



**Minutes of the
Millcreek City Council
September 26, 2022
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 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
Silvia Catten, District 1
Thom DeSirant, District 2
Cheri Jackson, District 3
Bev Uipi, District 4

City Staff

John Brems, City Attorney
Elyse Sullivan, City Recorder
Mike Winder, City Manager
Francis Lilly, Assistant City Manager
Kurt Hansen, Facilities Director
Laurie Johnson, HR-Finance Director
Rita Lund, Communications Director (electronic)
Robert May, Long Range Planner
Jim Hardy, Building Services Director
Aimee McConkie, City Events Director

Attendees: Richard Hansen, Bekah Masters, Laura Renshaw, Pegasus Blaise, Brandy Farmer, Kelly Roemer, Steph Woody, Linda Sparks, Robert Kimpel, Chief Duane Woolsey, Detective Cody Hampton, and Chief Steve DeBry

WORK MEETING – 6:00 p.m.

TIME COMMENCED – 6:00 p.m.

Mayor Silvestrini called the meeting to order.

1. Discussion on Recreational Vehicle Parking; Kurt Hansen, Facilities Director

Kurt Hansen said the purpose for updating the code was to consolidate all definitions found in city code (Titles 15, 17, and 19) to one definition, place recreational vehicle definitions and regulations where appropriate, and regulate the quantity of recreational vehicles permitted to be stored in the front yard. Hansen recommended one definition be used throughout the code, and he proposed the following: "Recreational vehicle" means a snowmobile, travel trailer, camper, motor home, fifth wheel trailer, toy hauler, or watercraft; with or without a motor, designed and constructed for recreational use or as temporary living quarters for camping, travel, or vacation

purposes. "Recreational vehicle" does not include human or battery powered personal apparatuses, such as bicycles, kick-scooters, or children's toys.

Council Member Uipi asked about buses. Hansen said he would add buses. He proposed that recreational vehicles shall not be used as a permanent dwelling and only as temporary living quarters for no more than 21 days per year. Council Member Jackson asked about sewage. Hansen said health codes should cover sewage. Winder asked about kayaks since they were watercraft but human operated. Hansen would add it as a human operated apparatus, it did not count as a recreational vehicle. Mayor Silvestrini asked about the public policy for accessory dwelling units (ADUs) related to this. Lilly said the nexus was more likely to create a public nuisance. Council Member Uipi asked about tiny houses. Lilly said tiny houses were on a fixed foundation. Hansen suggested a 30-day limit for temporary housing.

Council Member Jackson asked about licensure requirements. Hansen pointed out the existing code, which required the vehicles be licensed. Staff recommended only one recreational vehicle be allowed to be parked in the front yard. Mayor Silvestrini pointed out that two four-wheelers or snow mobiles could be parked on one trailer, so there needed to be clarification. Council Member Uipi asked why this code change was needed. Hansen said it dealt with neighborhood complaints and property values. Code Enforcement would appreciate the amendment. Hansen proposed a second option that if there were two driveways, one vehicle could be parked on each improved driveway. Mayor Silvestrini pointed out that second driveways were very common. The third option was to allow single-stacking of vehicles on long driveways. The council discussed the neighborhood differences with the options. Council Member Uipi asked what other cities did. Hansen said he would get comparisons from other cities. Mayor Silvestrini asked staff to ask an appraiser if this issue affected property values.

2. Council Retreat Update; Mike Winder, City Manager

Mike Winder said the executive staff and city council read the book, "For the Love of Cities" and had a planning retreat in January based on the book. From that retreat, the council had decided on areas of focus and Winder highlighted some of the projects done since then within those areas. One was to create a community investment fund which would include funding for projects such as love notes, murals, the Skyline roundabout, 2300 E. roundabout, utility box art, art in city hall, entry markers, and poles with banners. In the FY 2022 budget, \$20,000 had been set aside for the Mountair streetscape improvement and in FY 2023, \$25,000 for public art. A new mural on Chambers Avenue had been installed and another one would be installed above the chiller yard on Millcreek Common, both of which were possible through grants the city received. Winder proposed a monument with an eagle on it in the Skyline roundabout. Council Member DeSirant asked about coordinating with the senior class for the monument. Mayor Silvestrini noted he was more interested in the 2300 E. roundabout. Council Member Uipi suggested her class's senior project be used if it was not going to be in the new school. Council Member Jackson pointed out it would be a target for rival schools. Winder mentioned the 2300 E. roundabout needing attention and having opportunity for a welcome marker.

The second area of focus was community life with street parties/neighborhood events, Millcreek Common activities, content for the digital sign, sponsorships, a Millcreek Community Foundation, holiday market, pickleball tournament, and connected by nature events. There had been a successful event at Holladay Hills apartments and numerous events on Millcreek Common. Winder gave an update that the digital sign in Millcreek Common would come in

October. He presented sponsor plaques on branded bollards in Millcreek Common and said that the Adventure Hub would be sponsor-named before the end of the year. The Millcreek Community Foundation was coming along. A holiday market would start in December. Pickleball tournaments would take place in 2024 after completion of the new courts in Canyon Rim. Connected by nature events included Venture Out's Camp Tracy adventures and the Jordan River clean ups. Council Member Jackson asked when the powerlines on 3300 S. would be buried. Winder did not know. The council asked for details on the holiday market. Winder noted it was still in the works.

The third area of focus was the Promise Program. The program launched a volunteer database in June and had 70 volunteers so far and a list of volunteer opportunities for youth would be made available in 2023. The Promise Program had been involved in several events and with different school engagements and had installed more little libraries.

The fourth area of focus was communications. The TextMyGov app would launch at the end of the year. The electronic newsletter had over 7,000 email addresses with a 45% open rate. Winder showed the number of social media followers on the city's different accounts. The sustainability committee would start back up in 2023. The city was promoting the Flip Your Strip program and waterwise landscaping, as well as continuing the rain barrel event. Council Member Catten suggested the city get a Tik Tok page. Council Member Uipi recommended getting Samantha DeSeelhorst, Sustainability Manager, involved more with city sustainability and asked who her direct Millcreek supervisor was. Mayor Silvestrini noted that Salt Lake City Public Utilities should be involved too.

The fifth area of focus was mayor/city manager projects. Millcreek had been added to the Now Playing Utah website. Winder proposed community awards where each council member chose a resident to highlight who had gone above and beyond to make Millcreek a great place. The awards would be presented during the January 23, 2023 council meeting. He highlighted that the Mayor's Star of Excellence awards had been given in May to top GPA high school juniors living in Millcreek. There would be a co-creator conference on November 9th for various stakeholders to learn about different city functions. Also on November 9th, there would be an Interfaith Summit.

The sixth area of focus was on planning and public works. The city had applied for a \$100,000 National Endowment for the Arts grant. Staff was inventorying art opportunities around Millcreek Common. The Historic Preservation Commission was formed and meeting. There would not be a dog park on 900 E. and Van Winkle as hoped. Winder then provided the council with a list of grants/funding the city had been awarded/received over the last year or so totaling more than \$15 million. Winder announced the next council and executive staff strategic planning retreat would be on January 12, 2023.

3. Staff Reports

There were no reports.

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

There was none.

Council Member Uipi moved to adjourn the work meeting at 7:02 p.m. Council Member DeSirant seconded. Mayor Silvestrini called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini 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 and led the pledge of allegiance.

1.2 Public Comment

Laura Renshaw, Manager of the Millcreek Library, thanked the community for support. She reported that there had been 64,000 book checkouts since the beginning of the year, and 16,000 people on average came through the library monthly. She noted that people could check out more than just books, such as: Chromebooks, telescopes, Rosetta Stone, job resources, test preparation materials for various careers, and resources for businesses. The library offered meeting spaces and had one of the best E-book collections in the country. Renshaw would love to partner with the city on community events.

Pegasus Blaise, 777 E. Jepson Avenue, thanked the council for their work and for the temporary homeless shelter coming to Millcreek. He asked for less funding to go to law enforcement because of violence to civilians. He wanted more funding for mental health services and non-violent services.

1.3 Unified Police Department Millcreek Precinct Officer of the Month for August 2022

Chief Steve DeBry announced Detective Cody Hampton as Officer of the Month for August 2022. Detective Hampton's investigation led to a knock and announce warrant that uncovered a drug grow and distribution operation. Marijuana plants, over 103 pounds of marijuana paraphernalia, and an illegal shotgun were seized. His efforts caused an illegal drug business to be shut down. The Citizens Advisory Board recognized Detective Hampton's work and presented him with a gift.

2. Planning Matters

2.1 Discussion and Consideration of Ordinance 22-44, Amending the Moderate Income Housing Element of the General Plan to Incorporate Moderate Income Housing Strategies and an Implementation Plan Pursuant to Utah Code Ann. § 10-9a-403

Mayor Silvestrini noted in the last legislative session, H.B. 462 mandated cities to elect a number of strategies to attempt to improve and expand moderate income housing (MIH). The state aimed to use a stick to ensure cities were providing MIH options. Millcreek was a leader with this, and he wanted to remain a leader. The mayor reported that the state has indicated that state funding, such as the Transportation Improvement Fund (TIF), would

be tied to cities' progress on affordable housing. The more options a community selects as part of its general plan to accommodate affordable housing, the more priority a jurisdiction will get for state funding, and the inverse was true. There was talk in the legislature for class b and c road funds being tied to housing. Millcreek tried to select as many options as palatable. Francis Lilly said there were 26 strategies in state code to pick from. Staff picked ones that Millcreek was doing already. There would be an annual report that tracked progress on the goals and implementation strategies.

Robert May said staff chose strategies and implementation criteria that were mostly supported by existing goals and strategies in the 2019 Millcreek Together General Plan and that could reasonably be studied and/or implemented. The implementation timeline benchmarks were crafted to be an ongoing action or a one-time action. The implementation action language was deliberately crafted to be somewhat vague to provide flexibility for adjustments and avoid any unattainable commitments. He said Millcreek must have a minimum of four strategies, staff was aiming for six, but nine were proposed and presented to the community councils and Planning Commission

He provided a description, task, and timeline of the strategies, which were:

- 1(A) Rezone for densities necessary to facilitate the production of moderate income housing.
- 2 (E) Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones.
- *Replacement option* - 2 (R) Eliminate impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit as defined in Section 10-9a-530
- 3 (F) Zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers.
- 4 (H) Amend land use regulations to eliminate parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities.
- 5 (V) Develop and adopt station area plan (SAP) in accordance with Section 10-9a-403.1
- 6 (I) Implement zoning incentives for moderate income units in new developments and offer a variety of housing opportunities.
- 7 (O) Apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing.

- 8 (L) Reduce, waive, or eliminate impact fees related to moderate income housing.
- 9 (G) Amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors.

May reviewed the strategies and implementation actions. Council Member DeSirant asked about the difference between strategy 3 and 5. May said 5 was adding the SAP and 3 was outlining zoning for higher density. He noted that a lot of strategies and implementations interconnected.

May went over the community council responses to the proposed strategies. The Mt. Olympus Community Council voted to approve the proposed amendments to the general plan. They were concerned with waiving commercial use requirements for MIH development, eliminating commercial components that may threaten the tax base, and reducing off-street parking, especially with accessory dwelling units (ADUs). The East Mill Creek Community Council voted to approve the proposed amendments. They wondered about reducing minimum yard sizes for detached ADUs, had concern with waiving requirements for MIH developers and providing them too many incentives, and they wanted verification that community reinvestment area funds were being used for MIH and/or seniors. The Canyon Rim Citizens Association voted to approve the proposed amendments. They recommended including incentives for tiny home projects. The Millcreek Community Council voted to approve the recommended amendments with the condition of removing proposed strategies 1, 2, 6, and 9. They felt Millcreek had already done a lot with affordable housing and expressed concern about MIH mainly being constructed within their boundaries. The Planning Commission recommended adoption of the amendments with revisions being made to strategy 2 to be more vague.

May reviewed the proposed, revised, and recommended changes to strategy 2. Revised Strategy 2 (E) implementation actions included: 1) carefully monitor and track ADU building permit applications. Explore barriers that keep homeowners from constructing detached ADUs; and 2) continue monitoring ADU applications and explore, where feasible, opportunities for reducing ADU regulations by 2027. Replacement option Strategy 2(R) implementation actions included: 1) carefully monitor and track ADU building permit applications. Explore barriers that keep homeowners from constructing detached ADUs; and 2) consult with community councils, planning commission and city council members on eliminating impact fees, for at minimum, detached accessory dwelling units by 2027. May recommended adopting the revised Strategy 2 (E). Council Member Catten asked if the revision made the strategy more vague. May confirmed, it was vague but measurable. Council Member Jackson asked about the reasoning with the year 2027. May noted that the bill required a reasonable timeline for implementation, within 5 years.

Council Member Jackson pointed out that the city had a to have a minimum of four strategies. Mayor Silvestrini wanted to adopt more than the minimum. He appreciated the revised strategy 2. He acknowledged not knowing impediments on ADUs since there was not any data collection. Lilly said the city could have people who had filed for or inquired about an ADU fill out a survey. Council Member Jackson asked if “opportunities for reducing ADU regulations” could be eliminating impact fees. Mayor Silvestrini said the

impact fee could be a reduced regulation. John Brems noted that the city only had a park impact fee. The council appreciated the revised strategy 2(E). The mayor noted that the community councils and Planning Commission did not have input with impact fees. Council Member Jackson would like to see data on ADUs before changes were made.

Council Member Jackson expressed concern on reducing commercial components on strategy 1 implementation action 3(b) “waiving commercial use requirements for qualifying MIH projects in the MD and C Zones.” Mayor Silvestrini said there were a lot of obsolete commercial areas. Council Member Jackson would like to add flexible, vague language on 3(b). Council Member Uipi would like to add flexibility to 3(a) “reducing the minimum off-street parking requirements” as well. This could be accomplished by adding the word, “consider.” May said “amendments may include” a, b, and c in implementation action 3. Brems said this was the General Plan, so the Council was not locked into anything.

The council reviewed the remaining strategies. May pointed out the city was working with South Salt Lake and Murray on SAPs. [There are two fixed guideway transit stations within a one-half mile radius of Millcreek boundaries. The Murray North Station in Murray City and the Meadowbrook Station in South Salt Lake City. A station area is the area within a one-half mile radius of the center of the fixed guideway public transit station platform that provides rail services].

The council discussed adding the term “qualifying” to MIH on strategy 4 implementation action 2. Council Member DeSirant asked why strategy 6 implementation action 3(e) was struck. May said based on feedback, it was too specific. Mayor Silvestrini thought it was a mistake to remove that strategy, because those forms of housing were welcome. The council decided to strike ADUs from 3(e) and amend it to read, “encourage rowhouses, twinhomes, cottages, and other building forms by implementing a reduced lot coverage percentage where appropriate.” Council Member Jackson asked about possible incentives on strategy 7 implementation action 2. May said reduced off-street parking, more density, reduced setback, more height or density, or an offset on cost of construction. Council Member Jackson suggested adding “qualifying” to “work with qualifying moderate income housing developers.” The council discussed strategy 8 as making developments more affordable, not making developers richer. Council Member Jackson mentioned adding “qualifying” MIH to the strategy and “qualifying” to developers in action 2. There were no issues with strategy 9.

The council decided to change all references to “moderate income housing” to “qualifying moderate income housing.” Council Member Jackson recommended defining, “qualifying.” Lilly suggested using Provo’s verbiage of qualifying MIH, “All moderate income housing units in a qualifying moderate income housing project must provide affordable housing to a specific target population with a household income less than or equal to 80 percent of Salt Lake County’s area median income for a time period of at least 30 years, and must be the recipient of a low-income housing tax credit or other public funding.” Mayor Silvestrini wondered about all units. Lilly suggested saying, “units set aside for affordable housing.” Lilly noted every project was different and he did not want to set percentages for affordable units.

Council Member Jackson moved to adopt Ordinance 22-44, Amending the Moderate Income Housing Element of the General Plan to Incorporate Moderate Income Housing Strategies and an Implementation Plan Pursuant to Utah Code Ann. § 10-9a-403, including the revisions made to the implementation actions for all nine strategies as discussed and adopting a definition of qualifying moderate income housing as recommended by staff. Council Member DeSirant seconded.

The council thanked May for his work.

The Recorder called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

2.2 Discussion and Consideration of Ordinance 22-45, Notifying the Public of a Pending Ordinance that Would Amend the Flag Lot Policy

Francis Lilly said while the subdivision code was in the process of being revised, some problems were identified with the flag lot policy. He would like the council to give staff time to come up with a better flag lot ordinance. This ordinance would prohibit staff from accepting applications in the meantime. The policy was currently a separate document, the change would codify it. The policy was unclear on how many units could be off the flagpole from the street. Lilly would like to add that all flag lots must provide an access to the street instead of an easement over other property. Clarity was needed on fire code requirements, the width of the flagpole, and how the pole should be landscaped. Council Member Uipi asked if 180 days was sufficient for an ordinance to be drafted. Lilly confirmed.

Council Member Uipi moved to approve Ordinance 22-45, Notifying the Public of a Pending Ordinance that Would Amend the Flag Lot Policy. Council Member Jackson seconded. The Recorder called for the vote. Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. Council Member Catten was not present for the vote. The motion passed.

3. Financial Matters

3.1 Discussion and Consideration of Ordinance 22-41, Establishing a Municipal Energy Sales and Use Tax, Setting the Rate for Such Tax, and Establishing the Effective Date for Such Tax

Mayor Silvestrini said the council held a public hearing at the last council meeting on the matter. Council Member Uipi summarized public comment topics from the last meeting and provided feedback on them. She noted it was not only law enforcement that was experiencing a competing salary market, but all markets. She said that Pam Roberts with Wasatch Front Waste and Recycling District was experiencing the same issue of retaining drivers. She heard from residents about safety being an important value and quality of life. The funding the council was seeking for Unified Police Department (UPD) was to maintain the current level of service. The council was focusing on provided resources for mental health. Millcreek is the twelfth largest city in the state, and fifth largest in the county. Others looked to the city as leaders with a qualified, high-skilled police force. The city's Finance Director provided options for the council to consider for fixed income households. She said there were comments on the timing of the last meeting notice. She had asked for more printed communication to reach seniors. Of the comments the council had received, 80% of the respondents preferred to see a lower consistent property tax

increase in addition to the energy tax. She acknowledged the city had limited personnel with double job duties. The council had been thoughtful about how to approach the situation of the increased UPD contract cost.

Mayor Silvestrini asked for public comment.

Robert Kimpel, 3526 Hermes Drive, noted he met with the mayor five years ago and discussed a franchise tax and was assured by the mayor at that time the city did not need it. He wondered about the city providing entertainment for residents, like Millcreek Common and Venture Out, instead of focusing on services and expenses on the printed newsletter. He did not appreciate overbearing government. He felt people did not realize how much the tax would be and what it entailed.

Council Member Jackson said the council had considered the matter for a long time and tried to do the least painful option. The benefit of the franchise fee was to pick up providers who use police services and do not pay for it through property taxes. This way, the schools, churches, and nonprofits would pay for the police contract too. She noted that property values going up did not influence the amount of revenues the city received, only the tax rate changed that amount. The increase in property tax and franchise tax would cover the 20% police contract increase. The council was not expecting the increase when they were presented with it. The city had issues and crime that needed to be addressed and the police take care of it. Millcreek has competent officers and wants to retain them. She acknowledged that the council were residents too who would also be paying the fees.

Council Member DeSirant commended staff for applying for and receiving grants for the various amenities in Millcreek Common.

Council Member DeSirant moved to approve Ordinance 22-41, Establishing a Municipal Energy Sales and Use Tax, Setting the Rate for Such Tax, and Establishing the Effective Date for Such Tax. Council Member Uipi seconded.

Mayor Silvestrini said five years ago he did not think a franchise was needed, but the city was faced with a 20% contract cost increase. The city hall and Millcreek Common construction funds were through bonds and those funds were restricted. They would be paid by the property tax increment generated in the area, not by Millcreek taxpayers, generally. City surveys demonstrated that residents wanted the city to own city hall property rather than rent as the city was currently doing. The council cut back on budgets where possible. The council attempted to be careful with the budget. The community events and published newspaper provided a value to the city. Most of Venture Out funding came from sponsorships, the city only paid it about \$150,000. The city could not stop providing services because costs were going up. Splitting the property tax with a franchise fee was the best way to keep both down instead of a 20% property tax increase. The council found out the police contract was increasing in March and the council had made careful deliberations since then regarding it.

The Recorder called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

4. Business Matters

4.1 Discussion and Consideration of Ordinance 22-42, Amending Title 10 of the Millcreek Code of Ordinances Regarding Camping on Public Grounds, Street, Parks, and Playgrounds

John Brems said over the last few years he tracked problems other cities had had with camping. He was worried about the temporary overflow homeless shelter. Mayor Silvestrini said this ordinance would define camping in a logical way and make exceptions. It would also increase the penalty for unlawful camping from a class c misdemeanor to a class b. That should give assurance to the community surrounding the temporary overflow shelter at the old Calvin Smith library site and provide a better enforcement authority.

Council Member Jackson moved to adopt Ordinance 22-42, Amending Title 10 of the Millcreek Code of Ordinances Regarding Camping on Public Grounds, Street, Parks, and Playgrounds. Council Member Uipi seconded.

Council Member Catten questioned why the penalty would be increased. Mayor Silvestrini said to make it a bigger deterrent. Council Member Catten expressed concern with people who would be cited with camping already faced a lot of challenges and increasing the penalty would not be more of a deterrent or helpful. Council Member DeSirant agreed. Council Member Jackson asked about the penalty for other cities illegal camping. Brems did not know. Chief Steve DeBry said the vast majority of campers were indigent with mental and psychological issues. They would be issued a citation and if they failed to appear before a judge then a bench warrant would be issued. The jail would not take admit someone for camping unless they had multiple bench warrants. He did not know if the increased penalty would be a deterrent or not. The offenders would not know the difference between a class c and class b misdemeanor. He said a class b was greater than a class c, which could involve a longer jail stay or a greater fine. Mayor Silvestrini suggested reconsidering the ordinance after doing more research.

Council Member Jackson moved to amend the motion to adopt Ordinance 22-42, Amending Title 10 of the Millcreek Code of Ordinances retaining the class c misdemeanor. Council Member Catten seconded.

Council Member Jackson would like to know what other cities were doing.

The Recorder called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

4.2 Discussion and Consideration of Ordinance 22-43, Declaring Approximately 0.18 Acres of Real Property Located at or near 3203 South Highland Drive in Salt Lake County, Utah, as Surplus and Determining that a Trade for Approximately .04 acres of Real Property Located at or near 3254 South Highland Drive in Salt Lake County, Utah, is in the Best Interest of the City and Constitutes the Highest and Best Economic Return to the City and Approving a Pipeline Relocation Agreement

Mayor Silvestrini said this ordinance was for a land swap with Dominion Energy to facilitate relocating a significant piece of their infrastructure which was right next to Millcreek Common. It would be moved to the Wilford Ward property the city purchased from the Church of Jesus Christ of Latter-day Saints. The relocation would be safer and less of an impediment to development. Dominion Energy preferred the new location. Brems said the city would surplus a portion of the old church property and then agree to trade it for other property that Dominion Energy owned in Millcreek Common as the best economic return to the city. The city would then enter into a pipeline relocation

agreement. The existing regulator station was on Millcreek Common and would be moved to the church property across Highland Drive. The exchange of property would be delayed until the new station was operating. Then Dominion Energy would remove the old facility and pipeline. Dominion Energy would be paying for all the costs of the exchange. Lilly noted there would be a wall and landscaping covering the new facility. The new facility would be built by May 31, 2023.

Council Member Jackson moved to Ordinance 22-43. Council Member DeSirant seconded. The Recorder called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

5. Reports

5.1 Mayor's Report

Mayor Silvestrini reported that the city received a certificate of recognition from County Mayor Jenny Wilson thanking Millcreek for promoting and protecting public health during the COVID-19 pandemic. Millcreek had been working with the state on the overflow temporary shelter. Millcreek Precinct was under way with hiring two new officers to assist with patrol of the area around the shelter. The mayor said he would be attending the Utah League of Cities and Towns the following week and part of it was a mobile tour of Millcreek Common.

The city internally had a test of its cyber security system, and it went well. Council Member Catten said the Mosquito Abatement District Board got sent spam text messages. Mayor Silvestrini said the central elevator tower of the new city hall was complete, so people could gage the building height from that. He reported that he, Elyse Sullivan, and Aimee McConkie climbed the crane tower on Millcreek Common.

5.2 City Council Member Reports

Council Member Uipi felt the meeting regarding the temporary overflow shelter held on September 15th was well supported. She was proud to work with the council to do what they could to help others. Council Member Catten said the "Get to the River" campaign was wrapping up. There had been one reported case of West Nile Virus.

5.3 City Treasurer's Report

Council Member Jackson reported the following:

- As of September 23, 2022, the balance of the Series 2021 Bond Construction Fund was: \$28,840,476.33. (City Hall)
- As of September 26, 2022, Millcreek's PTIF account balance is: \$34,870,825.66.
- As of September 26, 2022, 1.96% of FY23 property taxes have been received in the amount of \$228,721.38. Last year at this same time, Millcreek had received \$242,310.09.
- As of September 26, 2022, 9.15% of FY23 sales taxes have been received in the amount of \$1,143,149.13. Last year at this same time, Millcreek had received \$1,034,024.43.

5.4 Staff Reports

Mike Winder said the city would be moving forward with the demolition of the church building on Highland Drive. The mayor noted that a condition of the purchase of the building was that it be demolished within 180 days of purchase. Winder added that the Millcreek Business Council Gala would be on October 5th.

Laurie Johnson provided the council with information on a proposed caregiver leave for staff. It would be 80 hours of paid leave for Federal Medical Leave Act reasons available every year and could be used intermittently. It would not be accrued, so it would not be a liability on the books. Council Member Uipi appreciated that it involved other approved family members since a lot of families are blended. Johnson said staff was lean and she wanted to be considerate and be competitive with recruitment tools as well. Council Member Catten questioned the term, "intermittently." Johnson said it would depend on the situation; the city would be flexible but realistic. The council was in favor of the benefit.

Elyse Sullivan reported that she attended the Utah Municipal Clerks Association conference the prior week and participated on a panel discussing how Millcreek manages its records. She noted that other cities were interested in learning more about Millcreek's Records Management Plan.

5.5 Unified Fire Authority Report

Chief Duane Woolsey reported on recent a cougar attack in Millcreek Canyon. He said there was an app, what3words, which had an easy way to identify precise locations. Every 10 square feet in the world had been given a unique combination of three words: a what3words address. A lost adventurer was found by using this app. Station 126 construction would be completed the following month. The other stations were also progressing. UFA would be having discussions on standards of cover, how to interact with cities. He reported that the wildland season was busy. There were 99 events over the summer that required service. Recruiting was ongoing and about 26-30 people would start camp in February. There was a fire in the old gymnasium at Skyline High School.

5.6 Unified Police Department Report

Chief Steve DeBry reported the crime statistics for August 2022. There were 2,951 calls for service, 1,023 total cases, 446 citations, and 59 booking arrests. There were 38 assaults, 21 burglaries, 27 drug offenses, 93 family offenses, 122 larcenies, 4 robberies, 2 sex offenses, and 30 stolen vehicles. The Unified Police Department's Motor Unit, featuring 12 motorcycle officers, spent September 7th in a traffic enforcement saturation event. The officers focused on traffic and pedestrian safety by issuing citations for violations which included speed, expired registration, window tint, seat belt, child restraint, and driver's license violations resulting in 93 citations issued. In the month of August, officers responded to 90 traffic accidents. From August 18-September 2, Millcreek officers worked 20 school crosswalk safety shifts to ensure students safely made it to and from school. Ninety-one citations were issued. In the month of August, Millcreek officers responded to 42 mental health related calls including 2 suicides and 4 suicide attempts. Detectives with the Community Oriented Policing Unit (C.O.P.) gave a presentation to management at Byram Healthcare, 4444 S. 700 E., about active shooter/active killer training. The information provided by the detectives would be used by Byram's Management and Human Resources for employees. In the month of August,

officers responded to 24 calls related to transients in Millcreek. When officers contact homeless individuals, they explain the services and programs available to help them. Officers and C.O.P. detectives had been working on several illegal encampments around 4300 S. 900 E. Detectives were working to get the Health Department to clean up the area.

6. New Items for Subsequent Consideration

There were none.

7. Calendar of Upcoming Events

- Mt. Olympus Community Council Mtg., 10/3/22, 6:00 p.m.
- Millcreek Community Council Mtg., 10/4/22, 6:30 p.m.
- Canyon Rim Citizens Association Mtg., 10/5/22, 7:00 p.m.
- East Mill Creek Community Council Mtg., 10/6/22, 6:30 p.m.
- City Council Mtg., 10/10/22, 7:00 p.m.

ADJOURNED: Council Member Jackson moved to adjourn the meeting at 9:48 p.m. Council Member Catten seconded. Mayor Silvestrini called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

APPROVED:



Jeff Silvestrini, Mayor

Date

10-10-2022

Attest:



Elyse Sullivan, City Recorder