areas is number one, then the capacity of the system, then the corrugated metal pipe replacement. She asked if replacing the corrugated pipe helped with the flooding. Lasko said it depended. Miller said basement flooding is getting fixed today, not front yard flooding. Mayor Silvestrini said he wanted to know what type of education Park City and Draper used on implementing a fee. Miller said through utility bills or through the councils. He said Millcreek should do a good education outreach.

2.2 Presentation of Draft Transportation Master Plan; JUB and Millcreek Public Works

2.3 Presentation of Storm Drain Maintenance Utility Fee; JUB and Millcreek Public Works

2.4 Discussion and Consideration of Resolution 19-03, Approving an Interlocal Cooperation Agreement with Salt Lake County for 2019 Municipal Election Services

Mayor Silvestrini said based on the discussion in the work meeting, staff will gather more information on ranked choice voting before signing an interlocal agreement with Salt Lake County for election services.

Council Member Uipi moved to continue item 2.4. Council Member Jackson seconded. Mayor Silvestrini called for the vote. All Council Members voted yes. The motion passed unanimously.

2.5 Discussion and Consideration of Resolution 19-04, Adopting a Policy with Respect to Compliance with the Americans with Disabilities Act

Mayor Silvestrini said Millcreek has been trying to reach the community through streaming Council meetings live on Facebook. There have been concerns about not providing closed captioning. He said to not violate the Americans with Disabilities Act (ADA), cities either should not broadcast or make arrangements for closed captioning with broadcasts. The resolution attempts to ensure compliance with the Act. Staff is looking into a service for providing closed captioning for Facebook streaming. Council Member Catten asked if closed captioning had to be provided live.

John Geilmann said yes. Mayor Silvestrini said there could be an ASL translator at meetings. Council Member Jackson said closed captioning assists a broader range of people. The policy says the City will endeavor to comply with ADA. Geilmann said the resolution is for ADA compliance completely, not only audible issues.

Council Member Uipi moved to approve item 2.5, Resolution 19-04. Council Member Catten seconded. The City Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

2.6 Discussion and Consideration of Resolution 19-05, Approving the Release of Donated Funds for the Rosecrest Community Emergency Cache

Mayor Silvestrini said members of the community raised funds to purchase a shipping container to serve as an emergency preparedness cache site. Council Member Jackson said the container is ready to go, they just need the money to pay for it. Mayor Silvestrini said there was discussion about which entity would be purchasing it. Mayor Silvestrini asked Linda Milne if she knew who would purchase it. Linda Milne said Jeff Waters with the Canyon Rim Citizens Association (CRCA) had applied for a new tax exemption status but was not sure if it had been approved. Milne said the CRCA was interested in owning and taking responsibility for the shipping container. Mayor Silvestrini said staff would figure out the best way to purchase it.

Council Member Jackson moved to approve Resolution 19-05, Approving the Release of Donated Funds for the Rosecrest Community Emergency Cache. Council Member Marchant seconded. The City Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

3. Reports

3.1 Mayor's Report

Mayor Silvestrini said there have been meetings concerning the Skyline High School rebuild with representation from various stakeholders. They have talked about improving the traffic circulation plan. There will be two parking lots to split traffic and at Virginia Way and Upland Drive a roundabout will be constructed. The plan is to not close Skyline High during construction but keep it open and do the construction in phases. They have changed the location of the swimming pool. He also announced that at the Granite School District offices at 2 p.m. on Friday they will look at the interior of classrooms.

The Mayor said H.B. 79 Interlocal Provision of Law Enforcement Service passed through the House and was favorably recommended out of the Senate committee. He said he testified for anti-idling legislation in the House and that has since been assigned to the Senate committee. He said it makes it easier to enforce anti-idling restrictions. He also said the shared mobility statute is on the Senate floor and it clarifies conflicts between state and local law on rented electronic bicycles and scooters. State law states that those devices may not be modified when putting them on the street, such as to reduce their speed. He said the law allows the devices to be operated on 4 lane streets, but the law adds that they can be ridden in a bike lane. They will also be able to be ridden on streets that are less than 40 mph. He said Millcreek is working on an operating agreement with Bird Scooters to regulate where

they can be corralled and to share data with Millcreek so Millcreek can plan better and avoid conflicts with pedestrians and motorists.

The Mayor thanked city staff for coming to the public engagement on Saturday, February 23rd at Adib's Rug Gallery to discuss the Mountair streetscape. He said it was a great opportunity to listen to residents.

3.2 Reports of City Council Members

Council Member Uipi: said she and the Mayor met with residents in Mt. Olympus. They will be holding a neighborhood meeting on March 5, 2019 concerning the Jupiter jump at Churchill Junior High thirty minutes before the Mt. Olympus Community Council meeting. Mayor Silvestrini said the intersection of Jupiter Dr. and Brockbank Dr. has an issue and it is a liability on the City to fix it. He said staff would get buy-in from the surrounding neighbors to regrade yards in order to regrade that intersection.

Council Member Catten: said she attended the, "Get Into the River Festival" meeting. The festival happens in September and she hoped Millcreek could do a clean-up or an activity.

3.3 Staff Reports

Kurt Hansen said the Council discussed a parking issue at the last meeting. He handed out a draft parking notice warning to the Council. He said he would like to get the word out to the public about the warnings before they start using them. John Geilmann recommended that notices not be stuck to people's cars because he was concerned about public protest. Council Member Marchant said his neighbors appreciated getting warnings on parked cars that were in the street during the snow storm. Chief DeBry said Unified Police Department (UPD) uses pink tags that are warnings, then they follow up with citations. He said the City issuing the warnings assists UPD in this process. Council Member Uipi said she would like to use UPD citations for repeat offenders. Mayor Silvestrini said this notice was a warning and he receives a lot of complaints about parking, so Millcreek needs to be aggressive. Council Member Jackson asked about adding language at the bottom that says, "Thank you for helping keep Millcreek streets safe." Geilmann would like to put out a publication to the public before using the notices. Mayor Silvestrini asked to advertise it for a couple of weeks before using it.

3.4 Unified Police Department Report

Detective Bettina Allen said she went over the statistics from January 2018 and January 2019 and this year there had been less than half the assaults, half the burglaries, and stolen vehicles were down by a third city-wide. She said from January 1-February 14, there have been 226 traffic citations and 19 DUI's. There was a DUI checkpoint in December and 563 cars were stopped with 1 DUI and 1 felony chase. In the Millcreek Community Oriented Policing department, there were 7 violations and citations issued during bar checks and there was an illegal camp clean up at 10th West Meadowbrook Expressway. They now have funding to patrol at the Jordan River Parkway. She also mentioned that they are currently hiring school crossing guards.

Mayor Silvestrini said Millcreek has been paying for an officer to serve with the Metro Narcotics Task Force with the Drug Enforcement Administration. He said an issue came up at the UPD Board meeting in relation to how forfeiture funds are distributed. He said Millcreek has been a leader in staffing the DEA taskforce, more than other cities, and felt that forfeited funds should be distributed accordingly. Chief DeBry said he was proud that Jeff Silvestrini was the Mayor and stands up for what is right. He agreed that the contributing cities should get the fund disbursements.

3.5 Unified Fire Authority Report

None.

4. Consent Agenda

4.1 Approval of February 11, 2019 Work Meeting and Regular Meeting Minutes

Council Member Jackson moved to approve the minutes of February 11th Work Meeting and Regular Meeting. Council Member Catten seconded. Mayor Silvestrini called for the vote. All Council Members voted yes. The motion passed unanimously.

5. New Items for Subsequent Consideration

6. Calendar of Upcoming Events

- Mt. Olympus Community Council Mtg., 3/5/19, 6:00 p.m. at 3450 E. Oakview Dr.
- Millcreek Community Council Mtg., 3/5/19, 6:30 p.m. at City Hall
- Canyon Rim Citizens Association Mtg., 3/6/19, 7:00 p.m. at 2375 E. 3300 S.
- East Mill Creek Community Council Mtg., 3/7/19, 6:30 p.m. at 2266 E. Evergreen Ave.
- City Council Mtg., 3/11/19, 5:00 p.m. at City Hall

7. Closed Session (If Needed)

Council Member Jackson moved to go into a closed meeting pursuant to Utah Code Ann. §52-4-205 (d) strategy sessions to discuss the purchase, exchange, or lease of real property at 8:57 p.m. Council Member Catten seconded. Mayor Silvestrini called for the vote. All Council Members voted yes. The motion passed unanimously.

Council Member Jackson moved to close the closed meeting at 9:13 p.m. Council Member Catten seconded. The City Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

ADJOURNED: Council Member Jackson moved to adjourn the meeting at 9:13 p.m. Council Member Uipi seconded. The City Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

APPROVED: _____ **Date**
Jeff Silvestrini, Mayor

Attest: _____
Elyse Greiner, City Recorder