Minutes of the
Millcreek City Council
December 12, 2022
5:00 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 December 12, 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 (electronic 5:14-6:00pm)
Thom DeSirant, District 2
Cheri Jackson, District 3
Bev Uipi, District 4

City Staff
Francis Lilly, Assistant City Manager
Elyse Sullivan, City Recorder
Mike Winder, City Manager
John Miller, Public Works Director
Kurt Hansen, Facilities Director
Rita Lund, Communications Director
John Brems, City Attorney
Laurie Johnson, HR-Finance Director (electronic)
Robert May, Long Range Planner
Katie Larsen, Planner
Fred Lutze, Deputy City Engineer
Sean Murray, Planning Admin. Asst.
Sofia Linskey, GIS Intern

Attendees: Commissioner Ryan Lufkin, Commissioner Molly Enos, Kaleb Claypool, Angel Vice, Mitchell Vice, Eric McKenna Spreng, Jeff Miles, Chief Duane Woolsey, Chief Steve DeBry

WORK MEETING – 5:00 p.m.
TIME COMMENCED – 5:02 p.m.

Mayor Silvestrini called the meeting to order.

1. Millcreek Arts Council Presentation; Mitchell Vice
Mitchell Vice introduced the art council board members Kate Scribner, Rachel Becker, Skyler VomDorp, Kaleb Claypool, Eric McKenna Spreng, and Angel Vice. He acknowledged the donations the council had received from various sources totaling over $17,000 with $13,500 paid to artists, and a 2023 ZAP grant for $3,800. There were nine Summer Jam in the Park performances with roughly 2,500 attendees, and it cost $7,460. He highlighted the Getting Visual at the Library which started in November 2021 and included 92% Millcreek artists. They were

free and accessible shows all month long in partnership with Salt Lake County and cost $440. The Millcreek Arts Fest included over 65 local artists, 11 stage performers, food trucks, Venture Out activities, over 4,000 attendees, and cost $9,554. Vice showed slideshows of pictures from the events. The Arts Council was excited about what they had accomplished and would continue to strive for a performing and practicing arts center, paid directorial staff, public art installations throughout the city, artist residencies, and mural festivals. They wanted to have Millcreek attract artists and generate revenue from art lovers, art tourists, and art collectors from around the state and across the globe. Mayor Silvestrini commended the council for the wonderful events.

2. Historic Preservation Commission Update; Molly Enos, Commission Chair and Francis Lilly, Assistant City Manager

Francis Lilly requested the commission remark on what they had accomplished during the last six months. He acknowledged that Sean Murray had done a lot of work with the commission and would be promoted within the Planning and Zoning Department. Molly Enos presented a timeline of the commission's development and meetings, and an organization chart of the commissioners and staff. The commission's sub committees represented the commission's three primary focus goals: historic properties and markers, community awareness and events, and records collection and preservation. They developed a strategic plan with the goals of 1) identifying additional historic sites in Millcreek, 2) building awareness in the community around Millcreek's historical legacy, and 3) creating and maintaining a lasting and accessible repository of historical information for the benefit of Millcreek residents. Other achievements included: established subcommittees and a calendar of meetings and actions to implement a strategic plan; obtained Certified Local Government status from the National Parks Service, which allows Millcreek residents and the Historic Preservation Commission to access grant funding and tax credits related to preserving historical sites and increasing awareness about our history; and identified 51 potential sites and three neighborhoods for possible recognition as significant historical resources within the community. New sites include a mixture of commercial, institutional, and residential sites from the 1850s to the 1960s, reflecting a diversity of styles and eras in Millcreek's development.

Mayor Silvestrini asked what the three neighborhoods were. Lilly said Veteran Heights, Rancho Villa, and Mountaire Acres. Enos noted that the commission would apply for a grant from the State Historic Preservation Office in 2023 for one of the neighborhoods to get a reconnaissance survey. They also wanted to implement an online record archive, Preservica. She presented an annual timeline and process for the commission's actions. Mayor Silvestrini asked about public engagement with residents of the historic neighborhoods. Enos said there would be periodic articles in the Millcreek newsletter and open houses. Mayor Silvestrini suggested taking the open house to the neighborhoods.

Lilly added that there was departmental budgeting for the Preservica site. He recommended the council review the Cottonwood Height's website as an example. Lilly would like a budget for the commission. Council Member Uipi asked about grant funding. Lilly noted there was some, but it often required a match. Ryan Lufkin, commission vice chair, said the commission prioritized the Preservica website launch because the 51 identified locations could be acknowledged on it which could increase public engagement. Mayor Silvestrini requested more newsletter articles from the commission. Council Member Uipi suggested an arts or historic treasure hunt.

3. 2023-2024 Long Range Planning Goals Update; Robert May, Long Range Planner

Robert May presented eight tasks to the council with suggested levels of priority and related timelines. The tasks were to complete and adopt the Millcreek/Murray Station Area Plans, complete and adopt the Millcreek/South Salt Lake Station Area Plans, create and adopt a sidewalk and trails master plan, create and adopt an engineering design manual, create and adopt a street light masterplan, update the zoning and future land use map, update and develop a ditch and canal map, and organize an ongoing planning and zoning matters meeting that is directed at the public to help answer questions, describe learning tools, and explain future projects. He gave a brief summary of each of the tasks.

Council Member DeSirant asked what would be addressed in the street light master plan. Fred Lutze said it would address the lighting standard, height, type, and features. Mayor Silvestrini noted there were advantages to working with the canal companies. Council Member Jackson liked the idea of public planning meetings and suggested planned topics every month and publishing the schedule in advance. Mayor Silvestrini suggested those meetings not be limited to planning matters. Council Member Uipi emphasized transparency with the public.

Council Member Catten noted the county had recently completed a sidewalk plan when the city incorporated and asked if it would be used. Lutze said the city did not adopt the Walk Millcreek Guide created in 2015. He hoped to use most of the information from it and incorporate trail master planning with it. He noted there would be flow charts in the engineering design manual. May said he had been working with the GIS intern, Sofia Linskey, on creating sidewalk and trail maps, which he showed to the council. The updated development policy would preserve areas for existing and future trails and connections, create guidance for new and infill development that accommodates proposed routes and connections, and update a policy for sidewalk exceptions and deferrals. May suggested a sidewalk and trails map book by community council district. Council Member Uipi asked if May had considered the list of sidewalk repairs from the community councils and the city's 50/50 sidewalk program. Lutze said the first step would be to address issues with development and a program to get sidewalks in. He said some things were time sensitive and there needed to be a priority system. May said some neighborhoods did not have sidewalks because deferral agreements were in place from sidewalk exceptions. Some suggested potential partners to work with were canal companies, Murray City, Salt Lake City, Salt Lake County, Utah Transit Authority, Seven Canyons Trust, Trails Utah, Jordan River Commission, and Bonneville Shoreline Board.

Lilly thanked May for his long range planning work. Mayor Silvestrini acknowledged May's creativity and dedication. May noted the city applied for a grant to develop a trails masterplan.

4. Planning Matter First Reading: ZM-22-011, Request to Amend a Development Agreement Associated with an Approved Rezone, ZM-21-003, to Reconfigure a Multi-Family Project Site Plan at 4080-4090 Highland Drive; Katie Larsen, Planner

Katie Larsen said the project was approved to be a mixed-use planned unit development (PUD) consisting of seven residential townhomes and four live/work units. The applicant was now proposing to change the layout, density, and design of the site which required an amendment to the existing development agreement. The development would be changing by way of site plan configuration, decreased density (loss of one unit) and new commercial space configuration (as per code 19.60.060). The development's design would be changing in color, textures, material, and height. She showed the council renderings of the previously approved project frontage, building characteristics, and side profile and the proposed ones. The Millcreek Community

Council and Planning Commission both unanimously recommended approval of the changes. Larsen highlighted the following staff findings:

1. The new proposal is for 8 residential townhomes and two live-work units.
2. The previous proposal was for 7 residential townhomes and 4 live-work units.
3. Height is being reduced from 40' to 30-32'. (16.60.060:20)
4. The development agreement would be amended by replacing Exhibit C with revised plans.
5. The new proposal complies with current C-2 code.
6. The proposal meets parking requirements stipulated in 19.80, covering both the need for residential guest parking and for those utilizing the business space onsite
7. The site plan must be clear regarding established parking spots.
8. The updated site plan must satisfy all other criteria of the development agreement. "Developer shall plant a minimum of 6 trees no less than two inches in caliper along the west property line. Trees along west property must be columnar birch or poplar."

She concluded that the amended plan suited the goals of the underlying zone and mixed-use designation, and she recommended approval of the application.

Council Member DeSirant asked why the site was redesigned. Nathan Anderson, applicant, said the configuration of the front of the commercial would front Highland Drive oriented east-west and instead of north-south. The new configuration seemed to be more user friendly.

5. Staff Reports

Mike Winder said the ice skating had been successful at Millcreek Common. He said Millcreek Coffee Roasters signed their lease for a shop in the new city hall. The sixth floor would soon be poured at the new city hall. The climbing wall operation request for proposals and the Highland Drive property request for proposals were due that week. The demolition of the Wilford Ward would take place that week. Council Member Jackson asked about souvenir bricks for nearby residents. Mayor Silvestrini noted the condition of the sale of the property was that the existing building be demolished. He reported the Millcreek Common skate loop had generated more than $24,000 in the first four days of opening ice skating on December 1st. Winder noted the goal with Millcreek Common was to build it with tax increment and grants and to operate it as self-sustaining. Council Member Jackson asked if the design of the plaza had worked as intended. Winder said on big snowstorms there was not enough capacity for snow pile up, they needed more adult sized skates, and needed more Zamboni drivers. Winder said city hall opening would be based on Granite School District's openings with respect to snow days. There would be a holiday staff party that week. He said city officials would be attending a breakfast for Millcreek Common receiving the Parks & Plaza Award for Utah Construction & Design Magazine's Most Outstanding Projects for 2022.

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

Mayor Silvestrini proposed the council not meet again until January and not have a second meeting in December. He wondered about holding council meeting on January 10th instead of January 9th. The council was okay with the change.

Council Member DeSirant moved to adjourn the work meeting at 6:28 p.m. Council Member Jackson seconded. Mayor Silvestrini called for the vote. 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: 7:01 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
There were no comments.

1.3 Unified Police Department Millcreek Precinct Officer of the Month for November 2022
Chief Steve DeBry announced Officer Steven Ivan as Officer of the Month for November 2022. Officer Ivan pulled over a vehicle in which a stolen handgun and drugs were recovered, and dangerous individuals were arrested.

Council Member DeSirant moved to reorder the agenda to have 3.1 be the next order of business. Council Member Uipi seconded. Mayor Silvestrini called for the vote. Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

3. Financial Matters

3.1 Presentation of FY 2021-22 Audit; Jeff Miles, HBME
Jeff Miles presented the FY 2021-22 audit to the council. He read from the report, "In our opinion, the accompanying financial statements present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City, as of June 30, 2022, and the respective changes in financial position, and where applicable, cash flows thereof for the year then ended in conformity with accounting principles generally accepted in the United States of America."

Miles reviewed the financial highlights:

- The total net position of the city increased from $177,603,465 to $207,503,365. The total net position is a combination of $185,939,381 from governmental activities and $21,563,984 from business-type activities.
- The total net position of governmental activities is made up of $135,663,957 in capital assets, such as land, infrastructure and equipment; $35,882,421 which is restricted for capital projects and the remaining $14,393,003 is unrestricted assets.
- The total net position of business-type activities is made up of $18,906,102 in capital assets, such as equipment and infrastructure and $2,657,882 which is considered unrestricted assets.
- Total liabilities of the City increased by $33,998,941. This increase is due to the City issuing sales tax revenue bonds for the purpose of building a new city hall, which added $38,354,265 in non-current liabilities while unearned revenue decreased

$3,989,561, due to utilizing federal funds which had been deferred in fiscal year 2021. Additionally, the net pension liability decreased by $97,317.

Miles showed the council the changes in net position. He presented that internal controls were without material deficiencies. There were no findings with respect to general state compliance requirements for: budgetary compliance, fraud risk assessment, government fees, fund balance, restricted taxes and related revenues, and cash management. The council thanked Jeff Miles and Laurie Johnson.

2. Planning Matters

2.1 Discussion and Consideration of Ordinance 22-50, Adopting the Local Link Circulation Study as an Element of the Millcreek General Plan

Francis Lilly said the study was done in partnership with Salt Lake City, South Salt Lake, and Holladay with the support of the Wasatch Front Regional Council. The goal of the study was to increase active transportation opportunities, pedestrian circulation, and new transit opportunities along 1300 E. and Highland Drive. The adoption of the plan would help to enforce new right-of-way and development standards. He pointed out an appendix that Millcreek staff added to the study that described the right-of-way cross section for Highland Drive in Millcreek. He noted Highland Drive changes depending on the location. He said appendices were added to both regional studies to add absolute clarity for Millcreek.

Council Member DeSirant moved to adopt Ordinance 22-50. 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. The motion passed unanimously.

2.2 Discussion and Consideration of Ordinance 22-51, Adopting the 3300 S Corridor Study as an Element of the Millcreek General Plan

Francis Lilly said that South Salt Lake City and Millcreek collaborated on the future of 3300 S. The biggest change to the roadway was a shared use path on the north side of the street from I-15 to I-215. The cross sections were from I-15 to State Street, State Street to 2700 E., and 2700 E. to I-215. Lilly noted UDOT was also involved in the study since they own 3300 S. Staff added an appendix to this plan on how the cross sections would be applied in Millcreek. By adopting this plan, the city would be amending the cross sections for 3300 S., and it would give staff and developers direction on how to design the interface between the public realm and the private realm. The additional right-of-way would give space and capacity to solve some problems on 3300 S. From State Street to I-215, there would be a 100 foot cross section. Staff recommended amending the dimensions stated in the Transportation Master Plan to what was indicated in the staff recommended appendix. Fred Lutze said the study gave a range and the appendix defined the requirements for Millcreek. Mayor Silvestrini thanked staff for their work.

Council Member Uipi moved to approve item 2.2. Council Member DeSirant 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. The motion passed unanimously.

4. Business Matters

4.1 Discussion and Consideration of Ordinance 22-49, Adopting Millcreek's 2023 Regular Meetings Schedule

Staff recommended the schedule be adopted as-is, then any changes could take place throughout the year as needed.

Council Member Uipi moved to approve item 4.1, adopting the 2023 meeting schedule. Council Member DeSirant 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. The motion passed unanimously.

4.2 Discussion and Consideration of Resolution 22-35, Ratifying, Confirming, and Approving Amendment Six, Seven, and Eight to the Cooperative Agreement by Public Agencies to Create a New Entity, to Consolidate Law Enforcement Service, and Provide Rules of Governance

Mayor Silvestrini said the resolution was to approve three separate amendments to the UPD interlocal agreement which the city had failed to do previously. The sixth amendment was to allow the county mayor to appoint a designee from the mayor's side so if the mayor was unable to come to a meeting the designee could. The county council also had a representative. The seventh amendment allowed board members to appoint designees to attend meetings in their absence. The eighth amendment provided for weighted voting on budgetary matters. Millcreek has the largest weighted vote, but other entities were the ones who requested it.

Council Member Jackson moved to adopt Resolution 22-35. Council Member Uipi 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. The motion passed unanimously.

5. Reports

5.1 Mayor's Report

Mayor Silvestrini reported a successful opening of the ice skating loop. He said there were not any legislative bills out for the Utah League of Cities and Towns to consider language on, but there would be bills on housing, spending on trails and active transportation, addressing homelessness, and housing affordability. He said planning staff submitted to the Department of Workforce Services the affordable housing amendments to the General Plan. Millcreek's plan was approved when other cities' plans were not. He commended planning staff.

5.2 City Council Member Reports

Council Member DeSirant echoed the success of the ice skating loop and reported that there had not been issues with the temporary homeless shelter as relayed from people he had spoken with. Mayor Silvestrini commended the UPD officers for containing the homeless shelter illegal activities. Lilly said at the last council meeting it was reported there had been a lot of police calls involving the shelter. Lilly said 40 of the calls for service were from the shelter itself.

Council Member Uipi reported that she and the mayor attended the Millcreek Community Theater play, and it was well attended.

5.3 Staff Reports
There were no reports.

5.5 Unified Fire Authority Report
Chief Duane Woolsey noted Chief Higgs was retiring and Chief Dern would be taking the position. Wade Russell would be taking Chief Dern's spot. Station 125 in Midvale would have its grand opening on December 13th. Station 102 in Magna construction was progressing on schedule for completion in May 2023. Station 251 in Eagle Mountain may be delayed, and Station 253 was on schedule. The Station 112 reconstruction was still on hold due to FEMA floodplain issues. The temporary station would be building a garage to house an ambulance.

5.6 Unified Police Department Report
Chief DeBry reported the November 2022 crime statistics. He compared calls and cases, and booking arrests and citations from 2020, 2021, and 2022. In November, there were 33 assaults, 16 burglaries, 26 drug offenses, 77 family offenses, 2 homicides, 100 larcenies, 0 robberies, 7 sexual offenses, and 24 stolen vehicles. He presented the reasons for calls for service within the ½ mile radius from the homeless shelters in 2021 (195) and 2022 (199) for the month of November. There were 40 calls for service at the temporary homeless shelter between November 1st and December 1st. He then described the different types of calls which included trespassing, ambulance, domestic release notification, drugs, lewdness, public intoxication, suspicious activity, traffic stop, transient, civil, citizen assist, and welfare checks.

Chief DeBry reported the East Mill Creek Lions Club donated Thanksgiving turkeys to families in need and 15 families from the Bud Bailey Apartments were selected in Millcreek to receive turkeys, desserts, and other items. The items, generously provided by the East Mill Creek Lions Club, were handed out by Millcreek C.O.P. detectives. Millcreek C.O.P. detectives located two cases of graffiti in the month of December and both sites were cleaned up by UPD Graffiti Removal. Millcreek C.O.P. Detectives met with administrators at the Jean Massieu School for the Deaf and Utah School for the Deaf and Blind to discuss the school's plan for an active shooter situation. Detectives and a S.W.A.T. Team Leader walked the school to discuss the school's layout in case of an emergency. Detectives would be teaching the staff and administrators an active shooter presentation. Millcreek C.O.P. detectives located an abandoned campsite at 250 W. Central Avenue. Detectives were coordinating with the Salt Lake County Health Department to have the site cleaned up. Officers responded to 30 transient calls for service, 53 mental health calls, 198 traffic accidents, and issued 427 citations.

Council Member Jackson asked how trespassing happens at the temporary homeless shelter. Chief DeBry said people leaving the shelter could not come back and would create a trespass. Council Member Uipi appreciated the detail with the shelter statistics. Chief DeBry reported that he would be meeting with area chiefs and mayors to discuss homelessness.

6. New Items for Subsequent Consideration
There were none.

7. Calendar of Upcoming Events

- Planning Commission Mtg. 12/21/22 5:00 p.m.

ADJOURNED: Council Member Uipi moved to adjourn the meeting at 8:04 p.m. Council Member Jackson seconded. Mayor Silvestrini called for the vote. 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: _____ **Date** Jan 10, 2023
Jeff Silvestrini, Mayor

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Attest: Elyse Sullivan, City Recorder