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Millcreek, UT 84107
801-214-2700
millcreek.us

File No. ZT-19-002

City Council Staff Report

Meeting Date: 12 August 2019
Applicant: Staff

Request: Amendment to Title 19 of the Millcreek Code Regarding Noticing and Hearing Requirements for Land Use Hearings

Prepared By: Francis Xavier Lilly, AICP, Director

SYNOPSIS AND SCOPE OF DECISION

Millcreek staff is requesting the Planning Commission and City Council to consider changes to the City's [process for noticing and conducting hearings of the Land Use Hearing Officer (LUHO), who acts as the City's appeal authority. Section 10-9a-701 of the Utah State Code requires a municipality to establish an appeal authority to hear and decide requests for variances from the terms of the land use ordinances, and appeals of land use decisions and fees assessed. Furthermore, the state mandates that the appeal authority act in a *quasi-judicial* matter – in other words, variances and appeals cannot be handled as administrative matters. State statute gives municipalities the option to designate a single person as an appeal authority, or to establish a board of adjustment to act as the appeal authority. Millcreek established a LUHO to act as its appeal authority.

Specifically, Millcreek's LUHO can make a decision regarding the following matters:

- a) Variances in General (19.92.050)
- b) Variances to the Requirements of Floodplain Hazard Regulations (19.74.190)
- c) Appeals of Planning Commission Decisions (19.76.035, 19.88.140)
- d) Appeals of Conditional Use Decisions (19.84.070)
- e) Appeals of Decisions by the Planning Director regarding Single- and Two-Family Dwellings (19.76.290)
- f) Appeals of Decisions by the Planning Director regarding Minimum Parking Requirements (19.80.040)
- g) Certain approvals of lots and buildings on private rights-of-way (19.76.080)
- h) Clarification on zone boundaries (19.06.040)
- i) Disputes of decisions made regarding the Geologic Hazards Ordinance (19.75.040)
- j) Permits for the establishment of lots that are smaller than the minimum required by zone (19.76.090)
- k) Alterations, Enlargements, Relocations, or Reconstructions of a Noncomplying Structure or a Structure Occupying a Nonconforming Use (19.88.040, -070)

Upon reviewing a number of recent applications to the Land Use Hearing Officer, staff is recommending some changes to the Millcreek Zoning Code regarding Hearings and Hearing Officer Requirements, particularly

pertaining to expansion or relocation of a noncomplying structure. Staff is also recommending the adoption of a public notice procedure for LUHO hearings , and qualifications for public intervention in LUHO proceedings.

Pursuant to §§19.90.010 and 19.90.030 of the Millcreek Code, the City Council may amend a regulation within any zone, upon receiving a recommendation from the Planning Commission. At their meeting on 19 June 2019, the Millcreek Planning Commission held a public hearing regarding this ordinance amendments, and unanimously recommended approval of the proposed ordinance, provided that noticing for property owners be extended to 300 feet (instead of the staff-proposed 150 feet) and that references to the 'City Recorder' be changed to 'City Recorder's Office'.

PROPOSED ORDINANCE AMENDMENTS

Changes to the ordinance are summarized as follows, and the proposed new text is in the attached ordinance, in red text and highlighted in yellow.

1. Staff is proposing a requirement that the city mail a written notice to property owners within 300 feet of a property subject to a land use hearing.
2. Staff is also proposing that notice and application shall be sent via e-mail to the chair of the community council for the area in which the subject property is located. Notices will be sent at least 14 calendar days prior to the hearing, and the notice will invite the recipient to submit evidence pertaining to the application at the hearing itself, or in writing at least three days prior to the hearing. This is in keeping with the provisions of Title 2 of our ordinance, which requires staff to send to the community councils "applications for extraordinary relief and exceptions to the City Code of Ordinances."

Because a land use hearing is a *legal* proceeding, and not an administrative or legislative matter, staff is not recommending that the community councils provide a recommendation in a public meeting as they would for an item requiring planning commission or city council approval. However, the community council is encouraged to submit evidence and participate in a land use hearing for a property in the community district, and notice will be sent to the Community Council Chair to that effect.

3. Staff is adding two additional findings that a land use hearing officer will be required to make regarding issuance of a permit for the addition, enlargement, moving, or relocation of a noncomplying structure or a structure occupying a nonconforming use. The additional findings borrow from the City's Residential Compatibility Overlay Zone Option C special exception language, and specifically call out building envelope requirements, if they are applicable to the application. The intent of these additional findings is to ensure that any enlargement or alteration of a noncomplying structure is compliant with the City's RCOZ requirements.
4. Staff is also proposing language that will empower the land use hearing office to impose limitations upon the issuance of a permit to mitigate adverse effects on other properties in the neighborhood. While this is an implied power of the land use hearing officer, and is stated explicitly with regard to variances, staff believes that making this power explicit with regard to noncomplying structure permits will result in better applications, and stronger grounds for approval or denial of a permit application.
5. In order to maintain the integrity of the quasi-judicial proceeding, which is mandated by state law, staff is recommending the addition of language that stipulates that anyone seeking to participate in a land use hearing must file an application to intervene within five days of the hearing.

COMMUNITY COUNCIL INPUT

In March, the Community Councils reviewed the proposed ordinance amendments. The **Mount Olympus Community Council**, **East Mill Creek Community Council** and the **Canyon Rim Citizens Association** recommended the changes be adopted with a unanimous vote of the voting members. The **Millcreek Community Council** voted to approve the proposed text amendment with the following recommended changes:

- Replace noticing parameter to 300 feet from 150 feet (19.92.030 2. A)
- Replace "chair of community council" with "members" (19.92.030 2. C)

The recommended changes came from a discussion amongst community council members where they stated that they would like to have the same notice that all land use applications require. Furthermore, the members felt that each member of the council needed to be noticed and not just the chair because they were experiencing communication issues. Staff also reminded them that all notices and staff memoranda were posted on the Millcreek website in addition to being emailed to the community council chair a full week prior to the meeting.

GENERAL PLAN CONSIDERATIONS AND ANALYSIS

The Millcreek Together General Plan includes a goal in the Unique Neighborhoods element (Goal N-4), to "Inform and engage with neighborhoods, community councils, and individual residents during zoning and rezoning process, capital improvement planning, and decisions on city facilities and services."

Under this goal, the General Plan states as a strategy (4.1): "Create and implement state-of-the-art, transparent, clear, and cost effective methods to inform and involve neighborhoods and affected property owners in zoning and rezoning proposals and City planning projects."

Land Use Hearing Officer proceedings typically do not involve a rezoning initiative, but they can affect neighboring property owners, and staff supports a noticing procedure and the addition of findings to minimize adverse impacts brought by variances and expansions of noncomplying structures, in particular. Notifying potentially affected parties of these changes fulfills the intent of the general plan to properly inform neighborhoods of planning decisions, of which a LUHO administrative order is one.

Constraining the notice to 300 feet captures only those properties that tend to be immediately affected, and requiring affected owners to participate in the proceeding in an orderly and predictable manner maintains the integrity of the quasi-judicial process that is required under state law.

PLANNING COMMISSION RECOMMENDATION

At their meeting on 19 June 2019, the Millcreek Planning Commission held a public hearing regarding this ordinance amendments, and unanimously recommended approval of the proposed ordinance, provided that noticing for property owners be extended to 300 feet (instead of the staff-proposed 150 feet) and that references to the 'City Recorder' be changed to 'City Recorder's Office'.

SUPPORTING DOCUMENTS

1. Proposed Ordinance – Redlines
2. Planning Commission Meeting Minutes – 19 June 2019

Chapter 19.88 NONCONFORMING USES AND NONCOMPLYING STRUCTURES[19.88.010 Continuation Of Use](#)[19.88.020 Occupation Within One Year](#)[19.88.030 Maintenance Permitted](#)[19.88.040 Repairs And Alterations Permitted](#)[19.88.050 Addition Of Parking Space](#)[19.88.060 Expansion Of Use Permitted](#)[19.88.070 Additions, Enlargements, Moving And Reconstruction Of A Structure](#)[19.88.080 Nonconforming Use Of Land](#)[19.88.090 Change Of Use](#)[19.88.110 Restoration Of Damaged Structure](#)[19.88.120 Abandonment Or One-Year Vacancy](#)[19.88.140 Application To Have A Use Violation Declared Legal Through Special Exception](#)[19.88.150 Application To Have A Structure Declared A Noncomplying Structure](#)**19.88.010 Continuation Of Use**

The occupancy of a noncomplying structure or of a building or structure by a nonconforming use, existing at the time this title became effective, may be continued, provided that the use has not been abandoned or the building left vacant as provided in MKZ 19.88.120.

19.88.020 Occupation Within One Year

A vacant building or structure may be occupied by a use for which the building or structure was designed or intended if so occupied within a period of one year after the use became nonconforming.

19.88.030 Maintenance Permitted

A noncomplying structure may be maintained.

19.88.040 Repairs And Alterations Permitted

Repairs and structural alterations may be made to a noncomplying structure or to a structure housing a nonconforming use. Any remodel or structural alteration that requires the demolition of an outside wall of a noncomplying structure shall only be allowed upon approval of the land use hearing officer, unless the new construction complies with the zoning ordinance. The land use hearing officer decision regarding applications for the removal and replacement of outside walls of a noncomplying structure shall be based upon the criteria outlined in MKZ 19.88.070(B).

19.88.050 Addition Of Parking Space

A building or structure lacking sufficient automobile parking space in connection therewith as required by this title may be altered or enlarged provided additional automobile parking space is supplied to meet the requirements of this title for such alteration or enlargement.

19.88.060 Expansion Of Use Permitted

A nonconforming use may be extended to include the entire floor area of the existing building in which it is conducted at the time the use became nonconforming.

19.88.070 Additions, Enlargements, Moving And Reconstruction Of A Structure

1. A noncomplying structure or building occupied by a nonconforming use shall not be added to or enlarged in any manner or moved to another location on the lot or reconstructed at another location on the lot except as provided by subsection B of this section unless such additions and enlargements comply with the regulations and intent of this title.
2. A building occupied by a nonconforming use or a noncomplying structure may be added to or enlarged or moved to a new location on the lot or reconstructed at a new location on the lot upon a permit authorized by the land use hearing officer, provided that the land use hearing officer shall find:
 - a. The addition to, enlargement of, moving of, or reconstruction of the structure at a new location on the lot is in harmony with one or more of the purposes of this title as stated in MKZ 19.02.020, and is in keeping with the intent of this title;
 - b. The addition to, enlargement of, moving of, or reconstruction of the structure at a new location of the lot is compatible with existing development within a reasonable distance in terms of height, mass and applicable building envelope requirements, and lot coverage; and
 - c. The addition to, enlargement of, moving of, or reconstruction of the structure at a new location of the lot will not be detrimental to the health, safety and general welfare of persons residing within a reasonable distance of the subject property.
 - d. That the proposed change does not impose any unreasonable burden upon the lands located in the vicinity of the nonconforming use or structure.
3. The Land Use Hearing Officer may impose conditions and limitations upon issuance of a permit for an addition to, enlargement of, moving of, or reconstruction of a structure as necessary to prevent or mitigate adverse effects on other properties in the neighborhood of the subject property, consistent with the standards of this Title.

19.88.080 Nonconforming Use Of Land

The nonconforming use of land, existing at the time this title became effective, may be continued provided that no such nonconforming use of land shall in any way be expanded or extended either on the same or adjoining property, and provided that if such nonconforming use of land, or any portion thereof, is abandoned or changed for a period of one year or more, any future use of such land shall be in conformity with the provision of this title.

19.88.090 Change Of Use

1. A nonconforming use may be changed to any use allowed in the most restrictive zone where such nonconforming use is allowed, provided the planning commission finds that such use would not be more intensive than the most recent existing legal nonconforming use.
2. Structures shall not be enlarged, removed, reconstructed or otherwise changed except for interior remodeling and exterior restoration or renewal that will make the appearance of the structure more nearly conform to the character of the area in which it is located.
3. The existing lot or parcel shall not be enlarged upon or modified except to create landscaping, fencing, curb, gutter and sidewalk, road widening or minimum off-street parking that will provide a safer and more compatible facility.
4. Any change of a nonconforming use to another nonconforming use shall be a conditional use and subject to provisions of MKZ 19.78 and MKZ 19.84, except that the proposed nonconforming use need not conform to the general plan.

5. The planning commission may approve a change of use pursuant to this title even though the nonconforming use may have been abandoned.

19.88.110 Restoration Of Damaged Structure

A noncomplying structure or a structure occupied by a nonconforming use which is damaged or destroyed by fire, flood, wind, earthquake or other calamity or act of God or the public enemy and not the result of the intentional or reckless disregard of the owners or occupants, may be restored and the occupancy or use of such structure or part thereof, which existed at the time of such damage or destruction may be continued or resumed, provided that such restoration is started within a period of one year and is diligently prosecuted to completion.

19.88.120 Abandonment Or One-Year Vacancy

A structure or portion thereof occupied by a nonconforming use, which is, or hereafter becomes, vacant and remains unoccupied by a nonconforming use for a continuous period of one year, except for dwellings, shall not thereafter be occupied except by a use which conforms to the use regulations of the zone in which it is located. If the use has not applied to the premises for a consecutive period of sixty days during any twelve-month period, the use shall be deemed abandoned.

19.88.140 Application To Have A Use Violation Declared Legal Through Special Exception

1. Whenever land or a structure is used in violation of this title, the owner may file an application with the planning commission to have the use declared legal through special exception. The planning commission may approve such an application only when the evidence establishes all of the following:
 1. The use exists on the property at the time of the application and has been in continuous violation of the zoning ordinance for a period exceeding ten years;
 2. No complaint has been made to the development services division concerning the violation for a period exceeding ten consecutive years during which the violation existed;
 3. Continuation of the use will not have a detrimental effect on the health, safety or welfare of persons or property in the vicinity.
2. The planning commission may consider as evidence:
 1. Documents that are part of the public record, such as tax appraisals, utility records, aerial photographs, building permits, etc.
 2. Documentation from third parties, such as affidavits, photographs, etc.
 3. Documentation from current or past property owners, such as tax records, rental/lease agreements, appraisal records, etc.

In approving an application hereunder, the planning commission may set any conditions it deems necessary for protection of adjacent properties or the public welfare including provisions limiting the period of time the use may continue. This section shall in no way be interpreted to permit the continuation of any violation which exists on the effective date of the ordinance codified in this section. Any person shall have the right to appeal to the land use hearing officer a decision

rendered by the planning commission pursuant to this section. Appellants shall follow the appeal procedures set forth in MKZ 19.92.

19.88.150 Application To Have A Structure Declared A Noncomplying Structure

Whenever a structure is in violation of the height or setback provisions of this title, the owner may file an application with the director or director's designee to have the structure declared noncomplying. The director or director's designee shall approve the application when the evidence clearly establishes the following:

1. The structure has existed at its current location, with the same size, height and setbacks for at least ten years;
2. The structure is found by the building official or designee to pose no threat to the health or safety of persons in or around the structure, and;
3. The City has not taken enforcement action for the violation for a period exceeding five consecutive years during which the violation existed.

Chapter 19.92 LAND USE HEARING OFFICER**19.92.010 Creation****19.92.020 Composition And Organization****19.92.030 Hearings And Due Process****19.92.040 Appeal And Time To Appeal****19.92.050 Variances****19.92.060 Special Exceptions****19.92.010 Creation**

A land use hearing officer ("authority") is hereby created pursuant to the terms of the Municipal Land Use, Development, and Management Act, Utah Code Ann. § 10-9a-101, et seq. It is the intent of the City council that the authority satisfies the requirement of the above referenced statute for an appeal authority to hear and decide requests for variances from the terms of the land use ordinance and appeals from decisions applying land use ordinances.

19.92.020 Composition And Organization

1. The authority shall consist of one member who shall be appointed by the mayor, with the advice and consent of the City council, for a term determined at the time of appointment.
2. Any vacancy occurring on the authority shall be promptly filled by the mayor with the advice and consent of the City council for the unexpired term of the member whose office is vacant.
3. The authority shall be organized as deemed appropriate and as approved by the Council.

19.92.030 Hearings And Due Process

1. Hearings of the authority shall be held as necessary. The authority shall not have ex parte contacts. The authority shall have authority to administer oaths, provide an opportunity for cross-examination, and direct the proceedings of the authority in a quasi-judicial manner, so that the due process rights of each participant are respected. All hearings shall be open to the public and shall be recorded.
2. Notice Requirements.
 - a. Notices shall be mailed at least fourteen days prior to the addition, enlargement, moving or reconstruction of a nonconforming use or a noncomplying structure hearing to any property owners, as identified in the Salt Lake County recorder's records, within three hundred radius of the boundary of the property that is subject to the hearing of the authority, informing them of the time and date of the hearing.
 - b. Notice shall be published at least fourteen days prior to the addition, enlargement, moving, or reconstruction of a nonconforming use or a noncomplying structure hearing on the city's website.
 - c. Notice shall be given electronically at least fourteen days prior to the addition, enlargement, moving or reconstruction of a nonconforming use or a noncomplying structure hearing to the chair of the community council for the area in which the subject property is located.

3. Intervention/Proceedings

- a. No person may intervene in an addition, enlargement, moving or reconstruction of a nonconforming use or a noncomplying structure hearing unless that person files a timely request to intervene.
- b. A person desiring to intervene shall serve the request to intervene upon the City Recorder's Office at least five days before the hearing. The request shall include a summary of the evidence intended to be presented. The land use hearing officer shall for good cause allow the intervention.
- c. Upon request the city will provide copies to all parties of public records in its possession regarding the matter. Otherwise no discovery shall be allowed except as specifically ordered and scheduled by the land use hearing officer.
- d. Hearings shall be conducted with appropriate formality and decorum so that due process rights are protected. Utah Rules of Evidence and Rules of Civil Procedure are used as guidelines, and not strictly followed or applied. Rules of Evidence regarding authorization, foundation, hearsay or relevance shall not be strictly applied. The land use hearing officer shall have authority to administer oaths and all hearings shall be open to the public and shall be recorded.

19.92.040 Appeal And Time To Appeal

1. Any person desiring a waiver or modification of the requirements of a land use ordinance as applied to a parcel of property that he owns, leases, or in which he holds some beneficial interest in or any person adversely affected by a decision applying the land use ordinances, may file an appeal to the authority. The party taking the appeal shall file the appeal with the City recorder City Recorder's Office within ten (10) business days after the date that the land use authority issues its written decision. The appeal must include the filing of an application and payment of a fee as provided in the City's current fee schedule.
2. The appellant shall have the burden of proceeding and shall have the burden of proving that the land use authority erred.
3. The appeal authority shall determine the correctness of a decision of the land use authority in its interpretation and application of land use ordinances based solely on the record (factual matters shall not be reviewed de novo).

19.92.050 Variances

1. The authority shall have the following powers to authorize on appeal in specific cases a variance from the terms of this title. The authority may grant a variance only if:
 1. Literal enforcement of this title would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of this title;
 2. There are special circumstances attached to the property that do not generally apply to other properties in the same district;
 3. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same district;

4. The variance will not substantially affect the general plan and will not be contrary to the public interest; and
5. The spirit of this title is observed and substantial justice is done.
2. In determining whether enforcement of this title will cause unreasonable hardship, the authority may not find an unreasonable hardship unless the alleged hardship is located on or associated with the property for which the variance is sought and comes from circumstances particular to the property, not from conditions which are general to the neighborhood. In determining whether or not enforcement of this title would cause an unreasonable hardship, the authority may not find an unreasonable hardship if the hardship is self-imposed or economic. In determining whether or not there are special circumstances attached to the property, the authority may find that special circumstances exist only if special circumstances relate to the hardship complained of and deprive the property of the privileges granted to other properties in the same district. The applicant shall bear the burden of proving that all the conditions justifying a variance have been met.
3. In granting a variance, the authority may impose additional requirements on the applicant that will mitigate any harmful effects of the variance or serve the purpose of the standard or requirement that is waived or modified.

19.92.060 Special Exceptions

The land use hearing officer may approve any of the following special exceptions to the zoning ordinance where he or she determines the exception is consistent with the purposes of the zoning ordinance and will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity:

1. Where a zone boundary line divides a lot in single ownership at the time of the passage of the ordinance codified in this title, the land use hearing officer may permit a use authorized on either portion of such lot to extend not more than fifty feet into the other portion of the lot.
2. The land use hearing officer may permit the enlargement of or addition to a noncomplying structure or a building or structure occupied by a nonconforming use.
3. The land use hearing officer may permit the relocation on a lot of a noncomplying structure or a building or structure occupied by a nonconforming use; or the hearing officer may permit the reconstruction on a lot of a noncomplying structure or a building occupied by a nonconforming use.



**Minutes of the
Millcreek Planning Commission
June 19, 2019
5:00 p.m.
Regular Meeting**

The Planning Commission of Millcreek, Utah, met in a regular public meeting on Wednesday, June 19, 2019 at City Hall, located at 3330 S. 1300 E., Millcreek, UT 84106.

PRESENT:

Commissioners

Fred Healey, Chair
Tom Stephens, Vice Chair
David Allen
Russ Booth
Dave Carlson (not in attendance)
Scott Claerhout
Shawn LaMar
Mark Mumford
Victoria Reid
Skye Sieber

City Staff

John Brems, City Attorney
Francis Lilly, Community Development Director
Elyse Greiner, City Recorder
Blaine Gehring, Planner

Attendees: Doug Johnson, Wesley Brady, Jerry Matheson, Carol Skordas, Arlene Sacco, Gordon Holt, Hans Frohlich, Richard Hansen, Stanford Bell, Meg Bohol, Michael Aitken, Peggy Hennings, Kiki Sindad, David H. Amber Measom, Jake Halpin, Cheryl Naugle, Helen Sorenson, Sean Steinman, and Sandra Carlston.

REGULAR MEETING – 5:00 p.m.

TIME COMMENCED: 5:01 p.m.

2.5 Consideration of ZT-19-002, Amendments to Millcreek Code Title 19 Noticing and Hearing Requirements for Land Use Hearings Planner: Francis Lilly

Francis Lilly said there have been questions by residents on land use hearing determinations. Lilly said the ordinance would give the hearing officer criteria for the decision making and create noticing and participation requirements for the hearings. He went over the list of what the hearing officer can make decisions on, which were:

- a) Variances in General (19.92.050)
- b) Variances to the Requirements of Floodplain Hazard Regulations (19.74.190)
- c) Appeals of Planning Commission Decisions (19.76.035, 19.88.140)
- d) Appeals of Conditional Use Decisions (19.84.070)
- e) Appeals of Decisions by the Planning Director regarding Single-and Two-Family Dwellings (19.76.290)
- f) Appeals of Decisions by the Planning Director regarding Minimum Parking Requirements (19.80.040)
- g) Certain approvals of lots and buildings on private rights-of-way (19.76.080)
- h) Clarification on zone boundaries (19.06.040)
- i) Disputes of decisions made regarding the Geologic Hazards Ordinance (19.75.040)
- j) Permits for the establishment of lots that are smaller than the minimum required by zone (19.76.090)
- k) Alterations, Enlargements, Relocations, or Reconstructions of a Noncomplying Structure or a Structure Occupying a Nonconforming Use (19.88.040, -070)

Lilly said staff wanted to make changes to the process and then he went over the proposed concepts. He said cities have an obligation to let the public know about the decisions made. He proposed the City mail written notice to property owners within 150 feet of a property subject to a land use hearing. The nature of variances and appeals are predicated on a property right, the notice should be limited to those most impacted by the decision. Notices will also be sent via email to the community council chair and these will be noticed 14 days in advance of the hearing. The reason for that is that people who have standing in the matter must provide advance notice of evidence. He said because the hearing is a legal proceeding, he did not recommend that it be heard in a public meeting before the Planning Commission or City Council, however the community council could submit evidence and participate in the hearing. The land use hearing officer would be required to make additional findings ensuring that the structure complies with the City's Residential Compatibility Overlay Zone (RCOZ). The ordinance will empower the land use hearing officer to impose limitations upon the issuance of a permit to mitigate adverse effects on other properties in the neighborhood instead of implied power. Staff also recommended the addition of language that stipulates that anyone seeking to participate in a land use hearing must file an application to intervene within five days of the hearing.

Lilly said the community councils reviewed the ordinance in March and three of the four recommended adoption with a unanimous vote. The Millcreek Community Council preferred a 300-foot notice parameter and that all members of the community council be noticed instead of only the chair. Lilly recommended one point of contact. Lilly shared that the Millcreek Together General Plan includes a goal in the Unique Neighborhoods element (Goal

N-4), to, “Inform and engage with neighborhoods, community councils, and individual residents during zoning and rezoning process, capital improvement planning, and decisions on city facilities and services.” Under this goal, the General Plan states as a strategy (4.1): “Create and implement state-of-the-art, transparent, clear, and cost effective methods to inform and involve neighborhoods and affected property owners in zoning and rezoning proposals and City planning projects.” He then went over and communed with the Commission on the proposed redlined code amendments.

Commissioner Stephens asked about section 19.88.070(3) on additions, enlargements, moving and reconstruction of a structure. Lilly said there is a category of non-conforming uses that come to the Planning Commission, but other nonconforming use approvals would go through this process. Chair Healey recommended that the whole community council be notified, not just the chair. Commissioner LaMar said 300 feet should be the standard for mailed notification. He asked if one hearing officer could override a decision by a Commission of nine members. Brems said yes, if the decision was arbitrary, capricious, or illegal. Commissioner LaMar asked for subsection 19.92.030 (3)(a) and (b) in Hearings and Due Process be tied together because one refers to a timely request and the other says five days, so it could be confusing. John Brems said intervention has to be based on facts and evidence. The Commission requested that the mailed notification be to property owners within 300 feet for consistency with other notices. Lilly expressed concern about the range being too large for it to affect someone. Brems said he liked the 300-foot notice because those noticed for the Planning Commission meeting would not be noticed for the appeal. Commissioner Reid asked about nonconforming uses and noncomplying structures. Lilly provided examples of each. Lilly said the non-conforming use ordinance is generous, it came from Salt Lake County, and he would like to tighten it up. Brems said he has done about ten hearings and they have been on making an improvement to the community and the property. Commissioner Reid recommended changing the words “not detrimental” to “beneficial” in subsection 19.88.070 (2)(c). Commissioner Allen asked how enlarging a structure is beneficial to the community. Chair Healey said the investment of a property is an enhancement to the neighborhood value. The Commission decided to keep the proposed language as “not detrimental.” Elyse Greiner requested references to the City Recorder be changed to the City Recorder’s Office since the Deputy Recorder currently processes the hearings. The Commission was in favor of that change.

Chair Healey opened the public hearing.

There were no comments.

Chair Healey closed the public hearing.

Commissioner Stephens, as respects to ZT-19-002 amendments to Millcreek Code Title 19 Noticing and Hearing Requirements for Land Use Hearings, moved to recommend adoption of the changes subject to the following changes; that the distance for noticing to surrounding property owners be a radius of 300 feet, and that reference to the City Recorder be City Recorder’s Office. Commissioner Claerhout seconded. Chair Healey called for the vote. All Commissioners voted yes. The motion passed unanimously.

3. Continuing Business

MILLCREEK, UTAH
RESOLUTION NO. 19-28

**A RESOLUTION OF THE MILLCREEK COUNCIL APPROVING AN
INTERLOCAL COOPERATIVE AGREEMENT WITH SALT LAKE COUNTY FOR
THE SECOND AMENDED AGREEMENT FOR ADDRESSING**

WHEREAS, the Millcreek Council ("*Council*") met in regular session on August 12, 2019, to consider, among other things, approving an Interlocal Cooperative Agreement with Salt Lake County for the Second Amended Agreement for Addressing; and

WHEREAS, the Utah Local Cooperative Act (Utah Code Ann. § 11-13-101, *et seq.*) (the "*Act*") provides that two or more entities are authorized to enter into agreements with each other for joint or cooperative action; and

WHEREAS, Salt Lake County ("*County*") and Millcreek are public agencies, as contemplated in the Act, and the services contemplated are joint and cooperative actions, as contemplated in the Act; and

WHEREAS, the County and Millcreek entered into an Agreement for Addressing and First Amended Agreement for Addressing, wherein County provides certain addressing services for Millcreek in exchange for certain consideration; and

WHEREAS, the First Amended Agreement expired on Jun 30, 2019; and

WHEREAS, the Council has determined that it is in the best interest of the inhabitants of Millcreek to renew the Addressing Agreement for an additional one year term; and

WHEREAS, a Second Amended Agreement has been presented to the Council for review and approval, a copy of which is attached hereto ("*Agreement*"); and

WHEREAS, the Agreement sets forth the purpose thereof, the extent of participation of the parties, and the rights, duties, and responsibilities of the parties.

NOW, THEREFORE, BE IT RESOLVED that the Agreement is approved, and that the Mayor and Recorder are hereby authorized and directed to execute and deliver the same.

This Resolution assigned No. 19-28, shall take effect immediately on passage.

PASSED AND APPROVED by the Millcreek Council this 12th day of August, 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

SECOND AMENDED AGREEMENT FOR ADDRESSING

THIS SECOND AMENDED AGREEMENT ("Amended Agreement") is entered into this ____ day of _____, 2019 by and between SALT LAKE COUNTY, on behalf of its Addressing Division, a body corporate and politic of the state of Utah ("County"), and MILLCREEK, a municipal corporation of the state of Utah ("City"). County and City may be collectively referred to herein as the "Parties."

WITNESSETH

WHEREAS, the Parties are local governmental units and are therefore authorized under the Utah Interlocal Cooperation Act, Section 11-13-101, et seq., U.C.A. 1953, as amended, to enter into agreements with each other which enable them to make the most efficient use of their powers; and

WHEREAS, the Parties entered into an Agreement for Addressing on or about July 19, 2017 ("Agreement"), wherein County was to provide certain addressing services for Millcreek in exchange for certain consideration, with the original Agreement having a term ending on June 30, 2018; and

WHEREAS, in 2018 the Parties renewed the Agreement for an additional one-year term; and

WHEREAS, the Parties are now desirous to renew the Agreement for an additional one-year term; and

WHEREAS, Parties have determined that it is mutually advantageous to enter into this Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the promises, mutual covenants and undertakings of the parties hereto, and in compliance with and pursuant to the provisions of the Interlocal Cooperation Act, the Parties hereby agree as follows:

1. Pursuant to paragraph 13 of the Agreement, the Agreement shall be renewed for an additional one-year period, effective on July 1, 2019 and continuing through June 30, 2020. All other provisions of the Agreement will remain in full force and effect.

IN WITNESS WHEREOF, the Parties have subscribed their names hereon and caused this agreement to be duly executed on the date and year specified above.

[Signature Page to Follow]

INTERLOCAL AGREEMENT – SIGNATURE PAGE FOR THE COUNTY

SALT LAKE COUNTY

By: _____
Mayor or Designee

Date: _____

Administrative Approval:

By: Jessica M. Curtis
Addressing Division

Date: 5.16.2019

Department Director Approval:

By: _____
Megan Hillyard, Director
Administrative Services Dept.

Date: _____

Approved as to Form:

By: Dianne R. Orcutt
Dianne R. Orcutt
Deputy District Attorney

Date: 5/15/2019

INTERLOCAL AGREEMENT – SIGNATURE PAGE FOR THE CITY

MILLCREEK CITY

By _____
Jeff Silvestrini, Mayor

Date _____

ATTEST:

By _____
City Recorder

Date _____

Approved as to Form and Legality:

By _____
John Brems
City Attorney

Date _____

MILLCREEK, UTAH
ORDINANCE NO. 19-38

**AN ORDINANCE OF MILLCREEK AMENDING THE FINANCIAL
ADMINISTRATIVE ORDINANCE CREATING A DIRECTOR OF FINANCE**

WHEREAS, on August 12, 2019, the Millcreek Council (the “*Council*”) of Millcreek (the “*City*”) met in regular session to consider, among other things, amending the financial and administrative ordinance creating a director of finance; and

WHEREAS, Utah Code Ann. § 10-6-158 provides, among other things, that the governing body of any city may adopt a financial administration ordinance; and

WHEREAS, the Council hereby determines to amend the financial and administrative ordinance to create a director of finance; and

WHEREAS, the Council desires to maintain the most efficient process possible for procurement of services, supplies and equipment; and

WHEREAS, after careful consideration the Council has determined that it is in the best interest of the health, safety and welfare of the citizens of the City to amend the financial administration ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council that Chapter 2.22 of Millcreek Code be amended as follows (designated by interlineating the words to be deleted and underlining the words to be added):

2.22.020 Definitions.

Unless the context requires otherwise, the following terms shall have the following meanings:

“Director of Finance” means the individual responsible for general accounting for the City and shall perform the duties of the Director of Finance as set forth in Utah Code Annotated section 10-6-101 et seq., as amended, performs the financial duties and responsibilities of the City recorder, as authorized by Utah Code Ann. § 10-6-157, and serves as the city budget officer. The Director of Finance may not assume the duties of the City Treasurer.

“Encumbrance” means an obligation of the City.

“Professional Services” means professional and other skilled services such as auditing, architecture, engineering, surveying, appraisals, legal service, or counseling, sought or obtained from sources other than regular city employees.

“Nonprofessional Services” means services other than professional services.

“Supplies” shall mean any and all tangible articles or things, materials or equipment which shall be furnished to or used by any City department or employee within the scope of his employment with the City.

“Invitation for Bids” means solicitation (including soliciting documents) of competitive sealed bids for procurement of services, supplies and equipment. An invitation for bids should be used as determined by the Mayor or Designee when the City is capable of specifically defining the scope of work for which the services, supplies and equipment are required or when the City is capable of establishing precise specifications defining the actual commodity or group of commodities required.

“Request for Proposals” means solicitation (including soliciting documents) of competitive proposals for procurement of services, supplies and equipment. The request for proposals should be used as determined by the Mayor or Designee when there may be a need for price and service negotiations, there may be a need for negotiations during the performance of a contract, whether the relative skill and expertise of the offeror needs to be evaluated, whether costs are secondary to the characteristics of the product or service sought (for example, in a work of art), and whether the conditions of the service, product or delivery conditions are unable to be sufficiently described in the invitation for bids or not suitable for an invitation for bids.

“Designee” means the City Manager.

2.22.070 Emergency acquisitions.

In case of an actual emergency, the Mayor ~~or his~~ ,Designee, Director of Finance, or any Director may purchase directly any supplies or services whose immediate procurement is essential to prevent any delays in the work of the using agency that may vitally affect life, health, safety or welfare of the public. The Mayor ~~or his~~ ,Designee, Director of Finance, or any Director shall promptly send the Council a full written report of the circumstances of the emergency.

Payment of routine expenditures.

The Mayor, ~~or his~~ Designee, or Director of Finance are authorized to approve payments for routine expenditures such as utility bills, leases, and payroll related expenses, provided that such expenditures are referenced in the then approved budget, that the funds are available for such expenditures, and that sufficient documentation is provided concerning such expenditures. The Mayor, ~~or his~~ Designee, or Director of Finance are authorized to approve payments for supplies, materials and payments on City-approved contracts, provided that such expenditures are referenced in the then approved budget, that the funds are available for such expenditures, and that sufficient documentation is provided concerning such expenditures.

Payment of payroll obligations.

The Mayor, Designee, or Director of Finance are authorized to approve payroll checks, if the checks are prepared in accordance with a salary schedule established by the Council.

Passed and approved this 12th day of August, 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 19-38: AN ORDINANCE OF MILLCREEK AMENDING THE FINANCIAL ADMINISTRATIVE ORDINANCE CREATING A DIRECTOR OF FINANCE

was passed and adopted the ____ day of _____ 2019 and certifies that copies of the foregoing Ordinance 19-38 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
July 22, 2019
7:00 p.m.
Regular Meeting**

The City Council of Millcreek, Utah, met in a regular public meeting on July 22, 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 (arrived 7:25 p.m.)

City Staff

John Geilmann, City Manager
John Brems, City Attorney
Elyse Greiner, City Recorder
Rita Lund, Communications Director
Francis Lilly, Planning & Zoning Director
Kurt Hansen, Legislative Policy and Code Director
Mike Winder, Economic Development Director
Jim Hardy, Building Department Director
Jared Bowling, Information Center Manager
Robert May, Planner

Attendees: Bryanna Dow, Bryan Marchant, Brandon Pehrson, Lt. Christine Petty Brown, Officer Tiffany Parker, Detective Christian Thompson, and Chief Steve DeBry.

REGULAR MEETING – 7:00 p.m.

TIME COMMENCED: 7:00 p.m.

1. Welcome, Introduction and Preliminary Matters

1.1 Pledge of Allegiance

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

1.2 Unified Police Department

Chief Steve DeBry introduced Lt. Christine Petty Brown to the Council. Lt. Petty Brown went over her background experience.

Chief DeBry presented Officer Tiffany Parker as Officer of the Month for June 2019. Officer Parker solved three burglary cases and arrested two suspects. The Citizens Advisory Board presented Officer Parker with a gift.

1.3 Public Comment

There were no comments.

2. Planning Matters

2.1 Discussion and Consideration of Ordinance 19-36, Rezoning Property at Approximately 4236/4248 South 900 East from R-1-8 to R-1-5

Robert May said the Council first heard the application on June 24, 2019. The applicant, Brandon Pehrson, was requesting the rezone to allow for an 8-unit PUD. He said the staff sharpened the requirements in the development agreement and provided copies of the updated agreement to the Council. The difference in the agreement was removing the requirements that were already required by code.

Brandon Pehrson, 11109 S. Farnsworth Lane in Sandy, said the neighborhood was excited to see the property redevelop.

Mayor Silvestrini asked for public comment. There were no comments.

Council Member Catten moved to approve Ordinance 19-36, Rezoning Property at Approximately 4236/4248 South 900 East from R-1-8 to R-1-5 pursuant to the development agreement. Council Member Marchant seconded. Mayor Silvestrini said he appreciated the developer providing something that was acceptable to the community. **The City Recorder called for the vote. The motion passed unanimously.**

2.2 Discussion and Consideration of Ordinance 19-37, Approving a Development Agreement for an 8-unit Planned Unit Development at 4236/4248 South 900 East

Council Member Marchant moved to approve item 2.2, Ordinance 19-37 approving a development for the planned unit development at the same address. Council Member Jackson seconded. The City Recorder called for the vote. The motion passed unanimously.

3. Business Matters

3.1 Discussion and Consideration of Resolution 19-24, Approving an Interlocal Cooperative Agreement with Cottonwood Heights and City of Holladay for Sustainability Related Services

Mayor Silvestrini said Millcreek has been discussing the need to promote sustainability and he had been having conversations with Cottonwood Heights and Holladay about sharing an employee to work on sustainable issues in the three cities. Millcreek is responsible for \$7,000 of the person's salary. He said the employee could educate the public about recycling and could ensure businesses have anti-idling signs in the parking lot. Council Member Catten asked where the employee would primarily work. John Geilmann said they would be employed by Cottonwood Heights and will use their resources. Holladay will also contribute \$7,000 to the salary. Geilmann said this employee will work with Kurt Hansen and he will track their time with Millcreek. John Brems recommended the Council approve the agreement with the \$7,000 amount in it.

Council Member Jackson moved to adopt Resolution 19-24, Approving an Interlocal Cooperative Agreement with Cottonwood Heights and City of Holladay for Sustainability Related Services to the amount of \$7,000 inserted into the blank in Section 3 Compensation. Council Member Catten seconded. The City Recorder called for the vote. The motion passed unanimously.

3.2 Discussion and Consideration of Resolution 19-25, Approving an Interlocal Cooperative Agreement to Provide Funding for the Central Wasatch Commission

Mayor Silvestrini said the Council budgeted for the item previously. The stakeholders committee has been meeting and they have been planning a pilot transportation plan for Millcreek Canyon. The interlocal agreement will cover the contribution from each entity, and it is based on population. Council Member Jackson asked about the amount. Mayor Silvestrini said \$75,000 was the budgeted amount for Millcreek.

Council Member Jackson moved to adopt Resolution 19-25, approving an Interlocal Cooperative Agreement to provide funding in the amount of \$75,000 for the Central Wasatch Commission. Council Member Marchant seconded. The City Recorder called for the vote. The motion passed unanimously.

3.3 Discussion and Consideration of Resolution 19-26, Approving an Interlocal Cooperative Agreement with Salt Lake County to Conduct a Cultural Facilities Master Plan Study for Millcreek

Rita Lund said the resolution was for the Millcreek Arts Discovery Program. There will be a feasibility study which will help determine what Millcreek has by way of arts and culture. She said Millcreek is cooperating with Salt Lake County on it because they are doing a similar plan. The selection committee chose Create Today as the consultant. The consultant will interview stakeholders next month. Council Member Marchant asked what the consultant would be doing. Lund said they will do an inventory of the arts and cultural programs and facilities in Millcreek and provide direction for future funding. The amount for the project is \$50,000; \$25,000 came from a received grant and a \$25,000 will be the match by Millcreek. Mayor Silvestrini said before the Council decides what to build in Millcreek, they need to know what currently exists. The study will also help determine what projects should be a priority.

Council Member Catten moved to approve Resolution 19-26, Approving an Interlocal Cooperative Agreement with Salt Lake County to Conduct a Cultural Facilities Master Plan Study for Millcreek. Council Member Jackson seconded. Council Member Uipi arrived (7:25 p.m.) in time to participate in the vote. The City Recorder called for the vote. The motion passed unanimously.

3.4 Discussion and Consideration of Resolution 19-27, Authorizing the Use of Bond Funds to Acquire Real Property Acquisitions, and Authorizing the Mayor to Issue Letters that Property was Acquired Under Threat of Condemnation

Mayor Silvestrini said pursuant to the approved small area plan for the city center and to acquire park space on behalf of the residents, the Council authorized the issuance of bonds. Millcreek received a AA+ bond rating and KeyBank was retained as the underwriter for the bond issue. The bond sale took place last week and there was a fantastic response. The underwriter lowered the interest rate as a result of the oversubscription by two basis points net. KeyBank has guaranteed that Millcreek will receive the bond funding for Mill Park in the City Center. He said Mike Winder has been in negotiations with property owners where Mill Park will be.

Mike Winder highlighted the city center map for the Council and said half of the properties would be purchased in phase 1 of the park from Woodland Avenue to 3300

South. He said he was working with Plowgian Auto and other businesses on relocation. He then went over the properties that he is currently in discussion with. He said property owners have requested the City provide a letter of threat of condemnation because they can get a 1033 exchange, which gives the owners three years to redeploy the capital gains before getting taxed. Winder said the park is in the Millcreek Center Community Reinvestment Area and the intent of the bond payments is to pay them back with the tax increment financing, but the bond is backed by sales tax. Council Member Marchant thanked Winder for his work and said the interest rate payment will be \$551,000 a year. Winder said the Council's financial competency is going to save the City money because Millcreek was able to get a low interest rate. Mayor Silvestrini said Millcreek is negotiating for the purchase of the properties based on appraised values and is assisting in relocation. He said the Planning Commission approved the Plowgian Auto relocation project. The City has not commenced any condemnation proceedings. This Resolution allows the Mayor to issue a threat letter because the property owners have requested it. Council Member Marchant asked if the condemnation could be done property by property. Mayor Silvestrini said that is how it would be done, a separate action for each unique property. Winder said it is a tax benefit for those looking to relocate or sell their property. Council Member Catten asked about the name, "Mill Park." Winder said Mill Park has been the working title and there will be public engagement to determine the final name. Mayor Silvestrini said Millcreek will have the funding by the end of July. He said the residents will help determine what goes in the park. Council Member Uipi reiterated that issuance of the letter of condemnation would be at the request of the property owner. She thanked the City Manager, Mike Winder, and the Mayor for their work on the bond.

Mayor Silvestrini asked for public comment. There were no comments.

Council Member Catten moved to approve Resolution 19-27, Authorizing the Use of Bond Funds to Acquire Real Property Acquisitions, and Authorizing the Mayor to Issue Letters that Property was Acquired Under Threat of Condemnation. Council Member Marchant seconded. The City Recorder called for the vote. The motion passed unanimously.

4. Reports

4.1 Mayor's Report

Mayor Silvestrini thanked the City Manager, City Attorney, and Mike Winder for their assistance in the bond process. The underwriter made the live subscriptions available to the City last week. He said he, Council Member Jackson, and staff met with Salt Lake City Council and their staff about a memorandum of understanding with boundary adjustments. He said Millcreek residents will be encouraged by their planning efforts. Council Member Jackson said she looked forward to a cooperative relationship with Salt Lake City. Mayor Silvestrini said the meeting was friendly and they learned how much they have in common with Salt Lake City. He said Venture Out and the Summer Concert Jams have been going well. He encouraged residents to participate in the Canyon Rim service project later in the week.

4.2 City Council Member Reports

There were none.

4.3 Staff Reports

Rita Lund said the Canyon Rim Cares event that week would be two days long. The last Venture Out event for the season would be that Friday and the Pop Up dinner would be the next week. The last Summer Jam event would also be next week. The Night Out Against Crime would be August 6th. Lund highlighted the website and its new Current Projects page which is about the construction of and about new projects going on in the City. Mayor Silvestrini said Holladay and Millcreek will be able to do a mill and overlay on Highland Drive between 3900 South to Murray Holladay Road this summer. He said the Council is aware that the rest of Highland Drive and 1300 East need to be reconstructed. He said the City would first restripe Highland Drive to implement the concept of turning it into a three-lane road to see if it works. Council Member Marchant asked if the projects would fit in the current budget. Mayor Silvestrini said yes. Lund said the work on Highland Drive would be done in phases and it would be done by August 9th. Lund said Jared Bowling, Information Center Manager, would be attending Council meetings to better assist in the closed captioning of meeting streaming through the City's website. Mayor Silvestrini said the Council will transition from streaming meetings through Facebook to the City's website. The platform will better assist with closed captioning for ADA considerations. Council Member Jackson asked about including non-project items on the current projects page, such as the accessory dwelling unit (ADU) survey. Francis Lilly said the ADU survey is an outreach project.

Lund said Millcreek would start using ArchiveSocial as a means of record retention for social media and website posts. She said City Journals will start a Millcreek issue and staff can help coordinate with newsletters. Mayor Silvestrini said it was not an attractive offer (by City Journals) because it will only go to the residents east of 700 East. Council Member Uipi said she was not ok with the City Journal's distribution boundaries. Council Member Catten pointed out that not all residents are currently getting the City's newsletter. Lund said City Journals would be doing the newsletter on their own. The Council expressed that they should mail it to the entire city. Council Member Uipi requested a projects tab on the website for the I-80/Lambs Canyon project. Lund said she anticipated a public works specific tab for projects. Council Member Uipi asked about an outreach project tab that ADUs could be placed under. Mayor Silvestrini suggested using the word, "survey" for the ADUs page. Lund highlighted the new map gallery landing page on the website. Council Member Uipi also requested adding the community council chair contact information to the maps.

John Geilmann said he recently trained staff and a component was about how the Council operates by educating, helping, and achieving appropriate resolutions. He said the Council validated what he taught. He said one of the best parts about Millcreek is getting to be innovative and entrepreneurial. He announced that Kurt Hansen is now the Legislative Policy and Code Director, Jared Bowling is now an IT Administrator in addition to being the Information Center Manager, and Jim Hardy is now the Building Department Director in addition to being the Building Official. Mayor Silvestrini welcomed them to the Council meeting.

4.3 Unified Police Department Report

Detective Thompson highlighted the calls for service and case trends from January to June in 2019. In June, there was a slight decrease in calls at 3,180 and there were 1,122

4.4 Unified Fire Authority Report

5. Consent Agenda

Council Member Uipi moved to approve item 5.1, approval of July 8th minutes. Council Member Jackson seconded. Mayor Silvestrini called for the vote. The motion passed unanimously.

7. Calendar of Upcoming Events

- East Mill Creek Community Council Mtg., 8/1/19, 6:30 p.m. at 2266 E. Evergreen Ave.
- Mt. Olympus Community Council Mtg., 8/6/19, 6:00 p.m. at 3450 E. Oakview Dr.
- Millcreek Community Council Mtg., 8/6/19, 6:30 p.m. at City Hall
- Canyon Rim Citizens Association Mtg., 8/7/19, 7:00 p.m. at 2375 E. 3300 S.
- City Council Mtg., 8/12/19, 5:00 p.m. at City Hall
- City Council Work Mtg., 8/19/19, 5:30 p.m. at City Hall
- Planning Commission Mtg., 8/21/19, 5:00 p.m. at City Hall

Council Member Jackson brought up the Promise Fiesta on August 14th, an event for the whole family, and mentioned that the Youth Council was working on a Halloween Dance.

ADJOURNED: Council Member Uipi moved to adjourn the meeting at 8:27 p.m. Council Member Jackson seconded. Mayor Silvestrini called for the vote. All Council Members voted yes. The motion passed unanimously.

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

Attest: Elyse Greiner, City Recorder