



PROCLAMATION

PROCLAMATION OF CONSTITUTION WEEK IN MILLCREEK

WHEREAS, September 17, 2020, marks the two hundred and thirty-third anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, The Constitution, together with the Bill of Rights, have provided the organic structure for our Democratic Republic and our Individual Liberties, enabling our nation to rise from a collection of ragtag former colonies to a United Nation in which our people have created opportunity and built the greatest economy in the world, based upon freedom, creative genius and hard work; and

WHEREAS, our federal system has welcomed generations of immigrants from every part of the globe to participate in the freedom, opportunity and rule of law our Constitution affords, creating out of many groups, one indivisible nation; and

WHEREAS, Public Law 915 guarantees the issuing of a Proclamation each year designating September 17 through 23 as Constitution Week.

NOW, THEREFORE, I, Jeff Silvestrini by virtue of the authority vested in me as Mayor of the city of Millcreek, in the state of Utah do hereby proclaim the week of September 17 through 23 as:

CONSTITUTION WEEK

AND ask our residents to affirm the ideals of the Constitution of the United States of America and the Bill of Rights by vigilantly protecting the freedoms guaranteed through this magnificent document, remembering that lost rights may never be regained.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the city of Millcreek to be affixed this 24th day of August, 2020.

By: _____
Jeff Silvestrini, Mayor

Attest: _____
Elyse Sullivan, City Recorder

MILLCREEK, UTAH
ORDINANCE NO. 20-46

**AN ORDINANCE ADOPTING THE MILLCREEK TRANSPORTATION MASTER
PLAN AS AN ELEMENT OF THE MILLCREEK GENERAL PLAN**

WHEREAS, the Millcreek Council (“Council”) met in regular session on August 24, 2020 to consider among other things, an ordinance adopting the Millcreek Transportation Master Plan; and

WHEREAS, the Council adopted the Millcreek Together General Plan in February 2019; and

WHEREAS, Utah Code Ann. § 10-9a-404 provides in part that the Council may make amendments to an adopted general plan; and

WHEREAS, Utah Code Ann. § 10-9a-404 also provides that the Council may not make any amendment to its general plan unless the amendment was first submitted to the planning commission for its recommendation; and

WHEREAS, Utah Code Ann. § 10-9a-503 also provides that the Council shall comply with the procedure specified in Utah Code Ann. § 10-9a-204 in preparing and adopting an amendment to a general plan; and

WHEREAS, Utah Code Ann. § 10-9a-404 provides planning commission shall provide notice as required by Subsection 10-9a-204(1)(a) and hold a public hearing on the proposed general plan amendment; and

WHEREAS, on January 28, 2020, the required notice was published; and

WHEREAS, on February 19, 2020, the proposed amendment was submitted to the planning commission for its recommendation; and

WHEREAS, on February 19, 2020, the planning commission held the required public hearing with respect to this general plan amendment; and

WHEREAS, at the February 19, 2020 planning commission meeting the Millcreek Planning Commission voted to continue this general plan amendment to a subsequent meeting for further consideration; and

WHEREAS, at the May 20, 2020 planning commission meeting the Millcreek Planning Commission recommended approval of the proposed general plan amendment; and

WHEREAS, the Millcreek Code of Ordinances, provides among other things, that before finally adopting any such general plan amendment, 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 August 19, 2020 the Council caused the required notice to be given; and

WHEREAS, on August 24, 2020 the Council considered the general plan amendment during a public meeting; and

WHEREAS, Council finds that it is in the best interest of the residents of Millcreek to adopt the Millcreek Transportation Master Plan as recommended by the Planning Commission.

NOW THEREFORE, BE IT ORDAINED by the Council that the Millcreek Transportation Master Plan (Exhibit A) is hereby adopted as an element of the Millcreek Together General Plan.

This Ordinance, assigned Ordinance No. 20-46, 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 24th day of August, 2020.

MILLCREEK COUNCIL

By: _____
Jeff Silvestrini, Mayor

ATTEST:

Elyse Sullivan, 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 20-46: AN ORDINANCE ADOPTING THE MILLCREEK TRANSPORTATION MASTER PLAN AS AN ELEMENT OF THE MILLCREEK GENERAL PLAN
was passed and adopted the 24th day of August, 2020 and certifies that a summary was published in the Deseret News and Salt Lake Tribune the day of August, 2020.

Elyse Sullivan, City Recorder

EXHIBIT “A”



Millcreek, Utah

Transportation Master Plan

Prepared by



THE
LANGDON
GROUP



GATEWAY
MAPPING
INC.

OTHER J-U-B COMPANIES

December 2018



Table of Contents

Table of Contents.....	i
List of Figures	iii
1 Introduction.....	1
1.1 Purpose of the Transportation Master Plan.....	1
1.2 Plan Development Process.....	2
Existing Plan Review and Coordination with General Plan.....	2
Land Use and Population Projections	3
Transportation Master Plan Goals.....	3
1.3 Plan Document Structure.....	4
1.4 Study Area.....	4
2 Existing System Evaluation	6
2.1 Land Use	6
2.2 Existing Roadway Functional Classification	8
2.3 Level of Service Analysis	12
Roadways	12
Intersections	16
2.4 Crash History/Hot Spots	17
2.5 Alternative Transportation Modes	18
Bicycle and Pedestrian Facilities.....	18
Transit and Transit Routes.....	19
2.6 Jurisdiction of Roadways in Millcreek.....	23
3 Future System Analysis	24
3.1 Travel Demand Modeling Overview and Definition.....	24
3.2 Future Land Use	24
3.3 Regional Plans	25
3.4 Traffic Forecasts and Analysis	26
Roadways	26
Intersections	27



4 Recommendations.....	30
4.1 Millcreek, UDOT and WFRC Identified Capital Improvement Projects	30
Logical Completion of Projects.....	32
4.2 Typical Street Cross Sections	32
4.3 Access Management	37
Appendix A – Level of Service Analysis, Traffic Count Data and Traffic Analysis Results	39
Appendix B – Crash Data.....	47
References	49



List of Tables

Table 2-1 – Typical Roadway Functional Classifications	9
Table 2-2 – Millcreek Adopted Functional Class Modifications	10
Table 2-3 – Level of Service (LOS) for Roadways.....	13
Table 2-4 – Existing (2018) Failing Level of Service	14
Table 2-5 – Level of Service (LOS) for Intersections	16
Table 3-1 – Improvements Influencing Millcreek	26
Table 3-2 – Future (2040) Segment LOS Failing Roadways.....	27
Table 4-1 – Short, Mid and Long-range Project Recommendations	31
Table A-1 – Level of Service (LOS) Criteria (Class)	39
Table A-2 – Level of Service (LOS) Criteria – Adjustment Factors	39
Table A-3 – Existing (2018) Segment LOS and Failing Level of Service	40
Table A-4 – Volume-Over-Count Ratios and Percent Error.....	44
Table A-5 – Demographic Projections Based on WFRC Model	44
Table A-6 – Comprehensive Review of Millcreek’s Transportation Network.....	46
Table B-1 - Crash Hot Spots	47
Table B-2 - Crash Hot Spot Crash Summaries.....	48

List of Figures

Figure 1-1 – Millcreek Boundary	5
Figure 2-1 – Existing Millcreek Land Use Map	7
Figure 2-2 – Existing and Newly Adopted Roadway Functional Classification Map.....	11
Figure 2-3 – Existing (2018) Millcreek Roadway Segment LOS.....	15
Figure 2-4 – Millcreek Bicycle Network (Included in the Millcreek General Plan)	20
Figure 2-5 – Millcreek Walkability Network (Included in the Millcreek General Plan).....	21
Figure 2-6 – Network with Bus Routes and Proposed Bus Stop Shelters (Included in the Millcreek General Plan).....	22
Figure 3-1 – Existing (2018) Intersection Traffic Volumes and Level-of-Service.....	28
Figure 3-2 – Future (2040) Intersection Traffic Volumes and Level-of-Service.....	29
Figure 4-1 – Millcreek Typical Street Cross Sections	33
Figure A-1 – Existing Intersection Traffic Volumes and Level-of-Service all Movements	42
Figure A-2 – Future (2040) Intersection Traffic Volumes and Level-of-Service all Movements	43



1 Introduction

This is Millcreek's first Transportation Master Plan (TMP) developed collaboratively with Millcreek Staff and stakeholders, and in coordination with the development of Millcreek's General Plan and the Salt Lake County's Active Transportation Improvement Plan. To assist Millcreek as a newly incorporated entity, the 2018 Millcreek TMP contains goals, objectives, policy guidance, and an overview of the transportation strategies Millcreek intends to accomplish by 2040. The TMP also describes Millcreek's long-range vision to accommodate travel and mobility needs now and in the future.

Millcreek is a built out community that is currently experiencing redevelopment and infill throughout the incorporated areas and this trend is expected to continue into the future. Millcreek is essentially land locked with a transportation network that is incomplete and rapidly deteriorating. In addition, pass through trips to/from the adjacent cities and communities further burden Millcreek's transportation system.

1.1 Purpose of the Transportation Master Plan

This TMP serves a variety of purposes, including the following:



When Millcreek was an unincorporated township within the Salt Lake County, the County globally implemented transportation goals and policies throughout the unincorporated communities under its jurisdiction. As a result, transportation master planning has become dated and obsolete, lacking guidance specific to the needs and desires of individual communities. This TMP reflects

Millcreek's desire to provide an improved and complete multi-modal transportation system specific to Millcreek. Millcreek is committed to creating a balanced transportation system that provides its residents with transportation mobility choices for sustaining a high quality of life. Millcreek aims to achieve this by integrating land-use planning in the Millcreek General Plan with the transportation system described in this document.

Transportation planning must be fluid to adapt to Millcreek's changing land use. Significant land use changes not reflected in the General Plan need independent evaluation within the framework of the TMP goals, to be consistent with and adhere to Millcreek policies, standards and guidelines. The framework allows amendments to the TMP without making the plan null or obsolete.

This TMP provides the goals, principles, technical documentation, priorities and policies that will aid Millcreek in making informed decisions to enhance Millcreek's transportation system. Required improvements by development, as well as Millcreek's Capital Improvement Projects, should be consistent with the roadway functionality, design standards and guidance documents. The TMP should be updated every 3 to 5 years, depending on the needs and changes within Millcreek.

The recommended Capital Improvements Plan (CIP), which aligns with regional plans developed by the Utah Department of Transportation (UDOT) and the Wasatch Front Regional Council (WFRC), prioritizes projects to improve deficiencies in the existing transportation system. Additionally, the CIP looks forward 20 plus years to 2040 by using estimated growth and projected transportation system volumes. These projections are the basis for a list of long-term projects that require advance planning and funding for implementation. Short-term (2018 – 2024), mid (2025 – 2034) and long-range (2035 – 2040) projects are necessary to accommodate future transportation demands. Prioritization of these capital projects should improve mobility and safety for motorized and non-motorized travel while working towards the ultimate transportation system, based on projected transportation system conditions and land use opportunities Millcreek is striving to achieve.

1.2 Plan Development Process

Existing Plan Review and Coordination with General Plan

This TMP is the result of collaboration and guidance of Millcreek Staff and Millcreek's General Plan consultant. Incorporation of existing County documents and plans from neighboring jurisdictions created a cohesive transportation master plan that aligns with the surrounding community plans.

Relevant documents include:

1. Salt Lake City Road Diet
2. Wasatch Front Regional Council Travel Demand Model
3. Wasatch Front Regional Council's Regional Transportation Plan
4. Salt Lake County Bicycle Transportation Improvement Program
5. Salt Lake County Active Transportation Improvement Program
6. Salt Lake County Standard Drawings
7. Millcreek Right-of-Way and Pavement Design Statute 14.12.100
8. Millcreek General Plan
9. Millcreek Storm Drain Masterplan
10. Millcreek Utility Maintenance Fee Study Guidance Memo
11. Utah Department of Transportation's Statewide Transportation Improvement Plan
12. Neighboring Community Plans



Land Use and Population Projections

Millcreek's surrounding municipal jurisdictions include Murray, Taylorsville, West Valley City, Salt Lake City, South Salt Lake, Holladay and Salt Lake County. Millcreek is largely land locked to the north, south, and west, and abuts the Wasatch Mountains in unincorporated Salt Lake County to the east. Subsequent sections of this Transportation Master Plan further discuss the existing and future land use in Millcreek.

Transportation Master Plan Goals

Goals for this Transportation Master Plan reflect the desire for integrating transportation and land use planning in Millcreek, Utah. The goals developed by Millcreek for this TMP included receiving feedback at public outreach meetings during the development of the General Plan, workshops and in collaboration with Millcreek staff. The process began by defining what Millcreek desires now and in the future for its transportation system. The following TMP goals were developed:

- 1 Improve existing transportation facilities and network to meet current and future travel demand.
- 2 Incorporate full accessibility for both motorized and non-motorized travel in all new street design.
- 3 Provide safe and efficient mobility throughout the community by implementing national standards and guidelines for pedestrian and vehicular travel.
- 4 Incorporate bicycle routes and trails into new street designs when possible, or create separate bicycle facilities.
- 5 Integrate regional plans for public transportation to meet rider needs.
- 6 Optimize available local, State and Federal funding sources.
- 7 Identify future roadway classifications to preserve right-of-way widths.
- 8 Implement access management strategies for all future roadway improvement projects.
- 9 Develop transportation facilities that are an asset to the community and are compatible with the natural and built environment.
- 10 Meet the State of Utah requirement, which requires Cities to prepare and adopt a Transportation Master Plan and Capital Facilities Plan (CIP).
- 11 Encourage street design that promotes traffic calming opportunities.
- 12 Consider transportation alternatives that minimize or reduce impacts to the environment to the greatest possibility.
- 13 The characteristics identified in that process serve as the basis for refining the vision and goals. Revisions to these items then helped shape the direction for changes in other policy related issues.
- 14 The TMP 5-year CIP that integrates recommendations and timelines of storm drain collection system improvements that minimize impacts on the roadways.



1.3 Plan Document Structure

This plan contains a summary of all analysis and recommendations resulting from the analyses performed. Specific sections of this TMP include:

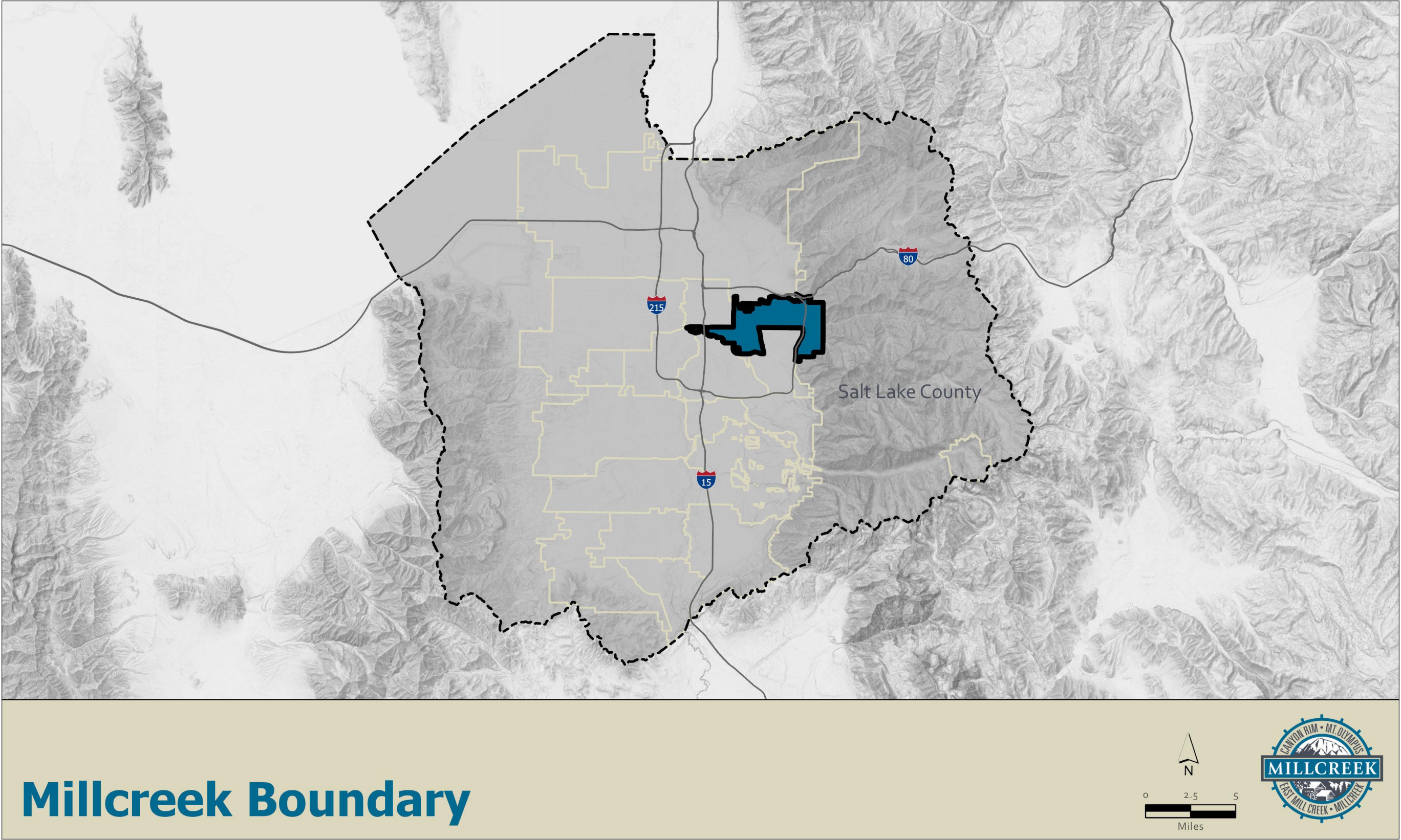
- **Chapter 1 – Introduction** – discusses the purpose of the document, the process followed to develop the document, planning goals to meet existing and future travel demand for both motorized and non-motorized travel, the document structure, and the study area.
- **Chapter 2 – Existing System Evaluation** – discusses the existing conditions inventory that was conducted.
- **Chapter 3 – Future System Analysis** – discusses the use of the Wasatch Front Regional Council (WFRC) travel demand model to support the development of the Transportation Master Plan.
- **Chapter 4 – Recommendations** – summarizes the roadway, intersection, active transportation, and transit facility improvements needed to enhance the transportation system.
- **Appendix A – Level of Service Analysis, Traffic Count Data and Traffic Analysis Results.**
- **Appendix B – Crash Data.**
- **References**

1.4 Study Area

The incorporated boundary of Millcreek defines the study area and considers land use and transportation connections with the adjacent cities of Murray, Taylorsville, West Valley City, Salt Lake City, South Salt Lake, Holladay and Salt Lake County. **Figure 1-1** depicts a vicinity map for the Millcreek boundary, study area and surrounding communities.



Figure 1-1 – Millcreek Boundary



2 Existing System Evaluation

2.1 Land Use

Millcreek land use consists of approximately 75 percent residential areas and 25 percent commercial areas dispersed throughout Millcreek. A majority of these residential zones consist of single-family homes, with some multi-family zoned areas along the major routes. There are major commercial corridors along 3900 S, 3300 S, 900 E, 700 E, State Street, Highland Drive, Wasatch Boulevard and others; many of these major commercial areas front state routes and are under UDOT's jurisdiction. The open land within Millcreek's boundary is limited to a few small agriculturally zoned areas and forestry areas to the east near the mountains. **Figure 2-1** depicts the existing land use for Millcreek.

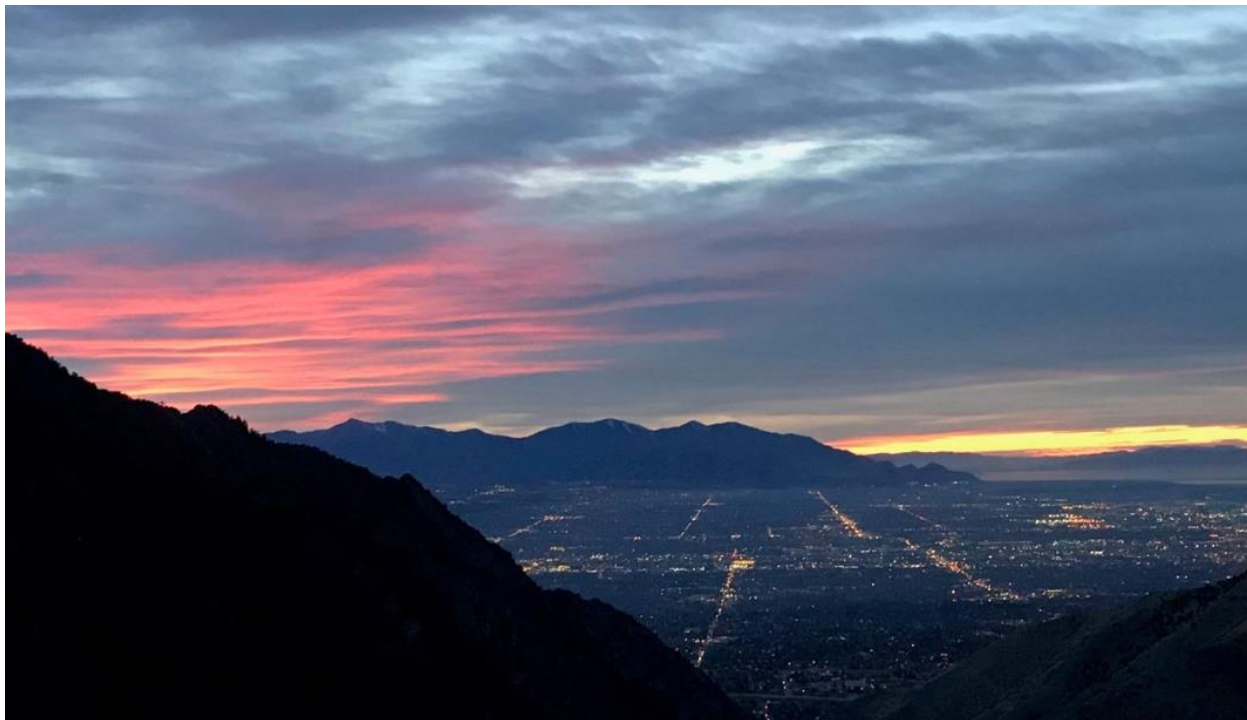
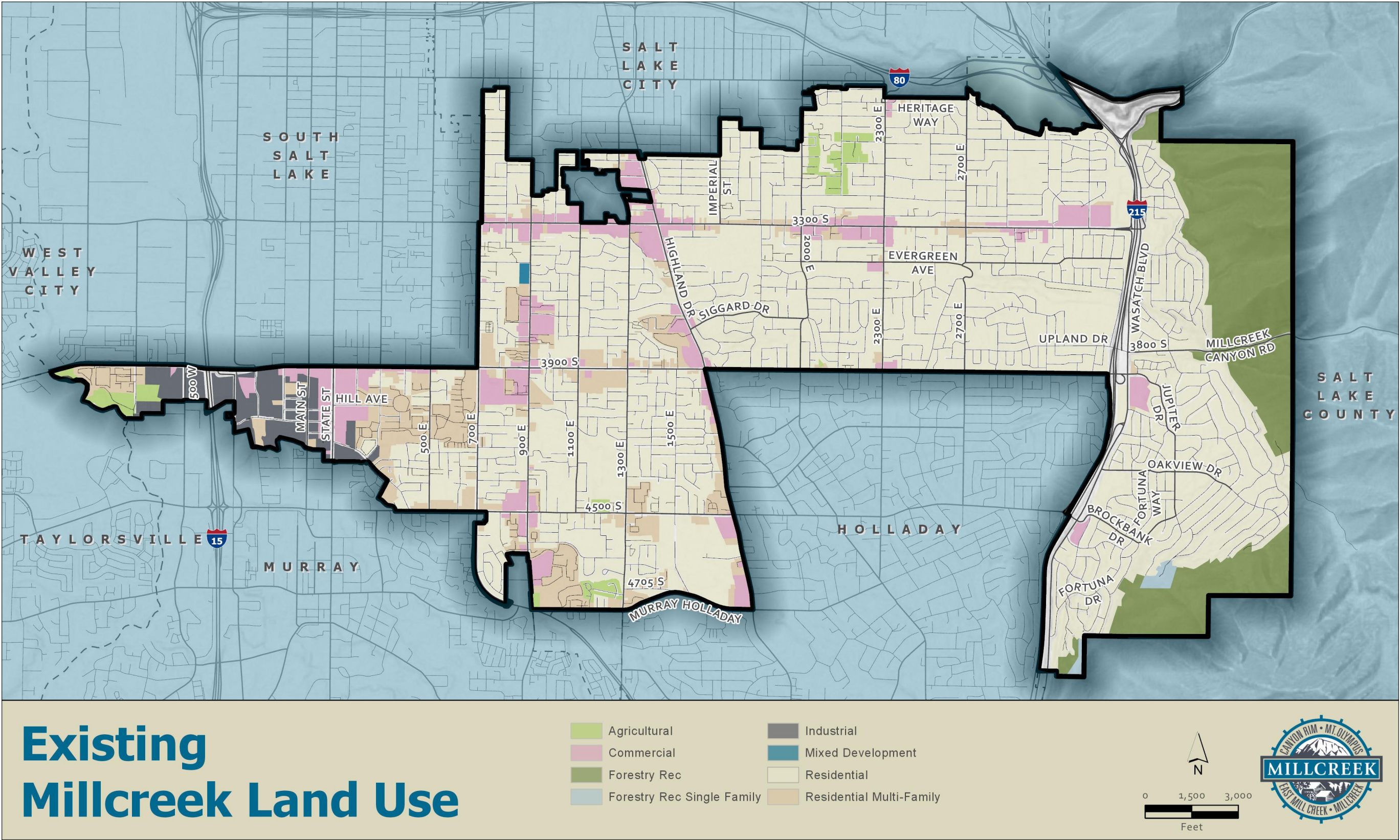


Figure 2-1 – Existing Millcreek Land Use Map



2.2 Existing Roadway Functional Classification

Functional classification of the existing roadways is in accordance with guidelines prepared by the Federal Highway Administration (FHWA) (2013 Edition). Federal funding programs specifically apply to roadways with functional classifications of collector and above. Roadway classification is in relation to their function, with respect to both mobility and access. For example, an interstate freeway occupies one end of a spectrum between mobility and access, providing traffic with greater mobility, and limited access to adjacent lands. A cul-de-sac at the opposite end of this spectrum provides access to land but offers inefficient movement of traffic.

To enable functionality of streets and highways, the planning and design development of the facilities should consider those elements that support the intended functions. **Table 2-1** provides typical descriptions of the various roadway functional types and related planning and design development considerations.



Table 2-1 – Typical Roadway Functional Classifications

Roadway Classification	Description	Examples
Interstate	Interstates promote movement of traffic with limited access, high speeds, separated directional lanes, adequate geometries, and grade-separated intersections. The interstate freeway is essentially a specialized Principal Arterial and prohibits Active Transportation facilities.	I-15 I-215 I-80
Principal Arterial	Principal arterials are generally high traffic volume roads within a study area. These roadways contain the greatest proportion of through or long-distance travel. Roadway access should be limited to promote efficient traffic movement. Speeds are generally 35 to 45 mph range in urban situations, and parking and Active Transportation is usually prohibited except for pedestrian movements. Arterials are approximately a mile apart, but may be spaced at half-mile separations. Many of the intersections will be signalized, and signal placement and coordination are critical to the operation of the arterial.	4500 South 3300 South 700 East
Minor Arterial	Roadways that connect principal arterials and collectors are classified as minor arterials. Minor arterials usually have capacity sufficient to carry 3 or 4 lanes of traffic and have curb, gutter and sidewalk along both sides. The predominant function of a minor arterial is to provide movement of through traffic, but it also provides considerable access for local traffic that originates or is destined to points along the roadway and Active Transportation. Often minor arterials become boundaries to neighborhoods, and serve less concentrated developments such as neighborhood shopping centers or schools. Urban speeds are generally 35 to 40 mph. Access may be restricted and parking is often prohibited in an urban situation.	3900 South 1300 East Highland Dr
Major Collector / Minor Collector	A collector is intended to concentrate residential and rural traffic and direct it to the arterial system. Collectors usually have capacity to carry 2 or 3 lanes of traffic, and have curb, gutter and sidewalk along both sides and accommodate Active Transportation. To preserve neighborhoods, collectors are generally spaced every half mile. Direct access to adjoining property is common and often essential. Operating speeds are generally 25 to 35 mph. Parking is acceptable, but may be limited. Collectors are sometimes sub-categorized into major and minor collectors. Major collectors tend to connect important regional facilities directly to the arterials, while minor collectors usually connect to the local roads. Collector A: All collectors not listed in Collector B list below. Collector B (roads where traffic calming speed humps are introduced): • Evergreen Avenue (2000 E to 2700 E) • Siggard Drive (2000 E to Highland Drive) • 2000 E (Evergreen Avenue to 3900 E) • Upland Drive (3140 East to Grandeur Park Lane) • E Louise Avenue (2900 E to South Valley Street) • E Kenton Drive (S Metropolitan Way to South Valley Street) • 2900 S (S 2700 E to S 2420 E St) • Claybourne Ave (Connor St to 2300 E) • Atkin Ave (2000 E to 2300 E) • Millcreek Rd (Wasatch Blvd to Gilroy Rd) • 300 E (Gordon Ln to 3900 S) • 1500 E (4500 S to 3900 S) • Lambourne Ave (2000 E to 2300 E) • Lisa Dr (Nila Way to 3925 S)	<i>Major Collectors:</i> 900 East 2300 East Wasatch Blvd <i>Minor Collectors:</i> 1100 East 2000 East 2700 East Upland Dr
Local Streets	Local streets typically consist of 2 lanes and shoulders, with curb, gutter and sidewalks present in some locations and accommodate Active Transportation. Local roads are the capillaries of a transportation network, providing direct access to public facilities, businesses, and private property. The typical speed limit on local streets is 20 to 25 mph and parking is usually permitted.	Local streets constitute all the Millcreek-owned roads that are not classified under the preceding categories. Some local roads may also be private streets.



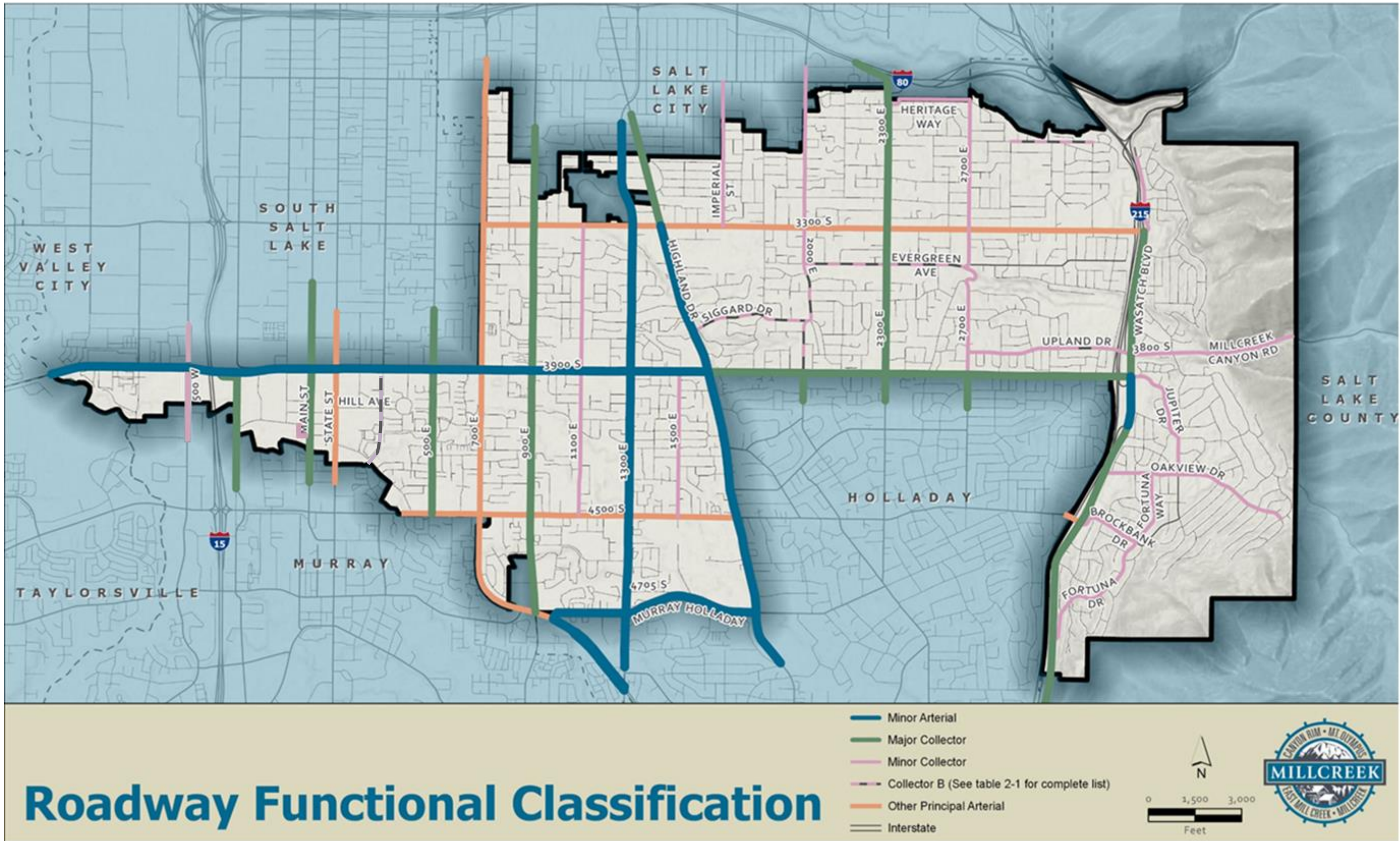
Table 2-2 summarizes proposed functional class changes by Millcreek Staff to the approved road functional classifications to the existing transportation system network. However, some segments of these roadways were not constructed to the adopted and/or recommended standards and do not have sufficient pavement width and/or sidewalks. **Appendix A Table 5-6** includes a more comprehensive review of Millcreek’s Transportation Network that provides more detailed information regarding the approximate pavement widths and characteristics of the functionally classified roadways.

Table 2-2 – Millcreek Adopted Functional Class Modifications

Road Segment	Previous Functional Classification	Newly Adopted Function Classification
Highland Drive from North City Boundary to South City Boundary	Minor Arterial	Major Collector
2700 East from 3300 South to 3900 South	Major Collector	Minor Collector



Figure 2-2 – 2019 Roadway Functional Classification Map



2.3 Level of Service Analysis

Regional forecasts and plans assisted the development of Millcreek's Transportation Master Plan. The Wasatch Front Regional Council (WFRC) Travel Demand Model version 8.2 Year 2011 is a tool to measure existing and future street network performance based on the anticipated growth forecasts of Millcreek and its neighboring communities. The Model predicts the performance of the future street network along with deficiencies within the system.

Recommendations in the TMP assume achieving a minimum Level of Service (LOS) D in the year 2040. There may be instances where Millcreek elects to operate intersections and roadways at higher congestion levels than the adopted LOS D standard. For an intersection or roadway section, excessive cost to achieve LOS D or willful intent to tolerate congestion within a commercial district are just two examples where Millcreek may opt to do so on a case by case basis.

Roadways

Description of Level of Service

Level of Service is a measure of the performance of an element of traffic infrastructure and qualitatively describes levels of congestion. An intersection, a rural roadway, or an urban road segment are graded, A through F, based on the adequacy of their performance under given traffic conditions.

LOS qualitatively describes how well a roadway or intersection operates and using a letter grade from "A" to "F," similar to letter grades in school. LOS A represents traffic conditions that permit free vehicle movement with little to no congestion, and Level of Service F is where traffic conditions are very congested and vehicles may experience severe delay. Some congestion occurs at a level of Service D, but the transportation system is assumed to be adequate (not failing) at this level.

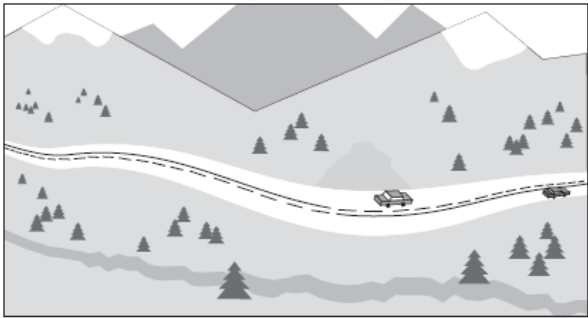
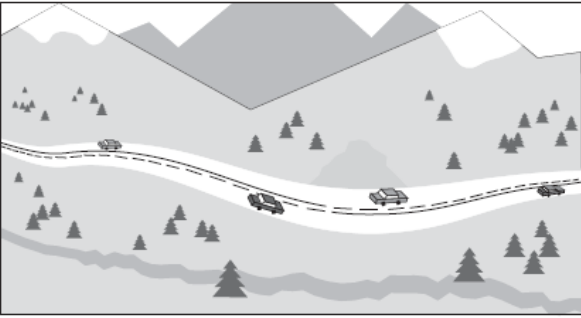
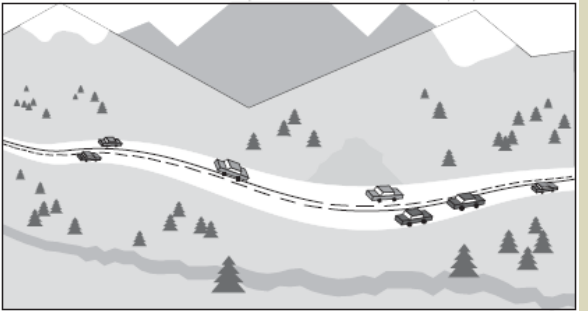
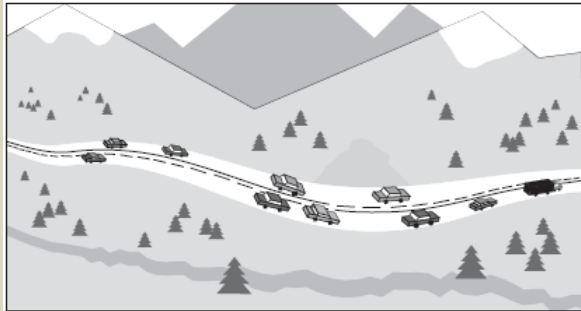
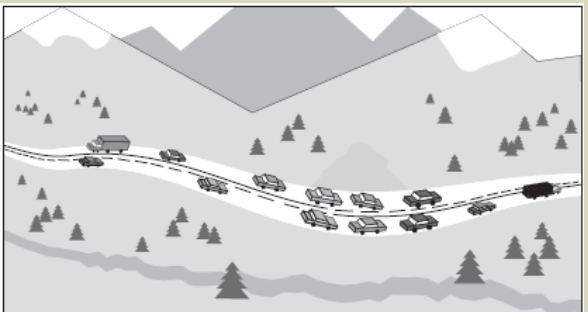
LOS is a description of different operating conditions that occur when accommodating various traffic volumes. It is a qualitative measure of the effect of traffic flow factors, such as speed, travel time, interruptions and delays, freedom to maneuver, and driver comfort and convenience. The LOS for roadways and unsignalized intersections ranges from "free flow" to "highly congested flow."

In rural areas, traffic flow is uninterrupted; but in an urban situation, traffic controls at intersections, lower speed limits, numerous approaches, and, in some cases, parking interrupt roadways. These interruptions in urban situations usually provide the necessary gaps for vehicular access onto other roadways. Rural roadways with no gaps can often compromise vehicular safety because vehicle speed is unpredictable and roadway interruptions are not consistent as compared to urban areas.

All of the roadways within Millcreek qualify as urban for their LOS evaluation. Flows divided into six levels of service are depicted in **Table 2-3 Level of Service for Roadways**:



Table 2-3 – Level of Service (LOS) for Roadways

	
Level A Free flow, low volumes and densities, high speeds. Drivers can maintain their desired speeds with little or no delay.	Level B Stable flow, operating speeds beginning to be restricted somewhat by traffic conditions. Drivers still have reasonable freedom to select their speed. Suitable for rural design standards.
	
Level C Stable flow, but speeds and higher volumes more closely control maneuverability. Suitable for urban design standards.	Level D Approaches unstable flow, tolerable operating speeds and considerably affected by operating conditions. Drivers have little freedom to maneuver.
	
Level E Unstable flow, with yet lower operating speeds and, perhaps, stoppages of momentary duration. Volumes at or near capacity.	Level F Forced flow, both speed and volumes can drop to zero. Stoppages may occur for short or long periods. These conditions usually result from queues of vehicles backing up from a restriction downstream.

To determine the LOS of an urban roadway, numerous factors are considered. For planning purposes, the factors to focus on are the number of travel lanes and the road's cross-section. The cross section includes the associated curbs, gutters, sidewalks, park strips, bike lanes,

parking lanes and medians. These elements influence the efficiency, safety and function of a roadway.

Urban roadways are typically constrained by the operation of intersections, so much of the analysis focuses on intersection operations. On roadways where intersections are present, the intersections generally dictate the capacity of an urban roadway section. Traffic operational performance at major intersections control LOS on urban roadways.

Roadway LOS Analysis

For this analysis, the existing (2018) roadway annual daily traffic (ADT) volumes are a linear interpolation of the 2011 and 2040 daily traffic volumes obtained from the WFRC model. Peak hour turning movement counts at six (6) intersections within Millcreek were identified and field documentation was collected to provide verification of the growth rates for the estimated 2018 ADTs. For planning purposes, the 2018 ADT volumes are appropriate for roadway segment analysis existing LOS estimation based on the description above. **Appendix A** includes the LOS calculation criteria and adjustment factors.

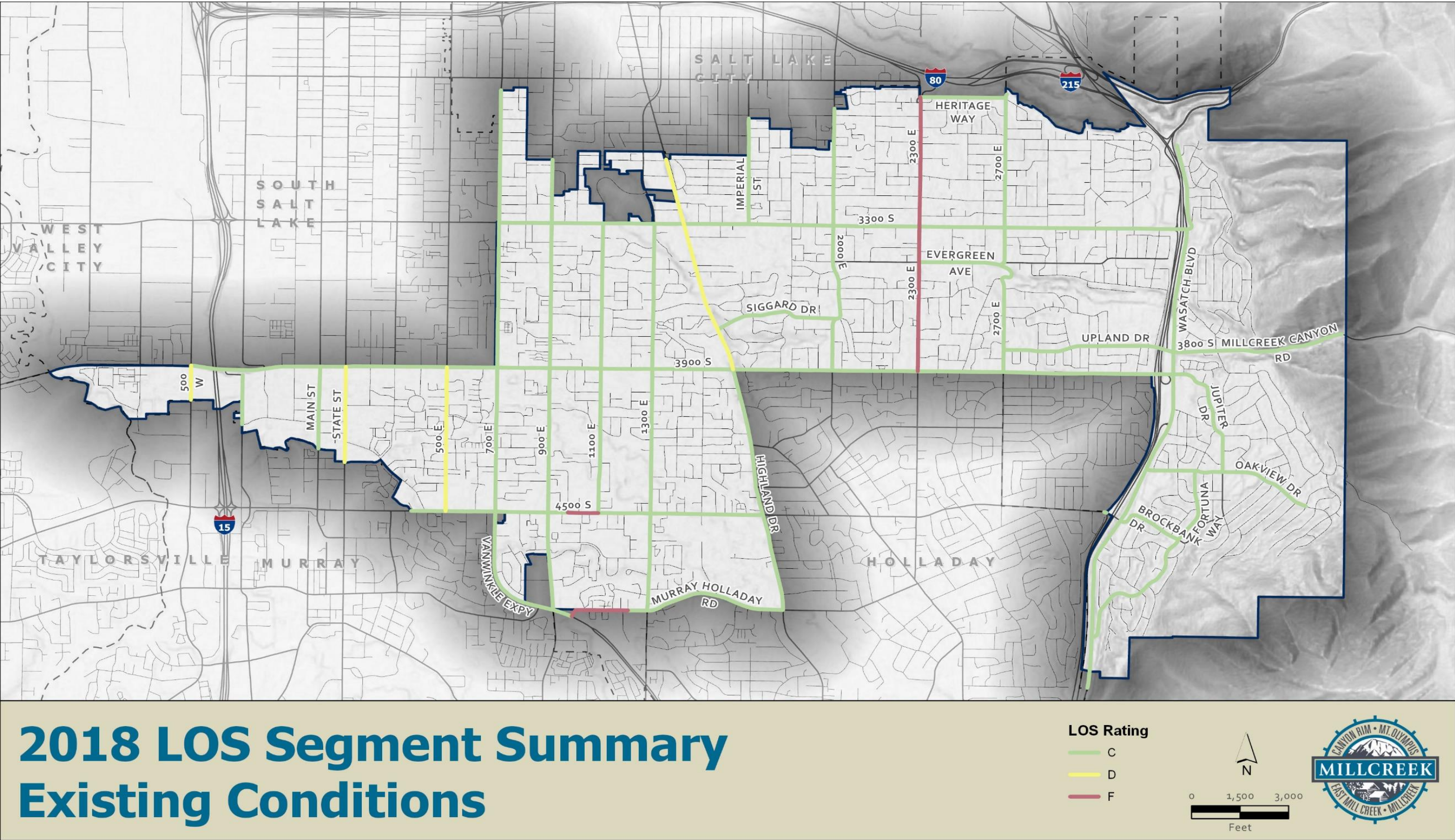
Table summarizes the failing roadway segments on the existing system within Millcreek. **Figure 2-3** depicts existing (2018) Millcreek Roadway Segment LOS. **Table A-3** provides more in-depth details for the levels of service for other roadways in Millcreek's transportation system.

Table 2-4 – Existing (2018) Failing Level of Service

Roadway	From	To	Functional Classification	Lanes (2018)	2018 AADT	LOS
Murray Holladay Road	Van Winkle Expy	Coopers Hawk Bay	Minor Arterial	2	15,498	F
2300 E	North City Limits	3900 S	Major Collector	2	15,014	F
4500 South	Garden Dr	1100 E	UDOT - Other Principal Arterial	2	20,967	E/F



Figure 2-3 – Existing (2018) Millcreek Roadway Segment LOS



Intersections

Description of Level of Service

For short-range planning purposes, intersection peak hour turning movement count data is the input for conducting an intersection capacity analysis using the Highway Capacity Manual (HCM) method. Average Control Delay per vehicle at intersections based on control type determines the corresponding LOS for overall intersection, intersection approach or movement. **Table 2-5** summarizes the HCM LOS criteria for signalized and unsignalized intersections.

Table 2-5 – Level of Service (LOS) for Intersections

Level of Service (LOS)	Average Control Delay (seconds/vehicle)	
	Signalized Intersections	Unsignalized Intersections
A	≤10	≤10
B	>10 - < 20	>10 - < 15
C	>20 - < 35	>15 - < 25
D	>35 - < 55	>25 - < 35
E	>55 - < 80	>35 - < 50
F	>80	>50

Source: Highway Capacity Manual 2000, Transportation Research Board, National Research Council, Washington, D.C., 2000.

The HCM method calculates delay based on the capacity available to service the various movements at an intersection. For signalized intersections, the amount of green-light time provided for each movement and the impacts of any conflicting movements determine capacity. For unsignalized intersections, the availability of gaps in the major street to allow minor street movements to occur determines the delay experienced and corresponding LOS. Delay results in driver frustration and anxiety, loss of time and increased fuel consumption.

For a signalized intersection, an intersection LOS of “D” is acceptable. A key component to improve the intersection LOS is to assure signals are adequately timed to discharge traffic volumes at each approach.

Millcreek identified six (6) major intersections for analyses. These intersections include:

1. Evergreen Avenue and 2000 East,
2. Evergreen Avenue and 2700 East,
3. Wasatch Boulevard and 3900 South,
4. Highland Drive and 3900 South,
5. 2300 East and 3900 South, and;
6. 1300 East and 3900 South.



An analysis of each intersection included traffic count data, a level of service and traffic analysis for the AM and PM conditions:

- A. turning movement counts,
- B. where LOS E and F occur,
- C. the intersection LOS for signalized intersections,
- D. worst movement LOS for stop-controlled intersections.

Appendix A includes the results of our analysis.

2.4 Crash History/Hot Spots

Numeric crash data maintained by UDOT is the data resource for analyzing hot spots or locations within Millcreek with severe and/or reoccurring crashes. Millcreek's recent incorporation as a municipality necessitated two separate data study methods. The methods include:

1. Determining the point locations with the highest number of crashes since the incorporation of Millcreek, and;
2. Determining the segments with the highest crash rate between 2010 and 2017.

Generally, crash analysis for a 5-year period is industry accepted. However, due to Millcreek's incorporation in December 2016, it is difficult to sort the previous data (2015 and earlier) by Millcreek boundary. The first method looked at each roadway in Millcreek from 2016 to 2018 by a tenth of a mile (point location). Detailed crash analyses for the four (4) locations with the highest number of crashes helped determine any improvements that could eliminate or reduce those types of reoccurring crashes.

The second method to determine the segments with the highest crash rates used Numerics data, which is set up to include crash rates as output. Therefore, this crash study relies on the crash rates provided by Numerics without additional calculations. Detailed crash analyses for the three (3) segments with the highest crash rate between 2010 and 2017 helped determine reoccurring crash types and contributing circumstances and develop recommendations to reduce or eliminate future crashes.

In some instances, there was overlap between the point locations with the highest crashes and those segments with the highest crash rates. **Table B-1** lists the four point locations with the highest number of crashes and the three segments with the highest crash rates for the timeframes described above. The crash data for each of the hotspot locations is available in Appendix B of this Transportation Master Plan.

Analyses of these locations and the characteristics of each crash helped identify recommendations in the Capital Improvements Project List to reduce the likelihood of similar crashes in the future. **Table B-2** summarizes the reoccurring crash characteristics found at each point location and segment hotspot. The recommendations associated with each identified crash hot spot are included in **Section 4** of this Transportation Master Plan.



2.5 Alternative Transportation Modes

Bicycle and Pedestrian Facilities

Salt Lake County recently completed an Active Transportation Implementation Plan (ATIP). This plan builds upon the previous Bicycle Transportation Improvement Plan (BTIP) by incorporating elements of all forms of alternative transportation. This BTIP identifies a high comfort bicycle network for all communities located in Salt Lake County, including Millcreek. This ATIP recommended network is the current Millcreek Plan and includes existing and proposed facilities. Millcreek's General Plan identifies the bicycle facility types as:

1. **Shared Roadway:** Simply consisting of signage and/or 'sharrow' markings on the pavement, shared roadways are only suitable along streets with low traffic speeds and volumes where most bicyclists are already comfortable sharing space with motor vehicles. Bike boulevard treatments, including speed humps and curb extensions, could be considered to reduce vehicle speeds. An example of an existing shared roadway is 2700 East between 3300 South and Tanner Park.
2. **Bike Lane:** Bike lanes provide a dedicated space for biking with striping and painted symbols. They are intended for one-way travel and should be provided on both sides of a street, with a minimum preferred width of 5'. 2300 East is an example of a roadway with existing bike lanes.
3. **Buffered Bike Lane:** Buffered bike lanes provide a higher level of comfort than standard bike lanes by providing an additional painted buffer zone between bike lanes and motor vehicle lanes. This added buffer area should be at least 18" wide. Millcreek has a small section of an existing buffered bike lane on 900 East between 4500 South and Murray Holladay Road.
4. **Separated Bike Lane:** Separated bike lanes provide physical separation between cyclists and motor vehicles, while also keeping the cyclists separate from pedestrians. Rather than a painted buffer zone like buffered bike lanes, the buffer zone of a protected bike lane includes a vertical element such as bollards or planters. They can also be elevated to sidewalk-level. In certain situations, two-way separated bike lanes carrying both directions of bicycle traffic on one side of the street may be appropriate.
5. **Sidepath:** Sidepaths are two-way shared-use facilities running parallel to streets at sidewalk-level. They are intended for use by cyclists, pedestrians, and other non-motorized users and should be at least 10' wide to safely accommodate all movements. The PRATT trail is a type of sidepath.

Figure 2-4 (provided by Millcreek's General Plan Consultant Logan Simpson Design Consultants) depicts Millcreek's Great Connections Bicycle Network Map included in the Millcreek's General Plan. Additionally, Millcreek's General Plan has identified High Priority and Moderate Priority Sidewalk Connections as well as crossing improvement locations. **Figure 2-5** (provided by Millcreek's General Plan Consultant) depicts Millcreek's Great Connections: Walkability map included in the General Plan. It is recommended that a collaborative effort to develop a bicycle study between Millcreek and its neighbors. See section 4 **Recommendations**.



Transit and Transit Routes

Most of the functionally classified roads within Millcreek contain at least one bus route. Millcreek's General Plan Transit Network Framework focuses on enhancing existing bus stops by providing amenities including shelters at key stop locations. **Figure 2-6** (provided by Millcreek's General Plan Consultant) depicts the roads within Millcreek with bus routes and the existing bus stops with proposed shelters.



Figure 2-4 – Millcreek Bicycle Network (Included in the Millcreek General Plan)

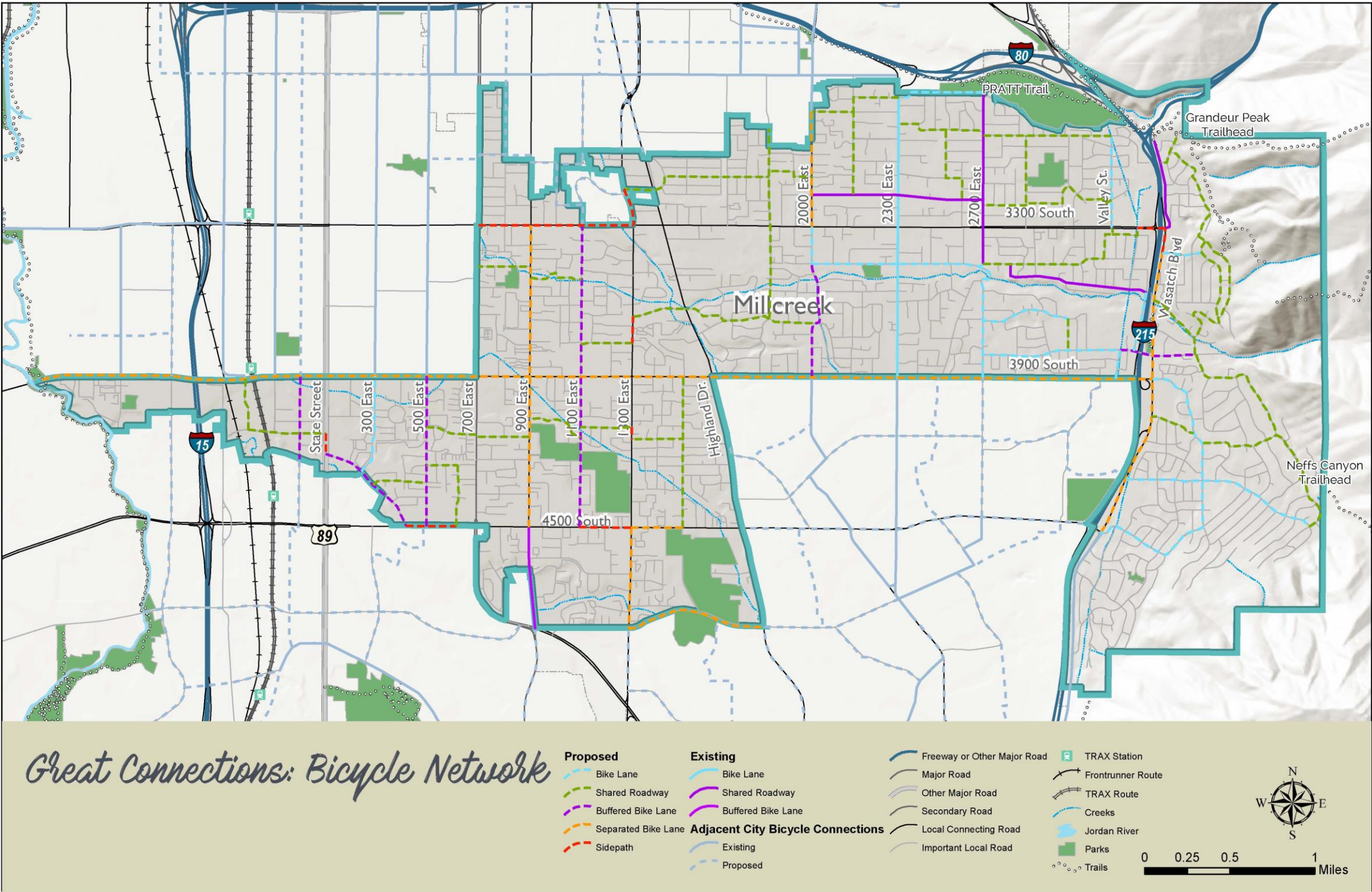


Figure 2-5 – Millcreek Walkability Network (Included in the Millcreek General Plan)

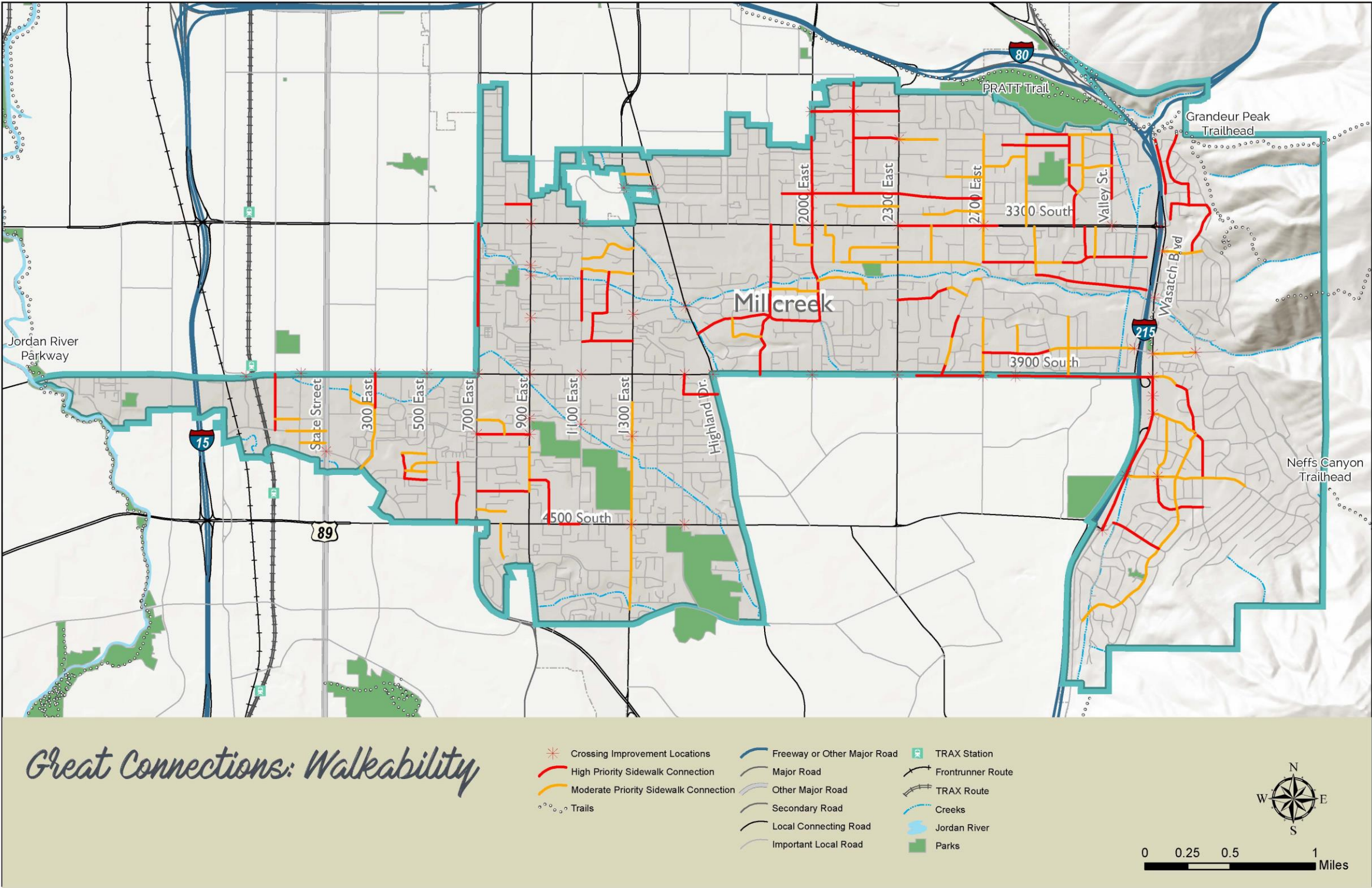
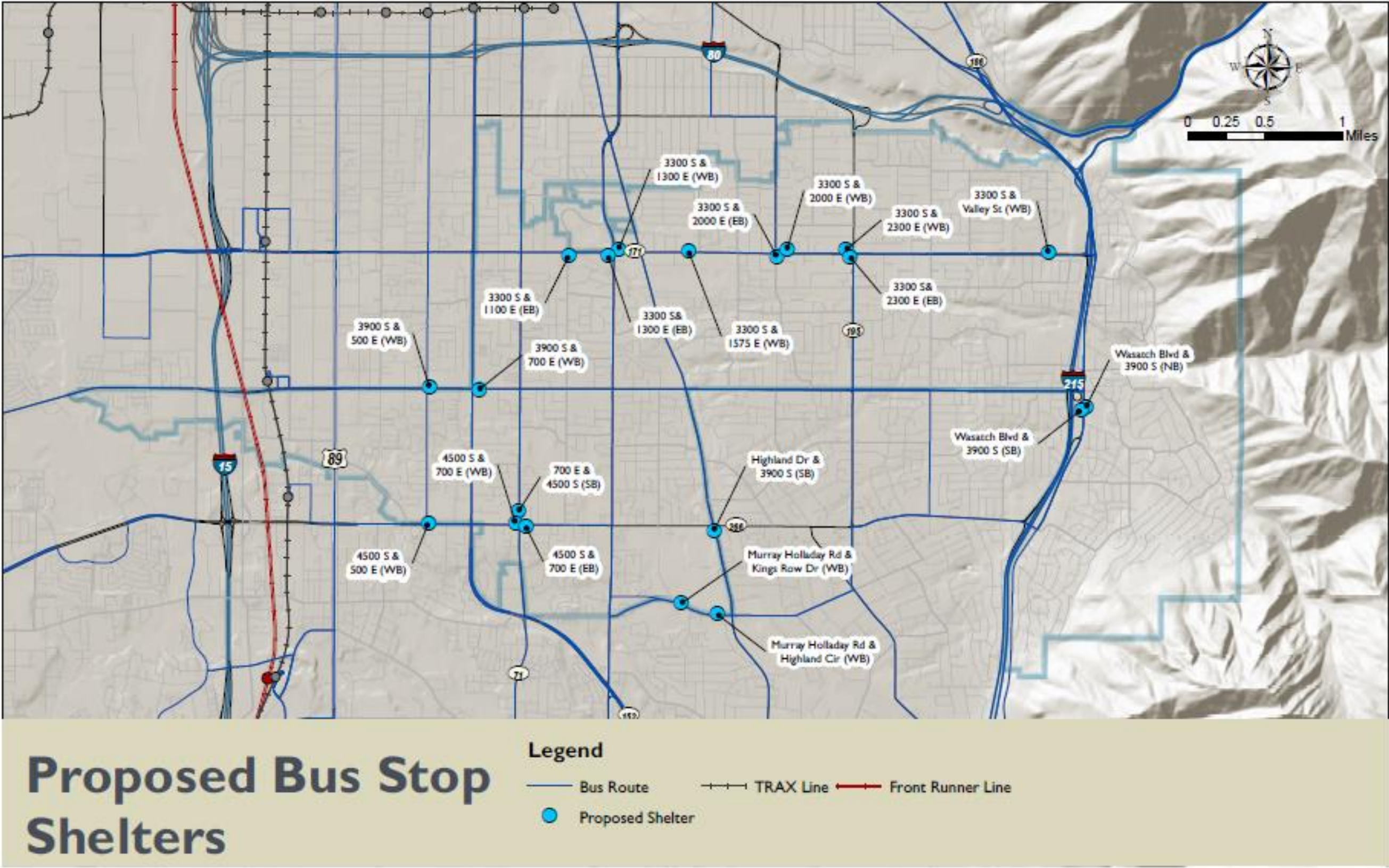


Figure 2-6 – Network with Bus Routes and Proposed Bus Stop Shelters (Included in the Millcreek General Plan)



2.6 Jurisdiction of Roadways in Millcreek

Utah Department of Transportation (UDOT) owns and operates several of the major roadways in the Millcreek transportation network. These roads include major thoroughfares such as 3300 South, 4500 South, and 700 East. Millcreek cannot propose changes to the functional classification or lane configuration without proper traffic analysis to support the proposed changes and UDOT's endorsement. Therefore, no changes to the functional classification or lane configuration on these roads have been analyzed or proposed.

If Millcreek desires to change these roadways in the future, a local government project study in coordination with UDOT is required to ensure the proposed revisions accommodate the projected traffic. Projects have been included on the Capital Improvements Plan (CIP) for some UDOT roads that do not change lane configuration or functional classification, rather reconstruction of the road to meet typical sections including utility relocation and active transportation reconstruction. These proposed roadway improvements are included in UDOT's Statewide Transportation Improvement Program.

Millcreek has included projects on the Capital Improvement Plan (CIP) for UDOT roads including 3300 South and 4500 South. These projects do not change the functional classification or lane configuration of the roadways; rather improve safety through sidewalk improvements and utility relocation to create a safer typical section. It is recommended that Millcreek undertake a 3300S corridor study, as a minimum, from Wasatch Blvd to the east and 700 E on the west. Furthermore, it may be beneficial to extend the study limit to the I-15 Freeway through the South Salt Lake City boundary. See section **4 RECOMMENDATIONS**.



3 Future System Analysis

This TMP considers current and future transportation needs within Millcreek. The accommodation of future travel demand is an essential part of transportation planning, and helps identify transportation needs that may not be apparent with existing demand. Input from the Millcreek staff and travel demand models prepared and endorsed by WFRC and UDOT are primary tools that have been used to determine the future traffic demand for the study area. Several localized changes made in the base model represent Millcreek local conditions reflective of known and potential developments within Millcreek.

This section summarizes land use assumptions, including population and employment for the study area. This information utilized in the transportation modeling process reflects traffic forecast volumes for functionally classified roadways within Millcreek. These traffic forecasts in turn help identify future deficiencies in the transportation system.

3.1 Travel Demand Modeling Overview and Definition

The WFRC projections from the Travel Demand Model Version 8.2 are the basis for this Transportation Master Plan. This model was modified through a localized/sub area validation process, narrowed to the focus on Millcreek only. The WFRC regional model includes data for multiple counties and local jurisdictions along the Wasatch Front. A sub area validation of the model verified that the travel demand model is consistent with field conditions.

Existing UDOT traffic counts were compared to travel demand outputs in the travel demand model. Discrepancies between the two data sets necessitated slight modifications to lane configurations and connections to validate the model and reflect actual field conditions.

Utah does not have a recommended validation process. Therefore, the project team used the Root Mean Square Error (RMSE) methodology for subarea or corridor validation detailed in the Florida DOT Project Development and Environment Manual (Part 2, Chapter 2 Traffic Analysis). This process extracts a smaller area from a regional model with the goal of improving statistics for trips within the subarea. This volume-over-count methodology compares the volumes from the model to field count data. **Table A-4** depicts the recommended validation standards for volume-over-count ratios for each functional classification. A higher level of statistical validity is a generally recommended industry practice for higher order facilities.

UDOT and WFRC reviewed the travel demand model, including assumptions, and provided endorsement in May 2018. Both agencies have endorsed the model as of the date of publication of this TMP.

3.2 Future Land Use

Millcreek area was formerly a part of unincorporated Salt Lake County, until incorporation in December 2016. Millcreek is largely a residential community with single and multi-family residential units along with several points of commercial and industrial development. The eastern edge of Millcreek is largely undeveloped mountainous terrain with homes located on the bench near the bottom of the Wasatch Mountains. Millcreek is landlocked to the north, south, and west



by neighboring municipalities including Murray, Taylorsville, West Valley City, Salt Lake City, South Salt Lake, Holladay and Salt Lake County.

Although predominantly residential, there are several central business districts and industrial facilities within Millcreek. These areas not only provide local services and shopping opportunities, but also job opportunities for residents. The central business districts identified in Millcreek's General Plan are in **Figure 2-1** of this plan.

The relationship between various land uses is an important component in developing traffic forecasts, especially since land use helps determine the number, purpose, route, mode, and daily distribution of trips. For example, since the majority of land use in Millcreek is residential, it is reasonable to expect that a large percentage of work and work related trips are to/from employment areas outside Millcreek.

For developing traffic forecasts for the TMP, Millcreek elected to use the WFRC projections. The WFRC, recognized as our Regional Metropolitan Planning Organization, develops and maintains population, housing, and employment estimates and projections on a wider geographic scale, and their socio-economic data is widely used by parties interested in planning and analysis.

Table A-5 summarizes the 2040 model socio-economic input totals representing 44 demographic areas or traffic analysis zones (TAZs) in Millcreek. These inputs, while based upon the City's land use plan, also reflect the regional land use projections by the WFRC for Salt Lake County. Based upon these model assumptions, the population within Millcreek is expected to increase by approximately 0.72% by 2040. The model also assumes the population in Millcreek will be 57,506 residents. Given that the 2010 census data was compiled for Millcreek prior to its incorporation, a more accurate Millcreek resident population will be available following the 2020 census. Millcreek can update this TMP at that time. For the purposes of this TMP, we have assumed that the demographic data in the WFRC model is acceptable and will not make an appreciable difference in the findings and results of the model for Millcreek's transportation network system. Millcreek's future TMP update in 3 to 5 years will have the benefit of using the 2020 census data and WFRC has adopted 2050 model.

3.3 Regional Plans

The Federal government requires WFRC to develop and approve a Regional Transportation Plan (RTP) and update it every four years. The RTP usually covers a time span of 25-30 years, and governs regionally significant highway and transit development across the urbanized areas of Salt Lake, Davis and Weber Counties. Through a collaborative process, the WFRC and the Utah Department of Transportation (UDOT) use the RTP to prioritize long-term state funding for roadway improvements.

To address future state roadway needs, the most recent WFRC RTP, adopted in May 2015, identifies planned improvements for several sections of roads administered by Utah State and local governments. **Table 3-1** depicts improvements that directly or indirectly influence Millcreek.



Table 3-1 – Improvements Influencing Millcreek

Roadway	From/To	Improvement	Phase
State Street	600 N to I-215	Operational	2 (S-108)
Highland Drive	3900 South to Van Winkle Expwy	Widening	2 (S-115)
4500 South	900 East to Highland Drive	Widening	3 (S-19)
Wasatch Boulevard	4500 South to 6200 South	Widening	2 (S-192)
1300 East	1300 South to Van Winkle Expwy	Operational	1 (S-190)
900 East	3300 South to 4500 South	Operational	1 (S-111)
I-215	Interchanges at 4500 South (East)	Upgrade	Highway (S-162)
3300 South	I-215 West to Highland Drive	Operational	2 (S-11)
Parley's IC EIS	I-80/I-215/Foothill Blvd IC	Upgrade	EIS
3900 S/I-215 IC	3900 S/I-215 IC	Operational	Traffic Study

After WFRC prioritizes a project on the RTP, UDOT may include it on the Statewide Transportation Improvement Program (STIP). UDOT manages the STIP through its Systems Planning and Programming Division on a five-year planning basis. The STIP, updated annually, includes transportation projects on the state, city and county highway systems as well as projects in the national parks, national forests, and Indian reservations. Highway and transit projects identified on the STIP are financially constrained, and have specific funding identified for the proposed improvement. These projects use various federal, state, and local funding programs. The 2018 STIP process identified funding for the following projects in the Millcreek area:

1. PIN 14948 3300 S; 3018 E to 3040 E – Sidewalk Improvements (\$199,507)
2. PIN 15911 900 East; 3900 S to 4500 S – Safety/Reconstruction (\$4.3 million)

Outside of Millcreek, but affects Millcreek Traffic:

1. PIN 15908 1300 East; 2100 S to Highland Drive – Reconstruction (no widening) (\$3.9 million)
2. PIN 14552 I-80/I-215/Foothill Blvd Environmental Impact Study (no design and construction funding identified at this time)
3. PIN 16822 3900 S/I-215 Traffic Study (no design and construction funding identified at this time)

3.4 Traffic Forecasts and Analysis

Roadways

Estimated average daily traffic (ADT) data for each functionally classified road from the 2040 WFRC base model compared against the same LOS thresholds from FDOT methodology, described in the **2.3 Level of Service Analysis** section of this report, determined the future LOS for the Millcreek road network. **Table 3-2** depicts projected failing roadways and **Figure 3-1** depicts the future 2040 LOS by segment. **Appendix A** depicts the comprehensive capacity



analysis of roadways within Millcreek. Millcreek growth is relatively flat and only one-segment changes in LOS, Main Street from the north city limits to the south city limits, from LOS C to LOS D by 2040.

Table 3-2 – Future (2040) Segment LOS Failing Roadways

Roadway	From	To	Functional Classification	Lanes (2018)	2040 AADT	LOS	Growth Rate
Murray Holladay Road	Van Winkle Expy	Coopers Hawk Bay	Minor Arterial	2	16,887	F	0.4%
2300 E	North City Limits	3900 S	Major Collector	2	15,125	F	0.0%
4500 South	Garden Dr	1100 E	UDOT - Other Principal Arterial	2	24,055	E/F	0.7%

Intersections

Figures 3-1 and 3-2 depict the movement volumes and intersection LOS for the six (6) selected intersections for the existing 2018 and future 2040 years. These intersections were selected because they are not part of UDOT's transportation network, yet have local significance. Many of the movements with LOS E and F in the existing conditions are no longer anticipated to operate at LOS E or F due to anticipated improvements to the roadway network and the expected of corresponding re-routing to the improved or widened roads.



Figure 3-1 – Existing (2018) Intersection Traffic Volumes and Level-of-Service

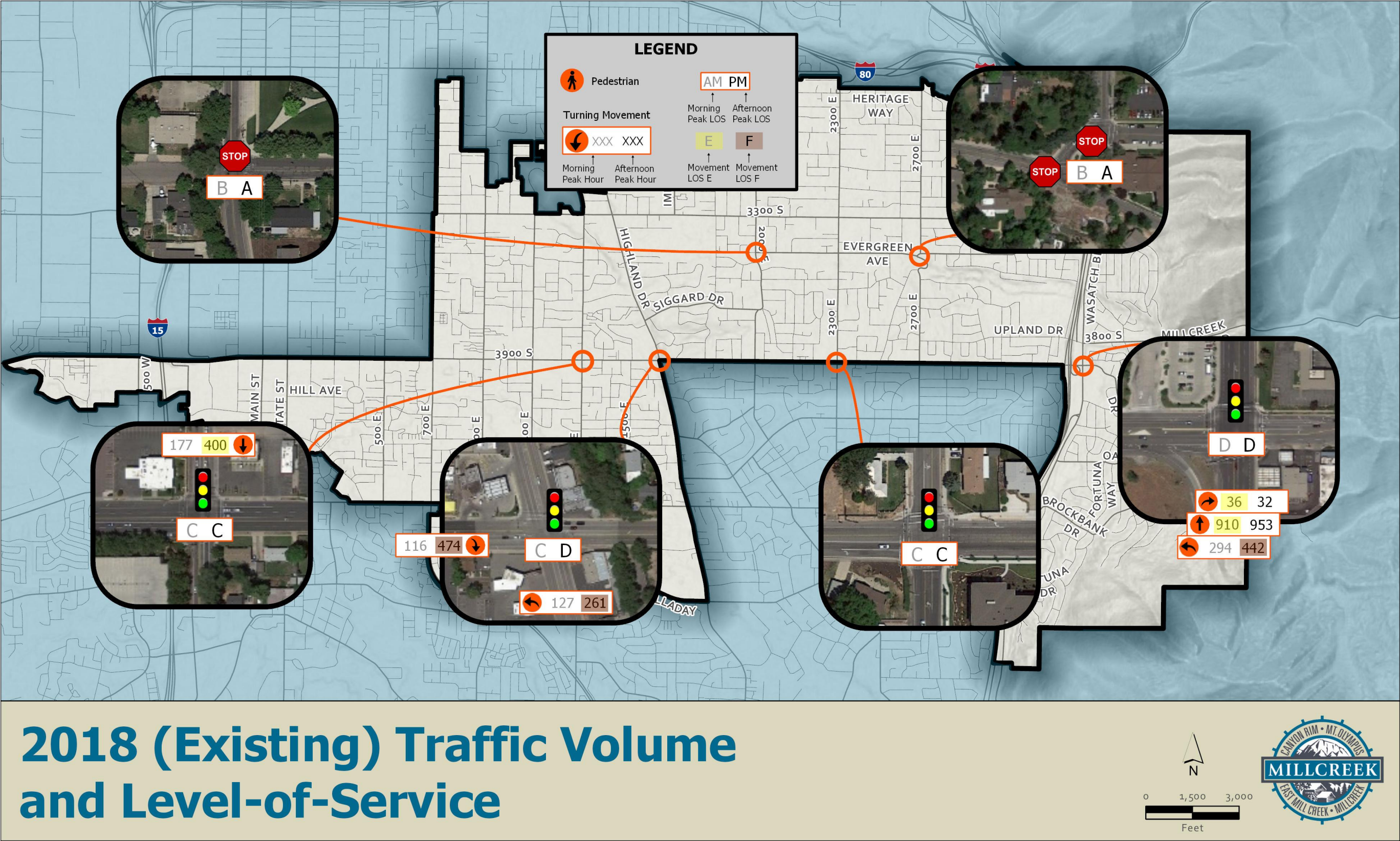
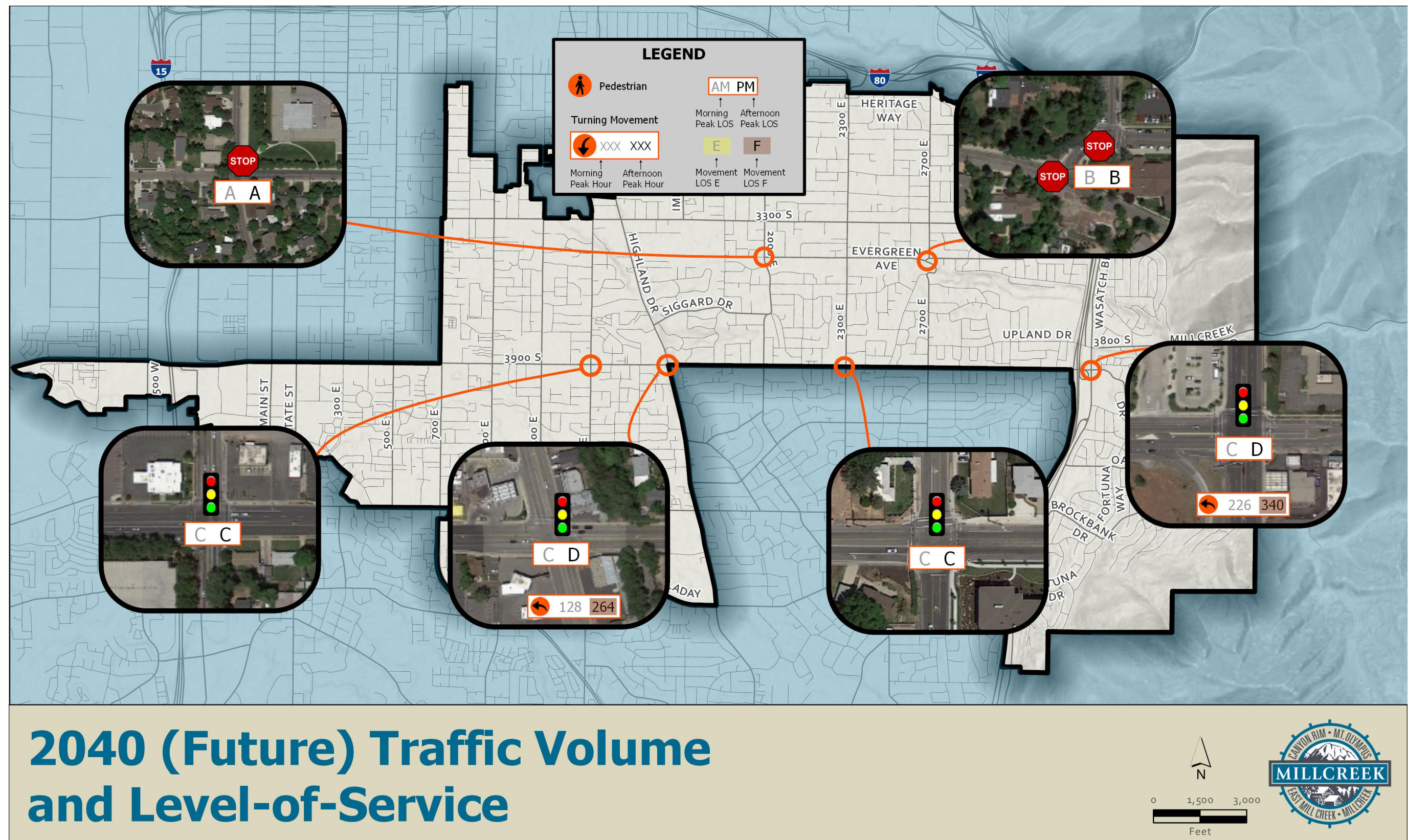


Figure 3-2 – Future (2040) Intersection Traffic Volumes and Level-of-Service



4 Recommendations

4.1 Millcreek, UDOT and WFRC Identified Capital Improvement Projects

Projects identified on the UDOT STIP and WFRC Regional Transportation Plan (RTP), including planned year and estimated project funding, have been included and prioritized in the Millcreek CIP based on available funding and project need. Should funding become available for a project earlier than planned, the project may be approved by Millcreek or the jurisdiction with responsibility of that project. Any time a change is proposed for a Transportation Project, Millcreek should verify the timing is consistent with the Stormdrain Master Plan Capital Facilities Plan to ensure that storm drains are constructed prior to roadway construction and surfacing.

Table 4-1 depicts short, mid and long-range project recommendations for roadways and intersections that have been developed with Millcreek input, analysis from this TMP, UDOT and WFRC planning studies. The recommendations include order of magnitude cost estimates are for planning purposes only and are in 2018 dollars. More detailed cost analysis is required to develop refined estimates.

Additionally, it is recommended that a collaborative study with neighboring communities be performed to develop a detailed implementation plan for bicycle facilities that includes comprehensive public outreach specific to the east side and support from elected officials of the newly formed City of Millcreek. Millcreek should also collaborate efforts with UDOT to conduct a corridor study of 3300 S to quantify roadway section widths, needed improvements, impacts to utilities and property owners, budgetary estimate of costs, etc.



Table 4-1 – Short, Mid and Long-range Project Recommendations

CIP PHASING PERIODS

2018-2024

2025-2034

2035-2040

Project Number	Priority	Range S=Short M=Mid L=Long	Pin	Street	Description	Project Type	Estimated Construction Cost	Notes
1	1	S	14948	3300 S	3018 E to 3040 E	Sidewalk	\$ 199,507	From UDOT STIP
2	2	S	15911	900 E	3900 S to 4500 S	Safety/Reconstruction	\$ 4,300,000	From UDOT STIP/WFRC RTP and identified by Millcreek
3	3	S		Highland Drive	at 3900 S NBL	Modify signal timing. Perform a study to determine if dual left is warranted.	\$ 3,000	From Existing Capacity Improvements. Have not identified improvements, these are just locations with LOS worse than D.
4	4	S		2700 E	3300 S to 3900 S	3300 S to 3900 S - Curve signage (lighted signs), lighting, shoulder widening, guard rail, shoulder rumble strips, speed enforcement. Speed bump. Flashing Speed Limit sign. Realignment.	\$ 300,000	Numeric Crash Data - Top 3 highest Severe Crash Rate
5	5	S		900 E	4500 S to Vanwinkle	4500 S to Vanwinkle. Consider eliminating dog house signal heads at 4500 S and replacing with flashing yellow signal/ eliminate permitted left turn movements/ modify signal timing. Between 4600 S and 4680 S there are multiple stop controlled side streets/parking lot accesses that are not aligned consider closing/aligning accesses to reduce turning conflicts. Consider medians and access management. Consider changing posted speed limit.	\$ 75,000	Numeric Crash Data - Top 3 highest Severe Crash Rate
6	6	S		500 E	3900 S to 4500 S	3900 S to 4500 S - enforce parking within the parking limits. Several - hit parked cars incidents (12). Consider right turn lanes or left turn lanes at side streets to reduce rear end crashes. Eliminate Parking. Revise speed limit (existing is 35 mph). Enhanced parking facilities, traffic calming/bulb outs. Add bike lane.	\$ 75,000	Numeric Crash Data - Top 3 highest Severe Crash Rate. Identified by Millcreek and Salt Lake County's Active Transportation Plan (ATIP)
7	7	S		3900 S	Intersection at State Street	Consider eliminating dog house signal heads and replacing with flashing yellow signal/ eliminate permitted left turn movements/ modify signal timing. Consider access management techniques. High number of angle crashes	\$ 5,000	Numeric Crash Data - Top 4 highest number of injury crashes
8	8	S		900 E	Intersection at 4500 S	Consider eliminating dog house signal heads and replacing with flashing yellow signal/ eliminate permitted left turn movements/ modify signal timing	\$ 5,000	Numeric Crash Data - Top 4 highest number of injury crashes
9	9	S		3900 S	Intersection at Highland Drive	Consider eliminating dog house signal heads and replacing with flashing yellow signal/ eliminate permitted left turn movements/ modify signal timing. High number of angle crashes. Perform intersection safety analysis (sight distance). Manage accesses near intersection	\$ 5,000	Numeric Crash Data - Top 4 highest number of injury crashes
10	10	S		3900 S	Intersection at 1100 E	Consider adding flashing yellow signal/ eliminate permitted left turn movements/ modify signal timing. High number of angle crashes	\$ 5,000	Numeric Crash Data - Top 4 highest number of injury crashes
11	11	S		Wasatch Boulevard	at 3900 S NBL	Consider eliminating dog house signal heads and replacing with flashing yellow signal/ eliminate permitted left turn movements/ modify signal timing. Consider dual left turn lane warrant. High number of angle crashes. Consider NB LT, NBTL, NBT, NBR and split timing to fix operation issues and safety issues. Similar layout for SB lanes	\$ 5,000	From Existing Capacity Improvements. Have not identified improvements, these are just locations with LOS worse than D.
12	12	S		2000 E	3000 S to 3900 S	Bike Lane	\$ 3,000	Identified by Millcreek and Salt Lake County's Active Transportation Plan (ATIP)
13	13	S		Siggard Drive		Uphill bike lane and neighborhood byway	\$ 100,000	Identified by Millcreek and Salt Lake County's Active Transportation Plan (ATIP)
14	14	S		1100 E	Brickyard to Vanwinkle Expressway	Bike Lane	\$ 3,000	Identified by Millcreek and Salt Lake County's Active Transportation Plan (ATIP)
15	15	S		3900 S	Wasatch Blvd to Jordan River	Bike Lane	\$ 3,000	Identified by Millcreek and Salt Lake County's Active Transportation Plan (ATIP)
16	16	S		Wasatch Blvd	3900 S to Parleys Canyon Trail	Bike Lane	\$ 3,000	Identified by Millcreek and Salt Lake County's Active Transportation Plan (ATIP)
17	17	S		Jupiter Loop		Bike Lane	\$ 2,000	Identified by Millcreek and Salt Lake County's Active Transportation Plan (ATIP)
18	18	S		Melbourne St/Honeycutt Rd		Neighborhood byway	\$ 275,000	Identified by Millcreek and Salt Lake County's Active Transportation Plan (ATIP)
19	19	S		Upland Drive		Bike lane and neighborhood byway	\$ 150,000	Identified by Millcreek and Salt Lake County's Active Transportation Plan (ATIP)
20	20	S	S-190 (WFRC RTP)	1300 E	1300 South to Vanwinkle Expressway (Entire Project Length)	Overall 5.7 mile project includes the portion of operational improvements (Phase 1) S-190 from 3000 S to Murray Holladay Road	\$ 17,000,000	From WFRC RTP: Needed Phase 1; Funded Phase 1
21	21	S	S-11 (WFRC RTP)	3300 S	I-215 West to Highland Drive	Operational Improvements (Phase 2) S-11	\$ 23,400,000	From WFRC RTP: Needed Phase 1; Funded Phase 2
22	22	S		City-wide	Bike Study	Collaborative study with neighboring communities to develop a detailed implementation plan for bicycle facilities	\$ 250,000	Identified by Millcreek
23	23	S		3300 S	I-15 to I-215	Corridor study to quantify roadway section widths, needed improvements, impacts to utilities and property owners, budgetary estimate of costs, etc.	\$ 500,000	Identified by Millcreek
24	24	S		3900 S	Wasatch Blvd to 2300 E	Reconstruction	\$ 8,600,000	transportation, right turn lanes, etc.
25	25	M		3300 S	700 E to I-215	Reconstruction including complete streets improvements and utility relocations. Coordination with UDOT req'd	\$ 10,000,000	
26	26	M		1300 E	3300 S to 4500 South	Sidewalk and Transit Improvements	\$ 2,000,000	Identified by Millcreek - Also include an overlay
27	27	M	S-108 (WFRC RTP)	State Street	600 N to I-215 (Entire Project Length)	Overall 8.6 mile project includes the portion of State Street Operational Improvements (Phase 2) S-108 from 3900 S to E Fireclay Avenue in Millcreek	\$ 38,700,000	From WFRC RTP: Needed Phase 1; Funded Phase 2
28	28	M	S-115 (WFRC RTP)	Highland Drive	3900 South to Van Winkle Expressway (Entire Project Length)	Overall 3.4 mile project includes the portion of Highland Drive operational improvements (Phase 2) S-115 from 3900 S to Murray Holladay Road	\$ 15,300,000	From WFRC RTP: Needed Phase 1; Funded Phase 2
29	29	M	S-162 (WFRC RTP)	I-215 Interchange at 4500 South (East)	Freeway Interchange Upgrade Improvements (Highway Point Project) S-162	Upgrade Improvements (Highway Point Project) S-162	\$ 27,000,000	From WFRC RTP: Needed Phase 2; Funded Phase 2
30	30	L	S-19 (WFRC RTP)	4500 S	900 East to Highland Drive (Entire Project Length)	Overall 1.3 mile widening improvements (Phase 3) S-19	\$ 29,700,000	From WFRC RTP: Needed Phase 2; Funded Phase 3
31	31	L		Murray Holladay	900 E to 1300 E	Realign intersection, modify intersection control (slip lanes), widening roadway, reconfigure lanes based on destination	\$ 500,000	
32	32	L	S-192 (WFRC RTP)	Wasatch Boulevard	4500 South to 6200 South (Entire Project Length)	Overall 3.2 mile project includes the portion of Wasatch Blvd widening improvements (Phase 3) S-192 from 4500 S to 4943 South	\$ 60,700,000	From WFRC RTP: Needed Phase 3; Funded Phase 3
Short Range Subtotal							\$ 55,266,507	
Mid Range Subtotal							\$ 93,000,000	
Long Range Subtotal							\$ 90,900,000	



The 2018-2040 Millcreek Capital Improvement Plan (CIP) List is shown in **Table 4-1**. These projects have been prioritized based on available funding and appropriate timing with the Storm Drain Master Plan Capital Funding Program of Projects.

Logical Completion of Projects

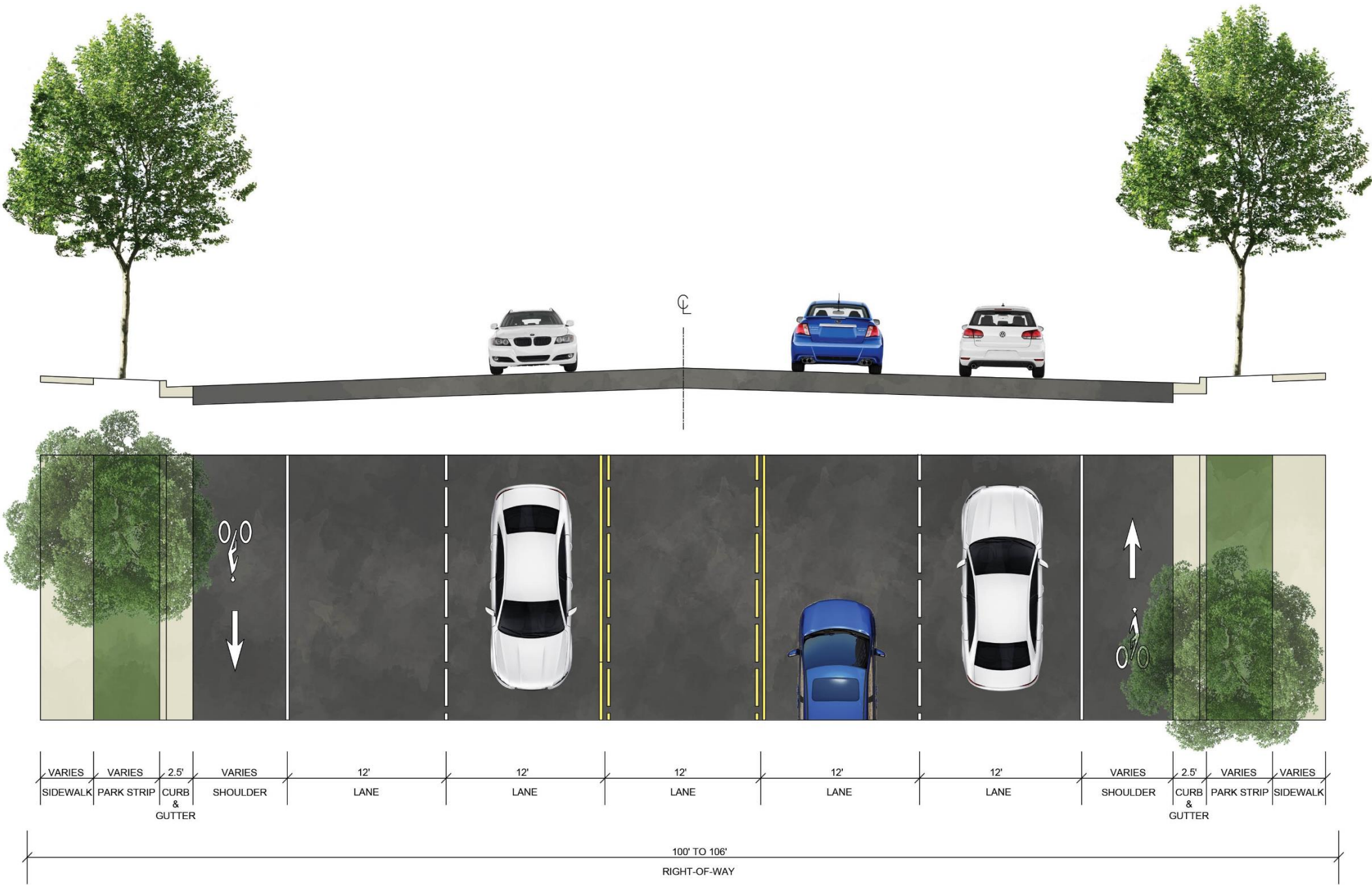
Special care was given to prioritizing transportation projects for the Millcreek's CIP. This plan was developed concurrently to the City's Storm Water Master Plan, and projects were prioritized to ensure storm water projects occur prior to transportation projects when applicable. If any changes in priority are proposed, Millcreek should make an effort to coordinate storm water projects appropriately based on available funding and project need.

4.2 Typical Street Cross Sections

Millcreek's typical roadway cross sections and street width standards are depicted in **Figure 4-1 Millcreek Typical Street Cross Sections**. To achieve safety and mobility benefits, streets should be required to meet Millcreek Typical Sections as identified in this plan. Modifications to these standards may be recommended by Millcreek on a case-by-case basis. Modifications require a review and final acceptance from the City Engineer based on functional classification, proximity to intersections and accesses, crash history, transition to existing roadways, and other related technical criteria and factors as deemed applicable. Millcreek may require higher standards based on reasonable engineering judgment related to the safe operation and progression of traffic flow.



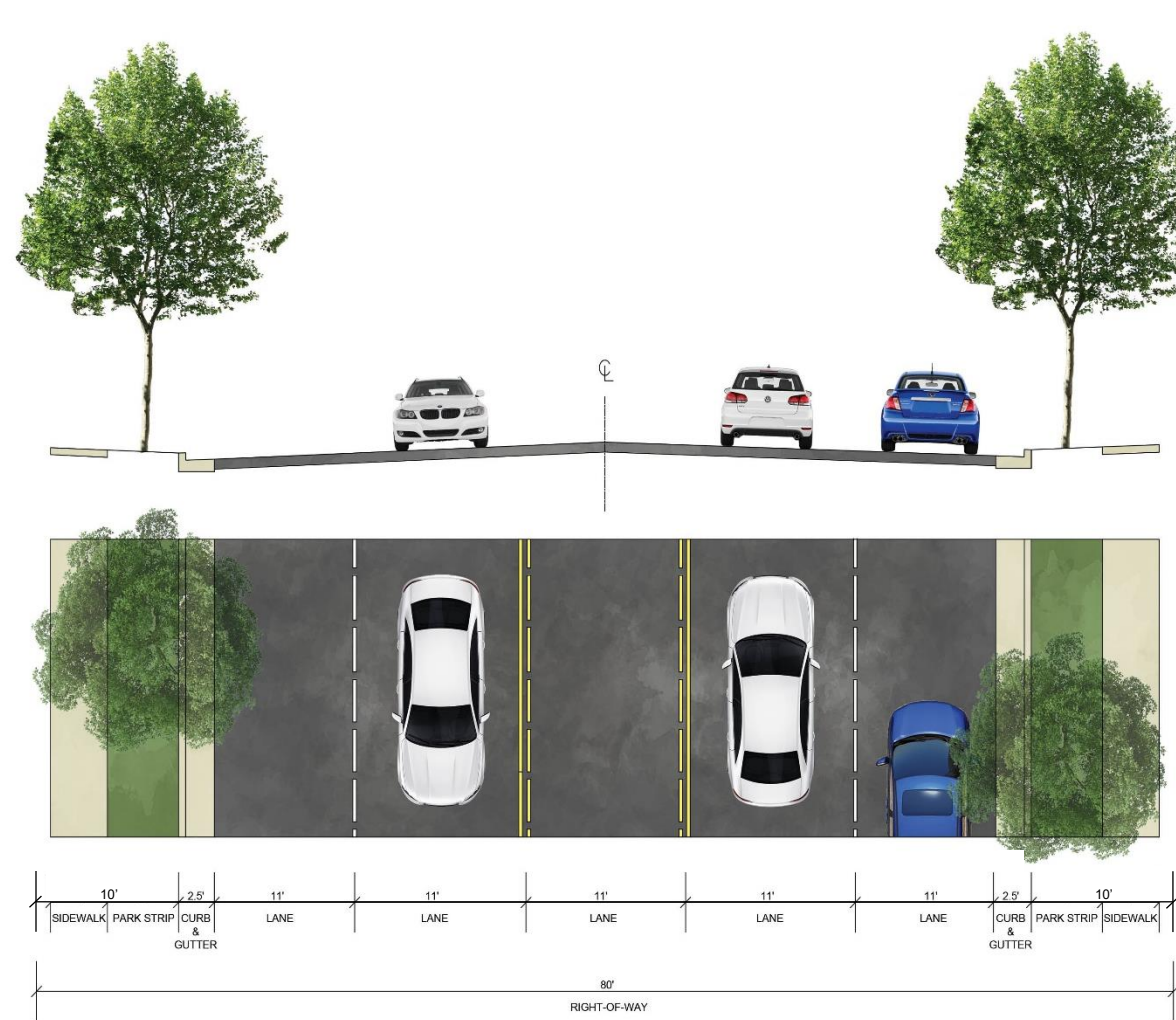
Figure 4-1 – Millcreek Typical Street Cross Sections



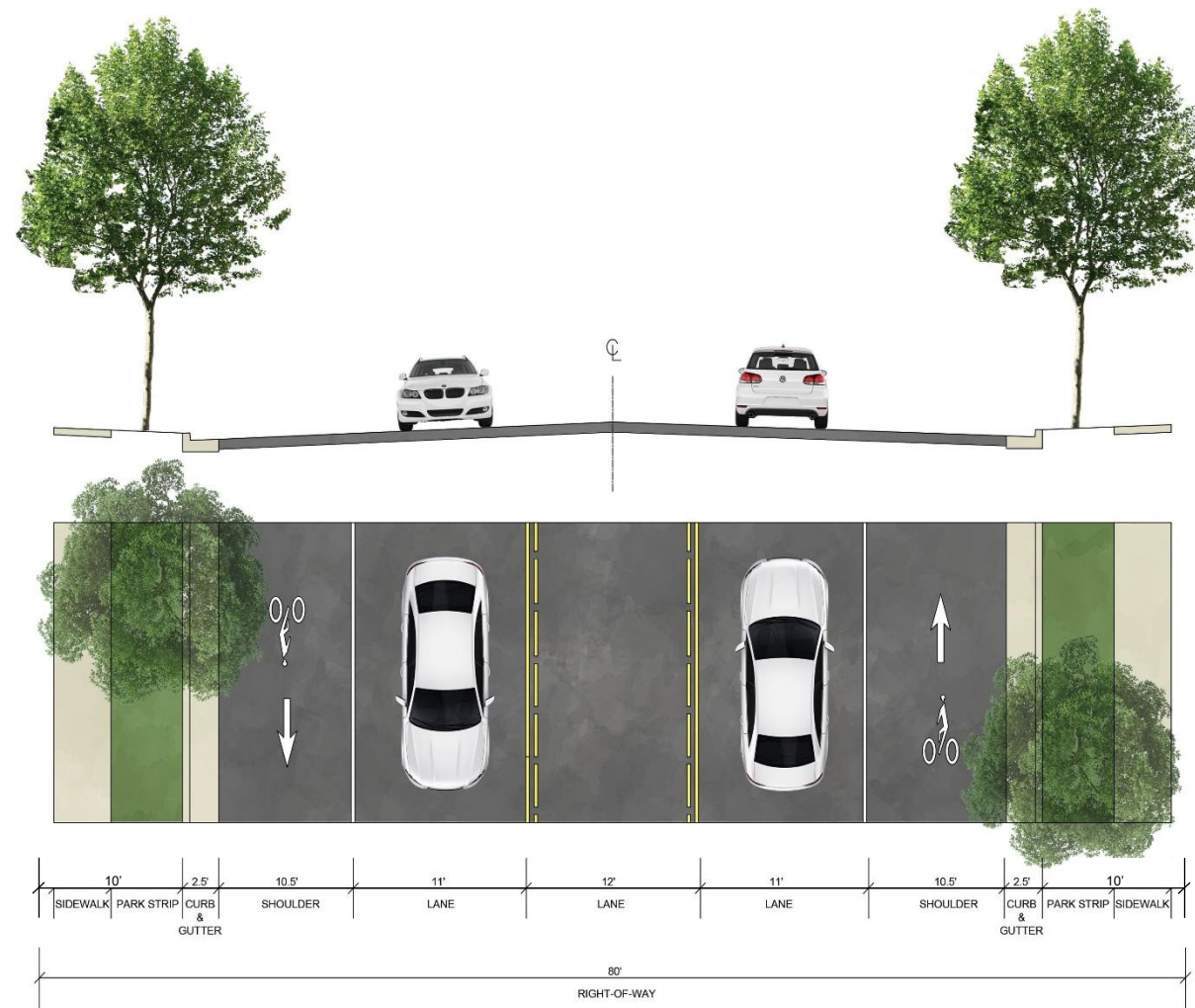
MINOR ARTERIAL 106 FOOT (TYPICAL)
5 LANES 35-40 MPH

BIKE LANES ARE NOT
TYPICAL EXCEPT AS
IDENTIFIED IN THE
GENERAL PLAN.





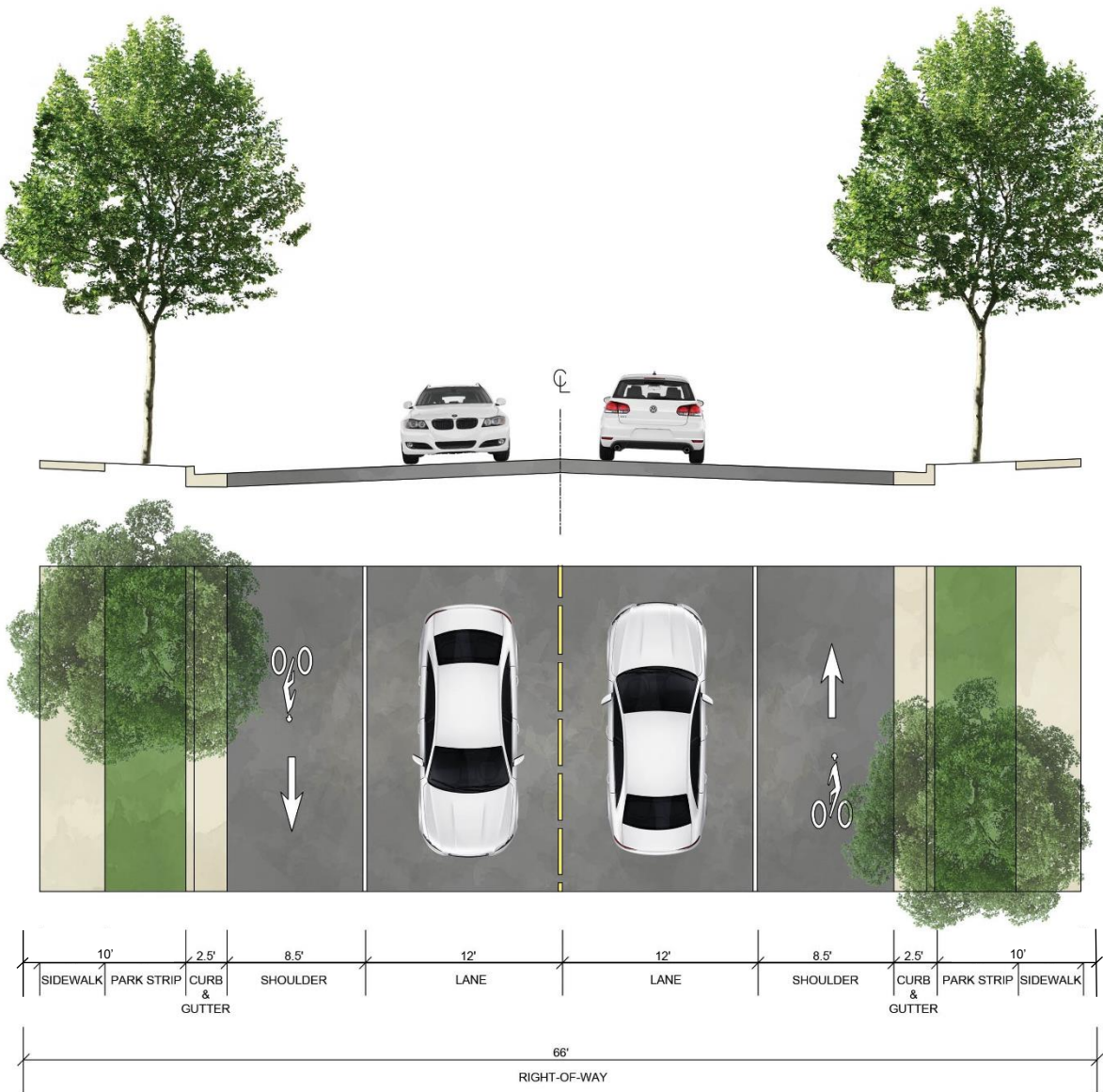
MINOR ARTERIAL: 80-FOOT (BY APPROVAL ONLY)
5 LANES 30-40 MPH



MAJOR COLLECTOR: 80-FOOT (TYPICAL)
3 LANES 25-35 MPH

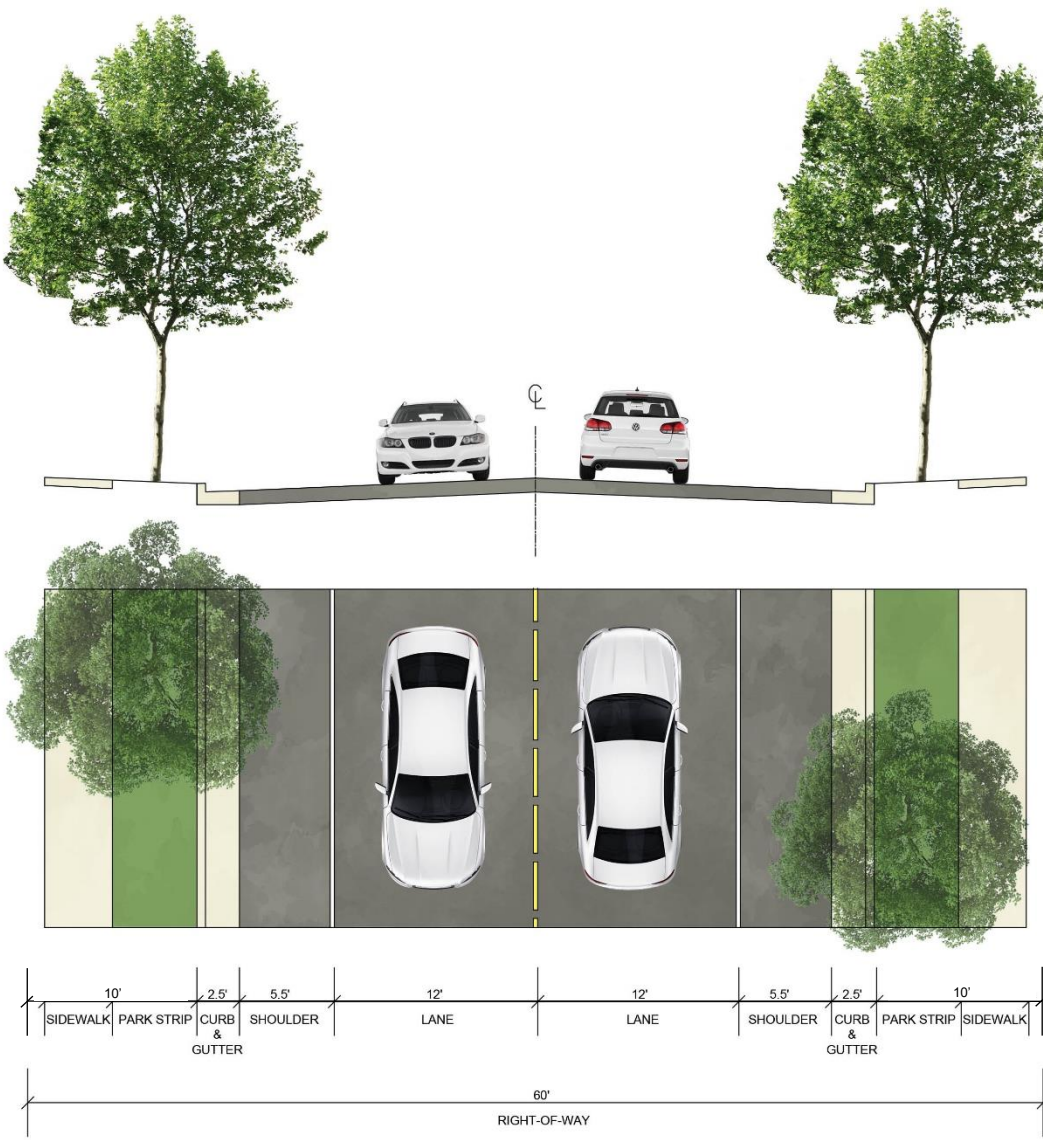
BIKE LANES ARE NOT
TYPICAL EXCEPT AS
IDENTIFIED IN THE
GENERAL PLAN.





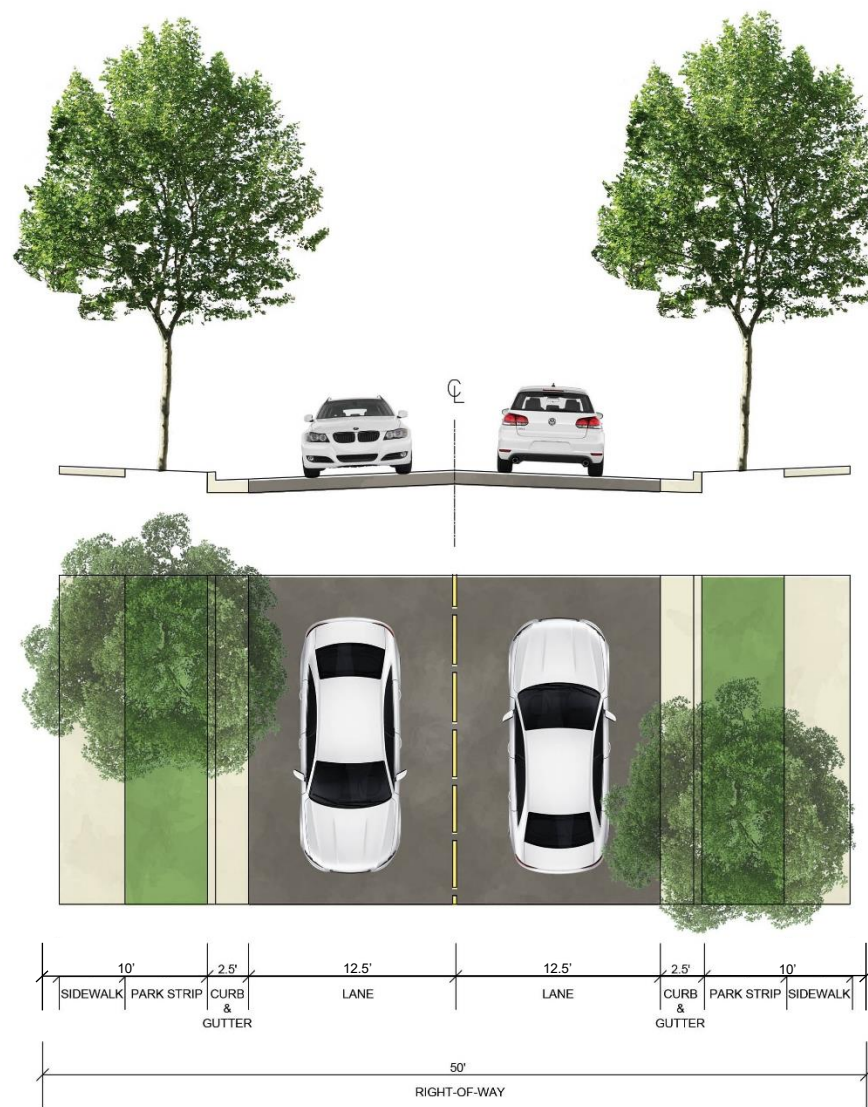
MINOR COLLECTOR: 66-FOOT (TYPICAL)
2 LANES 25-35 MPH

BIKE LANES ARE NOT
TYPICAL EXCEPT AS
IDENTIFIED IN THE
GENERAL PLAN.

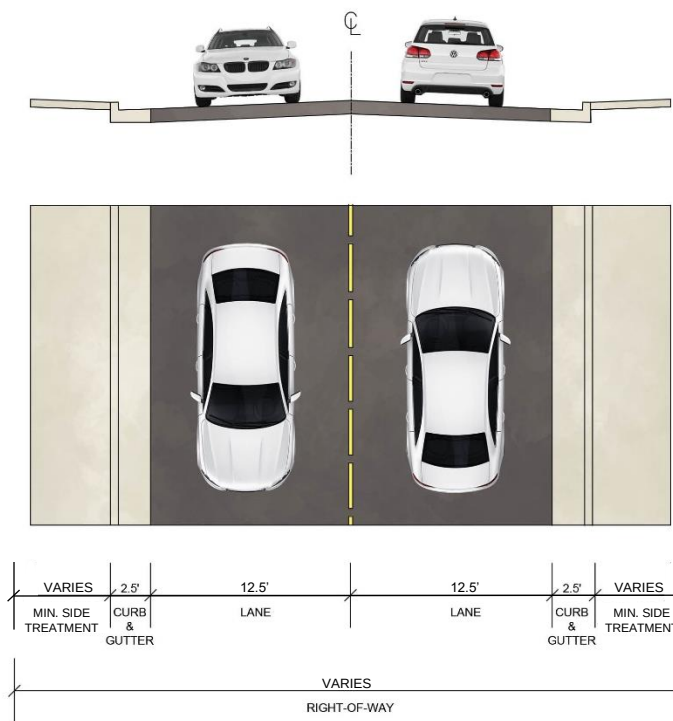


LOCAL STREET: 60-FOOT
2 LANES ≤ 25 MPH





LOCAL STREET: 50-FOOT (TYPICAL)
2 LANES ≤ 25 MPH



PRIVATE STREET: VARIES (BY APPROVAL ONLY)
2 LANES ≤ 25 MPH

Millcreek shall be the reviewing jurisdiction of intersections along collector and higher road functional classifications and evaluate the need for turn lanes and other geometric improvements. The City Engineer may allow variations to the design standards if implementation provides better traffic flow and safer operation. Financial considerations, right of way and proximity impacts may also weigh into decisions allowing design variations.

4.3 Access Management

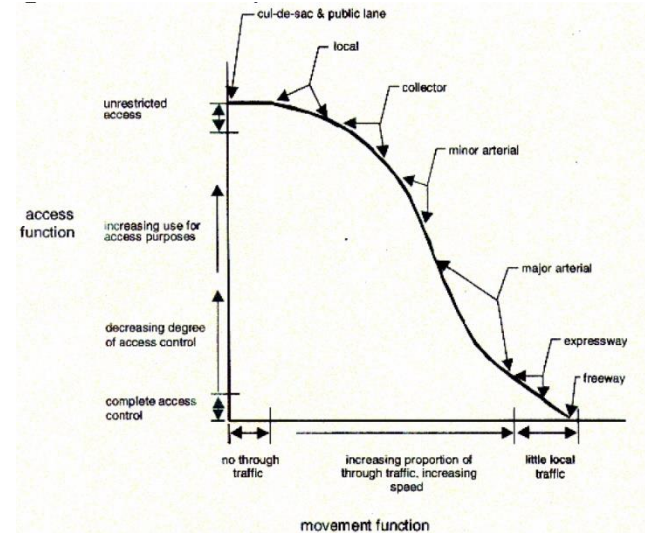
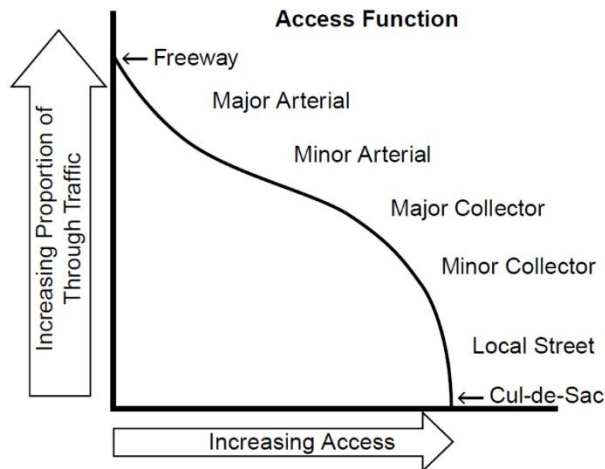
Three main tenets of supporting an efficient transportation system are safety, mobility, and access. Of these, access or the management of access, has the greatest impact. Access points create additional conflict points that result in the potential for additional crashes. Additionally, as the number of access points increase, the number of vehicles slowing for turning increases. This slowing of traffic increases congestion and decreases mobility. Therefore, it is critical to employ an access management plan strategies, with emphasis on collector and arterial roadways in Millcreek.

UDOT, as part of their Statewide Access Management Program, uses five criteria when considering and permitting access. It is recommended that Millcreek follow UDOT's access management considerations:

1. **Limit the number of conflict points at driveway locations** - Conflict points are good indicators of the potential for crashes. The more conflict points at an intersection or driveway, the higher the potential for vehicular crashes. When left turns and cross street through movements are restricted, the number of conflict points is significantly reduced.
2. **Separate highway conflict areas** - Intersections created by public streets and driveways represent basic conflict areas. Adequate spacing between intersections allows drivers to react to one intersection at a time thereby reducing potential conflicts. Driveways and intersections aligned directly opposite of each other without offsets help lessen the size of the conflict area and define turning movements.
3. **Reduce interference to through traffic** - Through traffic often needs to slow down for vehicles exiting, entering, or turning across the roadway. Turning traffic separates from through traffic quicker with the provision of turning lanes, designing driveways with large turning radii, and restricting turning movements in and out of driveways.
4. **Adequately space at-grade signalized and unsignalized intersections** - Good spacing of intersections and median openings reduces multiple conflict areas and increases the potential for smooth traffic progression. Uniform roadway and access design ease driver expectation and judgment.

The following graphics depict access conditions and characteristics adjacent to functional roadways:





From these items, some key parameters to consider in an access management plan include:

- New requests for access onto collectors or arterials should consider sharing existing accesses where feasible.
- No new individual residence accesses allowed onto major collectors or arterials.
- For “arterials”, UDOT has categorized 3300 South, 4500 South, State Street, 700 East as Category 5, Regional Priority Urban, with the following minimum spacing standards measured centerline to centerline:
 - Minimum signal spacing 2,640 feet.
 - Minimum street spacing 660 feet.
 - Minimum driveway spacing 350 feet.
- The UDOT categorization that best resembles a “collector” is Category 8, Community Urban, with the following minimum spacing:
 - Minimum signal spacing 1,320 feet.
 - Minimum street spacing 300 feet.
 - Minimum driveway spacing 150 feet.

As traffic volumes on Millcreek roads increase, having an adequate access management plan will help create a transportation system that meets mobility needs and safety goals, as well as provide for the access needs of individual property owners.

Appendix A – Level of Service Analysis, Traffic Count Data and Traffic Analysis Results

Table A-1 – Level of Service (LOS) Criteria (Class)

Class I Criteria using AADT (40 mph or higher posted speed limit)					
Lanes	Median	B	C	D	E
2	Undivided	*	16,800	17,700	0
3	Divided	*	27,350	28,750	0
4	Divided	*	37,900	39,800	0
6	Divided	*	58,400	59,900	0
8	Divided	*	78,800	80,100	0
Class II Criteria using AADT (35 mph or slower posted speed limit)					
Lanes	Median	B	C	D	E
2	Undivided	*	7,300	14,800	15,600
3	Divided	*	10,900	23,600	24,700
4	Divided	*	14,500	32,400	33,800
6	Divided	*	23,300	50,000	50,900
8	Divided	*	32,000	67,300	68,100

Table A-2 – Level of Service (LOS) Criteria – Adjustment Factors

Lanes	Median	Exclusive Left Lanes	Exclusive Right Lanes	Adjustment Factors
2	Divided	Yes	No	5%
2	Undivided	No	No	-20%
Multi	Undivided	Yes	No	-5%
Multi	Undivided	No	No	-25%
-	-	-	Yes	5%



Table A-3 – Existing (2018) Segment LOS and Failing Level of Service

Roadway	From	To	Functional Classification	Lanes (2018)	2018 AADT	LOS
Murray Holladay Road	Van Winkle Expy	Coopers Hawk Bay	Minor Arterial	2	15,498	F
Murray Holladay Road	Coopers Hawk Bay	Highland Drive	Minor Arterial	4	14,506	C
3900 South	West City Limits	700 E	Minor Arterial	4	22,998	C
3900 South	700 E	Highland Drive	Minor Arterial	4	17,168	C
3900 South	Highland Drive	Wasatch Boulevard	Minor Arterial	2	10,593	C
Heritage Way	2300 E	2700 E	Minor Collector	2	6,264	C
500 W	North City Limits	South City Limits	Major Collector	2	11,805	D
Commerce Drive	North City Limits	South City Limits	Major Collector	2	6,446	C
Main Street	North City Limits	South City Limits	Major Collector	2	4,931	C
500 E	3900 S	4500 S	Major Collector	2	5,659	D
900 E	North City Limits	3300 S	Major Collector	2	3,516	C
900 E	3300 S	3900 S	Major Collector	2	6,721	C
900 E	3900 S	South City Limits	Major Collector	2	6,225	C
1100 E	3300 S	4500 S	Minor Collector	2	3,226	C
1300 E	North City Limits	4500 S	Minor Arterial	4	19,406	C
1300 E	4500 S	South City Limits	Minor Arterial	2	16,458	C
Highland Drive	North City Limits	3900 S	Major Collector	4	23,501	D
Highland Drive	3900 S	South City Limits	Major Collector	4	18,902	C
Imperial St	North City Limits	3300 S	Minor Collector	2	3,256	C
Siggard Dr	Highland Drive	2000 E	Minor Collector	2	1,391	C
2000 E	North City Limits	3900 S	Minor Collector	2	4,138	C
2300 E	North City Limits	3900 S	Major Collector	2	15,014	F
2700 E	North City Limits	Evergreen Ave	Minor Collector	2	2,680	C
2700 E	Evergreen Ave	Hillside	Minor Collector	2	3,682	C
2700 E	Hillside	3900 S	Minor Collector	2	2,257	C
Evergreen Ave	2300 E	2700 E	Minor Collector	2	1,897	C
Upland Dr	2700 E	Laurelcrest Street	Minor Collector	2	1,725	C
Upland Dr	Laurelcrest Street	Wasatch Boulevard	Minor Collector	2	2,220	C
Wasatch Boulevard	South City Limits	Oakcliff Dr	Major Collector	2	728	C
Wasatch Boulevard	Oakcliff Dr	Apollo Dr	Major Collector	2	4,820	C
Wasatch Boulevard	Apollo Dr	3900 S	Minor Arterial	2	10,894	C
Wasatch Boulevard	3900 S	3680 S (Monza Dr)	Minor Arterial	4	9,712	C
Wasatch Boulevard	3680 S	3300 S	Major Collector	2	5,437	C
Wasatch Boulevard	3300 S	North City Limits	Minor Collector	2	2,226	C
Fortuna Way	Oakview Dr	Wasatch Boulevard	Minor Collector	2	481	C
Oakview Dr	Wasatch Boulevard	Gilead Way	Minor Collector	2	649	C
Brockbank Dr	I-215	Fortuna Way	Minor Collector	2	3,297	C
Jupiter Dr	Wasatch Boulevard	Oakview Dr	Minor Collector	2	3,380	C



Roadway	From	To	Functional Classification	Lanes (2018)	2018 AADT	LOS
3800 S Millcreek Canyon Road	Wasatch Boulevard	East City Limits	Minor Collector	2	1,687	C
4500 South	West City Limits	700 E	UDOT - Other Principal Arterial	6	55,289	C
4500 South	700 E	Garden Dr	UDOT - Other Principal Arterial	4	27,475	C
4500 South	Garden Dr	1100 E	UDOT - Other Principal Arterial	2	20,967	E/F
4500 South	1100 E	1500 E	UDOT - Other Principal Arterial	3	18,485	C
4500 South	1500 E	Highland Drive	UDOT - Other Principal Arterial	2	13,425	C
3300 South	700 E	2300 E	UDOT - Other Principal Arterial	4	24,608	C
3300 South	2300 E	2700 E	UDOT - Other Principal Arterial	4	10,949	C
3300 South	2700 E	Wasatch Boulevard	UDOT - Other Principal Arterial	6	8,504	C
State Street	North City Limits	South City Limits	UDOT - Other Principal Arterial	6	30,160	D
700 E	North City Limits	Murray Holladay Road	UDOT - Other Principal Arterial	8	44,205	C
4430 S	I-215 off ramp	I-215	UDOT - Other Principal Arterial	2	8,888	C



Figure A-1 – Existing Intersection Traffic Volumes and Level-of-Service all Movements

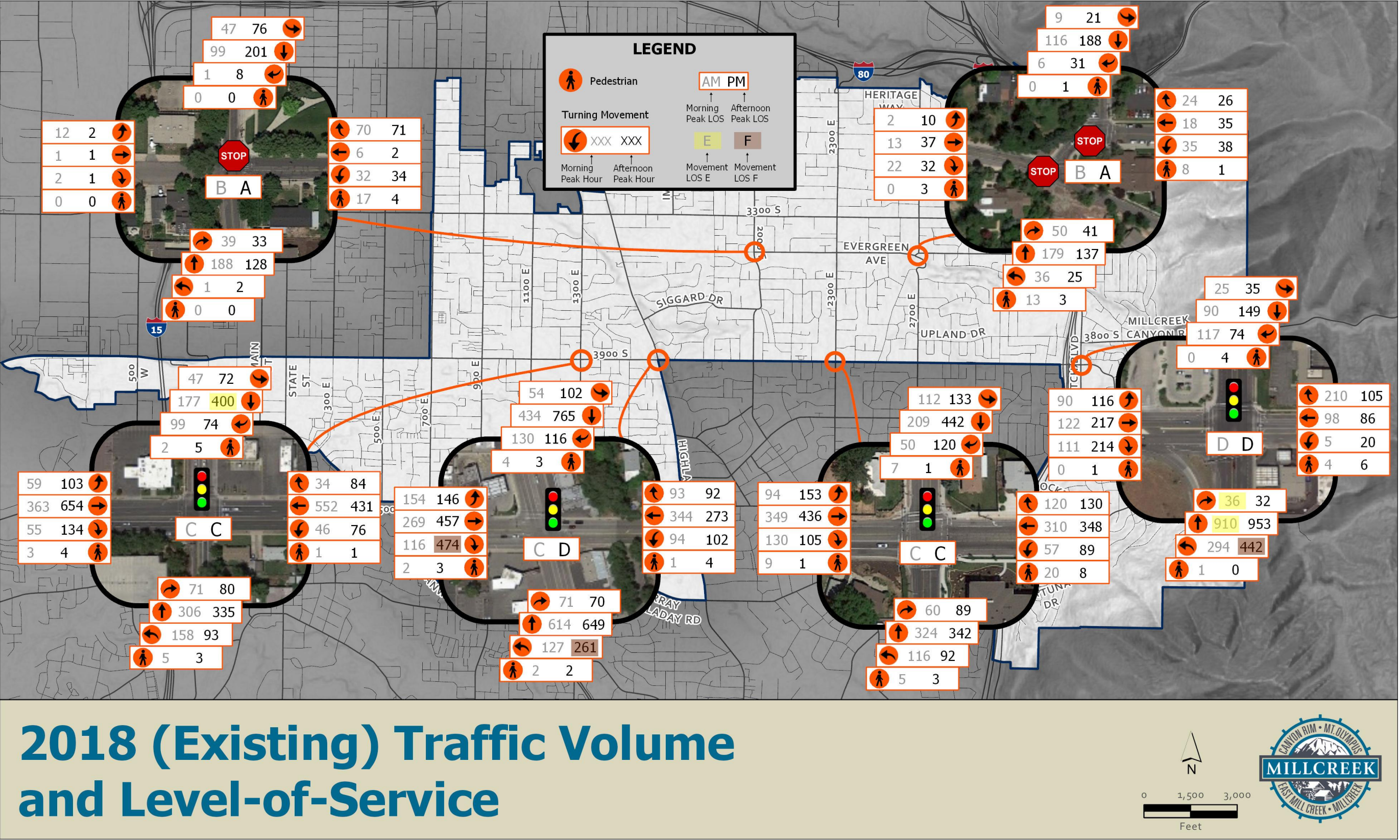


Figure A-2 – Future (2040) Intersection Traffic Volumes and Level-of-Service all Movements

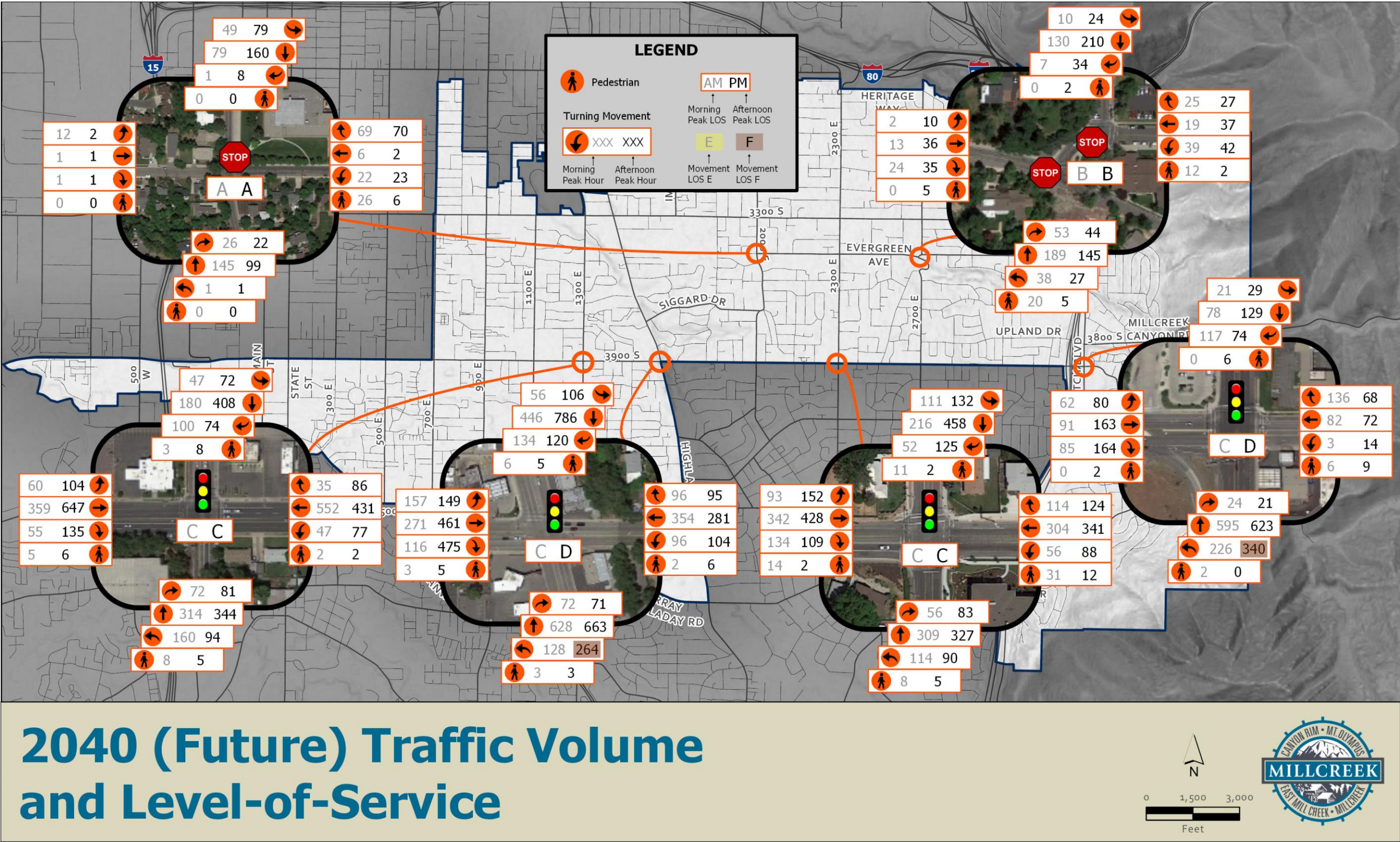


Table A-4 – Volume-Over-Count Ratios and Percent Error

Statistic	Standards	
	Acceptable	Preferable
Freeway Volume-over-Count (FT1x, FT8x, FT9x)	± 7%	± 6%
Divided Arterial Volume-over-Count (FT2x)	± 15%	±10 %
Undivided Arterial Volume-over-Count (FT3x)	± 15%	±10 %
Collector Volume-over-Count (FT4x)	± 25%	± 20%
One way/Frontage Road Volume-over-Count (FT6x)	± 25%	± 20%
Freeway Peak Volume-over-Count	75% of links @ ± 20%	50% of links @ ± 10%
Major Arterial Peak Volume-over-Count	75% of links @ ± 30%	50% of links @ ± 15%
Assigned VMT-over-Count Areawide	± 5%	± 2%
Assigned VHT-over-Count Areawide	± 5%	± 2%
Assigned VMT-over-Count by FT/AT/NL	± 25%	± 15%
Assigned VHT-over-Count FT/AT/NL	± 25%	± 15%

Table A-5 – Demographic Projections Based on WFRC Model

TAZID	2011			2040			2011-2040 Growth	
	Households	Population	Employment	Households	Population	Employment	Households	Employment
724	670	1,626	1729	671	1,568	1,743	1	14
1055	2	4	541	2	4	545	0	4
1056	3	3	340	7	11	342	4	2
1057	40	72	1,285	644	1,403	2,397	604	1,112
1065	149	371	667	149	358	673	0	6
1066	752	1,914	175	754	1,845	177	3	2
1067	360	815	93	365	786	94	5	1
1068	435	1,130	110	436	1,090	111	1	1
1069	972	1,967	4,640	974	1,897	4,677	2	37
1115	231	538	24	232	519	30	1	6
1119	382	957	220	384	922	222	2	2
1121	86	147	1,202	86	141	1,212	0	10
1124	416	1,016	240	417	979	241	1	2
1125	292	746	23	295	719	31	3	8
1126	461	1,116	283	463	1,076	285	2	3
1127	376	1,014	67	377	977	68	1	1
1128	313	767	80	314	739	81	1	1
1129	351	888	187	353	856	189	2	2
1130	475	1,277	276	479	1,231	489	4	214



TAZID	2011			2040			2011-2040 Growth	
	Households	Population	Employment	Households	Population	Employment	Households	Employment
1131	384	1,053	255	387	1,015	257	3	3
1132	985	2,820	1,293	987	2,719	1,304	2	11
1133	665	1,778	126	666	1,714	127	1	1
1134	734	1,955	477	735	1,885	481	1	4
1135	787	2,127	621	789	2,051	626	2	5
1136	1,006	2,019	876	1,008	1,947	883	2	7
1137	680	1,670	493	681	1,610	497	1	4
1138	585	1,458	1,059	647	1,432	1,068	62	9
1139	1,035	2,218	1,393	1,038	2,139	1,404	3	12
1140	432	1,253	341	433	1,208	343	1	2
1141	493	1,326	186	494	1,278	188	1	2
1142	498	1,248	560	500	1,203	565	2	5
1143	348	1,069	244	351	1,031	245	3	2
1144	343	861	191	345	830	193	2	2
1145	666	1,922	747	667	1,853	753	2	6
1146	434	1,325	44	435	1,277	44	1	0
1147	668	2,067	630	669	1,993	635	2	5
1148	655	1,457	3,374	656	1,405	3,402	2	28
1149	725	1,626	439	726	1,568	528	2	89
1150	352	806	2,891	354	777	2,914	2	24
1151	391	968	857	393	933	863	2	6
1152	1,413	2,527	883	1,418	2,437	890	5	7
1153	841	2,180	79	862	2,102	90	21	11
1154	632	1,491	686	763	1,626	692	131	6
1155	704	1,512	994	1,163	2,352	1,002	460	8
Total	23,221	57096	31,920	24,569	57,506	33,601	1,348	1,681



Table A-6 – Comprehensive Review of Millcreek’s Transportation Network

Street Name	Approx. E/W & N/S	TS Width as Provided by Millcreek	TS Width as Observed on Google Earth	Millcreek TS Matches Approximate Google Earth Existing Roadway Yes/No	Existing Bike Path or Proposed Yes/No	Bike lane Width	Type of Street	UDOT Route	Pavement width	East or South Side			West or North Side			Comments
										C&G	Park Strip	SW	C&G	Park Strip	SW	
4025 South	1051 E & 4025 S	50		Yes	No	-	Local Street		25	2.5	4.5	4	2.5	5	4	
Siggard Dr	1334 E & 3707 S	50		No	Proposed	TBD- Shared?	Minor Collector		25	2	-	7	-	-	-	ROW appears to be present for 50 ft TS.
Stillwood Dr	1391 E & 4649 S	50		Yes	No	-	Local Street		25	2.5	5	4	2.5	5	4	
Melbourne ST	1850 E & 3008 S	50		No	No	-	Local Street		25	2.5	-	5	2.5	4.5	4	Almost a minor Collector, ROW appears to be 50 ft
Greenbriar Way	2060 E & 3700 S	50		Yes	No	-	Local Street		25.5	2.5	4.5	4	2.5	4.5	4	
Evergreen Ave	2540 E & 3435 S	50		No	No	-	Minor Collector		35	-	-	-	2.5	-	5	Irrigation ditch on North Side
3685 East	3685 E & 3429 S	50		Yes	No	-	Local Street		25	2.5	4.5	4.5	2.5	4.5	4.5	
Doreen St	384 E & 4290 S	50		Yes	No	-	Local Street		25	2.5	4.5	4	2.5	5	4	Older neighborhood
Bonner Way	1233 E & 4706 S	60		Yes	No	-	Local Street		35	2.5	4.5	4.5	2.5	4.5	4	Older neighborhood
2300 East	2300 E & 3070 S	60		No	No	-	Major Collector		37.5	-	-	-	-	-	-	ROW appears to be 60 ft wide
2700 East	2700 E & 3695 S	60		Yes	No	-	Local Street		41	2.5	4.5	4	2.5	-	5.5	
Upland Dr	3035 E & 3770 S	60		Yes	Proposed	TBD- 5 ft?	Minor Collector		35	2.5	-	-	2.5	4	5	
Mill Creek Canyon Rd	3584 E & 3800S	60		No	No	-	Minor Collector		42	2.5	4.5	4	-	-	-	Classification from UDOT Uplan, ROW appears to be 60 ft wide
Brockbank Dr	3650 E & 4500 S	60		Yes	Proposed	TBD- 5 ft?	Minor Collector		35	2.5	5	5	2.5	5	5	
Jupiter Dr	3700 E & 4302 S	60		Yes	Proposed	TBD- 5 ft?	Minor Collector		35	2.5	5	5	2.5	5	5	
Oakview Dr	4040 E & 4370 S	60		Yes	No	-	Minor Collector		34	2.5	5	5	2.5	5	5	Classification from UDOT Uplan
1100 East	1100 E & 3484 S	66		Yes	No	-	Minor Collector		41	2.5	5	4	2.5	5	4	
1100 East	1100 E & 4057 S	66		Yes	No	-	Minor Collector		43	2.5	5	4	2.5	-	9	
1300 East	1300 E & 4680 S	66		Yes	No	-	Minor Arterial		47	2.5	5	4	-	-	-	No C&G, bike lane, or sidewalk on West side
4705 South	1340 E & 4705 S	66		Yes	No	-	Minor Collector		44	2.5	5	4	2.5	2	4	No striping
1500 East	1500 E & 4390 S	66		Yes	No	-	Collector B		41	2.5	5	4	2.5	5	4	
2000 East	2000 E & 3232 S	66		Yes	No	-	Minor Collector		44	2.5	5	4	2.5	5	4	
Hill Avenue	290 E & 4050 S	66		Yes	No	-	Minor Collector		42	2.5	5	4	2.5	5	4	
500 East	500 E & 3960 S	66		Yes	No	-	Major Collector		41	2.5	5	4	2.5	5	4	
500 East	500 E & 4030 S	73		Yes	No	-	Major Collector		48	2.5	5	4	2.5	5	4	Classification from UDOT Uplan
4500 South	790 E & 4500 S	80		Yes	No	-	Principal Arterial	SR -266	65.5	2.5	-	5	2.5	-	5.5	Roadway width varies
900 East	900 E & 3700 S	80		Yes	Yes, both sides	5 ft	Major Collector		55	2.5	5	4	2.5	5	4	
3900 South	950 E & 3900 S	80		Yes	No	-	Minor Arterial		54	2.5	5.5	4	2.5	5	4	Classification from UDOT Uplan. 40 mph
Redtail Hawk Bay	1200 E & 4755 S		41	No	No	-	Local Street		25	2.5	-	5.5	2.5	-	5.5	Newer neighborhood with could sac at end
3150 South	1553 E & 3150 S		45	No	No	-	Local Street		31	2.5	-	4.5	2.5	-	4.5	Entire development uses this TS
4620 South	1721 E & 4620 S		49	No	No	-	Local Street		29	2	4	4	2	4	4	sidewalk is hit and miss on this road, ROW does not appear to be 50 ft wide
Coolege St	986 E & 4580 S		49	No	No	-	Local Street		29	2.5	-	5.5	2.5	5	4	sidewalk and C&G is hit and miss
1300 East	1300 E & 3555 S		66	No	No	-	Minor Arterial		46	2.5	2.5	4	2.5	2.5	4	Classification from UDOT Uplan
Highland Dr	1550 E & 3690 S		73	No	No	-	Minor Arterial		54.5	2.5	-	4	2.5	5	4	Classification from UDOT Uplan
3300 South	2855 E & 3300 S		100	No	No	-	Principal Arterial	SR-171	80	2.5	4	4	2.5	4	4	Classification from UDOT Uplan
Wasatch BLVD	3750 E & 3880 S		100	No	Yes, both sides	Shared shoulder	Major Collector		78	2.5	2.5	5.5	2.5	-	7	Classification from UDOT Uplan
4500 South	1372 E & 4500 S		105	No	No	-	Principal Arterial	SR-266	81.5	2.5	5	4.5	2.5	5	4	Roadway and ROW width varies, this section was newer and fully developed
700 East	700 E & 4055 S		127		No	-	Principal Arterial	SR-71	106	2.5	3	4	2.5	5	4	



Appendix B – Crash Data

Table B-1 - Crash Hot Spots

Location	Limits	Total No. of Crashes/ Severe Crash Rate*	Notes
3900 S	Intersection at State Street	25 Crashes	Top 4 highest number of injury crashes
900 E	Intersection at 4500 S	80 Crashes	Top 4 highest number of injury crashes
3900 S	Intersection at Highland Drive	25 Crashes	Top 4 highest number of injury crashes
3900 S	Intersection at 1100 E	25 Crashes	Top 4 highest number of injury crashes
2700 E	3300 S to 3900 S	105.83	Top 3 highest Severe Crash Rate
900 E	4500 S to VanWinkle	28.93	Top 3 highest Severe Crash Rate
500 E	3900 S to 4500 S	30.11	Top 3 highest Severe Crash Rate

*Crash rates are expressed as crashes per year per million-vehicle miles



Table B-2 - Crash Hot Spot Crash Summaries

Location	Limits	Crash Summary
3900 S	Intersection at State Street (point location)	11 of 25 crashes were angle crashes (generally left turning), two pedestrian/bike crashes.
900 E	Intersection at 4500 S (point location)	33 of 80 crashes were angle crashes (generally left turning), 28 rear end collisions, 6 pedestrian/bike crashes (1 serious injury).
3900 S	Intersection at Highland Drive (point location)	13 of 25 crashes were angle crashes including 1 fatality and 1 serious injury (generally left turning).
3900 S	Intersection at 1100 E (point location)	17 of 25 crashes were angle crashes (generally left turning).
2700 E	3300 S to 3900 S (segment)	7 of 13 crashes were single vehicle crashes into a barrier or fixed object
900 E	4500 S to Van Winkle (segment)	358 crashes on this segment. 138 were angle crashes. 4 of the 7 serious crashes were angle crashes.
500 E	3900 S to 4500 S (segment)	12 instances of collisions with parked cars of 47 total crashes on segment, 11 angle crashes.



References

- AASHTO A Policy on Geometric Design of Highways and Streets, 6th edition 2011
- AASHTO Roadside Design Guide, 4th edition 2011
- AASHTO Guide for the Development of Bicycle Facilities, 4th edition 2012
- APWA Utah Chapter, Manual of Standard Plans, 2017
- Highway Capacity Manual, 6th edition
- Manual on Uniform Traffic Control Devices for Streets and Highways, 2009 edition
- NACTO Urban Bikeway Design Guide, April 2011 edition
- Salt Lake County Standard Plans For Public works Construction
- Salt Lake County, Utah – Municipal Code, Chapter 14.12 -Standards For Roadway Development



MILLCREEK, UTAH
ORDINANCE NO. 20-47

**AN ORDINANCE AMENDING TITLE 14 AND TITLE 19 OF THE MILLCREEK CODE
OF ORDINANCES WITH RESPECT TO FENCING, WALLS, AND CLEARVIEW
REQUIREMENTS**

WHEREAS, the Millcreek Council (“Council”) met in regular session on August 24, 2020 to consider among other things, approving an ordinance amending Title 14 and Title 19 of the Millcreek Code of Ordinances with respect to fencing, walls, and clearview requirements; 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; and

WHEREAS, Utah Code Ann. § 10-9a-502 provides 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 May 5, 2020, the required notice was published; and

WHEREAS, on May 20, 2020, the proposed amendment was submitted to the planning commission for its recommendation; and

WHEREAS, on May 20, 2020, 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 May 20, 2020 planning commission meeting the Millcreek Planning Commission voted to continue this general plan amendment to a subsequent meeting for further consideration; and

WHEREAS, at the June 17, 2020, 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 such rezone, 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 August 19, 2020 the Council caused the required notice to be given; and

WHEREAS, on August 24, 2020 the Council considered amending various sections of Title 14 and Title 19 of the Millcreek Code of Ordinances.

NOW THEREFORE, BE IT ORDAINED by the Council that Title 14 and Title 19 be amended as follows (designated by interlineating the words to be deleted and underlining the words to be added).

Chapter 14.12 is to be amended as follows:

14.12.040 - Clearview of intersecting streets.

- A. Corner sight distance for local roads shall be a minimum of thirty (30) feet when measured from the point of intersection along the property lines. In instances where property lines are not readily visible or established, corner sight distances shall be a minimum of fifty (50) feet measured from the point of intersection along the edge of pavement. All other roads, collectors and larger shall be provided with sight distance in accordance with AASHTO guidelines.
- B. No constructed or planted obstruction to view, in excess of three feet in height above the level of the adjacent street pavement (measured at the edge of the pavement), shall be allowed within the clearview of intersecting streets. Exception to this are signs that conform to Section 19.82.110; a reasonable number of trees pruned to eight (8) feet above a sidewalk and fourteen and one half (14.5) feet above the street surface; and pumps at gasoline service stations. In the event the provisions of this subsection conflict with Section 19.76.160, the most restrictive shall apply.
- C. Landscaping material which infringes the clearview of intersecting streets and creates a safety hazard, after due notice to property owner has been given, may be trimmed by the operation division.
- D. ~~An open-style fence shall be a maximum of four (4) feet in height, the bottom three (3) feet may be solid fencing, constructed with horizontal rails at least four (4) inches apart supported by vertical posts at least six (6) feet apart. At least fifty (50) percent of the fence, or at least the upper twelve (12) inches, shall be open.~~
- D. Fences shall follow the clearview requirements established in MKC 19.95.030.

Chapter 19.04 is to be Amended as follows:

19.04 Definitions

19.04.237 Fence

"Fence" means a structure that encloses or screens an area, typically outdoors, and is usually constructed from posts that are connected by boards, wire, rails, or netting. A fence differs from a wall in not having a continuous foundation along its entire length. A fence shall not retain more than six (6) inches of soil on one side or the other.

19.04.238 Fence, Open-Style

"Open-style fence" or "Open-style fencing" means a fence constructed with openings of fifty (50) percent or more in order to more easily see through the fence.

19.04.276 Grade, Finished

"Finished Grade" means the average finished grade (ground level) of the property nearest the fence.

19.04.412 Parkstrip

"Parkstrip" means a narrow strip of land between the sidewalk and the street often used as a right of way for public utilities and traditionally planted with street trees and turf.

19.04.463 Uses, Recreational

"Recreational uses" means tennis, sports, basketball, or volleyball courts, and other similar private outdoor recreation uses enclosed with fencing.

19.04.467 Scrap Material

"Scrap material" means recyclable materials left over from product manufacturing and consumption, such as parts of vehicles, building supplies, and surplus materials.

19.04.554.5 Wall, Decorative

"Decorative Wall" means architecturally designed wall that may be precast, integrally colored, or textured. A decorative wall shall not retain more than six (6) inches of soil on one side or the other.

19.04.554.6 Wall, Retaining

"Retaining wall" means a retaining wall is a relatively rigid wall used for laterally supporting the soil mass so that the soil can be retained at different levels on each of the two sides. A retaining wall is a structure designed to restrain soil to a slope that would not naturally be sustained (typically a steep, near vertical, or vertical slope). Retaining walls include any wall or other similar system, including stacked blocks/rocks/boulders, intended to resist the lateral displacement of earth or other materials.

19.04.554.7 Wall, Sound

"Sound wall" means a wall installed parallel to a state highway with the intent of minimizing the traffic noise for nearby residential dwelling units.

19.04.565 Yard, Front

"Front yard" means a space on the same lot with a building, between the front line of the building and the front lot line, and extending across the full width of the lot. The "depth" of the front yard is the minimum distance between the front lot line and the front line of the building.

"Front yard" means a space on the same lot with a building, between the front line of the building and the front lot line, and extending across the full width of the lot. The "depth" of the front yard is the minimum distance between the front lot line and the front line of the building.

Front yards serving single-family dwellings, duplexes, triplexes and four-plexes shall be defined as the space on the same lot with a building, between the designated front of the residence and any lot line abutting a street or private right-of-way.

Chapter 19.44 is to be amended as follows:

19.44.050 DEVELOPMENT REQUIREMENTS

- E. Traffic Generation and Parking. All parking standards detailed below are considered minimums. See MKC 19.80 Off-Street Parking for general requirements, subject to the additional considerations below:
7. Front, Side Yard and Rear Yard Fencing. Fencing of a residential development shall be provided except in the case of compatible adjacent uses and in front yards and to achieve **clear view clearview** standards on side lot lines. Acceptable fencing materials include architecturally designed brick, stone, or block, or pre-cast concrete. Fencing with materials using composite products, wrought iron, metal intended to look like wrought iron, wood, or vinyl may be allowed with a minimum two-feet wide, six- foot tall brick or stone pillars spaced every ten feet on center. Access between adjacent compatible uses may be required and may eliminate the need for the required fence in that location.
 9. Signage. Only monument signs with a maximum size of 50 square feet, and 5 feet in height are allowed. Signs shall be set back a minimum of 5' from the public ROW and not restrict the **clear view clearview** of an intersection or from a driveway. No temporary signs are allowed other than for sale or rent signs with a maximum of 6 square feet in area per side. Only two permanent signs are allowed per 300 feet of frontage. Sign lighting shall be external with the lighting oriented downward only. The size, location, design and nature of signs, shall be consistent with the characteristics of the building to which it is oriented. The requirements for signs found in MKC 19.82 for the RM zone are superseded by the above provisions. Notwithstanding the foregoing, clear, easily read from the street, address signs, for the project are required and may be mounted on buildings.

Chapter 19.76 is to be amended as follows:

19.76.160 Intersecting Streets And Clear Visibility

~~In all zones which require a front yard, no obstruction to view in excess of two feet in height shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points forty feet from the intersection of the street lines, except a reasonable number of trees pruned high enough to permit unobstructed vision to automobile drivers, and pumps at gasoline service stations.~~

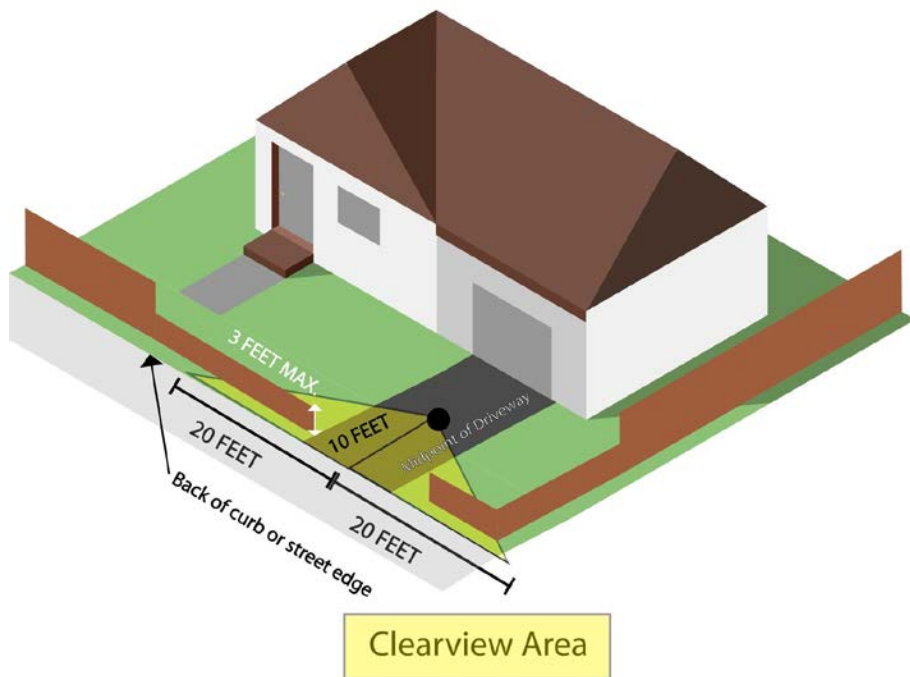
~~In all zones which require a front yard, no obstruction to view in excess of three (3) feet in height shall be placed on any corner lot within a triangular area formed by following the property lines and a line connecting them at points thirty (30) feet from the point of intersection. In instances where~~

property lines are not readily visible or established, the triangular area shall be formed by following the edge of pavement and a line connecting them at points fifty (50) feet from the point of intersection. An exception shall be made for a reasonable number of trees that do not obstruct vision to automobile drivers and pumps at gasoline service stations. These trees must be pruned to a height of eight (8) feet where canopies directly overhang a sidewalk and fourteen and one-half (14.5) feet where canopies directly overhang the street pavement.

19.76.165 Visibility at Residential Driveways

The clearview area for the intersection of the center line of the a driveway and a street shall be determined by first establishing the point of intersection of the driveway center line and the street edge of pavement or, if there is an existing curb, back of curb, then measuring twenty (20) feet along the edge of pavement or curb away from the driveway, and ten (10) feet from the center line of the driveway in toward the property. A line is then drawn from the termini of the two lines, forming a triangle. This is accomplished on both sides of the driveway. Within the triangles and the area between them, the following shall apply:

- A. Fences shall follow the clearview requirements established in MKC 19.95.030.
- B. Tree trunks may be located within this clearview triangle; however, tree canopies directly overhanging a sidewalk must be pruned to at least eight (8) feet above the surface of the sidewalk, and tree canopies directly overhanging a street must be pruned to at least fourteen and one-half (14.5) feet above the street pavement, as set forth in MKC Section 14.12.050.
- C. Tree canopies or other growth shall not block signs or signals in view from the approaching street within one hundred (100) feet.
- D. Sight obscuring growth, including but not limited to hedges, shall be no taller than three (3) feet in height in the parkstrip.
- E. The driveway clearview fencing provisions may not be required on corner and double frontage lots for a secondary driveway that is gated, locked, and that accesses the rear yard, if it is determined by the Planning Director that the driveway is not a primary access.



CHAPTER 19.95 is to be adopted as follows:

Chapter 19.95 FENCING, WALLS, AND RETAINING WALLS

19.95.010 Purpose

19.95.020 Applicability

19.95.030 General Requirements

19.95.040 Fencing for Single-Family and Two-Family Dwellings and Agricultural Properties

19.95.050 Fencing for Multifamily, Commercial, Industrial, and Institutional Development

19.95.060 Fencing for Private Recreational Uses

19.95.070 Fencing Between Incompatible Uses and Zones

19.95.080 Wildlife Protection

19.95.090 Retaining Walls

19.95.100 Fencing Within a Public Right-of-Way

19.95.010 Purpose

The purpose of this chapter is to promote the use of high-quality materials in fences, screens, walls, and retaining walls, while providing for privacy and safety for individual properties, vehicles, and pedestrians through fence and wall design, height, and placement. For the purposes of this Chapter the terms “fence”, “fences”, and “fencing”, includes walls, screens, and retaining walls.

19.95.020 Applicability

The standards of this chapter apply to all new construction of fencing, and reconstruction of existing fencing. Such fences shall always be properly maintained in terms of structural integrity and finish surfaces. Fences in existence prior to the adoption date of this ordinance and that are not located in a public right-of-way may be added, enlarged, moved, or reconstructed subject to the provisions established in MKC Chapter 19.88.

The provisions of this ordinance may be superseded by specific regulations found in other chapters.

19.95.030 General Requirements

A. Permit Requirements. A building permit is required for any fence over seven (7) feet in height, or as required by the currently adopted version of the International Building Code or International Residential Code. Building permit requirements for retaining walls are found in MKC section 19.95.090.

B. Visual Obstructions.

1. Corner Lot Visual Obstructions. In order to maintain a clear view near street intersections, no view-obstructing fence (a fence that does not allow for clear visual access through its construction materials) or wall that exceeds thirty-six (36) inches in height shall be placed in the clear view area as set forth in sections 14.12.040 and 19.76.160. An open-style fence may be a maximum of four (4) feet in height and shall be constructed with horizontal rails at least four (4) inches apart supported by vertical posts at least six (6) feet apart where at least fifty (50) percent of the fence, or at least the upper

twelve (12) inches, shall be open-style fencing. The bottom three (3) feet may be solid fencing.

2. **Driveway or Lane Visual Obstructions.** In order to maintain a clear view from a driveway or lane and the street, no view-obstructing fence in excess of thirty-six (36) inches in height shall be placed at any driveway, parkstrip, or automobile accessway within a specified triangular area established in MKC section 19.76.160.

C. Fence Maintenance. All fencing shall be continually maintained in good repair, structurally sound, and safe condition, including appropriate and regular maintenance of the fence surfaces, by the property owners abutting the fence. Repairs and patching shall consist of similar fencing materials and shall blend with the fence. Graffiti shall be removed within 10 days after receiving a notice from a city code inspector.

D. Fence Height Measurement.

1. Fence height shall be measured from the finished grade to the highest point of the fence.
2. Berms, or other means to raise the elevation of the ground upon which a fence is proposed to be located, shall be included in the measurement of fence height.
3. Except for where a wall separates a property line and a right-of way, when a difference in grade exists on either side of a fence or wall, the height of the fence or wall shall be measured from the height of the higher property grade within five (5) feet of the property line but shall not exceed twelve (12) feet in total height as measured from the lower property grade.
4. Use of retaining walls is encouraged to reduce the steepness of man-made slopes and to provide planting pockets conducive to re-vegetation. Requirements for retaining walls can be found in MKC Section 19.95.090.

E. Clearance. No fence, wall, hedge, or other structure shall be installed or maintained within thirty-six (36) inches of any fire hydrant and no closer than 12 inches to any utility (e.g., streetlights) or utility cabinet.

F. Allowed Materials. Fences shall be made of high-quality, durable materials that require minimal maintenance. The following fencing materials shall be allowed for properties containing single-family and two-family dwellings, except as otherwise provided below or by a more restrictive provision in this chapter:

1. Brick, block, or stone;
2. Architecturally designed pre-cast concrete, decorative precast concrete or integrally colored and textured block, brick, stone, or other masonry materials;
3. Solid or private heavy gauge vinyl, polyethylene, or similar materials;
4. Composite materials, wood, cement, stucco, architectural or decorative metal panels, including weathering steel
5. Visually permeable fencing, such as chainlink, mesh, picket, or split rail fences constructed of metal, vinyl, wood, or composite;
6. Chainlink fencing that may contain slats; or

7. Hedges or vines on fences and walls where visual obstruction requirements do not apply, see MKC Section 19.95.030 (B).

G. Prohibited Materials. The following fencing materials shall be prohibited on properties containing single-family or two family-dwellings or on properties containing an agricultural use:

1. Materials not typically used or designated/manufactured for fencing such as, but not limited to, used metal roofing panels, pallets, tarps, chipboard, or plywood;
2. Scrap material, such as scrap lumber, metal or glass;
3. Security wire, such as barbed wire, concertina wire, or razor wire; or
4. Electrified fencing, except for legally established agricultural uses on properties in an A-1 or A-2 zone that do not abut a public trail.
5. Chain link fencing taller than four (4) feet in height, that is located in a front yard.

19.95.040 Fencing for Single-Family and Two-Family Dwellings and Agricultural Properties

A. Applicability. This section shall apply to any fence serving a single-family or two-family dwelling or a property containing an agricultural use, with the exception of lots or parcels in the Foothills and Canyons Overlay Zone (FCOZ), or perimeter fencing as required by the City's Planned Unit Development Standards. Fencing in the FCOZ is regulated under MKC 19.72.100 and perimeter fencing for PUD's is regulated under MKC 19.78.030.H.

B. Height.

1. **Front and Corner Side Yards on Local Roads.** For properties with front and corner side yards on local roads, as defined by the Roadway Classification Map in the Millcreek Transportation Master Plan, walls, opaque fencing, or chain link fencing within ten (10) feet of the front yard property line (property line which is parallel to the street which is not considered a corner side yard), shall be no more than four (4) feet in height. Open-style fencing within ten (10) feet of the front yard property line shall be no more than six (6) feet in height. All other fencing installed within the minimum front or corner side yard setbacks may not exceed six (6) feet in height, subject to the sight obstruction standards established in 19.95.030 (B).
2. **Front and Corner Side Yards on All Other Roads:** For properties with front and corner side yards on Collector B, Minor Collector, Major Collector, Minor Arterial, or other Principal Arterial roads as defined by the Roadway Classification Map in the Millcreek Transportation Master Plan, fencing may not exceed six (6) feet in height, subject to the driveway or lane visual obstruction standards found in MKC Section 19.95.030.
3. **Interior Side and Rear Yards.** Fencing in interior side or rear yards may not exceed eight (8) feet in height, subject to the visual obstruction requirements established below.

19.95.050 Fencing for Multi-family, Commercial, Industrial, and Institutional Development

A. Applicability. This section shall apply to any fence serving multi-family, commercial, industrial, or institutional development, with the exception of specific requirements found in the MD (19.55), M (19.66), or C (19.60) zones, or in lots or parcels in the Foothills and Canyons Overlay Zone (FCOZ), or perimeter fencing as required by the City's Planned Unit Development (PUD) Standards. Fencing in the FCOZ is regulated under MKC 19.72.100 and perimeter fencing for PUD's is regulated under MKC 19.78.030.H.

B. Prohibited Locations. Opaque fencing or open-style fencing taller than 6 feet in height for multi-family, commercial, industrial, and institutional development is prohibited in any front yard area, except as provided for in the Manufacturing Zone.

C. Height. Fencing may not exceed eight feet in height.

19.95.060 Fencing for Private Recreational Uses.

Open-style fences for uses such as tennis court enclosures, sport courts, hot tubs, swimming pools (includes a self-closing locking gate), and ball diamond backstops, may be erected to a height greater than eight feet, but shall not exceed a height of fourteen (14) feet and shall be located at least 10 feet from any property line.

19.95.070 Fencing Between Incompatible Uses and Zones

A. Applicability. Whenever a lot is developed with a use that is different than a use located on an abutting lot or parcel, the new development shall include installation of a fence or wall along the property line between the different uses as provided in this section, or as provided in the PUD standards (19.78), or the RM (19.44), MD (19.55), M (19.66), or C (19.60) zones.

B. Fencing between Residential and Commercial Uses. A minimum six (6) feet tall decorative precast or integrally colored and textured block, brick, stone, or other masonry fence and/or wall shall be installed between residential uses and commercial uses, where potential detrimental effects are anticipated, as determined by the Planning Director or designee.

C. Fencing Between Commercial or Office, and Agricultural or Residential Zones. A minimum six (6) feet tall decorative precast or integrally colored and textured block, brick, stone, or other masonry wall is required between commercial or office zones and agricultural or residential zones, as determined by the Planning Director or designee.

D. Landscape Buffering for Waterways, Trails, Parks, and Open Space may be substituted from fencing. Intensive landscaping techniques may be used to buffer waterways, trails, parks, open spaces or other uses. Persons wishing to substitute landscape buffering for fencing requirements shall provide plans to the Planning Director for approval.

- E. Sound Walls for Properties Abutting the I-15 and I-215 Corridors.** Any development abutting the I-215 Corridor shall include construction of a noise wall along the corridor right-of-way line if the Utah Department of Transportation determines such wall is necessary pursuant to an environmental study. Sound walls are exempt from the height and location requirements of this Chapter.

19.95.080 Wildlife Protection

Applicability and Requirement. For all properties East of I-215 and any property in the FCOZ zone, the top of fencing shall not have any pickets or sharp points that could impale or trap wildlife.

19.95.090 Retaining Walls

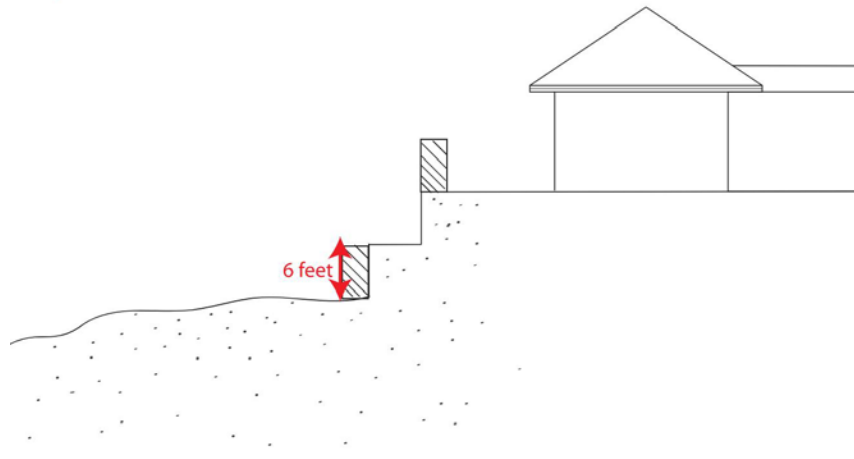
- A. Permit Required.** A building permit is required for all retaining walls with a height greater than four (4) feet. For the purpose of determining if a building permit is required for a retaining wall, height is measured from the bottom of the foundation, footing, or wall system, to the top of the wall. For the purpose of evaluating the height of a retaining wall for compliance with the standards of this code, height shall be measured from finished grade in accordance with MKC Section 19.95.30 (D). The submittals for a building permit shall include drawings stamped and signed by a professional engineer licensed by the State of Utah. Drawings shall include, at a minimum, details of the wall design, and a site plan depicting existing and proposed elevations on either side of the wall. The design engineer shall inspect the construction of the wall and certify in writing that the wall was built per the approved design, and shall submit that certification to the City within fourteen (14) days of the completion of the retaining wall.
- B.** Retaining walls are not considered double fences.
- C.** Retaining walls may not be used to create additional surface parking or vehicular access on a residential lot.
- D.** Retaining walls are subject to all requirements of this chapter and any other applicable requirements including setbacks.
- E. Design Standards for Retaining Walls:**
1. If a single retaining wall is used, one (1) vertical retaining wall up to eight (8) feet in height is permitted to reduce excavation and embankment.
 2. Terracing is limited to two (2) walls with a maximum vertical height of six (6) feet each. The width of a terrace shall be a minimum of a one to one (1:1) ratio with the height of the wall. Terraces are measured from the back of the lower wall to the face of the upper wall. Terraces created between retaining walls shall be permanently landscaped or revegetated as required by this Chapter.

Terracing:

Limit of 2 walls

Maximum height of 6 feet each

1:1 Ratio



3. Front yard retaining walls shall be no more than four (4) feet in height and shall include planting terraces of at least four (4) feet in width.
4. Retaining walls are considered a part of the fence height. No fences shall be installed on the top of a front yard retaining wall or within four (4) feet parallel to the top of a retaining wall.
5. Residential properties that are not in the Foothills and Canyons Overlay Zone and that have slopes that are greater than 30 percent are eligible for an exemption to the above requirements, subject to a conditional use permit that follows the process and meets the standards of approval established in MKC 19.84, and subject to the following additional standards:
 - a. No wall may be greater than sixteen (16) feet in height, as measured from finished grade.
 - b. Walls may be terraced. Terraces must be at least three feet in depth.
 - c. Walls visible from rights-of-way must include landscaping, including at least one tree planted at a minimum of 2" caliper, spaced every 30 lineal feet along the retaining wall.

19.95.100 Fencing within a Public Right-of-Way

No fence approved under this chapter shall be erected to extend beyond a private property line and into a public right-of-way without the issuance of an encroachment agreement between the City and the property owner, issued at the sole discretion of City, after receiving a recommendation from the Planning Director and City Engineer, subject to the following criteria:

- A. The encroachment agreement shall stipulate, at a minimum, that the city shall retain the right to remove any fence located within a public right-of-way for any purpose it deems necessary

within 30 days of notice being sent via first class mail to the property owner, and that removal and replacement shall be at the sole expense of the property owner.

- B. Maintenance of the area between the sidewalk or edge of pavement and the property line shall be the sole responsibility of the property owner.
- C. A fence in a right-of way shall be located no closer than one foot of an existing sidewalk or a future sidewalk or within a three-foot radius of a fire hydrant.
- D. The installation of the fencing is not detrimental to the public safety or welfare of property owners, pedestrians, or operators of vehicles.

This Ordinance, assigned Ordinance No. 20-47, shall take effect as soon as it shall be published or posted as required by law, deposited, and recorded in the office of the City Recorder, and accepted as required herein.

PASSED AND APPROVED this 24th day of August 2020.

MILLCREEK COUNCIL

By: _____
Jeff Silvestrini, Mayor

ATTEST:

Elyse Sullivan, 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 20-47: AN ORDINANCE AMENDING TITLE 14 AND TITLE 19 OF THE MILLCREEK CODE OF ORDINANCES WITH RESPECT TO FENCING, WALLS, AND CLEARVIEW REQUIREMENTS

was passed and adopted the 24th day of August, 2020 and certifies that a summary was published in the Deseret News and Salt Lake Tribune the day of August, 2020.

Elyse Sullivan, City Recorder

MILLCREEK, UTAH
RESOLUTION NO. 20-36

**A RESOLUTION AMENDING THE MILLCREEK EMPLOYEE POLICY AND
PROCEDURE MANUAL-SECOND EDITION TO ADD SECTION 3-03 1. B WITH
REGARD TO RETIREMENT FOR ELECTED OFFICIALS**

WHEREAS, the Millcreek Council (“*Council*”) met in regular session on August 24, 2020 to consider, among other things, approving a resolution to amend the Millcreek Employee Policy and Procedure Manual – Second Edition to add Section 3-03 1.b with regard to retirement for elected officials (attached as Exhibit A); and

WHEREAS, the Council initially approved an Employee Policy and Procedure Manual by Resolution No. 17-80 on October 23, 2017; and

WHEREAS, the Council adopted an updated Employee Policy and Procedure Manual-Second Edition by Resolution No. 19-23 on July 8, 2019; and

WHEREAS, the Council has determined that it is in the best interest of the inhabitants of Millcreek to adopt a resolution to amend the Millcreek Employee Policy and Procedure Manual – Second Edition to add Section 3-03 1b. with regard to retirement for elected officials (attached as Exhibit A).

NOW, THEREFORE, BE IT RESOLVED that Millcreek Employee Handbook – Second Edition is hereby amended and the City Manager is hereby directed to implement the amended Millcreek Employee Handbook – Second Edition .

This Resolution, assigned No. 20-36, shall take effect immediately on passage.

PASSED AND APPROVED by the Millcreek Council this 24th day of August, 2020.

MILLCREEK COUNCIL

By: _____
Jeff Silvestrini, Mayor

ATTEST:

Elyse Sullivan, City Recorder

Roll Call Vote:

Silvestrini	Yes	No
Marchant	Yes	No
Jackson	Yes	No
Catten	Yes	No
Uipi	Yes	No

Memo

To: Mayor & Council

From: Laurie Johnson – HR/Finance Director


Date: August 17, 2020

Re: Resolution to Amend the Employee Policy & Procedure Manual – 2nd Edition

Attached you will find a Resolution and applicable exhibit to amend the Millcreek Employee Policy & Procedure Manual. Recently the City was audited by a representative of the Utah Retirement Systems (URS) and it was determined that we need to add language to the City's policy and procedure manual to specify retirement eligibility for elected officials. This amendment adds the required language. Please note all cities are audited approximately every three years.

Please let me know if you have any questions.

Exhibit A

3-03 EMPLOYEE BENEFITS

Employees working 30+ hours per week and elected officials are eligible to participate in the City's healthcare benefits for themselves and their families which include; medical, HSA, dental, vision, FSA, basic life and disability coverage. Part-time and temporary employees are not eligible.

Employees are eligible for healthcare benefits the date of hire. Benefit enrollment is not automatic. Employees must enroll within 30 days of eligibility. Thereafter, changes in benefits can only be made during Open Enrollment, Change in Status, or Special Enrollment required by the Health Insurance Portability and Accountability Act ("HIPAA"). Detailed information regarding benefits will be provided to you in the Millcreek Benefit Employee Guide at the time of hire and annually during open enrollment. If you have questions regarding benefits, please contact the City Manager or his/her designee.

1. Retirement –

- a. All full-time benefitted employees are covered by the Utah State Retirement System ("URS"), unless exempted in accordance with Utah state law.
- b. *For purposes of the URS, Millcreek classifies elected officials as part-time employees. Tier 1 designated elected officials may be eligible for pension benefits based on minimum salary requirement as set by URS. Tier 2 designated elected officials are classified as part-time and are not eligible for URS pension benefits.*

MILLCREEK, UTAH
RESOLUTION NO. 20-37

**A RESOLUTION APPROVING AN AGREEMENT WITH AVENUE CONSULTANTS,
INC. FOR ON CALL ENGINEERING SERVICES**

WHEREAS, the Millcreek Council ("*Council*") met in regular session on August 24, 2020 to consider, among other things, approving an agreement with Avenue Consultants, Inc. for on call engineering services; and

WHEREAS, staff recommends that the City enter into an agreement with Avenue Consultants, Inc. ("*Agreement*") for on call engineering services that includes visual graphics, design, GIS, and other support as deemed necessary by the City; and

WHEREAS, the Agreement, a copy of which is attached hereto, has been presented to the Council for review and approval; and

WHEREAS, the Council has determined that it is in the best interest of the inhabitants of Millcreek to adopt a resolution approving the Agreement.

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 Agreement.

This Resolution assigned No. 20-37, shall take effect immediately on passage.

PASSED AND APPROVED by the Millcreek Council this 24th day of August 2020.

MILLCREEK COUNCIL

By: _____
Jeff Silvestrini, Mayor

ATTEST:

Elyse Sullivan, City Recorder

Roll Call Vote:

Silvestrini	Yes	No
Marchant	Yes	No
Jackson	Yes	No
Catten	Yes	No
Uipi	Yes	No

“AGREEMENT FOR ENGINEERING SERVICES

THIS AGREEMENT (this “Agreement”) is made effective August __, 2020, by and between **Avenue Consultants, Inc.**, a Utah corporation licensed to do business in the State of Utah (“Engineer”), and **Millcreek**, a Utah municipality (“City”).

RECITALS:

A. Engineer is licensed to perform and is in the business of providing on-call engineering services including visual graphics, design, GIS, and other support as deemed necessary by the City.

B. City needs such services.

C. Engineer represents to the City that Engineer has significant expertise in providing such services.

D. Consequently, the parties have determined that it is mutually advantageous to enter into this Agreement.

AGREEMENT:

NOW THEREFORE, in consideration of the premises, the mutual covenants, and undertakings of the parties described herein, and for other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Employment of Engineer and Description of Engineering Services.** City agrees to engage Engineer, and Engineer agrees to furnish to City on-call engineering services including visual graphics, design, GIS, and other services as requested by the City from time to time that are pursuant to an itemized work order/ work release or task order (“Work Order”) that includes a description of the services and an estimated fee pursuant to the fee schedule attached hereto as exhibit “A” and that is acceptable to the City (“Engineering Services”). In the event of conflicts and/or inconsistencies within or among the Work Order, this Agreement, and applicable statute, rules, regulations, or standards, Engineer shall (1) provide the better quantity or greater quality or (2) comply with more stringent requirements or standards, either or both, in accordance with City’s interpretation. Engineer shall also notify City in writing prior to starting any Engineering Services if such Engineering Services requested by the City constitute or may constitute a conflict of interest for Engineer.

2. **Personnel, Equipment, and Facilities.** Engineer shall at its sole cost furnish all supervision, personnel, labor, equipment, materials, supplies, communication facilities, vehicles for transportation, and shall obtain all licenses and permits necessary or incident to performing any and all of the Engineering Services.

3. **Term.** This Agreement shall be effective on the date first above written and shall terminate on June 30, 2021; provided, however, upon consent of the parties hereto and subject to the right to terminate as provided herein, this Agreement may be renewed for successive one-year terms.

4. **Termination.** Notwithstanding anything in this Agreement to the contrary, either party may terminate this Agreement at any time by giving thirty (30) days' prior written notice to the other party.

5. **Payment for Services.** City shall compensate Engineer hereunder as follows:

a. **Work Order.** All Engineering Services shall be performed at the rates and charges specified on the rate schedule, attached as an exhibit "A."

b. **Invoices.** Invoices for Engineering Services shall be submitted to City for amounts claimed due by Engineer. Engineer shall submit such invoices within thirty (30) days after the performance of the underlying services. All such invoices shall be in a form reasonably acceptable to City and shall (1) contain references to the date of this Agreement and the specific work order issued for such Engineering Services, (2) itemize and describe in detail the Engineering Services performed and the hours expended in such performance, and (3) contain copies and supporting documents and proof of any expenditures on behalf of City.

c. **Remittance.** Within thirty (30) days after its receipt of Engineer's invoice for Engineering Services in a form acceptable to the City and if the work is acceptable to the City, City shall remit the amount due hereunder to Engineer at the address set forth below or to such other address as Engineer may designate to City in writing from time to time. If payment is not remitted to Engineer when due, Engineer shall be entitled to recover interest thereon at the rate of ten percent (10%) per annum from and after the date the remittance is due and payable.

d. **Nonfunding.** The parties acknowledge that funds are not presently available for performance of this Agreement by City beyond June 30, 2021. City's obligation for performance of this Agreement beyond that date (or beyond the end of any of City's future fiscal years within the term of this Agreement) is contingent upon funds being appropriated for payments due under this Agreement. In the event that no funds or insufficient funds are appropriated and budgeted in a current or any succeeding fiscal year, or in the event there is a reduction in appropriations of City due to insufficient revenue, resulting in insufficient funds for payments due or about to become due under this Agreement, then this Agreement shall create no obligation on City as to such fiscal year (or any succeeding fiscal years), but instead shall terminate and become null and void on the first day of the fiscal year for which funds were not budgeted and appropriated, or, in the event of a reduction in appropriations, on the last day before the reduction becomes effective (except as to those portions of payments herein then agreed upon for which funds are appropriated and budgeted). Said termination shall not be construed as a breach of or default under this Agreement; and said termination shall be without penalty, additional payments, or other charges to City of any kind whatsoever; and no right of action for damages or other relief shall accrue to the benefit of

Engineer or its successors or assigns as to this Agreement, or any portion thereof, which may so terminate and become null and void.

6. **Services Performed in a Professional Manner; Certification.** All Engineering Services shall be provided by Engineer in a professional, ethical, reasonable manner in compliance with any and all applicable standards of performance in the industry/professional community.

7. **Termination or Suspension of Work.** City may terminate or suspend performance of any work (or part thereof) at any time prior to completion, with or without cause, by written notice to Engineer. Upon notice of such termination or suspension, City shall pay Engineer for all services actually and satisfactorily performed by Engineer. Upon receipt of notice of such termination or suspension, Engineer shall (a) discontinue the subject services, (b) place no further orders or subcontracts for such services, (c) terminate or suspend all pending orders and subcontracts for such services, (d) protect and maintain the work in question, and (e) otherwise mitigate City's costs and liabilities for those services terminated or suspended.

8. **Ownership of Instruments of Service.** Engineer hereby assigns to City, without reservation, all common law, statutory, and other rights, including copyrights in all documents (whether printed or stored as electronic, magnetic, or digital information) prepared by Engineer with respect to Engineering Services, documents generally referred to as instruments of service, including, but not limited to, drawings, estimates, specifications, field notes, pictures, and data generated or used in connection with Engineer's performance of Engineering Services. Upon completion or earlier termination of the Engineering Services and City's payment of the amounts due Engineer for such services, Engineer shall deliver to City all such documents (whether complete or partially complete) produced or collected by Engineer in its performance of Engineering Services. The City, in return, hereby grants to Engineer a nonexclusive license to reproduce such documents for Engineer's archival records and marketing purposes. This nonexclusive license is granted to Engineer alone and shall not be assigned by Engineer to any other person or entity. If City subsequently reproduces such documents or creates a derivative work based upon such documents, it shall do so at its own risk, and City shall remove or completely obliterate any evidence of Engineer's professional services or its consultants from the reproduced documents as derivative works.

9. **Nondisclosure.** Unless otherwise required by law, Engineer will not divulge to third parties without City's prior written consent, any information obtained from or through City in connection with this Agreement. Engineer shall safeguard the confidentiality of any information obtained from or through City in connection with this Agreement to the same extent that Engineer safeguards the confidentiality of its own proprietary or confidential information. Unless waived by City, Engineer shall require its employees and subcontractors of every tier to adhere to the foregoing covenants of nondisclosure and confidentiality. The nondisclosure restrictions in this section shall not apply, however, to any information that constitutes public records or to any information that enters the public domain other than by reason of its disclosure by Engineer or its employees or subcontractors.

10. **Laws and Regulations.** Engineer shall at all times comply with all applicable laws, statutes, rules, regulations, and ordinances, including without limitation, those governing wages,

hours, desegregation, employment discrimination, workers' compensation, employer's liability, and safety, including, but not limited to, the status verification system requirements for contractors set forth in Utah Code Ann. § 63G-11-103. Engineer shall comply with equal opportunity laws and regulations to the extent that they are applicable.

11. **Alcohol and Drug-free Work Place.** All personnel, during such time that they provide Engineering Services, shall not be under the influence of alcohol, any drug, or combined influence of alcohol or any drug to a degree that renders the person incapable of safely providing the Engineering Services. Further, all personnel, during such time that they provide Engineering Services, shall not have sufficient alcohol in his body, blood, or on his breath that would constitute a violation of Utah Code Ann. § 41-6a-502 (without giving any consideration to or establishing the requirement of operating or being in physical control of a vehicle), or any measurable controlled substance in his body that would constitute a violation of Utah Code Ann. § 41-6a-517 (without giving any consideration to or establishing the requirement of operating or being in physical control of a vehicle).

12. **Independent Contractor Status.** Engineer shall perform the Engineering Services as an independent contractor, and all persons employed by Engineer in connection herewith shall be employees of Engineer and not employees of City in any respect.

a. **Control.** Engineer shall have complete control and discretion over all personnel providing Engineering Services hereunder.

b. **Salary and Wages.** City shall not have any obligation or liability for the payment of any salaries, wages, or other compensation to personnel providing Engineering Services hereunder.

c. **No Employment Benefits.** All personnel providing Engineering Services are and shall be and remain Engineer's employees and shall have no right to any City pension, civil service, or any other City benefits pursuant to this Agreement or otherwise.

Notwithstanding the foregoing, if and to the extent that the municipal functions herein delegated to and required of Engineer constitute an immune function under Utah Code Ann. §63G-7-201(4)(a), (c) or (d), Engineer, as the City's delegee of any said function, and Engineer's officers and employee, shall be entitled to the same immunity as would be available to the City, its officers or employees in performing said functions themselves; provided however, should Engineer claim governmental immunity as herein contemplated as a defense to claims asserted against it by others and said immunity defense is rejected by a court of competent jurisdiction, Engineer shall have no recourse of any nature whatsoever against the City as a result of said rejection and ruling.

13. **Assignment; Subcontracts.** Engineer shall not assign or subcontract this Agreement, or any part thereof, without City's prior written consent, and any attempted assignment or subcontract in violation of this section shall be void from its inception. Engineer shall be fully responsible for the acts or omissions of any subcontractor of any tier and of all persons employed by them, and neither City's consent, nor anything contained herein, shall be deemed to create any contractual relations between City and any assignee or subcontractor of any tier.

14. **Accounting and Auditing.** Engineer shall keep accurate and complete records in support of all remuneration paid hereunder. City, or its audit representatives, shall have the right at any reasonable time to examine, audit, and reproduce all records pertaining to costs, including, but not limited to, payrolls, employees' time sheets, invoices, and all other evidence of expenditures for Engineering Services. Such records shall be available for at least two (2) years after completion of the underlying Engineering Services.

15. **Nonexclusive Rights.** Nothing in the Agreement is to be construed as granting to Engineer any exclusive right to perform any or all Engineering Services (or similar services) required by City.

16. **Indemnification.** Engineer specifically and expressly agrees to indemnify, and save and hold harmless the City (including, without limitation, its elected and appointed officers, employees, successors, and assigns) from and against any and all demands, liabilities, claims, damages, actions, attorney fees or other cost incurred by the City and/or proceedings in law or equity (including reasonable attorneys' fees and costs of suit), to the extent caused by or resulting from any negligence, gross negligence, intentional misconduct, or under any other actionable fault of Engineer (including, without limitation, its employees, agents, subcontractors, or consultants) in the performance or failure of performance of the Engineering Services provided, or to be provided, hereunder. Nothing herein shall, however, require Engineer to indemnify, and/or save or hold harmless City or its elected or appointed officers, employees, successors, or assigns with respect to (a) the negligence, intentional misconduct, or other actionable fault of City or its elected or appointed officers, employees, successors, or assigns, or of the agents or consultants of City other than Engineer; or (b) any demand, liability, claim, damage, action, and/or proceeding not related to the Engineering Services provided, or to be provided, by Engineer hereunder.

17. **Insurance.** Without limiting any indemnity or other obligations of Engineer hereunder, Engineer shall, prior to providing Engineering Services, secure and continuously thereafter (throughout the term of this Agreement) carry with insurers the following insurance coverage in policies which include provisions or endorsements naming City as an additional insured and shall furnish proof thereof satisfactory to City promptly when requested:

Worker's Compensation Insurance and Employer's liability	Statutory amount
General Liability	\$1,000,000/\$2,000,000
Automobile Liability	\$1,000,000
Umbrella Liability	\$1,000,000
Professional Negligence/Errors And Omissions Insurance	\$1,000,000/\$2,000,000

The foregoing insurance policies shall be through a reputable licensed insurer that is reasonably acceptable to City and specifically shall provide that such insurance may not be terminated or reduced without at least thirty (30) days' prior written notice to City.

18. **Examination of Work.** All Engineering Services shall be subject to examination by City at any reasonable time(s), and City shall have the right to reasonably reject unsatisfactory work. City may give Engineer a reasonable opportunity to correct unsatisfactory work before pursuing other remedies. Neither City's examination of Engineering Services, failure to examine Engineering Services, City's acceptance of Engineering Services, nor payment therefor, shall relieve Engineer from any of its obligations under this Agreement.

19. **Claims and Disputes.** Unresolved claims, disputes, and other issues between the parties arising out of or related to this Agreement shall be decided by litigation in the Third Judicial District Court of Salt Lake County, Utah. Unless otherwise terminated pursuant to the provisions hereof or otherwise agreed in writing, Engineer shall continue to perform the Engineering Services during any such litigation proceedings and City shall continue to make undisputed payments to Engineer in accordance with the terms of this Agreement.

20. **Notice.** Any notice required or permitted to be given hereunder shall be deemed sufficient if given by a communication in writing and shall be deemed to have been received (a) upon personal delivery or actual receipt thereof; or (b) within three days after such notice is deposited in the United States Mail, postage prepaid, certified, return receipt requested, and addressed to the parties as set forth below:

Engineer:	Avenue Consultant, Inc. 6575 South Redwood Road Suite 101 Taylorsville, UT 84123
-----------	--

City:	Millcreek 3330 South 1300 East Millcreek, UT 84106
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with a copy to:	John N. Brems 3330 South 1300 East Millcreek, UT 84106
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21. **Additional Provisions.** The following provisions also are integral to this Agreement:

a. **Titles and Captions.** All section or subsection titles or captions herein are for convenience only. Such titles and captions shall not be deemed part of this Agreement and shall in no way define, limit, augment, extend, or describe the scope, content, or intent of any part or parts hereof.

b. Pronouns and Plurals. Whenever the context may require, any pronoun used herein shall include the corresponding masculine, feminine, or neuter forms, and the singular form of nouns, pronouns, and verbs shall include the plurals and vice versa.

c. Applicable Law. The provisions of this Agreement shall be governed by and construed in accordance with the laws of the state of Utah.

d. Integration. This Agreement constitutes the entire agreement between the parties pertaining to the subject matter hereof and supersedes all prior agreements and understandings pertaining thereto.

e. Time. Time is the essence hereof. Neither party to this Agreement will be held responsible for delay or default caused by fire, riot, acts of God, and/or war which is beyond that party's reasonable control.

f. Survival. All agreements, covenants, representations, and warranties contained herein shall survive the execution of this Agreement and shall continue in full force and effect throughout the term of this Agreement.

g. Waiver. No failure by any party to insist upon the strict performance of any covenant, duty, agreement, or condition of this Agreement or to exercise any right or remedy consequent upon a breach thereof shall constitute a waiver of any such breach or of such or any other covenant, agreement, term, or condition. Any party may, by notice delivered in the manner provided in this Agreement, but shall be under no obligation to, waive any of its rights or any conditions to its obligations hereunder, or any duty, obligation, or covenant of any other party. No waiver shall affect or alter the remainder of this Agreement, but each and every other covenant, agreement, term, and condition hereof shall continue in full force and effect with respect to any other then existing or subsequently occurring breach.

h. Rights and Remedies. The rights and remedies of the parties hereto shall not be mutually exclusive, and the exercise of one or more of the provisions of this Agreement shall not preclude the exercise of any other provisions hereof.

i. Severability. In the event that any condition, covenant, or other provision hereof is held to be invalid or void, the same shall be deemed severable from the remainder of this Agreement and shall in no way affect any other covenant or condition herein contained. If such condition, covenant, or other provision shall be deemed invalid due to its scope or breadth, such provision shall be deemed valid to the extent of the scope or breadth permitted by law.

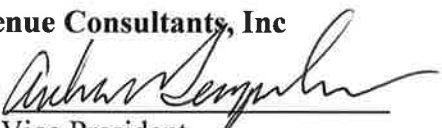
j. Exhibits. All exhibits annexed to this Agreement are expressly made a part of this Agreement as though completely set forth herein. All references to this Agreement, either in this Agreement itself or in any of such writings, shall be deemed to refer to and include this Agreement and all such exhibits and writings.

k. Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument.

1. Authorizations. Engineer hereby represents that it has been duly authorized to enter into this Agreement.

IN WITNESS WHEREOF, the parties caused this Agreement to be signed and attested on the day and year first appearing hereinabove.

Avenue Consultants, Inc

By: 
Its: Vice President

Date: 8/11/2020

Millcreek

Jeff Silvestrini, Mayor

ATTEST:

By _____
Elyse Greiner, CMC City Recorder

Exhibit A
(attached fee schedule)



EXHIBIT "A"

Avenue Consultants Time and Materials Fee Schedule August 2020

Hourly Service Rates (Time)

Principal	\$258.00/hr
Project Manager	\$227.00/hr
Senior Graphics/Video Lead	\$192.00/hr
Senior Engineer	\$198.00/hr
Design Engineer	\$121.00/hr
Engineer in Training	\$98.00/hr
GIS Technician	\$124.00/hr
Graphical Designer	\$74.00/hr
Technical Editor	\$163.00/hr
Administrative Assistant	\$55.00/hr

Reimbursable Items (Materials)

Mileage	\$0.58/mile
Reprographics Expenses	Cost Plus 10%
All Other Expenses (including subcontractors)	Cost Plus 10%

MILLCREEK, UTAH
RESOLUTION NO. 20-38

**A RESOLUTION APPROVING AN AGREEMENT WITH SALT LAKE CITY
CORPORATION FOR A SUGAR HOUSE CIRCULATION PLAN**

WHEREAS, the Millcreek Council ("*Council*") met in regular session on August 24, 2020 to consider, among other things, approving an agreement with Salt Lake City Corporation for a Sugar House circulation plan; and

WHEREAS, staff recommends that the City enter into an agreement with Salt Lake City Corporation for a Sugar House circulation plan ("*Agreement*"); and

WHEREAS, the Agreement, a copy of which is attached hereto, has been presented to the Council for review and approval; and

WHEREAS, the Council has determined that it is in the best interest of the inhabitants of Millcreek to adopt a resolution approving the Agreement.

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 Agreement.

This Resolution assigned No. 20-38, shall take effect immediately on passage.

PASSED AND APPROVED by the Millcreek Council this 24th day of August 2020.

MILLCREEK COUNCIL

By: _____
Jeff Silvestrini, Mayor

ATTEST:

Elyse Sullivan, City Recorder

Roll Call Vote:

Silvestrini	Yes	No
Marchant	Yes	No
Jackson	Yes	No
Catten	Yes	No
Uipi	Yes	No

CONTRIBUTION AGREEMENT

Contribution to the Joint Sugar House Circulation Plan

THIS AGREEMENT (“Agreement”) is made and entered into this ____ day of February 2020, by the between MILLCREEK, a Utah _____ (“Millcreek”), and SALT LAKE CITY CORPORATION, a Utah municipal corporation (the “City”) as of the date attested to by the Salt Lake City Recorder’s Office (the “Effective Date”). Millcreek and the City are sometimes referred to as the “Parties.”

RECITALS

A. The City is completing a circulation study and transit alternatives analysis for the Greater Millcreek/Sugar House area (the “Project”).

B. The City will be contracting for the development of the Project (the “Consultant”).

C. Millcreek and the City have determined that the Project is in both Parties’ interests, and desire to share costs for the Project.

D. Millcreek and the City desire to enter into an agreement to enable Millcreek to contribute towards the cost of the Project.

AGREEMENT

NOW, THEREFORE, the Parties agree as follows:

1. Project. The Project, as set forth in Exhibit A. The City will contribute to and manage the Project. The City will coordinate with Millcreek during the development of the Project. Millcreek may participate in the selection of the Consultant and review of all of the Consultant’s work product.

2. Finance. The estimated cost of the Project is \$1,000,000], as set forth in Exhibit A attached. Millcreek shall contribute Ten Thousand and 00/100 Dollars (\$10,000) (the “Contribution”) to the City to assist the City in procuring and paying for the necessary services to develop the Project. The City shall provide Millcreek with an invoice for this cost, which invoice Millcreek shall pay within 30 days of receipt. In the event that greater funds are necessary to complete the Project, the City will contact Millcreek for further consultation. Millcreek will not be held responsible for further contributions except as agreed in a writing signed by both Parties. The City shall use the Contribution solely for the purposes of the Project.

3. Ownership. All work performed by the Consultant shall become the sole property of the City, but the City shall provide copies of the final deliverables from the Consultant to

Millcreek. Ownership of the work shall apply regardless of the form of the work product, *e.g.*, writings, drawings, reports, any form of video or audio, etc. All documents, in either physical or electronic form, may be subject to the provisions of the state's Government Records Access and Management Act, currently codified in Utah Code §§ 63G-2-101 to -901.

4. Duration and Termination. This Agreement shall take effect upon the Effective Date and terminate two years after. The term may be extended by a writing signed by both Parties.

5. Liability. Both Parties are governmental entities under the Governmental Immunity Act of Utah, Utah Code §§ 63G-7-101 to -904. Consistent with the terms of the Act, each Party is responsible and liable for its own wrongful or negligent acts that it commits or that are committed by its agents, officials, or employees. Neither Party waives any defenses otherwise available under the Act.

6. Notice. Any notice required or permitted to be given hereunder shall be deemed sufficient if given by a communication in writing and shall be deemed to have been received (a) upon personal delivery or actual receipt thereof, or (b) within two days after such notice is deposited in the United States Mail, postage prepaid, and certified and addressed to the Parties as set forth below:

To Millcreek: Millcreek
 3330 South 1300 East
 Millcreek, UT 84106

To the City: Salt Lake City Corporation
 [address]
 Salt Lake City, Utah 84104

7. Miscellaneous Provisions. It is mutually agreed and understood by and between said Parties that:

a. Agents, employees, or representatives of each Party shall not be deemed to be the agents, employees or representatives of the other;

b. This Agreement contains the entire agreement between the Parties with respect to the subject matter hereof, and no statements, promises, or inducements made by either Party or agents for either Party that are not contained in this Agreement shall be binding or valid; and this Agreement may not be enlarged, modified, or altered except in writing, and signed by the Parties.

c. This Agreement shall be construed in accordance with, and governed by the substantive laws of, the State of Utah, without reference to principles governing choice or conflicts of laws.

d. If any provisions or portions thereof of this Agreement shall to any extent be held to be invalid or unenforceable, the remainder of this Agreement or the application of such provisions or portions thereof shall not be affected thereby and each provision of this Agreement shall be valid and enforceable to the fullest extent permitted by the law, so long as the intent of the parties can be maintained.

e. This Agreement may not be assigned unless consented to by both parties in writing.

f. This Agreement is intended for the sole benefit of the Parties, and there are no third-party beneficiaries to this Agreement. The Parties are not forming a joint venture or partnership.

[Signature Page to Follow]

IN WITNESS WHEREOF, the parties execute this Agreement as of the Effective Date.

MILLCREEK:

MILLCREEK

By _____
Mayor or Designee

CITY:

SALT LAKE CITY CORPORATION

By _____
Erin Mendenhall
Mayor

ATTEST & COUNTERSIGN:
Salt Lake City Recorder's Office

City Recorder

APPROVAL AS TO FORM:
Salt Lake City Attorney's Office

By: _____
Megan J. DePaulis
Senior City Attorney

Date: _____

Appendix A – Scope of Work



**Minutes of the
Millcreek City Council
July 27, 2020
6:00 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 July 27, 2020 at City Hall, located at 3330 S. 1300 E., Millcreek, UT 84106. The meeting was conducted electronically per Millcreek State of Local Emergency Directive No. 2 of 2020 and live streamed via the City's website with an option for online public comment.

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 Brems, City Attorney
Elyse Sullivan, City Recorder
Rita Lund, Communications Director
Laurie Johnson, HR-Finance Director
Francis Lilly, Planning and Zoning Director
(electronic)
Mike Winder, Economic Development Director
Kurt Hansen, Legislative Policy Director
Jim Hardy, Building Official
Andrew Clark, Emergency Manager
Robert May, Planner
Erin O'Kelley, Planner
Ashley Cleveland, Promise Program Manager

Attendees: John Geilmann, Cindy Geilmann, Scott Claerhout (electronic), Dan Maack (electronic), Thom DeSirant, Susan Ferrin, Shirley Nelson, Officer Jonathan Richardson, Verdi White, Chief Steve DeBry, and Chief Scott McBride.

WORK MEETING – 6:00 p.m.

TIME COMMENCED: 6:00 p.m.

Mayor Silvestrini called the work meeting to order. He recognized John Geilmann, City Manager, and said for health reasons he had tendered his resignation.

John Geilmann said in June 2017 he started the process to become the City Manager. He recognized his wife, Cindy Geilmann, in the audience as a support to him. He then read his sentiments to the Council. He said he had two personal philosophies. First, always try to empower others to do their best. The concept being, if you think or feel you are the best, you will always try to do your best. He felt that happened with staff at Millcreek. The book, "Good to

Great” had been a big part of his staffing. He said Millcreek was a great city with a great mayor and council, so he needed to have a great staffing team. He felt he had gotten the right people on the bus and the right person on the right seat on the bus. He asked that the bus theme be continued. He thanked the Council for letting him be part of something great. He gave them a double sided yardstick that posed the question, “Is this in the best interest of the whole city?” on one side and, “Never put that which matters most at the mercy of that which matters least” on the other side. He told the Council to set priorities, make decisions, and go after the top ones. He read, “The Zoad in the Road” poem by Dr. Seuss. He went on to say that true leadership only exists if people follow when they have the freedom not to. He expressed his love and appreciation for the Mayor, Council, and staff. He closed by saying his second personal philosophy, which is if you are going to go through what it takes to compete, you might as well put your whole heart and effort into it. So, play to win!

Mayor Silvestrini thanked Geilmann for serving the City, hiring great staff, and using the right tools to implement quality and motivate others, and said Geilmann was not replaceable. He said it was an honor to work with him and presented Geilmann with a plaque honoring his service as the City’s first City Manager. Council Member Uipi expressed appreciation for Geilmann’s work. Council Member Jackson said Geilmann set the right tone for the City. Council Member Catten expressed appreciation for his leadership. Council Member Marchant told Geilmann to enjoy his retirement and expressed his love for him.

1. Promise Program Annual Report; Ashley Cleveland, Promise Program Manager

Ashley Cleveland thanked the Council for creating the Millcreek Promise Program and its mission statement. She said the program was announced on January 10, 2018 and she started working in it in May of that year. She said Millcreek Promise will work to change discriminating and inequitable community conditions to address barriers to education, health and safety, and economic wellbeing. The initiative will be a catalyst for youth success, creating opportunities, and mitigating issues facing many of the City’s young people and their families. There is list of mutual community goals, which are education, safety, health, and economic wellbeing, and 4 subcommittees, 2 support committees, and many community partners working towards those goals. She reviewed the committees and their 2019 attendance statistics, what they were doing, and what they planned to do. She went through the process for developing action plans; identify major drivers, narrow and prioritize drivers, identify interventions based on drivers, and narrow and prioritize interventions. She reviewed the Promise Program funding since inception which included a number of grants, donations, and fundraising. Cleveland described the Phase II improvements for Sunnyvale Park and the pandemic influenced changes to the Saturday Farmers Market. She said she had increased the Promise Program funding by 400% in the last year and a half.

Cleveland highlighted program achievements over the last year in each of the community goal areas. In education, the Program received a grant to start after school programming at Mill Creek Elementary, launched a volunteer reading with kids program, and installed ten little libraries throughout the community. In safety, the Program received a grant for improvements to Sunnyvale Park, and the subcommittee was focused on domestic violence and mental health resources for minoritized residents. In health, there was a suicide prevention task force working with the schools, gardening boxes had been set up in Sunnyvale Park, and there were food drives in the schools. In economic wellbeing, there had been work done on digital inclusion with subsidized and free internet programs. The long-term growth for the Program included work on

policy, grants, local engagement, and advocacy. She asked the Council questions on the Program's growth. She said the Program would be able to accept volunteer applications and donations on the City's website. The City had the Program to promote equity, inclusion, and diversity.

Mayor Silvestrini suggested planning another meeting with Ashley Cleveland to go more into depth about the Promise Program. The Council decided to email any questions to Cleveland for preparation for a follow-up work session.

Council Member Marchant moved to move items 3-5 to the end of the regular meeting. Council Member Jackson seconded. Mayor Silvestrini called for the vote. All Council Members voted yes. The motion passed unanimously.

2. Planning Matters First Reading

a. ZM-20-006, Request to Rezone from R-1-10 & R-1-21 to R-1-21 at 3646 Viewcrest Circle; Erin O'Kelley, Planner

Erin O'Kelley said the applicant was proposing to rezone property located at 3646 Viewcrest Circle originally platted as two separate residential lots in the Mount Olympus Hills subdivision plats. The property was currently zoned R-1-10. The vacant area behind the house was zoned R-1-21. The applicant would like to put a guesthouse on the property which was permitted in the R-1-21 zone. By definition, a guesthouse must be located on the same lot of the main dwelling. Therefore, a lot consolidation was required. However, Millcreek code requires that the consolidation of two previously subdivided lots must be re-platted to reflect the property boundary changes. The proposed plat and consolidation would result in a split zone lot where one zone allows guesthouses and one zone does not. The City required the applicant to rezone the property in addition to the subdivision application. The rezone would be in harmony with the General Plan. The neighborhood had concerns about construction, utility maintenance, use of the guesthouse as a short-term rental, and obstruction of view and privacy but most were in support of the rezone and proposal. The Mt. Olympus Community Council and Planning Commission recommended approval of the rezone with the zoning conditions that short-term rentals would be prohibited, and animals would be limited to household pets.

Mayor Silvestrini said the Council did not entertain public comment on first reading items but would when it came back to the Council for action. Mayor Silvestrini asked for public comment. There was none.

b. ZM-20-007, Request to Rezone from R-1-21 to R-1-8 at 3500 S. Hillside Lane; Erin O'Kelley, Planner

Erin O'Kelley said the applicant was requesting preliminary plat approval for a 3-lot subdivision, 2 traditional lots that front Hillside Lane and one flag-lot with access off Hillside Lane. The lots would meet the minimum requirements of the R-1-8 zone. The applicant would not be demolishing the existing house on the proposed Lot 2. Millcreek was requiring a rezone application associated with the proposed subdivision due to the fact the property was currently a split zoned parcel. A portion of the lot was zoned R-1-21. The proposed subdivision was created to comply with the minimum lot standards for the R-1-8 zone, which consists of most of the property. For the subdivision to meet all applicable zoning and subdivision requirements the entire parcel needed to be zoned R-1-8. O'Kelley

said staff had a policy to clean up zoning where possible. She showed the Council the proposed subdivision plat, buildable area, and the floodplain boundary. Council Member Jackson asked if there would be separate driveways. O’Kelley said yes. Mayor Silvestrini said residents had expressed concern about safety. Mayor Silvestrini said the owner could potentially demolish the existing home and could put in 5 lots so the proposed 3 lot subdivision would probably be the best use for the property. O’Kelley said the proposal would be designated as Neighborhood 1 in the General Plan. She said there were neighborhood concerns about safety, traffic, construction, and the three driveways. The East Mill Creek Community Council and Planning Commission recommended approval of the rezone. Mayor Silvestrini said whether the property was rezoned or not, the property would probably still be redeveloped. He said the City should consider constructing sidewalk on the neighboring property to improve the safety of the neighborhood. O’Kelley said approximately 133 feet of improvements would be installed along the proposed frontage of the lots and the ditch would be addressed.

Mayor Silvestrini asked for public comment. There was none.

Council Member Jackson moved to recess the work meeting at 7:17 p.m. Council Member Marchant seconded. Mayor Silvestrini called for the vote. All Council Members voted yes. The motion passed unanimously.

REGULAR MEETING – 7:00 p.m.
TIME COMMENCED: 7:25 p.m.

1. Welcome, Introduction and Preliminary Matters

1.1 Pledge of Allegiance

Mayor Silvestrini called the meeting to order. He said the work meeting went late because there was an unexpected agenda item by the City Manager who had to retire due to health concerns. He then led the pledge of allegiance.

1.2 Unified Police Department Millcreek Precinct Officer of the Month for June 2020

Chief Steve DeBry recognized Officer Jonathan Richardson as Officer of the Month for June 2020. He read a letter from the family of Verdi White describing Officer Richardson’s involvement in saving White’s life. Verdi White said he was humbled and grateful for the officer who was trained and had the courage and leadership to seamlessly perform CPR on him. He was pleased that Officer Richardson was recognized by his department. The Citizens Advisory Board presented Officer Richardson with a gift. Mayor Silvestrini thanked Officer Richardson for saving lives. Officer Richardson recognized his girlfriend for her support and said he was grateful to help. He thanked White’s family as well.

1.3 Public Comment

There were no comments.

2. Planning Matters

2.1 Discussion and Consideration of Resolution 20-29, Approving Appointments to the Planning Commission

Mayor Silvestrini said Millcreek planning commissioners serve 4-year terms. When the terms were initially set, the terms were staggered. Mark Mumford's and Scott Claerhout's terms ended June 30, 2020. The City opened the positions to new applicants. Mayor Silvestrini recognized Mark Mumford for his work on the Commission and his role with the General Plan engagement since he had decided to step down. The hiring committee voted to reappoint Scott Claerhout and to appoint Ian Wright to the Commission. He said Wright had been engaged as a citizen in public meetings, especially with the City Center. Council Member Jackson said she was impressed by all of the candidates. Mayor Silvestrini thanked the other candidates for applying and encouraged candidates from all parts of the City to apply next time.

Council Member Jackson moved to adopt Resolution 20-29, Approving Appointments to the Planning Commission. Council Member Catten seconded. The Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

2.2 Discussion and Consideration of Ordinance 20-35, Notifying the Public of a Pending Ordinance that Would Prohibit Mixed Use Developments Which is Defined as General Retail, Office, and Residential Uses Sharing the Same Building in the C-1, C-2, and C-3 Zones

Francis Lilly said staff and the Planning Commission had been working on updates to the design standards of mixed used buildings. He said a lot of commercial properties were transitioning into mixed use concepts and staff was not getting the type of projects wanted. They were considering adding reasonable minimums for commercial space. The Planning Commission supported the draft ordinance but requested more time to review it and asked the Council to adopt a pending ordinance to hold off new applications before the ordinance was adopted. Mayor Silvestrini said the commercial zones were being lost to residential so a mixed-use requirement to the ground floor had been added to the code. He described projects that had issues with commercial requirements. Council Member Jackson asked about the new commercial requirements. Lilly said they were considering requiring a minimum of 100 feet of frontage on a principle arterial, incentivizing commercial to be in a separate structure, or having a 30% commercial requirement on larger lots.

Council Member Jackson moved to adopt Ordinance 20-35, Notifying the Public of a Pending Ordinance that Would Prohibit Mixed Use Developments Which is Defined as General Retail, Office, and Residential Uses Sharing the Same Building in our commercial zones. Council Member Marchant seconded. The Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

Elyse Sullivan brought up that she had received an online public comment from John Tuutau about the meeting live stream audio not working. The Council was already aware of this problem and said a recording of the meeting would be posted to the City's website.

2.3 Discussion and Consideration of Ordinance 20-37, Rezoning Certain Property Located at Approx. 755 East 2910 South from R-1-6 (Residential) to R-1-5 (Residential)

Mayor Silvestrini said the Council had a first read of the item at the last meeting. Robert May said the rezone would include a zone condition to limit the density to 6 units per acre. He said there was an accompanying development agreement. He felt this was one of the better proposals he had seen for the property and recommended approval of the rezone and development agreement. Council Member Marchant said he observed no opposition to the proposal at the community council or Planning Commission meeting.

Mayor Silvestrini asked for public comment. There was none.

Council Member Jackson moved to adopt Ordinance 20-37, Rezoning Certain Property Located at Approx. 755 East 2910 South from R-1-6 to R-1-5 subject to the zone condition and the development agreement. Council Member Marchant seconded. The Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

2.4 Discussion and Consideration of Ordinance 20-38, Approving a Development Agreement for Property being Rezoned from R-1-6 to R-1-5 with Respect to Approx. 1.18 Acres of Real Property Located at Approx. 755 East 2910 South

Council Member Catten moved to approve item 2.4, Ordinance 20-38, Approving a Development Agreement for the property at 755 East 2910 South. Council Member Jackson seconded. The Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

3. Business Matters

3.1 Discussion and Consideration of Resolution 20-30, Approving an Agreement with Salt Lake County for CARES Act Funding

Mayor Silvestrini said Salt Lake County received CARES Act funding from the United States of America and they agreed to apportion the money to cities based on population and Millcreek's share was \$1.8 million. In order to receive that funding, Millcreek needed to sign an interlocal agreement with Salt Lake County which stated that the money would be spent in accordance with the parameters of the CARES Act relating to specific COVID-19 expenses.

Council Member Jackson moved to adopt Resolution 20-30, Approving an Agreement with Salt Lake County for CARES Act Funding. Council Member Uipi seconded. The Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

3.2 Discussion and Consideration of Resolution 20-31, Approving a Small Business Promotion Grant Using CARES Act Funding

Mike Winder said of the \$1.8 million, between Unified Fire Authority (UFA), Unified Police Department (UPD), and Millcreek city expenses, roughly \$300,000 has been or would be spent. He had worked with the County on a grant program for businesses to spend the other \$1.5 million. Mayor Silvestrini said the City had been tracking COVID-19 expenses since the pandemic started. Council Member Jackson asked about assisting the schools. Winder said this funding could not help schools. He reviewed the small retail

business promotion grant proposal and the qualifying requirements. Each business could get up to \$5,000 in reimbursement for business advertising. He said the Millcreek Business Council was excited about the idea. Mayor Silvestrini thanked Winder for his creativity. Council Member Jackson asked how the word about the grant would get out. Winder said it would be advertised in the Business Council newsletter.

Mayor Silvestrini asked for public comment. There was none. Winder said other businesses that did not qualify for this grant could get assistance from the County and State.

Council Member Marchant moved to approve Resolution 20-31, Approving a Small Business Promotion Grant Using CARES Act Funding. Council Member Catten seconded. The Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

3.3 Discussion and Consideration of Resolution 20-32, Adopting the Updated 2019 Salt Lake County Hazard Mitigation Plan

Andrew Clark said in order for Millcreek to participate in any federally funded mitigation projects, the Salt Lake County Hazard Mitigation Plan must be adopted by the City. The Council originally adopted the 2019 Salt Lake County Hazard Mitigation Plan during the April 13th, 2020 City Council meeting. Since then, staff had made a few changes to the plan to bolster accuracy and to include Millcreek specific hazards. Two big changes to the plan were first, under Jurisdiction-Specific Hazards and Impacts he added debris flow specific hazard information and impact on the residential community and second, under Mitigation Strategies and Actions – Mitigation Table he added “install debris basin and/or storm drain/culvert to help mitigate floods and landslides, and the resulting debris flows that can occur in the area.” He made other smaller changes/additions to the Plan such as adding UFA Station 101 to two maps, reformatting tables, and adding the recent Neffs Creek flooding that happened in May of 2019.

Mayor Silvestrini thanked Clark for his work on Millcreek specific hazards. Mayor Silvestrini asked for public comment. There was none.

Council Member Jackson moved to adopt Resolution 20-32, Adopting the Updated 2019 Salt Lake County Hazard Mitigation Plan. Council Member Uipi seconded. The Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

3.4 Discussion and Consideration of Resolution 20-33, Adopting the 2020 Millcreek Pandemic Specific Continuity of Operations Plan (COOP)

Andrew Clark said the purpose of the Millcreek Pandemic Continuity of Operations Plan was to serve as the guidance for maintaining essential functions and services of Millcreek during a pandemic outbreak. He reviewed the assumptions, breakdown, and reconstitution of the plan. Mayor Silvestrini said the department heads reviewed it and were already following it. Mayor Silvestrini asked for public comment. There was none.

Council Member Uipi moved to approve item 3.4 for the COOP. Council Member Jackson seconded. The Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

3.5 Discussion and Consideration of Resolution 20-34, Approving an Interlocal Cooperative Agreement Between Salt Lake County and Millcreek Regarding the Urban Wildlife Assistance Program

Mayor Silvestrini said Millcreek was not participating in the program offered by Animal Services to deal with evasive pests. Rita Lund said Salt Lake County Animal Services had an agreement with the Division of Wildlife Resources to trap animals and take them away. Millcreek had been receiving the service but had not been paying for it, so the service was removed without staff knowledge. She said her team often received calls about raccoons. Council Member Jackson said it included skunks too. Council Member Catten asked if it included foxes. Lund said she would check. Laurie Johnson said the Council could amend the budget to include the funding for the agreement.

Council Member Catten moved to adopt item 3.5, Resolution 20-34, Approving an Interlocal Cooperative Agreement Between Salt Lake County and Millcreek Regarding the Urban Wildlife Assistance Program. Council Member Uipi seconded. Mayor Silvestrini requested a report on the racoon count in Millcreek from Animal Services during their annual reports. **The Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.**

3.6 Discussion and Consideration of Resolution 20-35, Approving a Billing Services Agreement with PacificCorp to Bill and Collect the Millcreek Storm Water Utility Fee

Mayor Silvestrini said the Council adopted the storm water utility fee and the City needed to make arrangements to bill for the fee. He said Rocky Mountain Power reached most of Millcreek property owners at the most affordable rate. There were some restrictions in Rocky Mountain Power sharing data unless or until Millcreek got a tariff approved by the Public Service Commission. Millcreek had provided Rocky Mountain Power with its data about residential and commercial properties which had resolved about 98% of the discrepancies with addressing.

Council Member Uipi moved to approve item 3.6. Council Member Jackson seconded. The Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

3.7 Discussion and Consideration of Ordinance 20-36, Amending Title 2 of the Millcreek Code of Ordinances Regarding Surplus of Personal Property

Kurt Hansen said the Council adopted several code changes at the last meeting but there was a clerical error in that version, so this ordinance would fix that.

Council Member Catten moved to approve Ordinance 20-36, Amending Title 2 of the Millcreek Code of Ordinances Regarding Surplus of Personal Property. Council Member Uipi seconded. The Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

4. Reports**4.1 Mayor's Report**

Mayor Silvestrini said staff had been working on a draft advertisement for a new city manager. He said the Millcreek city government has had a mayor that has been functioning in more of an administrative role so they should be looking for someone that could be a city manager/city administrator. He said Laurie Johnson did a salary survey and Millcreek was on the low end for pay for a city manager. Council Member Jackson asked if hiring a city administrator was allowable per state statute. John Brems said Millcreek's form of government was 5-member council, so it was up to the Council as to what the position was. He said a city manager could be created by ordinance. Council Member Uipi asked what a future council would deal with if the city manager was downgraded to a city administrator. Mayor Silvestrini said it could be changed based on circumstances. Council Member Catten asked if the City could advertise for both. Mayor Silvestrini said it would be advertised as city manager/city administrator. Johnson said she wanted to create realistic expectations for applicants. Council Member Uipi asked about compensation. Johnson said the compensation would include what made sense for managing 40 employees and large contracts for services.

Mayor Silvestrini said on the following Saturday, there would be food drives at Mill Creek Elementary and Moss Elementary to stock pantries for the school year, the rain barrel distribution, and the Utah Food Bank distribution at LDS chapel on 3400 S. 1100 E.

Mayor Silvestrini said the Canyon Rim Citizens Association had requested that their meetings be held at City Hall with staff assistance. He felt that if there was no city business for the month on their agenda, that they should conduct their meetings on their own. Council Member Uipi did not want city staff supporting meetings that did not have city business.

4.2 City Council Member Reports

Council Member Uipi said she met with Ashley Cleveland on policing in the community. That policing committee decided to move forward with having a town hall on policing on August 17th. The purpose would be to gather information from residents and have education provided. She said it could be conducted at City Hall with the option for electronic participation. Mayor Silvestrini said he wanted to discuss local issues, to listen, and not get into arguments. Council Member Uipi said the safety and policing committees were separate and policing was not affiliated with the Promise Program. The Council discussed having a FAQ sheet in advance and the night of.

Council Member Jackson reported that she and the Mayor attended the Canyon Rim Cares Event. She thanked the team for getting it organized.

4.3 Staff Reports

Rita Lund said the last drive-in movie for Venture Out would be on Wednesday night and the food truck nights would extend through August.

Mike Winder said business license fees recently changed and staff had received complaints, so Zions Public Finance was reviewing how they came up with massage therapy and home service disproportionate fees. The Council expressed favor with changes to the fee schedule with justifiable support from Zions Public Finance.

4.4 Unified Police Department Report

Chief Steve DeBry said he would be giving the reports to the Council and could give as much detail as they wanted, except on active cases. He reviewed the crime statistics for June 2020. There were 2,994 calls for service, 1,149 total cases, 378 citations, and 46 booking arrests. The crime breakdown included 32 assault, 25 burglary, 22 drug offense, 75 family offense, 73 larceny, 5 robbery, 6 sex offense, 43 stolen vehicles, and 72 vehicle burglary cases. He reported that there had been a string of garage and residential burglaries in the East Millcreek and Mt. Olympus communities over the last 30 days by suspect(s) entering unlocked cars and homes. The Community Oriented Policing (C.O.P.) detectives had posted “no camping” notices at 6 illegal encampment sites and partnered with Salt Lake County Health Department to clean up the sites resulting in over 1,200 pounds of waste collected. The Traffic Units had been working on parking enforcement and issued 77 citations and warnings. The C.O.P. detectives located 10 cases of graffiti in Millcreek and it had been cleaned up. He mentioned that UPD had assisted with Venture Out’s rolling car shows and the East Mill Creek Community Council purchased lunch for the Millcreek precinct. He said his officers were dedicated to their job though they had recently been met with difficult times. He said any time force was used other than in making an arrest it was reviewed through an extreme vetting process. He reported that he recently went to a class on pressurized people that he felt was very beneficial. He said officers must receive a minimum 40 hours of training every year per state licensure.

Council Member Uipi thanked Chief DeBry for his departments’ work. She said she was proud of the community’s law enforcement officers. Council Member Marchant thanked Chief DeBry for being responsive. Mayor Silvestrini said the Council fully supported UPD and the Millcreek Precinct officers despite the town hall to discuss policing.

4.5 Unified Fire Authority Report

Chief Scott McBride said there were four recent arson fires and a suspect had been identified. Mayor Silvestrini said a juvenile confessed to starting the fires.

5. Consent Agenda

5.1 Approval of July 13, 2020 Work Meeting and Regular Meeting Minutes

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

6. New Items for Subsequent Consideration

There were none.

7. Calendar of Upcoming Events

- Mt. Olympus Community Council Mtg., 8/4/20, 6:00 p.m. TBD
- Millcreek Community Council Mtg., 8/4/20, 6:30 p.m. TBD
- Canyon Rim Citizens Association Mtg., 8/5/20, 7:00 p.m. TBD
- East Mill Creek Community Council Mtg., 8/6/20, 6:30 p.m. TBD
- City Council Mtg., 8/10/20, 5:00 p.m. at City Hall
- Planning Commission Mtg., 8/19/20, 5:00 p.m. at City Hall

ADJOURNED: Council Member Uipi moved to adjourn the regular meeting and resume the work meeting at 9:57 p.m. Council Member Jackson seconded. Mayor Silvestrini called for the vote. All Council Members voted yes. The motion passed unanimously.

Work Meeting Continued

3. Discussion on Potential Redistricting Commission

Mayor Silvestrini said the County was soliciting volunteers to serve on a redistricting commission and wondered if the City would be interested in doing one too. He said they could create a commission to recommend to the Council redistricting boundaries. He said the city's races were non-partisan, so they would look to make logical boundaries. He asked the Council if they wanted public involvement. Council Member Jackson mentioned having planning staff make a recommendation that would then be reviewed by the community councils. Council Member Uipi said she would like more than one recommendation from planning staff. Mayor Silvestrini suggested forming a committee from community council members. Council Member Catten pointed out that staff knew Millcreek issues better than random people from the public in each district. Mike Winder suggested that planning staff create two maps that would get published on the website, get reviewed by the community councils, and then the Council could get input on which map to go with.

4. Staff Reports

There were none.

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

There was none.

Council Member Uipi moved to adjourn the work meeting at 10:07 p.m. Council Member Catten seconded. Mayor Silvestrini called for the vote. All Council Members voted yes. The motion passed unanimously.

APPROVED: _____ **Date**

Jeff Silvestrini, Mayor

Attest:

Elyse Sullivan, City Recorder



**Minutes of the
Millcreek City Council
August 10, 2020
5:30 p.m.
Work Meeting
7:00 p.m.
Regular Meeting**

The City Council of Millcreek, Utah, met in a public work meeting and regular meeting on August 10, 2020 at City Hall, located at 3330 S. 1300 E., Millcreek, UT 84106. The meeting was conducted electronically per Millcreek State of Local Emergency Directive No. 2 of 2020 and live streamed via the City's website with an option for online public comment.

PRESENT:

Council Members

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

City Staff

John Brems, City Attorney
Elyse Sullivan, City Recorder
Rita Lund, Communications Director
Laurie Johnson, HR-Finance Director
Francis Lilly, Planning and Zoning Director
Mike Winder, Economic Development Director
Kurt Hansen, Legislative Policy Director
Jim Hardy, Building Official
John Miller, City Engineer
Jared Bowling, IT/Facilities Manager
Robert May, Planner
Erin O'Kelley, Planner
Samah Safiullah, Planner
Blaine Gehring, Legislative Policy Analyst

Attendees: Andrea Palmer (electronic), Thom DeSirant, Sheryl Marta, David Baird, Bryan Colemere, Kirk Bradford, Kathleen Oswald, and Chief Steve DeBry.

WORK MEETING – 5:30 p.m.

TIME COMMENCED: 5:35 p.m.

Mayor Silvestrini called the work meeting to order. He said Council Member Jackson was participating electronically.

1. Discussion on Amending Millcreek Code 14.16.040 and the Addition of Excavation Fees to the Fee Schedule; Kurt Hansen, Legislative Policy Director

Kurt Hansen said there was an excavation permit fee in the city code, but not in the fee schedule. He reviewed the proposed changes for the Council which involved charging for road

closures/obstructions caused by excavations within the first day instead of waiting 72 hours. He also proposed an excavation permit processing fee, incomplete application fee, and permit extension fee. He said the \$50 road closure/obstruction fee would barely pay for an inspector and there was no administration fee to cover the permit technician's time in issuing a permit. Mayor Silvestrini asked if there was a fee for obstructing a public sidewalk. John Miller said no. Mayor Silvestrini asked staff to look into it.

2. Planning Items First Reading:

a. ZT-20-004, Adoption of a Fencing Ordinance; Blaine Gehring, Legislative Policy Analyst

Blaine Gehring said Millcreek had not had a fencing ordinance since its incorporation and residents were seeking to install fences and with no ordinance in place, it had been very confusing for staff in offering guidelines. Discussions on a new fencing ordinance began in September of 2017 with further discussions in 2018 and 2019. The proposed ordinance would apply to all new construction of fencing and reconstruction of existing fencing. Existing non-conforming fences would only be subject to the provisions of the code if their location or height impacted the safety or clear view for pedestrians, bicyclists, and/or vehicles. Gehring described the fence definition and showed examples of violations throughout the City. He said that generally fences do not require a building permit, however, a building permit was required by the building code for any fence over 7 feet high or any retaining wall over 4 feet high. The Planning Commission recommended that any fence over 6 feet high should require a building permit. For single-family, two-family, and agricultural properties, chain link or open style fencing no higher than 6 feet high would be allowed if 50% was open or metal picket and 4 feet if chain link for front and corner side yards. All other fencing installed within the minimum front or corner side yard setbacks could not exceed 6 feet in height. The height for interior side and rear yards may not exceed 8 feet in height. Fencing for multi-family, commercial, industrial, and institutional development would not be allowed in any front yard area except as provided in the Manufacturing Zone and fencing may not exceed 8 feet in height. On corner lots, the ordinance would require that no view-obstructing fence that exceeds 3 feet in height shall be placed in what is called the clear view area on any corner defined as the triangular area 40 feet in each direction from the intersecting curb lines. Like necessary vision at a corner, drivers need to be able to see or be seen by traffic, pedestrians, or bicyclists approaching on the street while backing out of a driveway. The ordinance requires that no view-obstructing fence over 3 feet high shall be placed at any driveway, park strip, or automobile accessway in a defined clear-view area.

Gehring said fences shall be made of high-quality materials that require minimal maintenance. Materials such as brick or stone, decorative precast concrete, heavy gauge vinyl, composite materials, wood, stucco, chain link up to 4 feet high, split rails would be permitted. Prohibited materials would include used metal roofing panels, pallets, tarps, chip-board or plywood, scrap lumber, metal or glass, security barbed or razor wire, and electrified fencing unless part of a legally established use in the A-1 or A-2 Zones. Use of retaining walls would be encouraged to reduce the steepness of man-made slopes and provide landscaping pockets. A building permit along with drawings stamped and signed by a professional engineer would be required for retaining walls over 4 feet in height. No fences shall be installed on a front yard retaining wall or within 4 feet parallel to the top of a retaining wall. The proposed fencing ordinance was sent to all community council chairs on April 23, 2020 asking for their input in light of the current pandemic. All councils recommended approval with a couple of members

of the Millcreek Community Council and the Mount Olympus Community Council providing suggestions that had been incorporated in the draft ordinance. The Planning Commission sent a favorable recommendation to the City Council for adoption of the fencing ordinance as presented.

Mayor Silvestrini asked about the basis for dimensions on the clear view triangle depiction (20 feet wide and 10 feet deep). Gehring said staff recommended 20 feet in with a triangle on the driveway and the Planning Commission felt that it was too much based on the width of the driveways. Francis Lilly said the Planning Commission objected to the depth of the triangle after they went on a walking tour and observed a lot of clear view obstructions. He said the Commission was concerned about an overly prescriptive ordinance that did not fit the pattern of existing fences in the community. They also pointed out that most cars had back up cameras which would require smaller sight triangles. He said Unified Police Department (UPD) did not have a preference for front yard fence height. Mayor Silvestrini said the ordinance needed a starting point date. He asked about a definition of reconstruction of existing fencing. He did not want to create a situation where people could not repair fences. He asked about a record of accidents of clear view on driveways. Lilly said UPD did not code responses to that problem. He said nonconforming fences were nonconforming per the ordinance. There was a substantial improvement definition in the code. Mayor Silvestrini was concerned about creating an enforcement problem with nonconforming structures. Lilly said maintenance would be permitted on noncomplying structures but some work on them would need to go before the Land Use Hearing Officer.

Council Member Uipi supported adding an effective date to the code. She asked about nonconforming structures and issues with clear view. Lilly said the Planning Commission's consensus was that nonconforming fences were not an issue to them at that time, they wanted staff to have guidelines for new fences and felt that existing fences should be left alone. Mayor Silvestrini said on not requiring permits, structures would be erected that violated the ordinance. He asked about the retaining wall permit requirement. Lilly said in applying for a building permit, the measurement goes to the bottom of the footing because once a wall was tall enough it needed to be certified by an engineer to hold back whatever it was designed to hold back. The building permit would measure from the base of the footing to the top of the wall. He said the Planning Department would measure the retaining wall from the top of the finished grade to the top of the wall. Mayor Silvestrini said in proposed section 19.95.040 he did not think that retaining walls needed to be designed by a licensed professional engineer in the State of Utah. He suggested that it say that the design must be approved by a Utah licensed engineer. In that same proposed code chapter in Section B on visual obstructions, he would like the purpose to be stated, that in order to preserve clear view, there can be no obstructions for the general welfare of the public.

The Mayor pointed out that proposed code section 19.76.165 needed consistency with driveways and alleyways. He also brought up that in section 19.95.080E, the code on sound walls was limited to I-80 and I-215 corridors though there were existing sound walls on 3300 S. He wondered if there should be a process in other areas to allow for a more substantial fence. Lilly said the Commission said there could be 6-foot high fences on certain high traffic roads. Mayor Silvestrini said a variance procedure would make sense to allow for it. Council Member Jackson said there were other streets that would have a sound issue and did not want

to limit sound walls to freeway areas. Lilly said he liked the idea of having a conditional use permit process for sound walls.

Mayor Silvestrini said on the fence materials, metal would be restricted though he has seen decorative metal fences and wondered why it would need contrasting posts. Lilly said the Planning Commission felt strongly about the use of corrugated metal and did not think it was aesthetically pleasing. Mayor Silvestrini said decorative metal was subjective. Council Member Catten said electrified fencing in A-1 and A-2 Zones along the Jordan River could be a problem when a public trail was put in. Council Member Uipi said she did not want to regulate beauty or ugly. She asked about fencing height and grade sloping for the neighbor across the street on the downslope side. Lilly said the code addressed it. Gehring said this was the least restrictive ordinance he had worked with in comparison to other cities. Lilly said Millcreek was unique with respect to fences. He added that staff had articulated a process for fences in the right-of-way. John Miller said there was an engineering basis for the clear view requirements.

b. GP-20-001, Adoption of the Millcreek Transportation Plan as an Element of the Millcreek General Plan; Francis Lilly, Planning & Zoning Director and Frederick Lutze, Deputy City Engineer

Francis Lilly said the Transportation Master Plan helped to articulate and organize long-term capital improvement projects, and communicated expectations for roadway improvements, standards, and cross sections. He reviewed the changes made to the Plan though the Plan was never formally adopted by the Council. In the Roadway Functional Classification map, staff changed 300 E. to a Collector B which is a collector road that allows for the existing condition of speed tables or speed bumps on them. They added a local connector between Central Avenue and the new apartments at 4186 S. Main Street. There were changes to private and public right-of-way and roadway cross sections to allow for administrative flexibility to vary how the side treatments work with each project. He said the community councils recommended approval of the Plan as did the Planning Commission.

3. Discussion on Park Amenities

Mayor Silvestrini said this agenda item was prompted by public comments about pickleball courts. He felt there was space at Canyon Rim Park for them. Council Member Jackson said people were regularly playing pickleball on the tennis courts at Canyon Rim Park and residents would use dedicated courts. Council Member Marchant asked if people used the church parking spaces or the public parking spaces for the park. Rita Lund said there was park parking on the church property. Council Member Marchant said if the City invested money on pickleball courts, that they should be first-class and not just painted lines. Mayor Silvestrini gave direction to staff to do research on location, cost, and funding for courts at Canyon Rim Park. Council Member Jackson suggested lighting for the courts, too.

4. Staff Reports

Francis Lilly said he had been working on presenting the Council options for entitlement status for Community Development Block Grants (CDBG). Mayor Silvestrini said CDBGs for Millcreek were initially set up in conjunction with other cities in the County, "Urban County," and the County would evaluate the applications for projects. There was hard money for improvements and soft money for programs available that non-profits could apply for. They have citizen volunteers that make recommendations to the Urban County mayors on the funding of the

projects and once a year the mayors vote on the projects. He said due to Millcreek's population, it could qualify for its own entitlement status to administer its own CDBG money and not be part of the Urban County. The advantage is that some money would be spent in Millcreek instead of spread around the County. The Housing and Urban Development (HUD) Department set a deadline of August 21st for Millcreek to choose its entitlement status. Lilly said he was looking at creating a hybrid option. Mayor Silvestrini said the County already had a system set up with a committee of experts that evaluate applications and make recommendations to award funding. If Millcreek took it over, it would have to implement a similar process. The program allows for payment of administrative costs. The County involves people outside of the county who have expertise to rank applications on certain criteria. He said a hybrid approach sounded appealing. Lilly said the County would like to keep Millcreek in Urban County. HUD said \$350,000 could come to Millcreek to distribute which would come out of the County's consolidated plan. Millcreek had received \$150,000 a year for the last two years for hard costs from Urban County. Council Member Catten asked what the rush was in deciding what to do. Lilly said the decision would be in place for the next three years. Council Member Uipi asked how much money would go to the Promise Program. Lilly said there was a 20% administrative cost and 15% for essential social services and some could go to the Promise Program and about 65% could go towards hard costs. Council Member Uipi suggested a hybrid approach. Lilly concurred. Council Member Catten was curious about doing a hybrid approach but suggested sticking with the County for now. Kurt Hansen said Millcreek was not guaranteed \$150,000 every year for hard costs. Mayor Silvestrini said he and Lilly would investigate doing a hybrid option.

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

Mayor Silvestrini said department heads had started a preliminary needs assessment for a future city hall. He would like the Council to consider it too at an upcoming work session.

Council Member Marchant moved to adjourn the work meeting at 6:56 p.m. Council Member Uipi seconded. Mayor Silvestrini called for the vote. All Council Members voted yes. The motion passed unanimously.

REGULAR MEETING – 7:00 p.m.

TIME COMMENCED: 7:03 p.m.

1. Welcome, Introduction and Preliminary Matters

1.1 Pledge of Allegiance

Mayor Silvestrini called the meeting to order then led the pledge of allegiance. He indicated that there would be a truth in taxation hearing later in the meeting. He said that those participating in the meeting live stream could make comment via the City's website or by calling in. He asked for general comment for the next item and said specific agenda item comments would be had during that item.

1.2 Public Comment

There were no comments.

2. Financial Matters

2.1 Discussion and Consideration of Ordinance 20-45, Amending Title 5 of the Millcreek Code of Ordinances, by Amending the Business License Fee Schedule, Adding a Disproportion Fee Schedule, and Other Related Matters

Mayor Silvestrini said the Council previously adopted an updated fee schedule with new business licensing fees which was based on a study. Since then, Millcreek businesses had expressed concern about the fees, so they were reviewed. Alexander Wendt, Business License Administrator, said the fee schedule went into effect July 1 and staff had since received concerns from the community. Zions Public Finance, who conducted the fee study, reviewed the disproportionate fee schedule for automotive dealers, retail, massage therapists, business and professional services, personal and home services (salon, hair stylist), and restaurants. Wendt reviewed the proposed updated fees. Mayor Silvestrini said the City levies business fees to cover costs incurred in providing services specific to businesses. A disproportionate fee means the City charges businesses a fee proportionate to the amount of drain they put on city services. Some of the businesses that have higher fees generally require more service, like inspections or police presence, that taxpayers pay for. The disproportionate fee offsets the amount that taxpayers pay to cover some of the expenses caused by certain types of businesses. To support the fee structure, the City engaged an independent consultant to do a study and determine what the fees should be. Wendt said other changes to the fee schedule were made based on input from business owners because the City could charge less than the maximum amount from the study. Mike Winder, Economic Development Director, said staff looked at neighboring city comparisons too. Council Member Marchant pointed out that those that complained got reductions. Council Member Uipi asked for a correlation of having lower business license fees and attracting business to Millcreek. Winder said the license was towards the end of the journey in bringing business to Millcreek. Council Member Uipi and Jackson expressed favor for the changes.

Mayor Silvestrini mentioned that Council Member Jackson was participating in the meeting remotely.

Council Member Marchant moved to approve Ordinance 20-45, amending Title 5 of the Millcreek Code of Ordinances by amending the Business License Fee Schedule as presented. Council Member Uipi seconded. The Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

2.2 Public Hearing on Truth in Taxation on Proposed Property Tax Increase. Millcreek is Proposing to Increase Its Property Tax Revenue. As a Result of the Proposed Increase, the Tax on Property May Increase as Follows:

- *MILLCREEK Tax on a \$467,000 Residence Would Increase from \$460.02 to \$472.86, Which is \$12.84 Per Year.*
- *MILLCREEK Tax on a \$467,000 Business Would Increase from \$836.40 to \$859.75, Which is \$23.35 Per Year.*
- *If the Proposed Budget is Approved, MILLCREEK Would Increase Its Property Tax Budgeted Revenue by 2.78% Above Last Year's Property Tax Budgeted Revenue Excluding Eligible New Growth.*

All Concerned Residents are Invited to Give Comments.

Mayor Silvestrini said Millcreek enacted a property tax in 2018 when it left the Salt Lake Valley Law Enforcement Service Area (SLVLESA) taxing district. The City left to have more control over the level of police services. That tax was as close as possible to the 2017 tax levied by SLVLESA. He said the County prepares the tax rate based on the needed revenue. There was no tax increase then, who was collecting that tax changed. He pointed out that SLVLESA had raised taxes every year, and this year was considering a higher rate than Millcreek. The Millcreek property tax increase was raising more money to pay the Unified Police Department (UPD) contract and the City had only used property tax revenue to pay for police services. The UPD contract bill had gone up by about \$700,000 for Fiscal Year 2020-2021, so to make payment the tax needed to go up accordingly. He said Millcreek had not raised taxes since incorporation. The proposed increase was 2.78% which would be less than 1% per year since incorporation. He said the UPD budget was posted on the UPD website, but he was willing to talk to anyone about that budget. UPD provides police services to about 250,000 residents of Salt Lake County in Millcreek, Taylorsville, Midvale, Holladay, Magna, Kearns, White City, Immigration Canyon, Copperton, Brighton, and unincorporated Salt Lake County though Taylorsville would be leaving at the end of the fiscal year. He showed an organization chart of the UPD Millcreek Precinct which included about 46 officers that are based in and work in Millcreek. Millcreek has available to it other services and resources shared with other jurisdictions that are not needed every day. If Millcreek had its own department, residents would pay for everything or forego certain services based on affordability. Some of the pooled services in UPD include dispatch, training, SWAT, accident investigation unit, evidence room, special victims unit, mental health resources, human resources, financial administration, internal affairs and merit review, crime lab, forensic lab, metro gang unit, drug enforcement unit, and detectives for serious crimes.

The Mayor reported that UPD officers were paid less than other departments in the Salt Lake valley and showed a wage comparison chart to other agencies. He said the goal was to have experienced, well trained officers that Millcreek could afford. He did not want Millcreek's Precinct to be in the bottom half, so higher wages would help recruit and maintain good officers. The City pays \$3,762,500 for direct sworn officers, \$138,500 for 2 office administrative positions and a victim's advocate, \$311,500 for crossing guards, \$216,750 for overtime, and \$2,492,000 for benefits. The direct sworn officer wages increased by \$200,000, overtime increased by \$12,000, benefits increased by \$220,000, and shared service expenses increased by \$246,676 from last year. The Salt Lake County Sheriff cut the UPD budget by \$2 million to save money and keep costs low in other areas, but not in wages. The Mayor said Millcreek could cut the number of officers in the city by about 5-7 officers which would allow for no property tax increase, but he had not heard that was what Millcreek residents wanted. He said residents seemed to want more officers patrolling because he gets speeding complaints all the time. He understood that raising taxes during a pandemic was not enjoyable, but the 2.78% increase over three years was necessary. He had received comments about cutting the City's budget or waiting until after the policing town hall the following week to make a decision, but said the City operated on a budget calendar and had to adopt a budget that night with or without the tax increase. He said the City could not cut the UPD budget yet without knowing what the plan would be.

Council Member Uipi moved to open the public hearing. Council Member Catten seconded. Mayor Silvestrini called for the vote. All Council Members voted yes. The motion passed unanimously.

Kathleen Oswald, 2878 E. 3365 S., said there was a meeting at Evergreen Junior High several years back and the Mayor had said then that his taxes had minimally increased whereas her taxes had gone up by \$200. Since then, her property taxes had increased even more. She said she was on a fixed income, so any increase was a burden. She said she had prior work experience with a police department, so she knew how much officers were paid and how training was conducted. She said she asks “why” every time taxes are increased.

David Baird, 4538 Thousand Oaks Drive, said he supported the property tax increase. He felt that it was more than justified. On a grand scale of every resident property tax dollar, only \$0.13 goes to Millcreek. The proposed increase raises that \$0.13 to 13.4 cents. Millcreek acts as a pass-through entity to bolster the wages of UPD and he supported it. He said his family had recent experience with UPD, so he was in support of getting additional resources, especially with the mental health unit.

Mayor Silvestrini read public comments submitted online via the City’s website and received emails into the record from Sonja Nitschke, Nate Gibby, Alisa Garrett, Sarah Jensen, Kelly Ryan, Barbara Fredrick, Susan Anderson, Rod and Pauline Vogel, Glen Feighery and Laurel Wright-Feighery, Dev Wilkinson, Linda Milne, Bruce Parker, Renee Gilson, Jennica Davis-Hockett, Pam and Renee Roberts, Christine Balderas, Stephanie Wood, Larry Bunker, Julia Tillou.

Mayor Silvestrini said in response to Nate Gibby’s comment, if Millcreek had to cut \$700,000 from the budget to not increase taxes, at least 5 officers would need to be sacrificed. The \$700,000 increase would raise all Millcreek officer wages. In response to Susan Anderson’s comment, he said the City’s electronic newsletter used a picture of his own property tax notice as an example though different property values were assessed throughout the City.

Council Member Uipi read received emails from Kevin Carol Severinsen and Breck Fullmer into the record.

Council Member Uipi read a comment received via Facebook from David Terry into the record.

Council Member Marchant read an email from Tara Whiting into the record.

(comments attached)

Council Member Uipi moved to close the public hearing. Council Member Catten seconded. The Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

Mayor Silvestrini said there was a misconception that Millcreek was receiving more tax revenue because property value had appreciated in value. Millcreek sets the amount of money that it needs to spend, staff sends a budget number into the County, and the County Assessor determines the value of properties in the City and divides that by the amount of money that Millcreek is looking to gain which creates the tax rate. Millcreek’s tax rate in 2019 was .001897 but property values in Millcreek went up since then so if the amount of revenue needed did not change, the tax rate would go down based on the formula. He reiterated that Millcreek did not get more money because property increases in value, it still gets the same amount of money.

Millcreek only gets extra tax revenue for the first year of new growth. Millcreek was asking for a little more money than last year to pay for the \$700,000 increase in the UPD contract cost, but was not collecting enough property tax for all of it because there was leftover property tax revenue from new growth going towards the expense. Millcreek was only raising about \$300,000 in new tax revenue with the proposed 2.78% increase. He offered to spend time with any Millcreek resident to explain the process.

Another misconception he had heard was that the City could cut funding for the City Center. He said none of the residents' tax dollars had paid for the City Center, but a bond that would be paid back by the property owners that develop in the City Center. There would be a town hall on police issues the following week, but the Council had to pass a budget that night for the property tax increase. He said the Council wanted to work with the community and UPD on any potential police reform. Council Member Uipi said the policing town hall would be the first of many conversations. Mayor Silvestrini said in 2011, SLVLESA charged a fee for police service, but since then the State Legislature took that tool away from SLVLESA and made it unlawful to charge a fee which is why the City was using property tax to pay for services. Council Member Marchant said Millcreek needed the best police officers it could get and if they were not paid right then they would not be drawn in.

2.2 Discussion and Consideration of Ordinance 20-39, Adopting a Final Budget, Making Appropriations for the Support of Millcreek for the Time Period Beginning July 1, 2020 and Ending June 30, 2021, and Determining the Rate of Tax and Levying Taxes Upon All Real and Personal Property Within Millcreek

Mayor Silvestrini said the ordinance would adopt the budget which assumed a 2.78% property tax increase and would implement and enact a 2.78% property tax increase.

Council Member Marchant moved to approve a proposed increase of the tax on property as outlined through the discussion tonight of 2.78% which would appropriately recognize the truth in taxation on proposed property tax increase and including adoption of the final budget which is Ordinance 20-39. John Brems requested the Council amend the fee schedule attached to the budget because it was amended previously in the prior matter with item 2.1.

Council Member Marchant added to amend it according to Ordinance 20-45. Mayor Silvestrini restated the motion to adopt Ordinance 20-39, which adopts the final budget which includes the 2.78% property tax increase and incorporates an amendment to be consistent with the amended fee schedule we adopted as part of Ordinance 20-45. Council Member Marchant accepted the restated motion. Council Member Jackson seconded.

Council Member Catten said the property tax increase fell in a year that had been difficult for many people in many ways. She mentioned that the Council did not take the increase lightly, it was not simply increasing taxes because the Council wanted to. Council Member Uipi appreciated the fiscally responsible numbers provided by Laurie Johnson, HR-Finance Director, to be able to provide resources to UPD. She expressed sympathy to those on a fixed income. Mayor Silvestrini said the budget did contain a reduction in the City's revenue and expenses while still providing services to residents. He did not want to cut 5-7 officers from the Millcreek Precinct. He said there was room for UPD changes or reform due to Taylorsville leaving. Council Member Jackson agreed with the comments provided by the Council and said the Council was trying to be mindful of the reason for the property tax increase. She wanted to keep the best officers possible. **The Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.**

3. Planning Matters

3.1 Discussion and Consideration of Ordinance 20-40, Rezoning Certain Property Located at Approximately 3646 S. Viewcrest Circle from R-1-10 & R-1-21 (Residential Single-Family) to Only R-1-21 (Residential Single-Family) with Two Zone Conditions that Limit Animals to Household Pets and Prohibit the Use of Short-Term Rentals

Erin O'Kelley said the Council had a first reading of the item at the last meeting. The applicant wanted to consolidate a lot to allow for a guesthouse in the rear of the lot, but the consolidation would result in a split zoned property. Staff had a policy of not allowing split zoned properties because it provided complications for regulations. She said a guest house was only permitted in one of the two zones, so a rezone was required in addition to the subdivision application. There would only be one access to the property and the guesthouse would be about 500 square feet. The Millcreek General Plan designates the area as Neighborhood 1. The applicant held a neighborhood meeting on May 29th and there were concerns about construction, utility maintenance, use of the structure as a short-term rental, and view obstruction/privacy. The prohibited use of a short-term rental would be a zone condition. The Mt. Olympus Community Council and Planning Commission did recommend approval of the rezone with the zone condition. Staff was not recommending a development agreement, but two zoning conditions prohibiting short term rentals and limiting animals to household pets. David Baird, Mt. Olympus Community Council, recommended approval of the rezone.

Mayor Silvestrini asked for public comment. There was no comment.

Council Member Uipi moved to approve item 3.1, subject to the zoning conditions. Council Member Catten seconded. The Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

3.2 Discussion and Consideration of Ordinance 20-41, Rezoning Certain Property Located at Approximately 3500 S. Hillside Lane from R-1-8 & R-1-21 (Residential Single-Family) to Only R-1-8 (Residential Single-Family)

Erin O'Kelley said the applicant approached the City for a 3-lot subdivision. The subdivision preliminary plat complied with the R-1-8 zone, though a small portion of the property was zoned R-1-21 so staff required a rezone with the subdivision. The lot has one single family house on it and was located in the FEMA floodplain. There would be full public improvements added as a result of the subdivision application including burying of the irrigation ditch. The two new lots would be subject to the Residential Compatibility Overlay Zone (RCOZ). The Millcreek General Plan designated the area as Neighborhood 1. There was a lot of neighborhood concern. The East Mill Creek Community Council and Planning Commission recommended approval of the rezone. She said staff was not recommending a development agreement. Council Member Catten asked about the driveways. O'Kelley said each lot would have its own driveway. Council Member Uipi asked about the Planning Commission meeting public comment. O'Kelley said traffic configuration and safety was a big issue but it should be resolved with the addition of the public improvements. She said she received a lot of calls about the canal, and it would be buried with the subdivision. Council Member Marchant said the subdivision would change the character of the neighborhood because trees would be

removed. He pointed out that more density was allowed with the acreage, so the proposed subdivision would protect the neighborhood from that happening; the benefits outweighed the negative. Council Member Uipi appreciated the thoughtful plans.

Mayor Silvestrini asked for public comment. There was no comment.

Council Member Uipi moved to approve item 3.2. Council Member Marchant seconded.

Mayor Silvestrini said the improvements would improve the safety of the street and the property could potentially have more density on it than what was proposed so it was the lesser of two evils. He said adding two more houses would barely impact the traffic. The rezone would also rectify a zoning problem for split parcel zoning. **The Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.**

3.3 Discussion and Consideration of Ordinance 20-42, Rezoning Certain Property Located at Approximately 4524 South 785 East from R-1-10 (Residential) to R-1-5 (Residential)

Robert May said based on the time from the first reading and the second reading, a development agreement had been fine-tuned. There was one change to the agreement from when the Council saw it last and that was to a condition that said each unit had to be a 3-bedroom single family dwelling. May said the requirement for 3 bedrooms was to mitigate parking. The change would be to allow up to a 4-bedroom unit. Council Member Marchant asked how many units would be allowed in the R-1-10 zone. May said 4 units per acre and R-1-5 was 7 units per acre. May said R-1-5 was in character with the General Plan and would not affect traffic per the conducted traffic study. May said there had not been any public comment since the first reading.

The applicant declined to comment. Mayor Silvestrini asked for public comment. There was none.

Council Member Catten moved to approve Ordinance 20-42, rezoning property at 4524 South 785 East from R-1-10 to R-1-5 subject to receipt of the signed development agreement. Council Member Uipi seconded. Mayor Silvestrini said he was pleased the developer worked with the community. He expressed mild concern for the increased bedroom count but was fine with it if the project met parking requirements. May said in single family neighborhoods, there were no guest parking requirements. The development agreement required that each unit had to have a 2-car garage and the driveways had to accommodate 2 parking stalls, so the units could accommodate 4 off-street parking spots. **The Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.**

3.4 Discussion and Consideration of Ordinance 20-43, Approving a Master Development Agreement for Property Being Rezoned from R-1-10 to R-1-5 with Respect to Approximately 1.18 Acres of Real Property Located at Approximately 4524 South 785 East

Council Member Uipi moved to approve item 3.4. Council Member Catten seconded. The Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

4. Business Matters

4.1 Discussion and Consideration of Ordinance 20-44, Amending Title 5 of the Millcreek Code of Ordinances Establishing General Standards and Requirements for Residential Short-Term Rentals

Kurt Hansen said the Council discussed the proposed ordinance the prior month and staff made changes to it. He reviewed the addition of the terms “primary residence” and “related” to the definitions section. In the application contents section, he had changed the term “local responsible party” to “the property owner or owner’s agent.” In proposed section 5.19.080B., he added the Council’s recommendation of allowing 10 related adults and 4 unrelated adults and the new license requirements would take effect January 1, 2021. Council Member Jackson brought up that reservations may have already been made for the upcoming ski season. John Brems said licenses were good for 1 year, so he recommended changing the effective date to January 1, 2022. Hansen said he removed the one day spacing requirement between rental periods. In the same proposed chapter in section E., owners would need to get written consent of the owner(s) contiguous to the property to avoid nuisance issues. In proposed section 5.19.090, the maximum number of licenses allowed in each council district would be 30. Council Member Jackson asked about the main entrance being a side door when the proposed code 5.19.100 referenced a front entrance. Hansen said he would change the term to main entrance.

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

Council Member Uipi moved to approve item 4.1 amending the effective date to January 1, 2022 and the changes as discussed with the nameplate. Council Member Jackson seconded. The Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

5. Reports

5.1 Mayor’s Report

Mayor Silvestrini said he and Council Member Jackson attended the rolling car show and apologized for not fully wearing a face mask. He invited the public to come and talk to him on Friday afternoons.

5.2 City Council Member Reports

Council Member Marchant thanked Amy McConkie for the rolling car show. Council Member Uipi said the policing townhall on August 17th would be the first of many.

5.3 Staff Reports

There were none.

6. New Items for Subsequent Consideration

There were none.

7. Calendar of Upcoming Events

- City Council Special Mtg. 8/17/20, City Hall
- Planning Commission Mtg. 8/19/20 at 5:00 p.m., City Hall
- City Council Mtg. 8/24/20 at 5:00 p.m., City Hall

Chief Steve DeBry said officers had been doing directed enforcement in the Canyon Rim area.

Council Member Uipi moved to go into a closed session per Utah Code Ann. §52-4-205(a) discussion of the character, professional competence, or physical or mental health of an individual at 9:35 p.m. Council Member Catten seconded. The Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

Council Member Marchant moved to go back into the open meeting at 10:17 p.m. Council Member Jackson seconded. Mayor Silvestrini called for the vote. All Council Members voted yes. The motion passed unanimously.

ADJOURNED: Council Member Jackson moved to adjourn the meeting at 10:19 p.m. Council Member Uipi seconded. Mayor Silvestrini called for the vote. All Council Members voted yes. The motion passed unanimously.

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

Attest: _____
Elyse Sullivan, City Recorder

From: noreply@civicplus.com
To: [Elyse Sullivan](#); [Comment](#)
Subject: Online Form Submittal: Public Comments
Date: Monday, August 10, 2020 7:03:50 PM

Public Comments

First Name	SONJA
Last Name	NITSCHKE
Address	3681 S SOLITAIRE DR
City	MILLCREEK
State	UT
Zip Code	84106
Phone Number	
Email Address	
Public Meeting	Planning Commission
Meeting Date	8/10/2020
Comment Subject	Truth in Taxation on Proposed Property Tax Increase
Public Comment	I do not support raising taxes to provide additional funding for UPD. The agenda does not advise this but per the Letter from the Mayor as sent via email on August 7th, "Millcreek has used property tax solely to pay for police. UPD's budget has increased to the point that an increase is necessary to pay the bill. Millcreek's contract with UPD will increase from \$10,761,278 to \$11,475,954 for fiscal year 2020-21. This is an increase of \$714,676." Raise my taxes to help the homeless, impoverished, those affected by COVID but do not raise my taxes to fund the police. I have emailed the mayor and my council person with my more specific reasons, but wanted this written down publicly somewhere. I do not support this increase. Defund the police. "
Supporting Documents	<i>Field not completed.</i>

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [Elyse Sullivan](#); [Comment](#)
Subject: Online Form Submittal: Public Comments
Date: Monday, August 10, 2020 7:44:06 PM

Public Comments

First Name	SONJA
Last Name	NITSCHKE
Address	3681 S SOLITAIRE DR
City	MILLCREEK
State	UT
Zip Code	84106
Phone Number	
Email Address	
Public Meeting	City Council
Meeting Date	8/10/2020
Comment Subject	Truth in Taxation on Proposed Property Tax Increase Part 2
Public Comment	I'm actually totally fine with having fewer officers.
Supporting Documents	<i>Field not completed.</i>

Email not displaying correctly? [View it in your browser.](#)

From: [Sonja Nitschke](#)
To: [Jeff Silvestrini](#); [Dwight Marchant](#)
Subject: Re: Why Is Millcreek Seeking a 2.78% Tax Increase
Date: Sunday, August 9, 2020 1:11:27 PM

Hello,

I'll be joining the meeting on Monday but also wanted to email you.

On June 24th, I sent an email following up Councilperson's Bev Uipi's call for transparency regarding the UPD budget. My email was left without response, so I am going to reiterate that the citizens need a line by line transparency of what their tax dollars are funding with the UPD instead of just asking us to give them more money.

I believe the mayor and councilman is aware of my thoughts and others in the community regarding police. I know that I am not alone in my calls to defund the police.

I am against this proposal.

I do not mind paying taxes--I know that taxes probably paid the newly paved road on 13th street for which I literally clapped my hands in glee when I saw it finished for the first time. I know that they help make sure my community is able to thrive.

I do mind my taxes going to the UPD.

If they really need it (which I have my doubts but again--where's the transparency in how the UPD is spending their budget) I think the UPD should find the \$700k in their existing budget instead of giving them more money under the guise of "public safety."

There's an article in KSL today about UPD from Millcreek and Holliday shooting someone who was suicidal, camera footage yet to be reviewed. Of course we can't make judgments until the camera footage is reviewed and released...but sometimes don't you wonder if the cameras will solve anything? I do. Why else would we still be having these conversations if body cams worked?

Another question. Would it have been better to put funds into community infrastructure and resources so the man had help before he became suicidal or would it have been better to keep giving it to the UPD?

The AG exonerated the police who shot Bernardo Palacios-Carbajal. The AG even suggested lists of reforms for the law(s) used to exonerate the two officers. Do you think UPD sees this, and if so, what conclusions do you think they might draw from it? Do you think UPD sees protesters in SLC getting charged with felonies with a gang enhancement that would carry sentence of life in prison...for buying paint, and if so, what conclusions do you think they might draw from that?

How does that contribute to the conversation we are having here? How does that not send a message about who or what is truly in priority here? And if this is happening right now, how can you expect me to believe in reform? What reason have the police been given to think they themselves need to be reformed?

And I am aware that I am discussing two separate police departments but I would be a fool to believe that what happens in SLC or Cottonwood Height happens in a bubble. The public is watching. Police departments are watching, and conclusions will be drawn with each new day.

Please read this article

https://slate.com/news-and-politics/2020/06/good-police-bad-apples.html?fbclid=IwAR0hR5-Bqpg0s7AGJ2_bRUqLYdto1p9Rtbjmxn1vyFQAaTkKXKK7DvEIb7Q

"In the coming weeks, we will be bombarded with proposals for police reform. The reforms proposed by politicians, police, and nonprofit groups with close ties to those in power are likely to maintain police budgets and focus on a new wave of "bad apple" reforms. Make no mistake: No politician serious about fixing these problems will support any package that does not involve divesting resources from police and investing them in Black communities. Whether we use this moment to demand those structural changes will determine whether the police keep killing and brutalizing Black people."

So I reiterate: put my tax dollars to use in Black and other communities of color. Put my tax dollars towards economic relief because of Covid. Put my tax dollars into the homeless members of my communities so they can more easily vote and become active participants in said community. Do not put my tax dollars into UPD. They don't need it. Other communities have a far greater need.

Most people don't want to be criminals or commit crime. It is a failure of society that allows crime to occur, not a lack of police. Choosing to shore up police over those that have already been abandoned by society is the greater crime, and I will not support any action that chooses police over community, and I ask that you do too.

Regards,

Sonja

From: [Sonja Nitschke](#)
To: [Jeff Silvestrini](#); [Dwight Marchant](#)
Subject: Monday's Council Meeting
Date: Wednesday, June 24, 2020 7:55:53 PM

Hi Jeff/Dwight,

I thought I would email you after percolating over the council meeting from Monday. I know there were a lot of ideas discussed, and I wasn't sure in the end if a clear course of action had been decided.

However, I would like to put down some of my thoughts in bullet points:

- If it is decided to survey citizens regarding their experiences with UPD, please make sure that the survey is not unintentionally biased.
- I understand the desire to hear from the police force but I wasn't clear on the intention of why beyond hearing their side of the community's experience. I do not wish to invalidate this because every person has their feelings--but the police department is an organized, state/city entity in a way that a community of citizens is not.
- In our desire to hear about the experiences from both police officers and city members, I would like the following question asked and answered: will there be an "acceptable" percentage of "negative" encounters with UPD? (by negative, I mean encounter where an individual felt targeted because of race/gender/class/etc). If there is only one negative experience out of one hundred positive ones, will that be deemed as evidence that the police do not need greater scrutiny? For the record, I do not believe it is acceptable. Do I expect perfection from humans? No, I do not. But I do expect accountability and transparency, both of which are sadly lacking now.

One of the council members, I believe Bev Uipi but the camera didn't zoom in and everyone was wearing a mask, suggested more transparency in the following bullet points

- How the police budget is being used. I had emailed Dwight a few weeks back asking about what appeared to be a doubling of the police budget. Dwight explained what happened, but even though I tried to make sense of what I was seeing, I could not see how that budget was being distributed. How much of that went to salary, weapons, body cams, training, etc
- How police officers are being trained and in what. I read an extremely [interesting article](#) that went into a little bit how he was trained as a police officer. When I was in Texas, I actually trained a correctional officer before realizing that employment was not for me. Though the training I experienced was not as lengthy or as intense as what is described, we were still trained to see Us vs Them. I would like know if that is the case at the UPD. I would like to know if there are internal bias trainings. I would like to know what kind of de-escalation training they have. Is the warrior training a part of the curriculum? Are they trained to use nonviolence?
- Transparency in statistics of arrests/charges/violence/traffic stops/etc. Are there quotas that officers are expected to fulfill, and if so, why? If they serve the community, if our tax dollars represent us, it is only fair for the community to see how they run themselves. If I go to the Millcreek UPD site right now, I am able to request a record, but I need a case number. I haven't yet tried emailing to see if I could see statistics of what I'm asking for--and I think it's the right of the community to know if there is some kind of bias on the force. Making that publicly available provides accountability and

insight.

Thanks for taking the time to read this.

Regards,

Sonja

From: noreply@civicplus.com
To: [Elyse Sullivan](#); [Comment](#)
Subject: Online Form Submittal: Public Comments
Date: Friday, August 7, 2020 2:56:27 PM

Public Comments

First Name	Nate
Last Name	Gibby
Address	3157 Louise Ave.
City	Salt Lake City
State	UT
Zip Code	84109
Phone Number	
Email Address	
Public Meeting	City Council
Meeting Date	8/10/2020
Comment Subject	Property Tax Increase to Fund Police
Public Comment	While I support keeping the wages of police officers in UPD who serve Millcreek, not only competitive, but attractive, a \$700,000 increase in the contract to keep five officers on staff seems very high. Would wages really increase by a total compensation package (including wages, benefits and equipment) require an additional \$140,000 each? That seems very excessive. We need much more information, either from UPD or the city, as to why that increase is so high to simply keep wages competitive. To me it seems that that amount should be able to pay for five additional officers, not just keeping five officers competitive.
Supporting Documents	<i>Field not completed.</i>

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [Elyse Sullivan](#); [Comment](#)
Subject: Online Form Submittal: Public Comments
Date: Friday, August 7, 2020 6:22:10 PM

Public Comments

First Name	Alisa
Last Name	Garrett
Address	2637E 2980S
City	Millcreek
State	UT
Zip Code	84109
Phone Number	
Email Address	
Public Meeting	City Council
Meeting Date	8/17/2020
Comment Subject	policing townhall
Public Comment	I think the sudden inflation in home values has been enough new taxes. and I would hate to pay more taxes for police that acted in any way like Cottonwood Heights recently. And I notice insufficient patrols are done and people are scouting Millcreek looking in car windows. why pay more when we are not even currently getting the services?
Supporting Documents	<i>Field not completed.</i>

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [Elyse Sullivan](#); [Comment](#)
Subject: Online Form Submittal: Public Comments
Date: Friday, August 7, 2020 6:51:01 PM

Public Comments

First Name	Sarah
Last Name	Jensen
Address	3936 S Skyview Cir
City	Millcreek
State	UT
Zip Code	84124
Phone Number	<i>Field not completed.</i>
Email Address	<i>Field not completed.</i>
Public Meeting	City Council
Meeting Date	8/17/2020
Comment Subject	Re: Millcreek Policing Townhall
Public Comment	Adequate and competent police protection is important, and the tax increase is marginal. We support it. Thank you for making this a priority for our city.
Supporting Documents	<i>Field not completed.</i>

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [Elyse Sullivan](#); [Comment](#)
Subject: Online Form Submittal: Public Comments
Date: Friday, August 7, 2020 11:38:44 PM

Public Comments

First Name	Kelly
Last Name	Ryan
Address	2561 east 2940 south
City	Millcreek
State	Utah
Zip Code	84109
Phone Number	<i>Field not completed.</i>
Email Address	<i>Field not completed.</i>
Public Meeting	City Council
Meeting Date	8/10/2020
Comment Subject	2.78% tax increase
Public Comment	UPD is not worth the money, and their services are not great. We can't afford such an increase. We need neighborhood police with an interest in the community. We need to stop building city centers and erecting billboards. We used to be a township and now we're a city, something we voted against. We would like our small town values honored, even if we're growing. Please consider your long time residents. Maybe the mayor could take a pay cut to pay for services.
Supporting Documents	<i>Field not completed.</i>

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [Elyse Sullivan](#); [Comment](#)
Subject: Online Form Submittal: Public Comments
Date: Saturday, August 8, 2020 10:20:33 AM

Public Comments

First Name	Barbara
Last Name	Fredrick
Address	4169 Parkview Drive
City	Millcreek
State	Ut
Zip Code	84124
Phone Number	
Email Address	
Public Meeting	City Council
Meeting Date	8/17/2020
Comment Subject	Police services
Public Comment	We are grateful for our men and women in blue and would support a tax hike for them. They are a huge benefit to our community and we would not want to see any of their services cut or diminished in any way. Thank you
Supporting Documents	<i>Field not completed.</i>

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [Elyse Sullivan](#); [Comment](#)
Subject: Online Form Submittal: Public Comments
Date: Monday, August 10, 2020 9:22:04 AM

Public Comments

First Name	Susan
Last Name	Anderson
Address	1189 E Elgin Ave
City	Salt Lake City
State	UT
Zip Code	84106
Phone Number	[REDACTED]
Email Address	[REDACTED]
Public Meeting	City Council
Meeting Date	8/10/2020
Comment Subject	tax notice discrepancies
Public Comment	Why do the figures for 2020 market value on the Salt Lake County Auditor's 2020 Notice of Property Valuation & Tax Changes differ so widely from the form you sent on 8/7? The County Total Taxable Value for our property is \$235,785. The form you sent shows \$343,145. WHY/?
Supporting Documents	<i>Field not completed.</i>

Email not displaying correctly? [View it in your browser.](#)

From: [Bev Uipi](#)
To: [Rodney Vogel](#)
Cc: [Bev Uipi](#); [Elyse Sullivan](#)
Subject: Re: I support additional funding for UPD
Date: Monday, August 10, 2020 10:45:24 AM

Rod,

Thanks for your support. I will be sure to communicate this for the record tonight, as well as let the Chief know about patrolling our neighborhood more.

Thanks,
Bev

On Sun, Aug 9, 2020, 7:50 PM Rodney Vogel [REDACTED] wrote:

I would like to see more officers on the street in our neighborhood especially at night. Car prowls are really becoming a problem.

Rod and Pauline Vogel
3456 El Serrito Drive
Millcreek Utah 84109
Sent from my iPhone

From: [Bev Uipi](#)
To: [Glen M Feighery](#)
Cc: [Elyse Sullivan](#); [City Council](#)
Subject: Re: Support for Tax Increase
Date: Monday, August 10, 2020 10:54:16 AM

Glen,

Thank you so much for your kind words. I've included our Recorder to document your comments regarding our tax increase, as well as our City Council.

Sending you and your family well wishes of safety and health.

Best,
Bev

Sent from my iPad. Please excuse any errors.

> On Aug 8, 2020, at 7:32 PM, Glen M Feighery [REDACTED] wrote:

>

> Dear Council Member Uipi,

>

> We are grateful to your service in representing our district on the Millcreek City Council. We especially appreciate your work during these times.

>

> I understand there is a budget hearing on Monday. We're writing to express our support for the 2.78 percent (I believe it is) tax increase for Unified Police. We feel we have gotten good service for our money, and we support sustaining that. We also believe that Unified Police has been transparent and responsive overall.

>

> Meanwhile, thank you very much again for your service.

>

> Sincerely,

>

> Glen Feighery

> Laurel Wright-Feighery

> 3671 S. 2140 East

> Millcreek, UT 84109

From: [Bev Uipi](#)
To: [Deveron Wilkinson](#)
Cc: [Bev Uipi](#); [Elyse Sullivan](#)
Subject: Re: Tax Increase
Date: Saturday, August 8, 2020 2:24:12 PM

Thanks!

We have a Policing townhall on 8/17 from 6:30-8:30. Hope we can hear from you about Millcreek policing online or in person.

Thanks,
Bev

On Sat, Aug 8, 2020, 12:35 PM Deveron Wilkinson [REDACTED] wrote:

Hey Bev!

Just to let you know, we support the tax raise to pay for UPD!!!

Dev Wilkinson

From: [Cheri Jackson](#)
To: [City Council](#); [Elyse Sullivan](#)
Subject: Fw: UPD
Date: Monday, August 10, 2020 3:50:42 PM
Attachments: [Outlook-u4qwugqp.png](#)

Thanks!

Cheri Jackson

Millcreek City Council District 3

801.214.2703

cjackson@millcreek.us



From: linda milne [REDACTED] >
Sent: Monday, August 10, 2020 3:47 PM
To: Cheri Jackson <cjackson@millcreek.us>
Subject: UPD

Hi Cheri: I am in support of UPD officers that serve our diverse city. Over the years I have had nothing but satisfactory interactions with officers servicing Millcreek. While it is universal that citizens do not like tax increases — that includes me. But I want to pay this increase in support of retaining and attracting excellent officers.

Thank you

Linda D. Milne
2798 S. 2475 E.
Millcreek, 84109

From: noreply@civicplus.com
To: [Elyse Sullivan](#); [Comment](#)
Subject: Online Form Submittal: Public Comments
Date: Monday, August 10, 2020 4:07:02 PM

Public Comments

First Name	Bruce
Last Name	Parker
Address	3007 E Cruise Way
City	Millcreek City
State	UT
Zip Code	84109
Phone Number	
Email Address	
Public Meeting	City Council
Meeting Date	8/10/2020
Comment Subject	Item 2.2 - Public Hearing on Truth in Taxation on Proposed Property Tax Increase.
Public Comment	See Attached
Supporting Documents	MILLCREEK CITY COUNCIL - 8.10.2020 - COMMENTS TO AGENDA ITEM 2.2.docx

Email not displaying correctly? [View it in your browser.](#)

Millcreek City Councilmembers. Please Reconsider a 6.6% increase in the UPD budget. Now is not the time for a Property Tax Increase.

1. We are all experiencing the disruptions of a pandemic. Millcreek City residents are hurting economically, emotionally, and psychologically.
2. The City has scheduled a Policing Town Hall (8/17/2020) to receive comments etc. related to the Unified Police Department.
3. Rationalizations are available in favor of the proposed 6.6% budget increase for UPD.

To increase Millcreek's property tax rate now is:

- A. To preempt all citizen comments offered at the August 17, 2020, UPD Open House.
- B. To maintain/improve the UPD "status quo" when changes should be considered in community policing.
- C. To ignore the stresses being suffered by all residents and property owners.

Please Reconsider a Property Tax Increase.

From: noreply@civicplus.com
To: [Elyse Sullivan](#); [Comment](#)
Subject: Online Form Submittal: Public Comments
Date: Monday, August 10, 2020 4:26:44 PM

Public Comments

First Name	renee
Last Name	gilson
Address	3192 S. 1000 E.
City	millcreek
State	ut
Zip Code	84106
Phone Number	
Email Address	
Public Meeting	City Council
Meeting Date	8/10/2020
Comment Subject	proposed property tax increase
Public Comment	I do not support a property tax increase. Looking thru my property tax history, my taxes have increased about \$500 in the past five years. I also note that, now that Millcreek is a city, it charges just as much as the county fee on my bill. I am not in favor of continual growth and see no benefit from these tax increases -- if they are "cost of living" type of charges, my income has not also gone up to cover this. Further, if this money is for the police department, I request that you take a very hard look at this expenditure in light of the current political climate in this regard, and rather than increasing FORCE, find ways to decrease lethal equipment and consider different choices in employees that can solve problems in ways other than armed response. De-escalation of weaponry on both sides of the law and diplomacy seems a better solution.
Supporting Documents	<i>Field not completed.</i>

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [Elyse Sullivan](#); [Comment](#)
Subject: Online Form Submittal: Public Comments
Date: Monday, August 10, 2020 7:47:13 PM

Public Comments

First Name	Jennica
Last Name	Davis-Hockett
Address	1201 Lorraine Drive, n/a
City	MILLCREEK
State	UT
Zip Code	84106
Phone Number	[REDACTED]
Email Address	[REDACTED]
Public Meeting	City Council
Meeting Date	8/10/2020
Comment Subject	Property Tax Increase

Public Comment

Personally, I am happy to have my property taxes increase slightly in benefit of community safety. But I disagree with you that increasing our dependence on and funding of UPD will increase community safety. I want my property taxes to go to funding schools, addiction services, affordable housing etc - not to more policing.

Getting police out of schools would save \$18,000 for example.

What could we do with \$700k if we invested in community development rather than community surveillance?

Existing funds in the UPD budget should be reallocated internally and externally. Internally funds should be allocated to mental health services for officers, reparations for victims of police misconduct and proper investigations of community complaints. Externally they should be redistributed to community health initiatives.

I want fewer police officers.

Supporting Documents *Field not completed.*

Email not displaying correctly? [View it in your browser.](#)

From: [Cheri Jackson](#)
To: [City Council](#); [Elyse Sullivan](#)
Subject: Fwd: Truth-in-Taxation hearing, Millcreek Policing Townhall meeting
Date: Monday, August 10, 2020 6:43:36 PM

Get [Outlook for iOS](#)

From: Pam Roberts <[REDACTED]>
Sent: Monday, August 10, 2020 6:01:01 PM
To: Cheri Jackson <cjackson@millcreek.us>
Cc: Renee Roberts <[REDACTED]>
Subject: Re: Truth-in-Taxation hearing, Millcreek Policing Townhall meeting

Hello Cheri,

Thank you for reaching out to us. I'm including Reneé on this message since she also got your email and we've visited about this tax increase. We won't be able to attend tonight, but we wanted to respond with our support.

We understand the need for a tax increase and we feel that our police officers definitely need and deserve a salary increase.

We both look forward to the meeting next week to hear more about policing policies and ensuring fair treatment for all residents.

Thank you and be well
Pam and Reneé

On Mon, Aug 10, 2020 at 3:30 PM Cheri Jackson <cjackson@millcreek.us> wrote:

[View this email in your browser](#)



Hello,

It's been a few months since I have touched bases with you and I wanted to reach out with some of what has been going on in Millcreek.

COVID-19 forced a lot of changes in how we go about City business, but fortunately, things kept moving along. Our City offices stayed open, City staff adapted to working at home or in other physically distanced ways, and we discovered new ways of connecting and communicating with Millcreek residents. I hope you have been able to watch and participate in our City Council and other meetings through media; now that restrictions are lifted to some degree, you are welcome to attend at City Hall.

Tonight we are holding a Truth-in-Taxation Hearing to address a proposed 2.78% property tax increase (this is about \$12 per year on a \$450,000 home) to pay for our contract with Unified Police Department. This is a cost of living increase to help raise salaries so we don't lose our best officers to other departments. UPD salaries are currently in the bottom half of police salaries in the Salt Lake valley. You can read more details about this in the City email that was sent out on Friday August 7th [here](#).

If you would like to comment on the proposed tax increase, you can attend tonight's meeting at 7:00 pm at City Hall. Masks are required and seating is limited to allow for social distancing. Alternatively, you can submit a comment online which will be read into the public record. Comments can be sent through a link on our website [here](#). Additionally, this link will get you to the website page to view the meeting at home.

You are also welcome to send me an email with your comments at cjackson@millcreek.us. I will forward your email to the other City Council members and our City Recorder to be added to the public record.

I have received a few emails asking about Millcreek's policing and what we as a City are doing to ensure Unified Police Department is working to be free of racial bias and prejudice. Thankfully, UPD has been ahead of its peers in training their officers in de-escalation tactics, using non-lethal force, and avoiding implicit bias. UPD also has mental health resources to help members of our community in sensitive situations such as domestic abuse.

UPD is not perfect, and I know there is always opportunity for improvement. To that end, the City Council is holding a Policing Townhall meeting next Monday August

17th from 6:30-8:30 pm at City Hall. We want to hear from you. What are your questions, thoughts, comments, feelings, and experiences with our police force? We are looking for Millcreek specific input, positive or negative. As with tonight's meeting, in-person attendance is limited and masks are required. You can watch online at [MILLCREEK.US/373/MEETING-LIVE-STREAM](https://millcreek.us/373/MEETING-LIVE-STREAM) and submit online comments at <https://millcreek.us/formcenter/contact-us-5/public-comments-61>.

I hope you and your families are healthy and enjoying summer. I am thankful for the opportunity to serve our community. Please don't hesitate to contact me if you have a question or concern.

Best,

Cheri Jackson

cjackson@millcreek.us

801-214-2703



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Millcreek City

[3330 S 1300 E](#)

MILLCREEK, [Utah 84106](#)

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From: [Cheri Jackson](#)
To: [City Council](#); [Elyse Sullivan](#)
Subject: Fwd: Truth-in-Taxation hearing, Millcreek Policing Townhall meeting
Date: Monday, August 10, 2020 5:59:48 PM

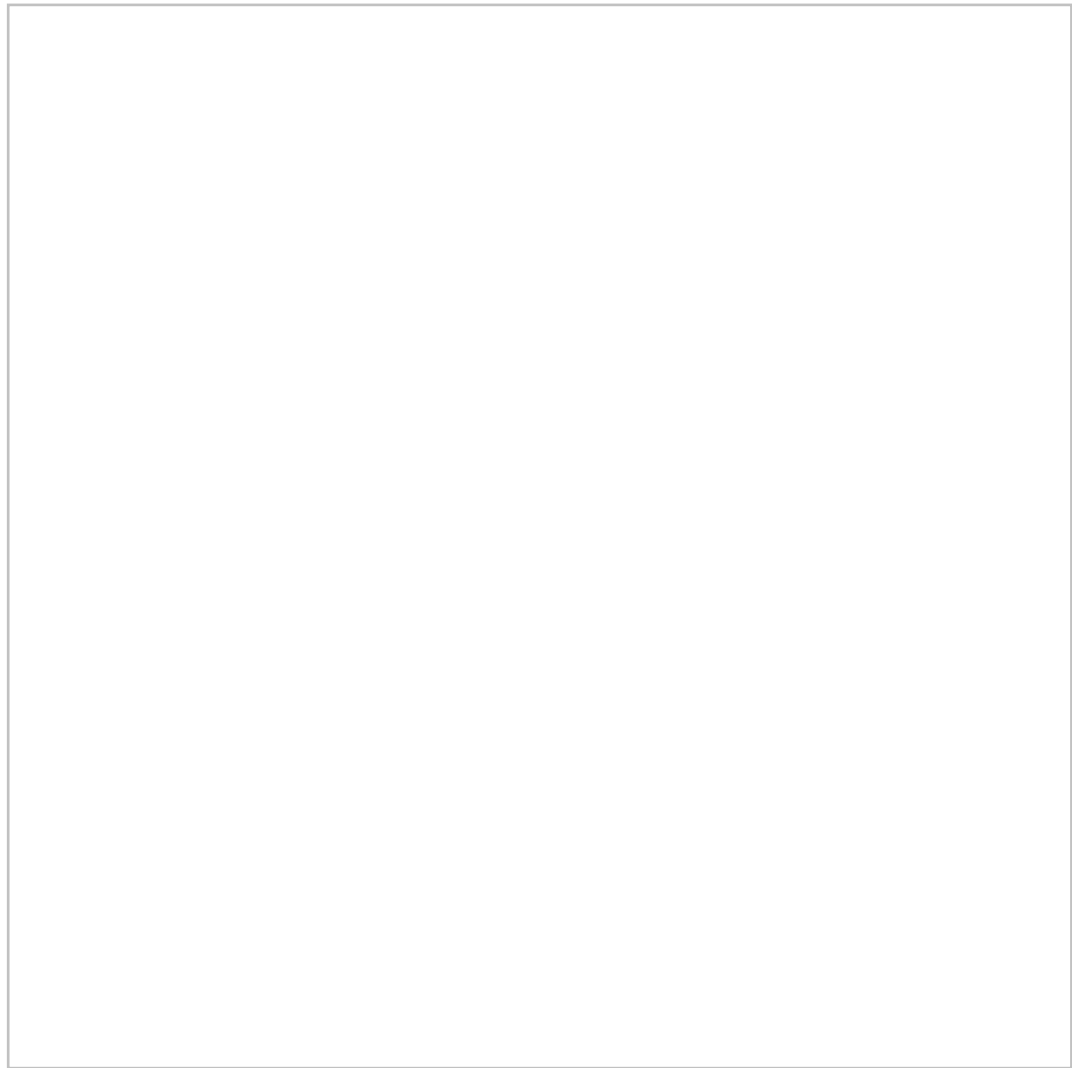
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From: Christine Balderas <[REDACTED]>
Sent: Monday, August 10, 2020 4:43:14 PM
To: Cheri Jackson <cjackson@millcreek.us>
Subject: Re: Truth-in-Taxation hearing, Millcreek Policing Townhall meeting

I support the taxation in support of our police force.

On Aug 10, 2020, at 3:30 PM, Cheri Jackson <cjackson@millcreek.us> wrote:

[View this email in your browser](#)



Hello,

It's been a few months since I have touched bases with you and I wanted to reach out with some of what has been going on in Millcreek.

COVID-19 forced a lot of changes in how we go about City business, but fortunately, things kept moving along. Our City offices stayed open, City staff adapted to working at home or in other physically distanced ways, and we discovered new ways of connecting and communicating with Millcreek residents. I hope you have been able to watch and participate in our City Council and other meetings through media; now that restrictions are lifted to some degree, you are welcome to attend at City Hall.

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UPD is not perfect, and I know there is always opportunity for improvement. To that end, the City Council is holding a Policing Townhall meeting next Monday August 17th from 6:30-8:30 pm at City Hall. We want to hear from you. What are your questions, thoughts, comments, feelings, and experiences with our police force? We are looking for Millcreek specific input, positive or negative. As with tonight's

meeting, in-person attendance is limited and masks are required. You can watch online at [MILLCREEK.US/373/MEETING-LIVE-STREAM](https://millcreek.us/373/MEETING-LIVE-STREAM) and submit online comments at <https://millcreek.us/formcenter/contact-us-5/public-comments-61>.

I hope you and your families are healthy and enjoying summer. I am thankful for the opportunity to serve our community. Please don't hesitate to contact me if you have a question or concern.

Best,

Cheri Jackson

cjackson@millcreek.us

801-214-2703



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From: [Cheri Jackson](#)
To: [City Council](#); [Elyse Sullivan](#)
Subject: Fwd: Taxation
Date: Monday, August 10, 2020 5:58:57 PM

FYI

Get [Outlook for iOS](#)

From: Stephanie Wood <[REDACTED]>
Sent: Monday, August 10, 2020 4:33:13 PM
To: Cheri Jackson <cjackson@millcreek.us>
Subject: Taxation

Cheri,

Thank you for sending the email today. I appreciate how complex budgets are. I would like to know what areas were cut before considering an increase. I know that not all the money comes from one pot and cannot be moved from one area to another, but has every possible cut been made? In my own budget I often have to forgo the nice-to-haves to make way for rainy day savings and must haves. I generally oppose tax rate increases since as home values increase so does the amount of money collected with the current rate. As a city we can do without a pretty walkable city center park or banners on street lights or Venture Out events or printed and mailed newsletters-all very nice, but if I have to choose between those and a tax increase, then cut the "nice" and keep my ever increasing property tax bill right where it is. Please, no tax increase.

Stephanie Wood
3158 E Craig Dr
Get [Outlook for iOS](#)

From: [Cheri Jackson](#)
To: [City Council Members](#); [Elyse Sullivan](#)
Subject: Fwd: Truth in Taxation
Date: Monday, August 10, 2020 6:42:59 PM

Get [Outlook for iOS](#)

From: LARRY BUNKER <[REDACTED]>
Sent: Monday, August 10, 2020 5:03:39 PM
To: Cheri Jackson <cjackson@millcreek.us>
Subject: Truth in Taxation

Millcreek City Council

I have read your email that was sent on August 7th. "Why is Millcreek seeking a 2.78% increase." And after reviewing my property tax assessment my answer is, you have not done your homework. There is no need for any tax increase.

First of all my property tax valuation form indicates a tax increase of 3% not 2.78% for an increase of \$13.41 however when you look at the (2020 if no budget change) the increase is \$54.63. Then when you compare the (2020 if Tax increase approved) the increase is \$68.04. Which is more like a whopping 14% increase.

Given that this is the result of reevaluation of my property. I am assuming after talking to my neighbors that many home in the city have also been reevaluated this year and with that change in property values the Millcreek City tax is already going to increase much more that 2.78%. The City will have a boat load of money to fund the police. There is no need for an increase.

On top of this the new tax called waste water fee will put another layer of income which is not necessary do to the windfall the city will receive from the property reevaluation that have been put on our homes. Plus with all the apartment and construction taking place in the city property tax revenue should also going up. The police used to be funded by Sales taxes. Then it was funded by property tax. The sales tax then become gravy for other things like "Waste water culvert replacement."

You analogy for increases are flawed. When we need to replace something we postpone, save, and do without. We don't go up and down the street asking out

neighbors to fund our emergency projects.

Take another look at you revenue and budget and live within what you have.

Larry Bunker

3221 Elgin Drive

Millcreek City, 84109

From: [Cheri Jackson](#)
To: [City Council](#)
Subject: Fw: Truth in taxation
Date: Saturday, August 8, 2020 10:14:47 PM
Attachments: [Outlook-af2wchpy.png](#)

FYI

Thanks!

Cheri Jackson

Millcreek City Council District 3

801.214.2703

cjackson@millcreek.us



From: [REDACTED]
Sent: Saturday, August 8, 2020 11:39 AM
To: Cheri Jackson <cjackson@millcreek.us>
Subject: Truth in taxation

I'm a property owner in Millcreek and I support an even bigger increase in UPD spending with a commensurate increase in the property tax rate.

Thank you

Julia Tillou
1779 East Millcreek Way

From: [Bev Uipi](#)
To: [KEVIN CAROL SEVERINSEN](#)
Cc: [City Council](#); [Elyse Sullivan](#)
Subject: Re: Tax increase
Date: Monday, August 10, 2020 8:48:04 PM

Kevin,

Thank you for taking the time to reach out. I completely understand how you feel. As a single mom, the significant decrease in my income has affected me and many others in our community.

For answers to your questions, please hear the Mayor's explanation online at Live Stream Millcreek.us. If you would like to discuss my vote further, please give me a call at 801-214-2704.

Thank you,
Bev

Sent from my iPad. Please excuse any errors.

> On Aug 7, 2020, at 5:06 PM, KEVIN CAROL SEVERINSEN <[REDACTED]> wrote:

>

>

> I understand the reason behind the increase but! I wish when I needed a pay increase I could just reach into the bottomless fund and grab it. My pay has not increased with the tax increases and if the trend continues I may be forced to move since I can no longer afford the taxes levied by the new city of Millcreek. Over 30+ years I have owned my home, I grew up here. Property increase has gone from \$700.00 to now over \$3000.00 in that time. More building should equal more taxes being collected but I may not see the complete picture. I must oppose the increase for personal survival.

> Sent from my iPad

From: [Cheri Jackson](#)
To: [City Council](#)
Subject: Fw: Law enforcement tax
Date: Saturday, August 8, 2020 10:18:19 PM
Attachments: [Outlook-dtulv3in.png](#)
[Outlook-kp2ubkkv.png](#)

FYI

Thanks!

Cheri Jackson

Millcreek City Council District 3

801.214.2703

cjackson@millcreek.us



From: Cheri Jackson <cjackson@millcreek.us>
Sent: Saturday, August 8, 2020 10:18 PM
To: Breck Fullmer <[REDACTED]>
Subject: Re: Law enforcement tax

Hello Breck,

Thank you for your email. I appreciate your feedback. We have not had a discussion about changing the funding for police service to a fee instead of property taxes. I think it is worth looking into for the reasons you stated, though we could not do it this year. I know there were issues when the County tried to change over to a fee several years ago, though I am not certain of the details. I will pass your email on to the other City Council members.

Best,

Cheri Jackson

Millcreek City Council District 3

801.214.2703

cjackson@millcreek.us



From: Breck Fullmer <[REDACTED]>
Sent: Friday, August 7, 2020 4:16 PM
To: Cheri Jackson <cjackson@millcreek.us>
Subject: Law enforcement tax

Cheri

I will hopefully be apart of the discussion on the 10th in regards to the tax increase for law enforcement.

I would like to hear the responses from the Mayor and Council in regards to other solutions for this

tax. Mainly I would like to have Millcreek explore or address why the law enforcement tax should not be changed to a fee vs a property tax. The property tax like all taxes are discriminatory and unfair so why not do what can be done to reduce them. The fee option is one that I feel is a good solution and is more efficient for all involved. For the City, having to manage it, for the security of the officers knowing their occupation is safe, and to the citizens that pay for it.

During the financial crisis of 2007-2008. We got a glimmer of this. If the law enforcement tax was a fee and not a tax, we could see big benefits. For example:

- As a fee more properties would participate in sharing the cost. More denominators to spread the burden over. With a fee, the non-profit properties would participate in paying. Churches/etc are not exempt from paying fees but are from paying taxes. We all know that non-profit properties use law enforcement and receive a benefit for having that protection as much as anyone else. With churches and non-profit properties in the paying pool, we have more denominators and it is fair that all property owners participate in these costs.

- Categories for properties paying a fee. We all know that not all properties are the same or use our city resources equally. We know that a 4 plex rental or a corner gas station will use the law enforcement more than others. There now can be categories for different properties so that there is somewhat of a fairness. A gas station category may pay a slightly high fee then a 4plex category that pays a slightly higher fee then a individual home, etc etc. This again brings a fairness portion to the equation.

- Higher property values does not mean higher use: The biggest problem with a property tax approach is that it is based on value of the property. That is a broken, antiquated approach. My personal home is valued more than the duplex down the street and yet I pay a lot more for the service than the duplex that actually has weekly calls to it. The fee approach would help equal out the costs to the residents. A residential property would have the same fee as another residential property. The duplex would have a different fee amount than the residential property but because it is a duplex not because it is a higher value duplex.

- Consistent revenue for the City/officers. The City would have stable income no matter what the housing or real estate markets do. If we have another 2007. The revenue is the same and no need to lay any officers off. In a strong real estate economy, as new homes are built or condo units come to market, the property pays the fee. More denominators added to the pool because there is now more properties. Easy to manage.

- Consistent cost to those residents on a fixed income. The aging population in Millcreek are getting taxes out of their own homes. The home values are increasing so much and so high that the property tax is killing the fixed income/low income sector. With the fee, those residents would be able to budget costs easier and even if the fee sees a slight increase it will be proportionate for all. Not because the neighbors homes sold for a big price.

I feel that this fee topic is worthy of a discussion and something that the City and residents should explore. I know that those residents that have had this discussion is more open for a solution like this, then having property taxes going up and up and is based on property values.

How do I go about making sure that this topic is discussed?

Thank you.

Breck Fullmer

Sent from my iPhone



David Terry ▸ **Bev Uipi Millcreek City Councilwoman**

August 8 at 2:58 PM · 🌐



2.78% Property tax seems high for retirees on fixed incomes, particularly as property values rise dramatically. I appreciate the work the officers of the Unified Police Department do.

I am concerned that the Mayor and City Council have not worked hard enough to find other solutions to the funding needs. I am not a proponent of defund the police efforts. In Millcreek, budget cutting may be a better option than a tax increase. The mayor and council are paid to make hard choices. In this case, funding any City Hall complex appears to be extravagant use of funds that could be used to fund UPD or pay for much needed street repair in our city.

Perhaps, Millcreek should be more progressive in teaching DUI prevention (I am a certified Prime for Life Instructor). Crime prevention efforts seem to be discounted to allow more funding of criminal prosecution through policing, parole and probation.

I appreciate your effort to serve our community and pray that you will have the guidance you need to make the right choices Monday August 10, 2020.

Start a private conversation with David Terry in Messenger.

Message



Like



Comment



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Bev Uipi Millcreek City Councilwoman

Mr. Terry, I was sure to read this comment for public record of our truth in taxation hearing tonight. The live stream is still available at Millcreek.us. The Mayor answered questions received tonight, including your questions here. Thank you for sharing your feedback, support, ideas, and engagement. As a single mother, I understand a fixed income and limited resources as a homeowner in Millcreek. Please feel free to call me at 801-214-2704 or email me at my city email buipi@millcreek.us for a more in depth conversation about your questions here, and my vote on this.

Commented on by **Bev Uipi**

18 hrs Like Reply More



Comment as **Bev Uipi Millcreek City Councilwoman**...

From: [Dwight Marchant](#)
To: [Elyse Sullivan](#)
Subject: Fwd: Police tax increase.
Date: Tuesday, August 11, 2020 9:40:57 AM

Elyse, I read the first paragraph.

Dwight

Sent from my iPhone

Begin forwarded message:

From: Tara Whiting [REDACTED] >
Date: August 7, 2020 at 8:28:15 PM MDT
To: dmarchant@millcreek.us
Subject: Police tax increase.

Dear Dwight,

As a constituent and resident of Millcreek City I am writing you with many concerns I have about increasing "policing" taxes. This is the wrong year and for the wrong entity to raise taxes. Help the homeless, help the unemployed, help the business owners ...the police need reform NOT increases in pay and entitlements.

1. We have a constant issue where police do not respond, are beligerant and takes days to months to get back to us on investigative matters. I have filed two reports/complaints this year regarding police response times and attitudes. To NO avail.

2. Yes. Policing needs to include more training. Make this a requirement for advancement like most other teachers, lawyers and accountants are required to take classes annually in order to keep up and maintain their credentials.

CE Credits can be obtained by the state, health department and through a cooperative with the hospitals and other local leaders requiring similar training and can be provided by the state or health departments. Hospitals and health departments already received funding for social services, mental health trauma informed training and intervention and so forth. Create a cooperative to use their data and partner to use the same training. Saving money.

Collaborate with Rape Recovery Centers, Domestic Violence Centers and other Social Service Centers in the community to establish regular training protocols. And use their services for needed interventions instead of the police. Their training is free.

Funding is already available federally and through the state to assist ALL police departments in getting more training on social issues. Local entities have

regularly offered supportive training services to police authorities but the police have refused it. Ask the rape recovery center about their free training.

REQUIRE:

- 2a. Trauma informed care training CE credit annually.
- 2b. Domestic Violence Training CE Credit Annually.
- 2c. Implement "No force" intervention strategies, which will change current protocols but DO NOT require more money to stop MURDERING people. I have personally witnessed police brutality, excess of force, taunting, profiling and arrogant attitudes toward citizens of Millcreek, during policing. I was a bystander. This was not a one time event. I have witnessed multiple occasions while just minding my own business.

I have also witnessed police illegally stopping cars on Highland drive to look for anything to get a DUI when they had NO reason to pull the driver over. It was an illegal stop. They lied about why they stopped the resident, here in Millcreek, hoping they could find anything on this person. What they did was illegal and a lie. I witnessed it. This is not behavior worthy of more pay. But rather better controls, oversight, more enforcement of law enforcement, more training, updated policies, improved and more humane protocols and a citizen review board for citizen complaints. NOT more pay for the police.

Police must get CE training to keep up. Get pay advancements as these skills improve their policing. Right now police officers feel entitled and this needs to change. We all appreciate the police doing their job when we need them. But we have an issue of increased crime and less assistance. Not a new issue in Millcreek.

DO NOT increase our taxes...but especially for the police.

Millcreek needs to deploy other creative measures to mitigate the policing issues in our City and to improve police pay as they EARN it like everyone else. This includes earning the respect of their citizens they serve.

DO NOT raise our taxes.

Additionally, Millcreek residents are suffering enough. Raise funds in other ways and cut budgets another way. We are already asking for Robin Hood to help and Millcreek is already unaffordable for owners. You will force many to sell and move elsewhere if Millcreeks' mindset is increase...increase...increase instead of affordable...affordable...affordable.

It feels like our leaders are tone deaf to the issues your citizens are facing in 2020, merely by the fact that YOU ALL are even considered proposing a tax increase during all the other turbulence citizens face financially at this time.

This is unbelievable. Do NOT raise our taxes. Give us a break.

I am glad to talk with you more about my concerns in person and to give more details about the experience I have had as well as talk about the partnerships I

think Millcreek should deploy to utilize community social services resources as a partnership with police instead of more taxes.

Thank you!

Tara Whiting

