



**Minutes of the  
Millcreek City Council  
July 26, 2022  
6:30 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 July 26, 2022, at City Hall, located at 3330 S. 1300 E., Millcreek, UT 84106. The meeting was live streamed via the City's website with an option for online public comment.

**PRESENT:**

**Council Members**

Jeff Silvestrini, Mayor (excused)  
Silvia Catten, District 1  
Thom DeSirant, District 2  
Cheri Jackson, District 3  
Bev Uipi, District 4 (electronic)

**City Staff**

John Brems, City Attorney  
Elyse Sullivan, City Recorder  
Mike Winder, City Manager  
Carlos Estudillo, Planner  
Kurt Hansen, Facilities Director

**Attendees:** Samantha DeSeelhorst, Gwyn Pleatman, Trevor Banks, Sara Milaro, Steve Bassett, Sophia Manousaki, Officer Chris Schroeder, Chief Steve DeBry

**WORK MEETING – 6:30 p.m.**

**TIME COMMENCED – 6:33 p.m.**

Mayor Pro Tempore Uipi called the work meeting to order.

**1. Sustainability Plan Update; Samantha DeSeelhorst, Sustainability Analyst**

Samantha DeSeelhorst said in 2021, the Millcreek Council adopted the Interlocal Sustainability Action Plan, a planning effort to outline sustainability initiatives for the tri-city region of Millcreek, Holladay, and Cottonwood Heights. The plan has sections on development, energy use, landscaping, transportation, and waste management. The plan features a high-level scope, with the recommendation that each city dive deeper into the topics they find most pertinent to their communities. It is anticipated that sustainability staff will utilize the plan to make regular recommendations on specific sustainability priorities for each community. DeSeelhorst broke down project recommendations into two categories, continuation of existing goals and consideration of new goals. She asked for the council members to point out which goals they wanted to achieve. The first recommendation was to continue participating in the Community Renewable Energy Program. She considered the program to be the most practicable approach for cities to reduce emissions on a large scale but noted that participation should be continually evaluated as the program is further developed as it had the potential to ultimately serve as a viable pathway for Millcreek to meet its renewable goals. She noted Millcreek was an anchor city in the program.

The second recommendation was to continue working toward an updated water conservation landscaping ordinance which meets eligibility standards for incentive programs. The potential to reduce water use via landscaping design is emphasized in the newest section of Utah's Coordinated Action Plan for Water, a collaborative effort led by the Governor's Office of Planning and Budget, with the state committing to strengthening rebate programs such as Flip Your Strip and Localscapes Rewards which provide monetary incentives for turf removal and waterwise planting. Currently, all Salt Lake County residents are eligible to apply for these rebates, but this eligibility will expire unless their communities pass qualifying water conservation landscaping ordinances that require water efficient irrigation, lawn maximums, and other design elements for all new development. Staff coordination with water districts and state agencies indicates that adoption of a landscaping ordinance which includes lawn maximums, and other waterwise design criteria will be a requirement for communities to be eligible in the incentive programs. Council Member DeSirant asked that if new developments through ordinance followed water conservation landscaping, other residents could qualify. DeSeelhorst said all residents could apply if they met the eligibility criteria. She said the city would need to work with the water providers to ensure the availability. Council Member DeSirant expressed interest in rebates for District 2. Council Member Uipi asked about existing residential eligibility. DeSeelhorst said the qualifying ordinance had to apply to new development, but cities could be stricter. Cottonwood Heights adopted an ordinance with requirements for new development and existing residences could apply for rebate programs. Council Member Uipi asked DeSeelhorst to send the council and staff what Cottonwood Heights did and to help coordinate something for existing code updates. Council Member DeSirant said some residents were not allowed to implement water-wise solutions per their homeowners' associations.

DeSeelhorst said another recommendation was to continue working toward sustainable design decisions and sustainable operation policies for the new Millcreek City Hall and city facilities. Potential policies may include turning off lights when leaving facilities, shutting off faucets while lathering hands or scrubbing dishes, enforcing no-idling in parking lots, instituting a sorted recycling system in break rooms, etc. The next recommendation was to update city-owned public landscaping with waterwise design and pollinator-friendly species. She felt public spaces from park strips to plazas and parks could serve as examples to the community in terms of waterwise landscaping's benefits. Waterwise landscaping retrofits should still prioritize the health of trees and large shrubs in order to contribute toward the community character and ecosystem benefits of urban forests. Council Member Uipi said some of the parks in the county were turning into turf and asked if that was something for the city to consider. DeSeelhorst said she would look into it.

The next recommendation was to institute a telecommuting policy which encourages remote work on poor air quality days. The Utah Clean Air Partnership recommended remote work policies as a key strategy for mitigating air pollution in the Salt Lake Valley. They suggest encouraging telecommuting on days when the Division of Air Quality's air quality action alerts shifts from voluntary to mandatory. Another recommendation was to host a community recycling event which targets hard-to-recycle materials.

DeSeelhorst said a recommendation was to transition future city fleets to electric models. An electric fleet was another tool to reduce emissions from city operations. This included lawn mowers, leaf blowers, etc. She noted that with the Community Renewable Energy Program,

participating communities would be able to charge their electric vehicles and equipment with net-renewable energy. A recommendation was to institute additional electric vehicle charging stations throughout the community. The more charging stations throughout a community, the more feasible the transition to electric models, and it would support regional community members. She acknowledged significant grant funding currently available through the Department of Environmental Quality (DEQ) and Rocky Mountain Power (RMP) for charging station installations, making this project a timely option to consider. One recommendation was to work toward a more robust active transportation network. To make active transportation more approachable and desirable, communities can work to close connectivity gaps in bike lanes, sidewalks, and paths, as well as add safety mechanisms such as buffers, crosswalks, and adequate lighting. Cities can also encourage it through wayfinding projects that clarify existing routes and community outreach that provides safety tips and expert tricks.

The last recommendation was to provide sustainability outreach and community engagement. One of the most effective ways to strive toward a more sustainable city is to simplify and clarify sustainability topics for community members via newsletters and social media feeds. Potential areas of focus include energy efficiency, water conservation, habitat preservation, etc. The suggested next steps were for the council to prioritize projects, staff would provide detailed research on cost implications, timeline, and grant funding on the priority projects, and the council could use that research to decide whether to move forward with the projects.

Council Member Catten asked about where to strategically place electric vehicle charging stations throughout the community. She suggested placing them at schools. DeSeelhorst said they could work with representatives to get recommendations on connectivity gap placement with the federal funding. The DEQ and RMP funding was on the local level. She said the city could partner with other entities, like school districts, for the placement. She had previously applied for and been awarded funding for Cottonwood Heights and Holladay. Mike Winder asked if DeSeelhorst was working with Josie Showalter, Millcreek Grant Coordinator. DeSeelhorst said she had worked with her on solar grants, but she would continue to engage with her. Council Member Uipi asked about the DEQ grants for Millcreek. She wanted DeSeelhorst to continue to work with all three cities (Cottonwood Heights, Millcreek, and Holladay) so they were all benefitting. Council Member DeSirant was interested in grant funding, a water conservation ordinance, and a difficult to recycle materials event. Council Member Jackson pointed out there was already a recycling event held every fall by the Wasatch Front Waste and Recycling District. DeSeelhorst would provide a list of grant opportunities for the city and individuals. Council Member Uipi expressed regular monthly interest in outreach and engagement, the DEQ grants, rebates for conservation, and to obtain a list of public spaces to serve as community examples for waterwise landscaping. DeSeelhorst would provide additional information on the suggested topics.

## **2. Staff Reports**

There were no reports.

## **3. Discussion of Agenda Items, Correspondence, and/or Future Agenda Items**

There was none.

**Council Member DeSirant moved to adjourn the work meeting at 7:09 p.m. Council Member Jackson seconded. Mayor Pro Temp Uipi called for the vote. All Council Members voted yes. The motion passed unanimously.**

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**REGULAR MEETING – 7:00 p.m.**

**TIME COMMENCED: 7:12 p.m.**

## **1. Welcome, Introduction and Preliminary Matters**

### **1.1 Pledge of Allegiance**

Mayor Pro Tempore Uipi called the meeting to order and led the pledge of allegiance.

### **1.2 Public Comment**

Elyse Sullivan read a comment received online via the City's website from Bob Stallings, 741 S. 300 E. in Salt Lake City. *"Resolution 22-24 brings up Millcreeks need for justice court prosecution services that the Salt Lake Countys District Attorney's Office would provide. My question is, to what degree is the city lacking these prosecution services, and is the city taking any actions to fix this lack of prosecution services for when the Interlocal Cooperative Agreements term ends."* Council Member Uipi said they would acknowledge this during that item on the agenda.

### **1.3 Unified Police Department Millcreek Precinct Officer of the Month for June 2022**

Chief Steve DeBry announced Officer Chris Schroeder as the Officer of the Month for June 2022. Officer Schroeder used discretion in a traffic stop and assisted a mother who then expressed her thankfulness for him to the Precinct. The Citizens Advisory Board presented Officer Schroeder with a gift. Council Member Jackson said the council heard about the incident and appreciated his effort. Mayor Pro Tempore Uipi also commended his actions.

## **2. Planning Matters**

### **2.1 Discussion and Consideration of Ordinance 22-35, Rezoning Certain Property Located at Approximately 3209 South Orchard Street from R-1-8 (Residential Single Family) to R-1-6 (Residential Single Family)**

Carlos Estudillo said the council heard the first reading at their last meeting. The rezone from R-1-8 to R-1-6 at 3209 S. Orchard Street would accommodate a two-lot flag lot with two single family homes. The property is about 17,000 square feet in size, so the rezone was necessary to comply with code. He showed the council pictures of the existing property and noted the previous condemned structure on the property had been demolished. The existing home would remain, and a new home would be built. He showed the council the proposed site plan and recommended approval of the rezone.

Council Member Uipi asked for public comment. There was none. The applicant declined to comment. Council Member Uipi noted that liens on the property had been paid. Council Member DeSirant asked about parking for the front lot. Estudillo said there was a driveway.

**Council Member DeSirant moved to approve Ordinance 22-35 as drafted. Council Member Jackson seconded. The Recorder called for the vote. Council Member Catten, Council Member DeSirant, Council Member Jackson, and Council Member Uipi voted yes. The motion passed unanimously.**

**2.2 Discussion and Consideration of Ordinance 22-36, Amending Chapter 19.86 of the Millcreek Code of Ordinances with Respect to the Powers and Duties of the Historic Preservation Commission**

Elyse Sullivan said Francis Lilly gave a first reading of the item at the council's last meeting. Millcreek was seeking designation as a Certified Local Government (CLG) with the State Historic Preservation Office. In order to do so, among other things, the ordinance regarding the powers and duties of the Historic Preservation Commission needed to be updated to include the following duty, "Support the enforcement of all state and local legislation relating to historic preservation." Once the code was updated, the city could apply to be a CLG which would unlock tax credits and low interest loan facilities offered by the state and federal government for historic preservation.

**Council Member Catten moved to approve Ordinance 22-36, Amending the chapter of the Millcreek Code of Ordinances with respect to the powers and duties of the Historic Preservation Commission. Council Member DeSirant seconded. The Recorder called for the vote. Council Member Catten, Council Member DeSirant, Council Member Jackson, and Council Member Uipi voted yes. The motion passed unanimously.**

**3. Business Matters**

**3.1 Discussion and Consideration of Resolution 22-23, Approving an Agreement with Salt Lake Legal Defenders to Provide Court Indigent Defense Services**

John Brems said this was an annual contract renewal. Council Member Jackson noted the Council met with the District Attorney's Office and it was more cost effective to have the county provide court and prosecution services, which acknowledged the public comment (for item 3.2). Council Member DeSirant asked if the city had put out a request for proposals (RFP) for various court services. Brems said no.

**Council Member Jackson moved to adopt Resolution 22-23, Approving an Agreement with Salt Lake Legal Defenders to Provide Court Indigent Defense Services. Council Member Catten seconded. The Recorder called for the vote. Council Member Catten, Council Member DeSirant, Council Member Jackson, and Council Member Uipi voted yes. The motion passed unanimously.**

**3.2 Discussion and Consideration of Resolution 22-24, Approving an Interlocal Cooperative Agreement with Salt Lake County for Justice Court Prosecution**

John Brems said this was a renewal of an agreement with Salt Lake County. Court is held in Salt Lake County facilities and the representation made sense. There was an issue raised about what happens if the interlocal cooperative agreement ends. The service is provided through multi-year agreements, and it has been provided to the city since incorporation. If the county no longer provided the services, the city would look to contract with another entity through an independent contractor agreement or the city could hire its own prosecutor. Council Member Uipi asked about the city providing the

service. Brems said the county was contemplating doing away with court services, and if that happened the court jurisdiction would revert to the Third District Court. The city could likely contract with prosecutors in the Third District Court Building, or contract with another city for court services. Some area cities contract together for court services and have court in Holladay. Council Member Jackson asked about the agreement term. Brems said it was for 3 years, but could be terminated if provided with 180 days' notice. Council Member DeSirant asked what other cities did. Brems said it depended on the size of the city. Larger cities have in house attorneys and others contract services out.

**Council Member Jackson moved to adopt Resolution 22-24, Approving an Interlocal Cooperative Agreement with Salt Lake County for Justice Court Prosecution. Council Member Catten seconded. The Recorder called for the vote. Council Member Catten, Council Member DeSirant, Council Member Jackson, and Council Member Uipi voted yes. The motion passed unanimously.**

**3.3 Discussion and Consideration of Resolution 22-25, Accepting the FY23 Arts & Museums Project Grant that Requires a Match in the Amount of \$6,000 and Approving the Match Requirement to be Paid from the General Fund, and Approving the Agreement with the State of Utah, Utah Department of Cultural and Community Engagement Agency**

Mike Winder said during the construction period, staff felt it would be good to have a decorative scrim on the perimeter fencing outside of Millcreek Common. The project is estimated to cost \$12,000. The resolution would accept half of that funding through a grant from the state and the city would pay the other \$6,000. The scrim would be decorative banners.

**Council Member Jackson moved to adopt Resolution 22-25, Accepting the FY23 Arts & Museums Project Grant that Requires a Match in the Amount of \$6,000 and Approving the Match Requirement to be Paid from the General Fund, and Approving the Agreement with the State of Utah, Utah Department of Cultural and Community Engagement Agency. Council Member DeSirant seconded. The Recorder called for the vote. Council Member Catten, Council Member DeSirant, Council Member Jackson, and Council Member Uipi voted yes. The motion passed unanimously.**

**3.4 Designating Council Member Cheri Jackson as Mayor Pro Tempore Designee for Purposes of Signing Council Meeting Documents**

The Mayor and Mayor Pro Tempore were out of town and council meeting documents needed to be signed after the meeting. Council Member Jackson asked if the designation was date specific. Brems said yes.

**Council Member Catten moved to designate Council Member Cheri Jackson as Mayor Pro Tempore Designee for purposes of signing council meeting documents for July 26, 2022. Council Member DeSirant seconded. The Recorder called for the vote. Council Member Catten, Council Member DeSirant, Council Member Jackson, and Council Member Uipi voted yes. The motion passed unanimously.**

#### **4. Reports**

##### **4.1 Mayor's Report**

There was no report.

#### **4.2 City Council Member Reports**

Council Member Jackson said she and Mayor Silvestrini attended Canyon Rim Cares Day of Service and there was good support. Council Member DeSirant mentioned an event in District 4 that week. Mayor Pro Tempore Uipi said she would be attending.

#### **4.3 City Treasurer's Report**

Council Member Jackson reported the following:

- As of July 22, 2022, the balance of the Series 2019 Bond Construction Fund is: \$0.00 (Millcreek Common City Center)
- As of July 22, 2022, the balance of the Series 2021 Bond Construction Fund is: \$35,174,538. (City Hall)
- As of July 22, 2022, Millcreek's PTIF account balance is: \$35,070,016.45.
- As of July 22, 2022, 106.74% FY22 property taxes have been received in the amount of \$11,821,827.70. Last year at this same time, Millcreek had received \$11,750,904.04.
- As of July 22, 2022, 88.77% of FY22 sales tax (updated projection) have been received in the amount of \$13,315,278.48. Last year at this same time, Millcreek had received \$11,829,877.85.

#### **4.4 Staff Reports**

Mike Winder said there was an RFP out for a city hall concept kitchen and café restaurant. The deadline was August 4<sup>th</sup> and there would be a meeting on the 9<sup>th</sup> to review the proposals. He asked for two council members to join. Council Members DeSirant and Catten volunteered.

#### **4.5 Unified Fire Authority Report**

There was no report.

#### **4.6 Unified Police Department (UPD) Report**

Chief Steve DeBry said he would be addressing homelessness in the parks. UPD needed crossing guards. The council suggested putting out the need on social media and in the e-newsletter. Chief DeBry then reported the crime statistics for June 2022. There were 2,860 calls for service, 994 total cases, 435 citations, and 41 booking arrests. There were 32 assaults, 17 burglaries, 30 drug offenses, 85 family offenses, 99 larcenies, 2 robberies, 5 sex offenses, and 24 stolen vehicles. The Millcreek Community Oriented Policing detectives investigated a graffiti case at Scott Avenue Park, and it was cleaned up. Two illegal encampments were cleaned up on 3900 S. West Temple and at Scott Avenue Park. Occupants were provided with available alternative resources for assistance. On July 3<sup>rd</sup>, from 8pm to 2am, dispatch took 18 calls for service in Millcreek. Six of those calls were for illegal fireworks in a restricted area. On July 4<sup>th</sup>, from 8pm to 2am, dispatch took 54 calls for service in Millcreek. Twenty-one of those calls were for illegal fireworks and six other calls were for two fires that resulted from illegal fireworks. The Chief reported on the Precinct's successful participation in the 4<sup>th</sup> of July parade and the upcoming Night Out Against Crime on August 2<sup>nd</sup>.

### **5. Consent Agenda**

5.1 Approval of July 11, 2022 Work Meeting and Regular Meeting Minutes

**Council Member Jackson moved to approve the work and regular meeting minutes from July 11, 2022. Council Member Catten seconded. Mayor Pro Tempore Uipi called for the vote. Council Member Catten, Council Member DeSirant, Council Member Jackson, and Council Member Uipi voted yes. The motion passed unanimously.**

**6. New Items for Subsequent Consideration**

There were no items.

**7. Calendar of Upcoming Events**

- Mt. Olympus Community Council Mtg., 8/1/22, 6:00 p.m.
- Millcreek Community Council Mtg., 8/2/22, 6:30 p.m.
- Canyon Rim Citizens Association Mtg., 8/3/22, 7:00 p.m.
- East Mill Creek Community Council Mtg., 8/4/22, 6:30 p.m.
- City Council Mtg., 8/8/22, 7:00 p.m.

**ADJOURNED: Council Member Jackson moved to adjourn the meeting at 7:57 p.m. Council Member DeSirant seconded. Mayor Pro Tempore Uipi called for the vote. All Council Members voted yes. The motion passed unanimously.**

APPROVED:

  
 Jeff Silvestrini, Mayor

Date

8-8-2022

Attest:

  
 Elyse Sullivan, City Recorder