



**Minutes of the
Millcreek City Council
November 18, 2019
5:30 p.m.
Work Meeting**

The City Council of Millcreek, Utah, met in a regular public work meeting on November 18, 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 (excused)
Cheri Jackson, District 3 (excused)
Bev Uipi, District 4

City Staff

John Geilmann, City Manager
John Brems, City Attorney
Alexander Wendt, Deputy City Recorder
Rita Lund, Communications Director
Francis Lilly, Planning & Zoning Director
Jim Hardy, Building Department Director
John Miller, Public Works Director
Laurie Johnson, HR-Finance Director
Kurt Hansen, Legislative Policy Director
Elyse Greiner, City Recorder

Attendees: Katie Kourianos, Marv Poulsen, Steve Gilbert, Bill Hodson, Anna Clare Shepherd, Deidre Paulson, and Brook Proctor.

Minutes by Alexander Wendt.

REGULAR MEETING – 5:30 p.m.

TIME COMMENCED: 5:34 p.m.

Mayor Silvestrini called the meeting to order at 5:34 pm.

1. Discussion Items

1.1 Update on 3900 S. Reconstruction Project; Katie Kourianos, Horrocks Engineers

Mayor Silvestrini introduced Katie Kourianos from Horrocks Engineers. Ms. Kourianos explained she was part of the public outreach team working on the 3900 S. Project. The project limits are between 3900 S. and 2300 E. There will be safety enhancements as well as curb, gutter, and sidewalk. Specifically, they will be working with Holladay City since 3900 S. is the border between municipalities. The public outreach team started working on the project that summer. Ms. Kourianos stated they had received a lot of positive feedback. They intend to add bike lanes and overhead flashing signals at 3100 E. and at Birch Street to protect pedestrians. Mayor Silvestrini asked why the signal at 3100 E. would not be a “hawk signal.” Ms. Kourianos said that the traffic flow dictated what type of signal was to be installed. John Miller, Public Works Director, continued explaining

that the quantity of children crossing the road and traffic dictate which type of crossing is implemented. However, the overhead flashing signal could be updated to a different signal in the future. Someone in audience asked how the signal worked. Mr. Miller explained that drivers must come to a full-stop when the light is solid red; when the light is flashing red, it acts as a stop-sign. Mr. Miller stated the crossing works this way 24/7. Another member of the audience stated that the children would then need to be trained. Council Member Uipi asked how much less pedestrian traffic there was at 3100 E. Mr. Miller stated that there was a third less pedestrian traffic at 3100 E. The Birch Street crossing was a major route to Skyline High School. Anna Clare Shepherd stated she believed it was important to pay attention to the street and make it easier for people to cross safely. Mr. Miller stated that he will talk to Granite School District to figure out the actual school boundaries.

Ms. Kourianos explained there would be UTA improvements, and UTA had input on the project as well. She said drainage improvements would be made. Holladay City would be putting in new xeriscape on the park strip. Ms. Kourianos showed the projected project schedule. Currently, the engineers were in the design and right-of-way process. It was anticipated that the project would be a 6-month construction project with construction beginning in 2020. Mr. Miller talked about saving money on construction because construction costs were increasing at 10% a year. Mayor Silvestrini asked about potential road closures. Ms. Kourianos stated they did not have a specific plan yet., however, they would try and keep two lanes open at any time. John Miller stated that Horrocks Engineers was on-board through the whole project to keep the communication to residents whole and complete. Mr. Miller stated that Horrocks had been doing a great job so far. Ms. Kourianos said they had received a lot of questions about drive-way openings and they communicate well with homeowners. The right-of way process was a critical part of the design phase. They would obtain small leases of property to complete the project and there would be about 88 right-of-way agreements. There are about 8 parcels where the City would be buying property to complete the project. Mr. Miller clarified the property acquisitions would be on corners to put in sidewalk for ADA compliance. Ms. Kourianos explained the design team was narrowing their search for how many pieces of property would be bought. Since the right-of-way was so important, they were working to streamline the process with John Miller and Rita Lund.

Ms. Kourianos said the project team was talking to property owners, helping things move along, letting residents know they are here for them. Horrocks Engineers sent approximately 800 mailers to property owners along 3900 S. about a public open house. The Horrocks team went door-to-door along the corridor and face-to-face conversations to help ensure people were not surprised, contacting 144 people. One hundred and one residents came to the open house. Since the open house, there had been a few calls and emails, about 3-4 a week asking about the schedule and property impacts. Ms. Kourianos passed out business cards with the project hotline phone number, email, and websites for the project. Mr. Miller stated that this project was costing Millcreek residents nothing. The project was being paid for with federal and county grant money. He said that Mayor Silvestrini did a great job tracking down grants. Mayor Silvestrini said he went out to the roadway on 3900 S. with John Miller and Wasatch Pavement and the road was in bad condition.

1.2 Mountair Streetscape Presentation; Steve Gilbert, ArcSitio

Francis Lilly, Planning and Zoning Director, introduced Steve Gilbert to the Council. Gilbert said making the wall taller in the Mountair Streetscape was a cost issue. Mr. Lilly said Council Member Jackson had suggested that the wall at the streetscape be continuous and 5 feet tall in an email earlier that day. Mr. Lilly explained that Council Member Jackson was responding to the concerns of residents that live near Highland Drive; they would like a buffer from Highland Drive. Mr. Gilbert explained that he had been working with the community and City and presented the proposed streetscape at an open house on October 12, 2019 at Adib's Rug Gallery. Mr. Gilbert took comments from that open house and incorporated them into the plan. He said residents were concerned that the lilac strip provided a buffer and they wished to keep the buffer. Mr. Gilbert stated that they have a few plans that incorporate a complete wall or partial sections of wall and lilacs. A continuous brick wall would be very costly. Mr. Gilbert believed that the wall should be 4 feet tall because taller walls are often vandalized with graffiti. Residents were also concerned about people hiding behind walls, so the four-foot wall helps to alleviate that. Residents also expressed a desire for safer pedestrian crossing on Highland Drive.

Mr. Gilbert stated they would be adding new streetlights since there was currently only one in the area. They intended to preserve lilac bushes when they could. Mr. Gilbert proposed putting parking along Mountair for the local restaurants and landscaping to slow down traffic. Additionally, residents would like the power lines buried, so he has been working with other developers and Rocky Mountain Power to bury the lines. Some individuals had expressed the desire for art pieces that block light and highlight the focal point at the street at the end. There were potential plans for park benches for people that might wait for the bus. Mr. Gilbert explained that a water wheel had been fabricated as a focal point at the welcome sign. The brick sign would pay homage to the Brickyard area. Mayor Silvestrini asked about the width of the walkway. Mr. Gilbert replied that it would be 8 feet wide, enough room for people to walk side by side. The whole streetscape would be 30 feet wide. Mountair Drive would be 22 feet wide to calm traffic but allow parking. Mayor Silvestrini asked if there would be trees planted. Mr. Gilbert stated there were currently Sycamore trees there and they would add more. They would also add Hornbeams to soften the landscaping along the wall. There were plans for a bus pull-off and bus stop shelter. UTA approval was needed to move the bus sign because the proposed welcome sign would be where the bus sign was.

Mayor Silvestrini asked if there was feedback from the public on a continuous wall and if the wall would only be tall at specific focal points. Mr. Gilbert explained that it would be 4-6 feet in height in certain sections and that many residents wanted a complete wall. He said that a complete wall would be \$400,00 and a partial non-continuous wall with plant scape added in would be \$200,000. Mayor Silvestrini stated he would be pleased with more greenery and the City could add a fence type structure at some point near the greenery. Council Member Catten asked if it would cost less to use a different material for the fence and then alternate the material to make the wall continuous but still use greenery. Mr. Gilbert stated that they could use a different low-maintenance material, but the cost would end up being similar when using stone. He said a wrought iron fence would keep people out and the City could put greenery around it. Council Member Catten asked if a 4-5-foot wall would keep sound out. Mr. Gilbert said it would not, however, a taller

wall would be tagged and vandalized. Francis Lilly stated he was at the meetings and noted that sound was not the issue with neighbors, but the lighting was. He stated the new City Center Overlay Zone (CCOZ) standards required lighting that was down facing and dark sky compliant. Mr. Gilbert said the concern was projecting light onto Highland Drive, but not back into the yards and people's homes. Mayor Silvestrini asked if there was merit to reduce cost, in bridging shorter sections of the wall with wrought iron to have a physical barrier and then adding plants to the area. Mr. Gilbert said that would be less costly. Mayor Silvestrini said the City was designing the area in anticipation for future development. He asked if people wished for a passageway through the area. Mr. Gilbert said that most residents did not want a passageway but wanted entrances from the north and south only. Mayor Silvestrini said the goal was to preserve the feel of the neighborhood. Mayor Silvestrini said if the City decided to use a fence that was not continuous, then perhaps in the future the City could open space to include walkways. Mr. Gilbert said the development was happening in the area and people would be walking along the sidewalk in the area. John Geilmann, City Manager, asked about the estimated cost range. Mr. Gilbert said that if the wall were to be full brick, then the streetscape would cost \$1.3 million dollars. Mr. Lilly said that estimate was for the full length of wall and clarified that the lowest estimate for the streetscape would be \$1,042,000 and the high at \$1.3 million. Mr. Gilbert said he talked to Salt Lake County Parks and they said the parcel was 1.5 acres and would cost \$15,000 annually to take care of the property. After planting, the vegetation would require more maintenance, so he recommended a budget of \$20,000 for maintenance.

Mayor Silvestrini asked if Arc Sitio had programmed street lighting yet. Mr. Lilly said they would use the City's standard lighting on the east side and City Center light posts on the west. They would like to make the lights programmable to dim if the residents requested it. Mr. Gilbert also explained that benches in the streetscape would be different to have more of a residential park feel. Mr. Lilly said the Planning Department would like to go back to the residents in the future and present new ideas to them. Mayor Silvestrini concurred. Mr. Lilly stated this was an ambitious plan, however it was elegant and came with a cost. He said he would like the architect to make the property as beautiful as possible. Mayor Silvestrini appreciated that it was a small strip of land and it made sense to invest in it and bring it up to its potential, so it was no longer an eye sore. Mr. Gilbert said this was the entry to the City and it would set the tone for the rest of the changes coming to the area. Council Member Catten said Millcreek should invest in it now, since it would set a tone for the community and the path forward. Council Member Uipi commented on the height of the wall and said she understood Council Member Jackson's and residents' concern. She said the green scape would be part of the wall and would help restrict access.

Mayor Silvestrini said there was not a large difference between a four foot and five-foot wall when someone wanted to cross it, however, the wall would be a physical and visual barrier. Council Member Catten stated that perhaps it could be a continuous wall to prevent a parking problem when the City Center was done. Mr. Lilly stated that Highland Drive would be a three-lane road. He doubted there would be a lot of spillover parking from the City Center. He stated that he had made commitments to the Mountair neighborhood that staff would do everything they could to alleviate parking concerns. This area was not an area for guest-parking. Mayor Silvestrini stated that creating a residential

parking district was another option if parking became an issue. Mr. Gilbert stated that people would adjust to the parking.

1.3 Proposed Idling Ordinance; Kurt Hansen, Legislative Policy Director

Kurt Hansen, Legislative Policy Director, explained that he used ideas from the Cottonwood Heights idling ordinance. If individuals idled for more than two minutes, then they would be subject to a traffic violation. Mayor Silvestrini asked what temperature Salt Lake City and Cottonwood Heights used for their cutoff on violations. Salt Lake City and Cottonwood Heights use 90 degrees on the high end and 32 degrees on the low end. John Brems and Mayor Silvestrini stated perhaps these numbers should change because they were too high and too low. Mr. Hansen suggested the range should be lowered from 90 to 80 and 32 to 40 degrees. Mayor Silvestrini and Council Member Uipi asked for more consideration on the temperature range. Mr. Hansen said there would be exception provisions for emergency vehicles, idling for testing the car, hybrid cars, and K-9 services. He proposed that there should be a warning for a first offense and no fine and subsequent offenses would be punishable as a parking violation. Council Member Catten asked who would enforce the ordinance. Mr. Hansen stated that the police would enforce it. Mayor Silvestrini said that enforcement would only happen in flagrant cases.

Mr. Hansen stated that he had a list of other proposed ordinances. He asked the Council to consider his handout that had potential priorities that may need to be addressed as a City and City Council. Mayor Silvestrini asked about a shopping cart ordinance. Mr. Hansen stated he had not had new input on that ordinance. Mayor Silvestrini asked Mr. Lilly about the fence ordinance. Mr. Lilly stated he had a draft of a fence ordinance and the Planning Commission needed to review and vote on it. Mayor Silvestrini asked if the Community Councils had seen the fence ordinance. Mr. Lilly said they had, and he would like for them to see it again. He said Code Compliance had a lot of evidence that Millcreek needed a fence ordinance. Rita Lund, Communications Director, stated that planner Erin O'Kelley was working on the accessory dwelling units (ADU) ordinance and multiple surveys on it had gone out.

1.4 Strategic Planning; Laurie Johnson; HR-Finance Director

Laurie Johnson, HR-Finance Director, said she had been updating the Strategic Plan. The "engaged community" definition had been updated and proposed strategic objectives had been updated with three options. The first was, "respond to the needs and concerns of the community in a professional and respectful manner;" second, "provide ample opportunities for community volunteerism and participation;" and three, "support an environment of open communication between the community and stakeholders." She asked that the Council review those options. Ms. Johnson added a strategic priority on "fiscally responsible government" and stated the definition as, "Millcreek supports a fiscally responsible government through compliance with the Utah Fiscal Procedures Act along with a transparent budget process, conservative spending and meticulous debt management." She stated that the City had been careful with debt and suggested adding that the City would maintain a fund balance of a certain percent. By law, the City should keep 5% though the City Council had been more frugal. She said the fund balance was currently at 21% and could not go above 25%. Mayor Silvestrini stated that other organizations had goals about what their fund balance should be. Mayor Silvestrini stated that the Council had a practice of moving money from the fund balance to capital projects,

however, the purpose of the fund balance was to keep money for a rainy day. Mayor Silvestrini asked that the Council have a goal of 15% in the fund balance. Mayor Silvestrini said the City should not defer capital projects. John Geilmann, City Manager, stated that 15% was a good target to keep. The City budget was \$26 million which could be depleted quickly in an emergency. Mayor Silvestrini stated the fund balance could help a road repair when a storm drain fails to help prevent flooding. Council Member Catten explained that the Council could set a high bar and it would send the message that the City had been run a certain way so different councils in the future could continue being fiscally frugal. Ms. Johnson stated this was a goal and could be changed as needed, however it was important to keep it on paper. Council Member Uipi stated her support. Mr. Geilmann stated the bond operators liked to see a written goal. Mayor Silvestrini said that bond rating agencies liked Millcreek's frugality.

Ms. Johnson explained there were objectives from the General Plan and that could carry into the budget process and future strategic plans could list goals and accomplishments to keep track of progress. She gave the Council a handout of a proposed five-year working plan. She said that the Council needed to make plans for strategic priorities. Mayor Silvestrini stated they should talk with John Miller about grant funding, perhaps add the 3900 S. project to the handout since it had been a goal for years. Ms. Johnson said it was a good way to remember what the City was doing. Mayor Silvestrini stated that in the future, 1300 E. would need to be resurfaced and the plan could help the City with the grant-writing process by illustrating it as a long-term goal.

1.5 Mayor and Council's Discretion on Discussion Topic

Mayor Silvestrini explained that Francis Lilly had a list of priorities and would present them at the next work meeting. Mayor Silvestrini reported that the resolution on H.B. 411 had received interest from other jurisdictions and Taylorsville was looking at it as well. Cameron Diehl from the Utah League of Cities and Towns was going to circulate the bill to other jurisdictions. Mayor Silvestrini said he talked with Moab, Salt Lake City, and Park City Mayors about working with Rocky Mountain Power on H.B. 411. Park City's Mayor had been working with a consultant and Mayor Silvestrini would like to make sure this was looked at correctly. Mayor Silvestrini stated there would need to be a way to work with other cities and settling disputes. John Brems, City Attorney, stated that the rules talked about an interlocal agreement with all the cities and governments who adopt a H.B. 411 resolution to simplify who Rocky Mountain Power dealt with. Mayor Silvestrini said that was in the proposed rules. Kurt Hansen stated that Rocky Mountain Power said there would be one agreement, not customized ones for each city.

Mayor Silvestrini brought up that Unified Police Department (UPD) and Unified Police Department (UFA) may go to a weighted voting system for participating entities. Millcreek was the largest voting member in the UPD and UFA. There are jurisdictions that receive service but do not pay for that service. Mayor Silvestrini stated that two jurisdictions could call for a weighted vote on budgetary matters. They might vote 50% on weighted budget and 50% on population. This would give Millcreek protection to the budget so smaller jurisdictions did not negatively influence Millcreek's budget.

Mayor Silvestrini said he met with Taylorsville, Holladay, and Midvale Mayors since they were the largest cities utilizing UPD services. In the last legislative session, the Mayor

was able help pass a bill allowing the cities using UPD services to remove the Sheriff as the UPD Chief. Mayor Silvestrini explained the Sheriff was an elected official and elected by all of Salt Lake County and only 340,000 people are served by UPD. The cities served by UPD wanted the ability to replace the Sheriff as the head of UPD if their needs were not being met accordingly. Mayor Silvestrini said that the four cities felt that there should be a contract with the Sheriff's Department for things that they provide to UPD. Mayor Silvestrini said overlapping items needed to be itemized and transparent in the Sheriff's budget. He stated that ideally the Sheriff could be a board member on the UPD board to represent the Sheriff's Department's portion of the budget and then hire an independent UPD Chief who was accountable to the UPD board. Mayor Silvestrini said the UPD Board presented a budget to the Sheriff that had a sizeable salary increase for UPD officers and the Sheriff's budget did not accomplish what they directed. Mayor Silvestrini stated that if there UPD had a Police Chief then they would be more responsive to the UPD Board. The four cities would like more control and wished to modify the interlocal agreement. Council Member Uipi stated her support since the Sheriff should be more responsive to the UPD Board. Mayor Silvestrini stated that the Board was looking for transparency in the Sheriff's budget and with a transparent budget the cities could make deliberate decisions. Mayor Silvestrini said this would be beneficial for the people of Salt Lake County because their general funds were used as well.

Mayor Silvestrini asked if there were any other issues that need to be brought up. Elyse Greiner, City Recorder, asked the Council to contemplate the December meeting schedule. Mayor Silvestrini said he supported cancelling the regularly scheduled meeting on December 23rd. He then went over upcoming meetings. He said there would be one more November meeting and then a public hearing on the boundary adjustment with Salt Lake City. The canvass of the election would be at 5:30 p.m. on November 19th and then there would be a public hearing on the proposed City Center Overlay Zone in December. Mayor Silvestrini said he had not heard any concern about the boundary adjustment. Francis Lilly said the Council could review the proposed City Center Overlay Zone at the first meeting in December. He said that all four community councils gave positive feedback on it. Laurie Johnson said the next round of revenue anticipation notes would have a resolution ready for the Council in December. Elyse Greiner suggested the Council use the work meeting on December 16th as a regular meeting and cancel the regular meeting on the 23rd. The Council agreed.

Rita Lund, Communications Director, encouraged people to take the City Center Open Space poll. She said about 700 people had taken the survey but needed more individuals under the age of 25 to take it. She said only 30% of responses were from residents west of Highland Drive. Ms. Lund said she had been working with Salt Lake County on a FLAP Grant (Federal Lands Access Plan). Salt Lake County would be the applicant on the grant, which was designed to fix parking in Millcreek Canyon and adding retaining walls and other improvements. She said Millcreek should be part of the planning. The grant was for \$10 or \$11 million dollars and there was a 6% or 7% match. If the grant was approved, Federal Highways would be doing the work. Ms. Lund wanted input from the Council on Millcreek Canyon improvements since Millcreek Canyon was important to the residents of Millcreek. Mayor Silvestrini talked about potentially adding a shuttle service that might help with parking issues; piloting a shuttle program could get cars out of the Canyon especially during holidays and weekends and parking could be at local schools. Mayor

Silvestrini said the District Ranger for the Forest Service was not supportive because the Forest Service did not want to add more people to the Canyon without adequate facilities. These facilities would include bathrooms, shelters, and things to do while waiting for a shuttle otherwise people would vandalize trees while they waited. Additionally, the road is too narrow and dangerous according to the District Ranger. Mayor Silvestrini said Millcreek needed to support a grant application with a letter of support first and then the Council would need to determine how much money they wanted to match. Ms. Lund said the road to the toll booth was in Millcreek and Salt Lake County was going to raise the fee to \$5 since it had been \$3 for 20 years. Mayor Silvestrini said Millcreek Canyon was a regional resource but Millcreek residents use it as much or more than anyone else. Ms. Lund said the match could potentially be from other grants. On December 4th there is going to be a meeting of stakeholders. Council Member Catten said there were lots of moving parts to help the Millcreek Canyon cause and perhaps the City could invest as part of the Strategic Plan. Ms. Lund stated there was recently an hour wait to get out of Millcreek Canyon at the tollbooth, so the process to get out of Millcreek Canyon could be streamlined. Mayor Silvestrini said there was no cell service at the top of the Canyon, and it was a safety issue. He explained that since the population would grow and the canyons would become busier, stakeholders needed to figure out plans to preserve access to the Canyon. Mayor Silvestrini said people were advocating removing cars from the Canyon but it would not be ideal since not everyone can get on a shuttle and the Canyon should be accessible to all.

Kurt Hansen said the Legislative Breakfast would be on December 10th. Mayor Silvestrini said the City's lobbyist was working on tax reform and they could not make it to the next City Council meeting. There was a proposal from Francis Gibson and Senator Stevenson to tax a few but not all services. Some of the proposed taxes would remain and others would be taken out. There may potentially be tax on shared transportation like Uber and some kinds of construction. There may be a sales tax on fuel, however Mayor Silvestrini said rural Utah might oppose that. To keep the taxing neutral, the legislature might reduce the income tax which is controversial since it funds education. Mayor Silvestrini stated there may be a special legislative session before the General Session. The lobbyists will want more direction from the elected officials at Millcreek. Council Member Catten proposed that the legislators give a small presentation at the meeting to tell the City elected officials what they were proposing.

1.6 Discussion of Correspondence and/or Future Agenda Items

There was no discussion on this item.

ADJOURNED: Council Member Catten moved to adjourn the meeting at 7:34 p.m. Council Member Uipi seconded. Mayor Silvestrini called for the vote. All Council Members voted yes. The motion passed unanimously.

APPROVED:

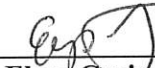


Jeff Silvestrini, Mayor

Date

Jan. 20, 2020

Attest:



Elyse Greiner, City Recorder