



**Minutes of the
Millcreek City Council
December 15, 2020
6:00 p.m.
Special Meeting**

The City Council of Millcreek, Utah, met in a special public meeting on December 15, 2020. 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 (Virtual)
Dwight Marchant, District 2 (Virtual)
Cheri Jackson, District 3 (Virtual)
Bev Uipi, District 4 (Virtual)

City Staff

John Brems, City Attorney (Virtual)
Rita Lund, Communications Director (Virtual)
Francis Lilly, Planning Director (Virtual)
Alexander Wendt, Deputy Recorder

Minutes by Alexander Wendt.

Attendees: Kristeen Arnold, Carol Howell, Katherine Fife, Darsajn, Wayne Johnson, Allen Sowards, Diane Angus, Fred Fife, Mike Rasmussen, Erin Litvak, and Katherine Fife.

SPECIAL MEETING – 6:00 p.m.

TIME COMMENCED: 6:00 p.m.

Mayor Silvestrini thanked everyone for attending and read a short statement regarding holding a public meeting without an anchor location. Mayor Silvestrini thanked Millcreek residents for doing their part to slow the spread of COVID-19.

Mayor Silvestrini said the City has received an application for a transitional housing facility in Millcreek for people transitioning out of homelessness into stable housing. This facility is not a walk-up facility. The facility was needed due to COVID-19, housing people in a congregate facility is dangerous due to COVID-19. The use of the building this way is consistent with past use as an assisted living facility, drug rehabilitation, and memory care. The City evaluated this as a permitted use because the facility has been licensed for this use before. Additionally, Federal Law would prohibit discrimination. Permitted use means that the City does not have a choice in the matter if laws are met. There is not a provision for a public hearing. The City Attorney and Planning Commission agreed with the Planning Director that this is a permitted use. Furthermore, the nature of the application contained specifics about how the facility would be used and how long it will be used.

This is not a walk-in homeless shelter, said Mayor Silvestrini. This facility operates on a referral basis only for individuals placed at the facility. This facility is licensed until April 15, 2021. This is to enable more capacity for people to be off the street during winter. Mayor Silvestrini said that he feels there is a need for this facility, there are homeless people that are Millcreek residents and they just need some help. Mayor Silvestrini said that he has been in close contact with the Unified Police Department to ensure that this facility is safe, that residential areas are safe, and that business are safe. All the immediate neighbors to the facility are commercial businesses.

Francis Lilly, Planning Director, explained that when this shelter was referred to him for land use review it was clear this was not a traditional homeless shelter. The proposal involves clients who are case managed, there are no walk-ins, no visitors, and there is drug and alcohol testing. This provides a safe space for people. This shelter allows 60-70 beds to become available in other shelters. Mr. Lilly said that COVID-19 and winter create a unique troubling situation. The use characteristics of this facility are not a traditional shelter. It is more like an assisted living facility in terms of impact. Mr. Lilly said that he would not be justified in carving out a specific land use for this facility. The Millcreek Building Official and Fire Marshal inspected the building. Mr. Lilly explained that he lives close to the facility and he is confident that concerns will be addressed properly when and if they arrive. Mr. Lilly asked that if people wished to comment to please use the chat feature on the electronic meeting and then state their name and address. Mr. Lilly introduced Carol Hollowell from Switchpoint.

Carol Hollowell, Switchpoint Director, said that Switchpoint operates a shelter in St. George and expanded to Tooele in 2020. Their model is to meet the clients where they are at. They are trying to help clients move along and gain permanent housing. There are no sex offenders at the shelter. A common question that they had received was if there would be loitering. Ms. Hollowell said that there is tv, food, and games inside so she does not see why any client would loiter out front. Smoking is only allowed in the backyard. A couple of people have approached asking about a homeless shelter, but the staff explained to the individuals that they can help them get to a different shelter. Ms. Hollowell said that the shelter will operate until April. She welcomed members of the public to call the hotline if there were any questions.

Mayor Silvestrini said that some residents expressed concern about a school located nearby. He said that Roosevelt Elementary school had been closed since June, there are no classes there. Mr. Lilly read a question from Jamie Walker, who asked, "What is the capacity of the facility?" Mr. Lilly answered that the capacity is 30 double occupancy rooms, so room for 60 people. There is a surge capacity for 75 people in case of bad weather. Mr. Walker asked about parking requirements at the property. Mr. Lilly said there are 20 parking stalls. Ms. Hollowell explained that 2 of 27 people have vehicles. The homeless resource shuttle arrives every hour, she does not anticipate parking issues. Staff will transport clients to doctors appointments and other appointments.

Darsajn, 3385 S., asked how well staffed the hotline number was, what was the guarantee this would end in April, and was UPD staffed well enough?

Mayor Silvestrini replied that if anyone saw criminal activity, to call UPD because they are aware of the facility. Residents of Millcreek can call the non-emergency phone number or 911 depending on the emergency. Mayor Silvestrini said that UPD is staffed well, they are going to pay attention and record any increased crime or transient activity around the facility. These will be data driven decisions. Mayor Silvestrini said the City will address problems if they occur but believes this will be a great partnership. Ms. Hollowell said there is no chance the facility will run past April 15, 2021. A business owns the facility, and they need it. Staff is at the facility 24/7 and there is always 5-7 people including security at the facility. Mayor Silvestrini said that the City already has incoming funding from Salt Lake County of about \$150,000. If there are issues the City will be ready.

Kristeen Arnold, 3885 S., thanked the group for their responsiveness. She said some neighbors received a letter because they live within 300 feet, but she did not receive the letter, and asked why the other side of the street did not receive the letter. Mr. Lilly said that normally the City does not provide extended notice for permitted uses. Hundreds of business licenses go out every year. He said normally when there is a conditional use application people within 300 feet are notified so she must be beyond the 300 feet. Mr. Lilly said staff published this use heavily and the reason for the meeting is to provide more notice. Rita Lund, Communications Director, said notice was in the electronic newsletter and social media so people would be aware and know how to get their questions answered. Ms. Arnold asked who owns the building and what prevents another shelter from moving into that building later. Mr. Lilly said that the building is built as an assisted living facility with a large kitchen. The building is built to a quasi-hospital standard. The building owner is First Step House. The federal government considers substance abuse to be the same, the City cannot treat a sober living center different from assisted living. Eventually First Step will operate this property as a substance abuse center. They are getting a permit from the State Department of Health that they must have before a business license will be issued. When Switchpoint leaves in April and another company wants to move in, then the City is at square one. First Step House has made investments in the building and has every intention of occupying it. If that changes, the City will let you know.

Mr. Lilly asked if Mr. Rasmussen (987 Lorraine Ave) had any questions. Mr. Rasmussen said that he had no additional questions, he appreciated the meeting. Like others at the meeting, he lives a street south and was interested in the operation of the facility and the future of the building.

Mr. Lilly asked if Wayne Johnson, Diane Angus, Allen Sowards, or Jamie Walker had questions as members of the Millcreek Community Council. Allen Sowards said that Millcreek Elementary is 6 blocks away and wants people to know that there is a school close. This is the fourth facility since 2018 that has been created. He worked with people that are homeless. Looking at the long-term trajectory, there are a few dozen treatment facilities in the Millcreek area, and he gets notice from the media or another source, it feels to him that transparency is valuable. He asked what we can do to increase transparency prior to things being signed and what can we do to better manage these facilities. He asked what residents rights were. Mayor Silvestrini said that on one hand giving advance public notification can create public clamor. Mayor Silvestrini said that he asked

Francis Lilly to contact the Community Council right away on this. There is a huge demand for these facilities and the issue with homelessness in the county and country has no easy solution. It is better to try and get people into treatment rather than warehouse them. This is about helping people make the effort. There are so many people that are not getting treatment and they need treatment. Many people doing petty crime are feeding drug habits. Mayor Silvestrini said there are recovery homes in Olympus Cove that are protected under federal law and perhaps the right answer is to not figure out ways to have less of them. This is a crisis all levels of government are dealing with. In this instance, the City tried to notify the Community Council and he said the City cannot let people freeze on the street. Mr. Sowards said that there are dozens in Millcreek, and it changes the dynamic of the neighborhood. Mr. Lilly said that federal law requires the City to be accommodating and agnostic as to the type of disability that the facility is serving.

Jamie Walker, Millcreek Community Council Member, commented that he appreciates the thoughtfulness that has been put in behind the location. Some people say that if you want to help the homeless put them in your neighborhood. Mr. Walker said this is a good spot for this. He was concerned about the walk-up factor and people cannot walk up. This is a great example of appeasing both sides. Mr. Walker thanked staff for working on this issue. Wayne Johnson, said he is pleased with this, it is a good facility, a lot of effort has gone into potential concerns. Diane Angus said it helps that residents can talk with City officials. She thanked staff for putting this together. Mayor Silvestrini said these are hard things about government, but he thinks this is the right thing.

Erin Litvak, Salt Lake County Deputy Mayor, thanked Mayor Silvestrini and explained that she understands helping the homeless community and everyone's compassion and questions are great. The goal is to do this in a non-disruptive way as possible. The homeless community comes from our communities. Darsajn said it sounds like the Mayor has done a good job and is thankful for the forward thinking.

Ms. Arnold asked how much property value is lost when a homeless center moves in. Mr. Lilly explained that in South Salt Lake the decision to situate the men's resource center on 10th West did affect property values. That change of use was very dramatic, the county proactively worked with surrounding property owners to make them whole. The scale of the shelter matters. If there is an existing facility, then the property values are probably already baked in the cake. If there had been a drastic change of use, then Millcreek would not have made the land use determination. Provided that the land use is managed well there should not be a change to property value. That is why Millcreek talked with everyone. Council Member Marchant asked if this includes just men, women, or families. Ms. Hollowell said just men. No families or females. Council Member Marchant asked if there has been outreach through the Other Side Academy or if there are other needs that the city can help with. Ms. Hollowell said that she will know in a week. Mr. Lilly gave his contact information out in case people have questions.

Katherine Fife, Director of Programs and Partnerships, said that this meeting was good. Switchpoint has a good reputation for helping their clients and community. Being solution-oriented helps people move forward.

Mr. Lilly thanked people for attending and expressing their concerns while understanding the dignity of the people being talked about.

Mr. Lilly closed the meeting at 7:12 pm.

APPROVED:  Date 02-22-2021
Jeff Silvestrini, Mayor


Attest: Elyse Sullivan, City Recorder