



**Minutes of the
Millcreek City Council
September 28, 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 September 28, 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 (arrived at 7:13pm via phone)
Bev Uipi, District 4

City Staff

John Brems, City Attorney
Elyse Sullivan, City Recorder (electronic)
Francis Lilly, Planning and Zoning Director
John Miller, City Engineer
Rita Lund, Communications Director
Mike Winder, Economic Development Director
Kurt Hansen, Legislative Policy Director (electronic)
Jim Hardy, Building Official (electronic)
Jared Bowling, IT/Facilities Manager
Alexander Wendt, Deputy Recorder
Kalie Boska, Information Center Technician
Jordan Hatch, Information Center Manager

Attendees: Thom DeSirant, Officer Tiffany Twitchell-Smith, Chief Steve DeBry, and Chief Bryan Case.

WORK MEETING – 6:00 p.m.

TIME COMMENCED: 6:02 p.m.

Mayor Silvestrini called the work meeting to order and excused Council Member Jackson.

1. Discussion on Millcreek Urban Forestry Standard for City Center; Francis Lilly, Planning & Zoning Director

Francis Lilly said he had been working with a local design architecture firm, Voda, on a Millcreek City Center Urban Forestry Standard. The City Center Overlay Zone ordinance referred to an urban forestry standard for tree placement in the City Center, and this was that draft. Lilly said he wanted the Council to review it before he took it to the community councils and Planning Commission for their review.

Lilly said the standard sets where trees should go, the type of tree, and a process for planting trees. He showed the Council a map of the City Center illustrating what type of trees should go where. He said it was a straightforward document for developers and by adopting it, it would apply towards all future projects in the City Center. Council Member Marchant asked about the power lines in the City Center. Lilly said the power would be underground as much as possible and as development dictated. Mayor Silvestrini said it was important for the urban forestry standard to go through the public process. Lilly said the Planning Commission would see it in November.

2. Discussion on Future City Hall Public Outreach; Mike Winder, Economic Development Director

Mike Winder said the current City Hall lease would be ending soon so staff put together a timeline for future city hall planning. He said staff had engaged Y2 Analytics for a survey process to hear from residents on a city hall. There would also be architectural programming services, not to exceed \$30,000, to lead people through the process. A request for proposals recently went out for identifying a firm. Winder went through the projected timeline for the next month and then the longer deadlines with a city hall ribbon cutting in July of 2023. He anticipated that the Millcreek Common grand opening would be in September 2021. Mayor Silvestrini said the timeline was subject to what was heard from the public. Rita Lund asked how to reach out to the western side of the city. Mayor Silvestrini said maybe through housing, like Moda Meadowbrook, and translating the survey to other languages. Council Member Catten asked if there would be questions about funding. Winder said the survey questions would be macro.

3. Staff Reports

John Miller gave the Council an update on upcoming grant projects. Millcreek had 5 projects currently funded throughout the city on 3900 S., 3300 S. and 700 E., 4500 S., 4705 S., and 900 E. He said there were four Transportation Land Connections grant deadlines with Wasatch Front Regional Council coming up. Millcreek had gotten almost \$15 million of the available \$19 million STP funding from the County in the last year. He proposed to submit a proposal for the STP grant for 1300 E. from 3900 S. to 4500 S. Mayor Silvestrini asked about a hawk crossing on 1300 E. by the softball complex. Miller said it would be a separate project for the TAP grant. He pointed out that Millcreek would support Holladay on a project for Wasatch Blvd. on a TLC grant. Miller's next project priority for Millcreek with the STP grant would be realigning the intersection at Murray Holladay Road and 4705 S. Mayor Silvestrini asked about a mill and overlay on 3900 S. from 700 E. to the Jordan River. Miller said it was currently being advertised and would be a three-week project. Mayor Silvestrini said staff was negotiating the renewal of the Salt Lake County Public Works contract. Miller updated the Council on the green waste clean up site on Wasatch Blvd., which was cleared out. He reported that Google Fiber had been going in and a stop worker order had been issued the prior week because some items needed to be corrected.

Council Member Marchant made the following acknowledgements: a local church collected logs and donated them to the Navajo Nation; a food storage ribbon cutting occurred at Mill Creek Elementary School; the City Attorney assisted his neighbor with a sewer line break; and the Mayor got clean up assistance on Elgin Avenue.

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

There was none.

Council Member Uipi moved to adjourn the work meeting at 6:43 p.m. Council Member Catten 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 said Millcreek staff had been keeping up-to-date information on the Neff's wildfire going out to the public via social media. The Forest Service held an informational meeting the prior week and the City would hold a town hall meeting that week to discuss the fire. He said the residents who live in that area should be prepared to evacuate if it comes to it. The fire was caused by lightening. The terrain was very steep, and firefighters could not access it. The fire would not be extinguished by aerial resources. The firefighters were digging fire lines to protect residences and some trees may survive. He said the fire would probably continue to burn into November or until a significant rain or snowstorm happened. The Mayor felt an evacuation would not be necessary. He said more information could be found on the City's website.

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

Chief Steve DeBry presented Officer Tiffany Twitchell-Smith as Officer of the Month for August 2020. Officer Twitchell-Smith responded to a sexual assault report and apprehended the suspect. She was able to discover other victims who were able to report abuse. The Citizen's Advisory Board presented her with a gift. Mayor Silvestrini and Council Member Uipi thanked her for her service.

1.3 Public Comment

There was no comment.

2. Planning Matters

2.1 Discussion and Consideration of Ordinance 20-49, Amending Title 19 of the Millcreek Code of Ordinances with Respect to Mixed Use Developments in Commercial Zones

Francis Lilly said on the basis of the Council's feedback at the last meeting, there were only minor verbiage changes made to the proposed ordinance by the City's attorney. He said the changes were intended to strengthen the design standards for mixed use buildings in commercial zones and identify locations for mixed uses in the city. Mayor Silvestrini said the ordinance was favorably recommended by the four community councils and the Planning Commission.

Mayor Silvestrini asked for public comment. There was none.

Council Member Uipi moved to approve item 2.1, Ordinance 20-49. Council Member Marchant seconded. The Deputy Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

3. Business Matters

3.1 Discussion and Consideration of Ordinance 20-50, Declaring Approximately .38 Acres of Real Property Located at or near 3216 Highland Drive, Millcreek, Salt Lake County, Utah, as Surplus; Establishing a Minimum Bid; and Establishing a Method to Determine the Highest and Best Economic Returns to the City

Mike Winder showed the Millcreek Common plat to the Council. He said when this particular parcel was purchased, more than was needed for Millcreek Common was purchased so the remainder would be surplus. Mayor Silvestrini said with the sale of this property in conjunction with a grant, the City could fund the ice ribbon in Millcreek Common.

Mayor Silvestrini asked for public comment. There was no comment. Council Member Catten asked what would go on the surplus property. Winder said he was not sure.

Council Member Marchant moved to approve item 3.1, Ordinance 20-50, declaring this .38 acres of real estate as surplus. Council Member Catten seconded. The Deputy Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

3.2 Discussion and Consideration of Resolution 20-44, Approving the Use of CARES Act Funds for Public Open Space and Trails

Mike Winder said Millcreek was able to offer a small retail business grant to Millcreek businesses with the use of CARES funds, but other options were available for those funds. He said he had received a letter from the Jordan River Commission and Environmental Planning Group for Millcreek Common requesting funding for open space needs. Mayor Silvestrini said Millcreek received \$1.8 million in the first wave of CARES Act funding from Salt Lake County. The County had since received a second wave of funding, and based on population, cities would be eligible for about the same amount of funding. Millcreek used approximately \$1.3 million for the small retail business advertising grant, allowances to pay the Unified Police Department (UPD) and Unified Fire Authority (UFA) expenses due to the pandemic, and equipment for City Hall personnel. Council Member Marchant asked about funding for Wasatch Front Waste and Recycling District expenses. Winder said there was an estimated \$2 million left after assisting the other entities and Millcreek. Mayor Silvestrini said the funding was use or lose and there were limitations on what it could be spent on, so staff was looking for ways to apply it. He said staff sought input from the federal government about the spending of these funds. The resolution would allow for discretion with other open space projects. The Mayor said a thought was given to repaving or extending Neff's Canyon parking lot and buying open space on Grandeur Peak. Mayor Silvestrini said there could be a third wave of funding.

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

Council Member Catten moved to approve item 3.2, Resolution 20-44, Approving the Use of CARES Act Funds for Public Open Space and Trails. Council Member Uipi seconded. The Deputy Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

Council Member Jackson asked if there was any evaluation for improvements of Grandeur Peak. Mayor Silvestrini said he met with a property owner and the County about acquiring property there.

3.3 Discussion and Consideration of Ordinance 20-51, Notifying the Public of a Pending Ordinance that Would Amend the Definitions of Hotel, Tourist Court, and Resort Hotel and Add Specific Use Standards for Hotels

Francis Lilly said there was a lack of clarity in the definition of hotels and where they were allowed. He said he wanted to curb any applications for hotels in Millcreek until the code was updated and the way to do that was to approve a pending ordinance to study the issue. His proposal would update the definition of hotel, specifically limiting motels, and add some area requirements to major arterials. Mayor Silvestrini said it was a safety concern for hotels to see who was coming and going through lobbies. Council Member Uipi brought up the use of technology to check in. Lilly pointed out that there was still a lobby and common set of elevators that had to be used.

Mayor Silvestrini asked for public comment. There was none.

Council Member Uipi moved to approve Ordinance 20-51. Council Member Catten seconded. The Deputy Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

4. Reports

4.1 Mayor's Report

Mayor Silvestrini said during the prior week the annual convention of the Utah League of Cities and Towns (ULCT) was held. He said two Millcreek staff members, Ashley Cleveland and Erin O'Kelley, presented at the conference and did well. He said he was nominated and elected to be the Second Vice President for ULCT, so he would be the President in 2023. Council Member Marchant commended the Mayor on his presentation at the convention. Mayor Silvestrini said he presented on the City Center. Council Member Uipi congratulated Mayor Silvestrini on the ULCT position. Mayor Silvestrini brought up the Neff's fire again. Council Member Uipi and Mayor Silvestrini commended Millcreek staff for their communications work on the fire.

4.2 City Council Member Reports

There were none.

4.3 Staff Reports

Rita Lund said she had a meeting about a grant for Millcreek Canyon that went well. She said the LocalLink transit study would have a Facebook live watch party that week. She then said the next hard copy newsletter would go out soon and it would include the community council elections. She said there would be a December issue and requested

articles. Council Member Marchant asked about the Venture Out banner holders on poles throughout the city. Lund said Venture Out owned them, but she would inquire about the future use of them.

4.4 Unified Police Department Report

Chief Steve DeBry gave the Council a report on the August 2020 statistics. He said there were 3,368 calls for service, 1,220 total cases, 329 total citations, and 63 booking arrests. There were 43 assaults, 24 burglaries, 22 drug offenses, 79 family offenses, 208 larcenies, 2 robberies, 2 sex offenses, and 58 stolen vehicles. He said detectives and sergeants from the Millcreek Street Crimes and Community Crime Suppression Unit (CCSU) worked another night operation in the Canyon Rim community to combat an increase in burglaries and other criminal activities. Multiple arrests were made, suspicious vehicle traffics stops were made, and suspects were identified. CCSU had two major events in September; two search warrants involved meth use, so the Health Department shut both homes down to occupancy, and two murder suspects were apprehended. Millcreek Precinct Traffic Units and COP detectives began a school safety operation enforcing various school zones in Millcreek. Violations such as crosswalk, stop sign, and speeding were the main focus. The operation resulted in 52 citations, over the period of two weeks (September 1- 11th). C.O.P. detectives located 5 cases of graffiti in Millcreek and U.P.D. Graffiti Removal cleaned up the graffiti.

Council Member Uipi asked about the recent officer involved shooting. Chief DeBry could not provide details because it was an active case.

4.5 Unified Fire Authority Report

Chief Bryan Case said UFA developed a Community Wildfire Protection Plan with the help of the community. He updated the Council that UFA would move into a new dispatch system. The difference was automatic vehicle location devices, so the closest unit would now respond. He reported that UFA had contributed a lot of resources to other states' fires, but the local stations had not suffered. UFA had nearly 400 candidates apply during recruitment and about 25 new employees would be hired in the spring. UFA recently completed an officers bootcamp to identify future leaders for captain positions. He said that every 3 years, UFA goes through a process to develop a new strategic plan. They put out a survey to all employees to identify strengths and weaknesses within the organization. They were currently pushing the same analysis with stakeholders outside of UFA.

5. Consent Agenda

5.1 Approval of September 14, 2020 Work Meeting and Regular Meeting Minutes

Council Member Uipi moved to approve item 5.1, work and regular meeting minutes from September 14th. Council Member Marchant 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

- East Mill Creek Community Council Mtg., 10/1/20, 6:30 p.m. TBD
- Mt. Olympus Community Council Mtg., 10/6/20, 6:00 p.m. TBD
- Millcreek Community Council Mtg., 10/6/20, 6:30 p.m. TBD
- Canyon Rim Citizens Association Mtg., 10/7/20, 7:00 p.m. TBD
- City Council Mtg., 10/12/20, 5:00 p.m. at City Hall
- ADU Open House 10/13/20, 7:00 p.m. at City Hall
- Planning Commission Mtg., 10/21/20, 5:00 p.m. at City Hall

Mayor Silvestrini said there would be upcoming community council elections. He said if more than one member of a household wanted to vote, they needed a separate ballot in a separate envelope.

ADJOURNED: Council Member Uipi moved to adjourn the regular meeting at 8:28 p.m. Council Member Catten seconded. Mayor Silvestrini called for the vote. All Council Members voted yes. The motion passed unanimously.

APPROVED:  Date Oct 12, 2020
 Jeff Silvestrini, Mayor

Attest: 
 Elyse Sullivan, City Recorder