

1. 5:30 P.M. City Council Work Meeting Agenda And Packet

Millcreek City Council Work Meeting Agenda

Public Notice is hereby given that the City Council of Millcreek will assemble in a public work meeting on Tuesday, 21 January 2020 at City Hall, 3330 S. 1300 E., Millcreek, Utah 84106, commencing at 5:30 p.m.

5:30 p.m. - WORK MEETING:

1. Discussion Items

- 1.1 Millcreek Series 2019 Bond Compliance Report Presentation; Jason Burningham, Lewis Young Robertson Burningham
- 1.2 Proposed MedTech CRA; Mike Winder, Economic Development Director
- 1.3 Report on 11.48.00 Anti-Idling Ordinance; Kurt Hansen, Legislative Policy Director
- 1.4 Proposed change to 11.20.060 Parking of Trucks and Commercial Vehicles to reflect 19.04.551; Kurt Hansen, Legislative Policy Director
- 1.5 Strategic Planning; Laurie Johnson, HR-Finance Director
- 1.6 Mayor and Council's Discretion on Discussion Topic
- 1.7 Correspondence and/or Future Agenda Items

2. Closed Session (If Needed)

The Council may convene in a closed session to discuss items as provided by Utah Code Ann. §52-4-205.

3. Adjournment

In accordance with the Americans with Disabilities Act, Millcreek will make reasonable accommodation for participation in the meeting. Individuals may request assistance by contacting the ADA Coordinator, 801-214-2751 or khansen@millcreek.us, at least 48 hours in advance of the meeting.

THE UNDERSIGNED DULY APPOINTED DEPUTY CITY RECORDER FOR THE MUNICIPALITY OF MILLCREEK HEREBY CERTIFIES THAT A COPY OF THE FOREGOING NOTICE WAS EMAILED OR POSTED TO:

City Offices City Website Utah Public Notice Website
Those Listed on the Agenda <http://millcreek.us>
<http://pmn.utah.gov>

DATE: January 16, 2020
Wendt

DEPUTY CITY RECORDER: Alexander

Agenda items may be moved in order, sequence, and time to meet the needs of the Council

Documents:

[CC 1-21-2020 PACKET.PDF](#)
[ITEM 1.4 COMMUNITY COUNCIL REPORT ON IDLING \(PDF\).PDF](#)
[ITEM 1.4 IDLING OF VEHICLES PP.PDF](#)
[ITEM 1.5 COMMERCIAL VEHICLE DEFINITION AMENDMENT.PDF](#)
[CC 1-21-20 AGENDA.PDF](#)

Community Council Reviews of Idling Ordinance

Community Council	For	Against
East Mill Creek	5	2
Mt Olympus Hills	9	0
Millcreek	4	7
Canyon Rim	9	0

Community Council Suggestions:

- Do not pass this ordinance – too many regulations already
- Implement a Public Service Announcement education-based program
- Have a sticker made up that businesses can hand out that promotes anti-idling – I’m a Millcreek Idle-Free Proponent
- Eliminate Restriction “B” - Idling as needed to operate heaters or air conditioners where the temperature is below 40 degrees Fahrenheit or above 80 degrees Fahrenheit, as measured at the Salt Lake City Airport and determined by the National Weather Service, for the health or safety of a driver or passenger, including service animals. - Include no temperature parameters
- Change cold and hot weather temperature limits to 32 and 90
- Do not use the Salt Lake Airport temperature as a gauge
- Include private property such as residential driveways. Why would someone be allowed to idle in their own driveway?
- Eliminate Restriction “J” – Idling to recharge a battery or other energy storage unit of a hybrid electric vehicle
- Instead of an ordinance, pass a resolution like Draper’s:

Section 1. No driver should allow a vehicle’s engine to idle on public property or on private property open to the public within the corporate limits of Draper City for more than two minutes except in extenuating situations where health and safety is a concern.

Section 2. Draper City will collaborate with all schools, located in within city boundaries, in developing an education program to inform parents of the consequences of idling cars. Idle free zones will be encouraged at all Draper school locations.

Section 3. Draper City will use the appropriate public forums to help educate all community members to the harmful effects of idling cars.

Section 4. This Resolution shall become effective immediately upon its passage.



Idling of Vehicles in Millcreek

Community Councils - January 2020

Kurt S Hansen, Director of Legislative Services

Purpose:

- Educational
- Protect the public health
- Improve the environment by reducing emissions while conserving fuel

Definitions:

- “Driver” any driver who drives, operates, or is in actual physical control of a vehicle
- “Idle” the operation of a vehicle engine while the vehicle is stationary or not in the act of performing work or its normal function
- “Vehicle” any self-propelled vehicle that is required to be registered and have a license plate by the Utah Department of Motor Vehicles

Enforcement:

- A. This ordinance may be enforceable on public property and on private property that is open to the general public, unless the private property owner:
- a. has a private business that has a drive-through service as a component of the private property owner's business operations and posts a sign provided by or acceptable to the City informing its customers and the public of the City's time limit for idling vehicle engines; or
 - b. adopts an idle reduction education policy approved by the City.
- B. Law enforcement personnel shall exercise reasonable caution and utilize customary safety procedures in their enforcement of this ordinance.

Idling Restriction Within City Limits:

No driver, while operating a vehicle within city limits, shall cause or permit a vehicle's engine to idle for more than two minutes, except for the following kinds of idling:

- A. Idling while stopped:
 - a. for an official traffic control device;
 - b. for an official traffic control signal;
 - c. at the direction of a police officer;
- B. Idling as needed to operate heaters or air conditioners where the temperature is below 40 degrees Fahrenheit or above 80 degrees Fahrenheit, as measured at the Salt Lake City Airport and determined by the National Weather Service, for the health or safety of a driver or passenger, including service animals.
- C. Idling for the minimum amount of time required for the operation of defrosters or other equipment to clear the windshield and windows to provide unobstructed views and ensure visibility while driving.
- D. Idling as needed for emergency vehicles to operate equipment.
- E. Idling as needed to ascertain that a vehicle is in safe operating condition and equipped as required by all provisions of law, and that all equipment is in good working order, either as part of the daily vehicle inspection, or as otherwise needed.
- F. Idling as needed for testing, servicing, repairing, installation, maintenance or diagnostic purposes.

Idling Restriction Within City Limits, cont:

- G. Idling for the period recommended by the manufacturer to warm up or cool down a turbo-charged heavy-duty vehicle.
- H. Idling as needed to operate auxiliary equipment for which the vehicle was primarily designed or equipped, other than transporting goods, such as: operating a transportation refrigeration unit (TRU), lift, crane, pump, drill, hoist, ready mixed equipment, except a heater or air conditioner.
- I. Idling as needed to operate a lift or other piece of equipment designed to ensure safe loading and unloading of goods or people.
- J. Idling to recharge a battery or other energy storage unit of a hybrid electric vehicle.
- K. Idling as needed for vehicles that house K-9 or other service animals.
- L. Idling by on-duty law enforcement personnel as necessary for the performance of their official duties.

Penalties:

- A. Violation of Section 11.48.040 shall be penalized as follows:
 - a. **First offense as a warning** but no fine.
 - b. Subsequent offenses punishable as an infraction the same as a parking violation under Section 11.20.170.

Questions?

Suggestions?

What is the recommendation of this
Community Council – In Favor of this
proposed ordinance or Opposed?

Community Council Report

Community Council	For	Against
East Mill Creek	5	2
Mt Olympus Hills	9	0
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Community Council Suggestions:

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2. Implement a Public Service Announcement education-based program
3. Have a sticker made up that businesses can hand out that promotes anti-idling – I'm a Millcreek Idle-Free Proponent

Community Council Suggestions, cont.:

4. Eliminate Restriction “B” - Idling as needed to operate heaters or air conditioners where the temperature is below 40 degrees Fahrenheit or above 80 degrees Fahrenheit, as measured at the Salt Lake City Airport and determined by the National Weather Service, for the health or safety of a driver or passenger, including service animals. - Include no temperature parameters
5. Change cold and hot weather temperature limits to 32 and 90
6. Do not use the Salt Lake Airport temperature as a gauge

Community Council Suggestions, cont.:

7. Include private property such as residential driveways. Why would someone be allowed to idle in their own driveway?
8. Eliminate Restriction “J” – Idling to recharge a battery or other energy storage unit of a hybrid electric vehicle

Community Council Suggestions, cont.:

9. Instead of an ordinance, pass a Resolution like Draper's:

Section 1. No driver should allow a vehicle's engine to idle on public property or on private property open to the public within the corporate limits of Draper City for more than two minutes except in extenuating situations where health and safety is a concern.

Section 2. Draper City will collaborate with all schools, located in within city boundaries, in developing an education program to inform parents of the consequences of idling cars. Idle free zones will be encouraged at all Draper school locations.

Section 3. Draper City will use the appropriate public forums to help educate all community members to the harmful effects of idling cars.

Section 4. This Resolution shall become effective immediately upon its passage.

The proposal is to use the Commercial Vehicle definition found in 19.04.551 for 11.20.060 and not have two different definitions

Current: 11.20.060 Parking Of Trucks And Commercial Vehicles

1. Definitions. As used in this section: "Commercial vehicle" means a vehicle in excess of three-quarter-ton capacity of whatever make or type designed for or adapted to commercial or agricultural purposes, regardless of the use to which such vehicle is put at any particular time, provided such vehicle is of a type, kind or adaptation commonly known as a commercial or agricultural vehicle. "Trailer" means any truck trailer or other trailer designed or adapted primarily for the transportation of property of whatever kind. "Truck" means any truck-tractor, panel truck, pickup or other truck in excess of three-quarter-ton capacity.
2. Restriction. No person shall park any commercial vehicle, agricultural vehicle, occupied or empty trailer, truck-tractor or truck on any public street adjacent to a lot or parcel containing a residential dwelling(s) or on any public street within a residential subdivision for a period of time longer than three consecutive hours.
3. Exception. The prohibitions in this section shall not apply to vehicles being used in the servicing of adjacent properties or streets.

**Proposed: 11.20.060 Parking Of Trucks And Commercial Vehicles
(19.04.551 Vehicle, Commercial)**

1. "Commercial vehicle" means any motorized vehicle or trailer used for or intended for business use - including but not limited to the transportation of commercial equipment, merchandise, produce, freight, commodities, passengers, or animals - and which is characterized by any of the following:
 - a. Heavy equipment, such as earth movers, backhoes, cranes, forklifts, bulldozers, and the like, which are commonly used for construction, excavation, demolition, or lifting; vehicles used to haul equipment or materials, such as dump trucks, tanker trucks, semi-tractors, semi-trailers, cement trucks, or other similar vehicle.
 - b. Pickup trucks over one ton with a commercial modification, such as a flat bed, a dumping mechanism, mechanical lifts or arms for loading and unloading materials/equipment, aerial buckets or platforms, or other similar feature.
 - c. Vehicles with more than two axles.
 - d. Vehicles that exceed eight feet in height.
2. "Trailer" means any truck trailer or other trailer designed or adapted primarily for the transportation of property of whatever kind. "Truck" means any truck-tractor, panel truck, pickup or other truck in excess of three-quarter-ton capacity.
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DEPUTY CITY RECORDER: Alexander Wendt

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