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**CITY OF SARATOGA SPRINGS  
CITY COUNCIL MEETING MINUTES**

Tuesday, March 15, 2016  
City of Saratoga Springs City Offices  
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

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**City Council Work Session**

9 **Call to Order:** 6:20 p.m. by Mayor Jim Miller  
10 Present Council Members Michael McOmber, Stephen Willden, Bud Poduska  
11 Excused Council Members Shellie Baertsch, Chris Porter.  
12  
13 Staff City Manager Mark Christensen, City Attorney Kevin Thurman, Assistant City Manager  
14 Spencer Kyle, Planning Director Kimber Gabryszak, Public Relations/Economic  
15 Development Manager Owen Jackson, Finance Manager Chelese Rawlings, City Engineer  
16 Gordon Miner, Capital Facilities Manager Mark Edwards, City Recorder Cindy LoPiccolo,  
17 Deputy City Recorder Nicolette Fike  
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**1. Budget Review.**

21 Finance Manager Rawlings reviewed the Departmental Budget Requests for FY2017 and FY2018 summary  
22 showing all the requests submitted and the requests that are tentatively recommended by the City Manager.  
23

24 In response to Mayor Miller's inquiry concerning the Police Facility capital project budget, Finance  
25 Manager Rawlings reported the public safety fund has is approximately \$2.5 million for the facility. City  
26 Manager Christensen reported more accurate budget numbers will be determined moving closer to design  
27 and construction and decisions on the facility size and complexity, safety standards, and technology, and  
28 noted the site selection is important as the expense would be less near existing facilities.  
29

30 Council Member McOmber stated he would like to see personnel projections for 2018, and start seeing the  
31 future tentative budget not just 2016-2017 which would assist them in addressing the City's growth. He  
32 pointed out this could be considered and adjusted and having the recommendations for 2018 staff identified,  
33 and reviewing the City Manager and Department Heads rationale are important in order to 1) determine as a  
34 Council if we want to possibly take action to move people in this year, and 2) more importantly assist with  
35 review of all future priorities, because, if all the stars align now is time to look ahead at appropriate staffing,  
36 to make sure the City is moving in the right direction in a conservative way, but also leveraging the  
37 expertise of our employees.  
38

39 City Manager Christensen responded this has been talked about, revenue must equal expenditures, and at  
40 this point they are conservatively projecting sixty-six percent revenue increase next year. He noted staff is  
41 diligently working on balancing the pay plan for a solid recommendation to program in because it is an  
42 ongoing number, then the remainder will be formalized. He reported staff will refine those numbers for  
43 Council return with that information on the 29<sup>th</sup>.  
44

45 Council Member Poduska inquired if this information can be included in a five year plan and also if it was  
46 possible to include capital projects. Finance Manager Rawlings affirmed they could do that and what the 5  
47 year plans will show is the fiscal impact of the decisions made today and ongoing growth as well. Council  
48 Member McComber Michael requested raises be included.  
49

50 City Manager Christensen advised this plan will consist essentially of the five year information that was  
51 presented at the Council retreat by the departments, he is obligated to show the Council all the requests  
52 submitted the departments, even if somethings may not happen in the near future, staff can bring something  
53 on the 29<sup>th</sup> with some prioritizations. City Manager Christensen noted three specific priorities are for the

54 hiring of a part time legal assistant to assist the City Attorney and his workload, a planning consultant for  
55 completion of some important long term planning projects such as the general plan update, and purchase of  
56 a music copyright license to purchase music for events and festivals. Council Member McOmber requested  
57 these recommendations be brought back along with any other staffing recommendations to know what all  
58 the options are from a professional perspective; expressed the opinion the amount set for the Splash Concert  
59 was insufficient in keeping the same high level of music and fireworks following the 20<sup>th</sup> anniversary and  
60 recommended an amount of \$8,000-\$10,000 budgeted as this is an event that brings the community together  
61 and is still lower in comparison to other neighboring cities.  
62

63 Council Member Willden requested designation of which items are required and/or discretionary, and asked  
64 if the budget proposal incorporates proposed adjustments to the Pay Plan. Finance Manager Rawlings  
65 confirmed that it did along with benefits. Council Member Willden requested the plan include multiple  
66 columns to identify the cost of those items being recommended and those not being recommended by the  
67 City Manager; Council Member McOmber concurred with the recommendations.  
68

- 69 2. **Blynscy Technology.** City Manager Christensen presented information concerning Blynscy Technology  
70 reporting this was introduced during the legislative session and has undergone legislative review and State  
71 regulation. City Manager Christensen reported this technology provides a method for tracking various  
72 signatures of devices people have with them resulting in data counts of people visiting parks, using trails,  
73 other facilities, along with real-time traffic counts and time measurements, it is currently utilized by Park  
74 City for traffic, recreation and event planning data, and in partnership with local businesses. City Manager  
75 Christensen noted the technology could have a wide variety of uses such as assisting in the calculation of  
76 impact fees and data could be a shared from other participants e.g. UDOT. He advised if the Council was  
77 interested he could invite the consultant for a more detailed presentation and to answer questions.  
78

79 In response to Council Member Willden, City Manager Christensen reported there is no cost for the  
80 presentation, and noted Council Member Baertsch was intrigued by the technology during the legislative  
81 session, however asked how to make sure this is a blind data set that cannot be linked back to anyone, which  
82 is the reason state code establishes specific restrictions.  
83

84 Council Member McOmber noted the benefit to the City in regard to traffic data, planning, allocation of  
85 funds and marketing. Council Member Poduska pointed out this could be used to monitor 400 W. and  
86 transportation planning.  
87

88 Mayor Miller requested staff invite the consultant for presentation at a future meeting as there is a consensus  
89 of interest.  
90

91 **Adjournment:** The Work Session adjourned at 6:49 p.m. to the Policy Session.  
92

93 **Policy Meeting**  
94

95 **Call to Order:** Mayor Jim Miller called the Policy Session to order at 6:50 p.m.  
96

97 **Roll Call:**

98 Present Council Members Stephen Willden, Michael McOmber, Bud Poduska and Chris Porter (via  
99 teleconference 6:51 p.m.)

100 Excused Council Member Shellie Baertsch.

101 Staff Present City Manager Mark Christensen, City Attorney Kevin Thurman, Spencer Kyle Assistant  
102 City Manager, Public Relations and Economic Development Director Owen Jackson,  
103 Planning Director Kimber Gabryszak, Finance Manager Chelese Rawlings, City Engineer  
104 Gordon Miner, Capital Facilities Manager Mark Edwards, Senior Planner Jamie Baron, City  
105 Recorder Cindy LoPiccolo, Deputy City Recorder Nicolette Fike  
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108 Invocation by Council Member Poduska  
109 Pledge of Allegiance led by Council Member McOmber

110  
111 **Public Input:**

112  
113 Mayor Miller invited public input.

114  
115 Jonathan Hertel, Aspen Hills, Saratoga Springs, expressed concern about 400 W. and resulting traffic and safety  
116 impacts; reported he conducted speed monitoring and the average speed is 35 mph, is concerned with opening  
117 more lanes and increased speeds, Harvest Hills traffic will come through; inquired in regard to the City's plan  
118 and expressed interest in the data points discussed and supported gathering and review of data.

119  
120 Brendon Bettie, Aspen Hills, Saratoga Springs, spoke in opposition of 400 W., and expressed disappointment in  
121 turning residential to a grid, noted the change in the Aspen Hills neighborhood from what was originally  
122 planned and commented it is a mistake ending the north end in the middle of a subdivision; would like to see  
123 things done to make residents more comfortable with roads around them.

124  
125 Brian Chapman, Aspen Hills, Saratoga Springs, also spoke in concern about 400 W, reported he met with City  
126 staff and was informed about a new traffic calming process that residents can submit a request for to try to  
127 control traffic in their neighborhood; encouraged installment as soon as possible to have concerns alleviated in  
128 regard to traffic .

129  
130 Mitch Holliday, representing Directional Sign Company, commented in support of use of development snipe  
131 signs noting their importance as they assist new home buyers in finding communities and looking for houses.  
132 Planning Directed Gabryzak advised these are the signs Council decided not to include in the code. City  
133 Manager Christensen reported the sign code was amended last January, however, this may be brought back.  
134 Council Member McOmber commented he was supportive of bringing it back as there may be implications  
135 Council was unaware of at the time. Council concurred to request staff to include review of sign code  
136 concerning this matter on a future agenda for discussion.

137  
138 **Awards and Recognitions:**

139  
140 Civic Events Coordinator AnnElise Harrison introduced the 2016 Miss Saratoga Springs Royalty, Miss Saratoga  
141 Springs Queen Sierra Williams and Miss Saratoga Springs 2<sup>nd</sup> Attendant Ashlynn Durrant; she noted 1<sup>st</sup>  
142 Attendant Juliann Ottosen unfortunately could not attend tonight, and reported that every girl who participated  
143 was exemplary.

144  
145 Queen Sierra shared that her service goal is to work on the building of a veterans memorial in the City, she was  
146 advised of the plans and would like to dedicate her time, service and support on the work that will be done for  
147 completion of that project.

148  
149 1<sup>st</sup> Attendant Juliann reported her service project is to inspire the City's local youth in support of good self-  
150 esteem and will be speaking at schools in particular to fifth and sixth graders concerning this topic.

151  
152 Mayor and Council sincerely thanked Miss Williams and Durrant for coming to the meeting, their participation  
153 and important service to the community.

154  
155 **POLICY ITEMS:**

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157 **Reports:**

158  
159 Council Member Willden inquired concerning status of the traffic study policy; Assistant City Manager Kyle  
160 responded they are working on fine tuning a draft with the Engineering Department and Owen Jackson, one of  
161 the issues is the creation of a policy that addresses fiscal impact, and this study will be presented to Council in

162 the near future. City Manager Christensen reported counters and road strips will be installed soon following the  
163 end of snow removal, believes the City has conducted counting in the Aspen Hills area and those reports or  
164 studies should be available on the City Engineer's department web page.  
165

166 Council Member McOmber recommended road striping as early in the year as early as possible, not October;  
167 and reported one of the large power line poles on Redwood Road across from Legacy Farms, where they are  
168 starting to work along the canal, is leaning substantially and the dirt is coming away from the base – this needs  
169 to be reported this right away.  
170

171 Council Member Podeska expressed appreciation for the developer's creation of a substitute road across the  
172 field when they tore up and closed McGregor Lane to keep the community open.  
173

174 Planning Director Gabryszak referred to the memorandum summarizing new project applications/resubmittals  
175 that are moving through the process, and noted this summary is posted for public viewing on the Planning  
176 Department's web page under pending applications. Council Member McOmber suggested a link to the City's  
177 main page.  
178

179 **PUBLIC HEARINGS:**

180  
181 1. **Budget Amendments. Resolution R16-18 (3-15-16).**  
182

183 Mayor Miller introduced the matter of Budget Amendments for public hearing.  
184

185 Finance Manager Chelese Rawlings presented the 2015-2016 Budget Amendment Supplemental #5 report  
186 and reviewed the following requests:

- 187 ○ \$25,000 for Planning department Professional and Technical services for the General Plan update,
- 188 ○ \$48,000 for Fire Department EKG Monitor and Auto Pulse grant which will be offset by \$23,000 in  
189 grant revenue; and
- 190 ○ \$97,316 for Water Operations Secondary water meters Phase III.

191 Council Members McOmber and Willden explained the purpose and reason for budget amendments for the  
192 benefit of attending Scouts.  
193

194 Mayor Miller opened the public hearing and invited public comment - None.  
195

196 Mayor Miller closed the public hearing.  
197

198 Motion by Council Member Poduska that Resolution R16-18 (3-15-16) amending the City of Saratoga  
199 Springs Budget for Fiscal Year 2015-2016 and incorporated statutes be approved, was seconded by Council  
200 Member McOmber

201 Roll Call Vote: Council Members Willden, McOmber, Poduska and Porter – Aye

202 Motion carried 4-0; Council Member Baertsch excused/absent.  
203

204 2. **Cowboys Commercial - Rezone, General Plan Amendment, Concept Plan. Ordinance 16-08 (3-15-**  
205 **16).**  
206

207 Mayor Miller introduced the matter of Cowboys Commercial for public hearing.  
208

209 Planner Baron presented the staff report for the project consisting of 4.865 acres of property  
210 located at 4431 South Redwood Road. Planner Baron reported the Applicant, White Elk Frontiers,  
211 is requesting a rezone from Agriculture (A) to Regional Commercial (RC) and a General Plan  
212 Amendment from Planned Community (PC) to RC for the purpose of building a 5,000 – 6,000  
213 square foot convenience store with fuel services, retail stores, professional offices, and restaurants.

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Jerome Bailey, representing Applicant White Elk Frontiers, inquired concerning approval to fill in the old canal/flood plain area and begin road construction. City Manager Christensen advised authorization is necessary from the Army Corp of Engineers; Council Member McOmber recommended checking status with D.R. Horton, Legacy Farms, as they are working with the Corp. on this.

City Attorney Thurman reported in regard to the City's current storm drain easement and noted vacation of that easement would necessitate a Council decision unless it was determined continued use for future storm drainage purposes is in the City's best interest. Mayor Miller advised the City would want an engineering review done to determine if that is something needed in the future with the flood plain adjustments. Council Member McOmber noted they are burying infrastructure on the other side of Redwood Road.

Mayor Miller invited public comment – None.

Mayor Miller closed the public hearing for discussion.

Council Member Porter expressed preference for an intermediate zone, however, could support the density of Regional Commercial at this area; noted a concern with the proposed use in that location not knowing what is going to be built next to it, and in regard to the concept plan not excited about a strip mall look, however, believes as the planning process continues most of his concerns will be addressed. Council Member Porter stated he is in favor of moving forward with the rezone as long as the adjoining property owners have some protection and information, and he is okay with the general plan amendment as he believes an adjustment is necessary to appropriately meet zone as it is called out for in the general plan.

Council Member Poduska pointed out they have been trying to get a gas station in the southern part of the City, suggested as this project is located in the middle of a planned community to talk with adjacent property representatives to coordinate architecture and appearance for compatibility. Council Member Poduska inquired concerning the setback from the right-of-way for Redwood Road and trails. Planner Baron responded this would be the City standard from the right-of-way of Redwood Road. Representative Bailey commented they are okay with giving up property for walks and trails etc., wanted adequate setback for emergency purposes, elderly, and trails, away from a busy street like Redwood Road. Council Member Poduska noted bicycle and jogging traffic would be beneficial for the commercial businesses, and he is in favor of the rezoning and general plan amendment.

Planning Director Gabryszak pointed out the concept plan provides for a choice between two different setback statements, and the end result for both would be identical.

Council Member McOmber noted his preference the easement stay with the owner because of maintenance, the owner would do a better job keeping up the appearance as it is their frontage and pointed out if UDOT disrupts the landscaping they are more accommodating to fix private property as opposed to City property. Council Member McOmber commented the concept plan can be vetted and staff can give good guidance, the project exceeds parking requirements, meets code, the corner is busy and the future sports park will be built down the road, and location is ideal for serving the citizens of Saratoga Springs. He noted the installation of infrastructure will benefit future neighboring development; believes this fixes the zoning and general plan as the property

263 cannot be a planned community, appreciates the development and thanked the Applicant for  
264 investing in the City.

265  
266 City Attorney Thurman noted a concern pertaining to the law and exaction, the City must be a  
267 little careful, however, the way to handle this is with a simple development agreement that  
268 incorporates all of the benefits to the parties – the applicant receives the general plan amendment  
269 and zoning in return agrees to 400 S improvements with public access and trail easement. In  
270 response to Representative Bailey, City Attorney Thurman stated their office will include and  
271 work with the Applicant concerning the Army Corp. approval, and noted some matters may need  
272 to return to City Council e.g. vacation of easement, however, the necessary issues will be worked  
273 within the development agreement.

274  
275 Council Member Willden commented this will be a great project and would like to help the  
276 Applicant succeed, understands it is only at a concept plan stage, however, appreciates the  
277 proposed gas station and the restaurants are very beneficial, noted possibly larger restaurants are  
278 best, and pointed out this project could possibly decrease traffic as people would not have to drive  
279 all the way down Redwood Road.

280  
281 Motion by Council Member McOmber to approve the Cowboys Commercial rezone to Regional  
282 Commercial, general plan amendment to Regional Commercial, feedback on the Concept Plan, and  
283 Ordinance 16-08 (3-15-16) with staff findings and conditions, including an executed Development  
284 Agreement between the City and Developer for the rezone and general plan amendment, improved walking  
285 trails, trail corridor, public access easement, 400 S. improvements, work on the City-owned storm drain  
286 easement on their property based on future changes to the floodplain, and maintain the trail corridor in  
287 perpetuity, was seconded by Council Member Willden

288  
289 Planning Director Gabryszak inquired with this action does Council want to keep with Condition #2 which  
290 makes this a conditional rezone that does not get recorded until a site plan is approved, or does Council  
291 want to move with the rezone subject to the Development Agreement and then move through separately. In  
292 response to Council Member McOmber’s inquiry concerning impact to the Developer, Director Gabryszak  
293 advised the impact would be that the rezone would not be official until they go through the site plan process  
294 and if the Developer wanted to sell the property it would not have the zoning and cannot market as zoned  
295 Commercial until official.

296  
297 Council Member McOmber advised he is okay with striking Condition 2 and approving the rezone subject  
298 to the execution of the Development Agreement in order to allow the Developer to move ahead with  
299 Commercial marketing.

300  
301 Motion by Council Member McOmber to amend the motion to include striking Condition #2 making the  
302 rezone subject to an executed Development Agreement and moving through the site plan process  
303 separately, was seconded by Council Member Willden

304 Roll Call Vote: Council Members Willden, McOmber, Poduska, and Porter – Aye  
305 Motion carried 4-0; Council Member Baertsch excused/absent.

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307  
308 **ACTION ITEMS:**

309  
310 **1. Appointment of Pam King to the Library Board of Directors. Resolution R16-19 (3-15-16).**

311  
312 Library Director Melissa Grygla recommended the appointment of Pam King as Library Director to fill a  
313 vacancy resulting from a member’s resignation due to conflict of interest from service on another position.

315 Motion by Council Member McOmber to approve the appointment of Pam King to the Library Board of  
316 Directors and adopt Resolution R16-19 (3-15-16), was seconded by Council Member Poduska  
317 Roll Call Vote: Council Members Porter, Poduska, McOmber, and Willden – Aye  
318 Motion passed 4-0; Council Member Baertsch excused/absent.  
319

320 2. **Award of Bid – Regal Park Fence Project. Resolution R16-20 (3-15-16).**  
321

322 Capital Facilities Manager Mark Edwards presented the staff report and recommendation concerning the  
323 award of bid for the Regal Park Fence Project. Manager Edwards reported due to problems involving  
324 subcontractors staff removed the fence element from the current contractor contract and re-bid this project,  
325 one bid was received, and although the bid was slightly higher than the original contract, the project was  
326 bid fairly and staff supports the award of contract to England Construction in the amount of \$36,496.00 as  
327 references were verified and staff is confident in his ability to do the job.  
328

329 Mark Edwards reported an Additive Alternate A bid was additionally submitted by England Construction  
330 that gives residents the option of upgrading the fence to a 6' semi-private vinyl fence for a cost to them of  
331 \$9.25/linear foot, and clarified this is only an option for the residents.  
332

333 Mayor Miller reported it was an appropriate action by Capital Facilities Manager Edwards that the fence  
334 element of the initial contract was pulled and re-bid as there was a lot of conflict coming to  
335 subcontractors trying to sub last year, and thanked Mark Edwards for the extra work.  
336

337 Motion by Council Member Willden to award the bid for the Regal Park Fence Project to England  
338 Construction for \$36,496.00, and Additive Alternate A for \$10,767.00 which will be paid by the residents if  
339 they desire a fence upgrade; and Resolution R16-20 (3-15-16), was seconded by Council Member Porter  
340 Roll Call Vote: Council Members Willden, McOmber, Poduska, and Porter – Aye  
341 Motion carried 4-0; Council Member Baertsch excused/absent.  
342

343 3. **Spring Clean Up.**  
344

345 Assistant City Manager Kyle presented a report concerning Spring Cleanup program problems and possible  
346 options that could address those problems. Assistant City Manager Kyle reported problems from the prior  
347 year include:

- 348 ○ Republic Services will not haul an overflowing dumpster;
- 349 ○ The dumpsters fill very fast and Streets employees attempt to smash down the dumpsters with the  
350 backhoe bucket, driving back and forth each day to all the dumpster locations;
- 351 ○ When the dumpsters overflow, resident leave their garbage to the side of the dumpsters and Streets  
352 employees much pick that up usually by hand, garbage overflow blows around parks and  
353 neighborhoods;
- 354 ○ Because the dumpsters are located in public places, they are also used by contractors and the City  
355 does not have sufficient staff to monitor and enforce.  
356

357 Two options include:

- 358 1) A consolidated dumpster location at Public Works, which would ensure they are not overfilled, staff can  
359 monitor and be able to order a dumpster hauled away and replaced immediately, can ensure they are not  
360 used by contractors (except possibly at night), and this option gets the unsightly dumpsters out of the  
361 parks/neighborhoods. The concern with this option is it loses some neighborhood convenience, however,  
362 noted people would still need to drive their trash no matter what location.
- 363 2) Dump passes, as is done in other cities, which would allow a resident to use a pass (or coupon) for one free  
364 disposal (worth \$7 per load up to a certain weight) at the dump. The City is then billed monthly for the  
365 number of passes redeemed, residents receiving the coupon must prove residency and they would be issued  
366 through utility billing staff, or another option is to mail the passes to each resident as a 'coupon' in the City  
367 newsletter, although photocopying is a concern. The primary benefit of the dump passes is it gives

368 residents the ability to dump garbage at any time instead of during a set two week period. Assistant City  
369 Manager Kyle reviewed funding and contractual provisions with Republic Services, and requested direction  
370 from City Council. Council discussed program costs, tipping fees, resident use and convenience.  
371

372 Council Member Willden noted he would personally use the pass, however, believes the City should see  
373 how the central location goes this year and if a large cost savings is achieved, possibly looking at a  
374 combination program later.  
375

376 Council concurred the program was valuable to residents and to initially try Option 1, a consolidated  
377 dumpster location at Public Works, to see if that is successful, and modify next year as necessary.  
378

379 Assistant City Manager Kyle reported he will contact Republic Services to reschedule and strategize to  
380 publicize the change in the program to residents; City Manager Christensen directed it be scheduled the end  
381 of April and noted Republic Services will appreciate the central location; Public Relations/Economic  
382 Development Manager Jackson noted it can be advertised in the April newsletter; Mayor Miller suggested  
383 temporary signs at original dumpster locations.  
384

385 **APPROVAL OF MINUTES:**

386  
387 **1. March 1, 2016.**

388  
389 Motion by Council Member Willden to approve the minutes for March 1, 2016 with corrections as  
390 submitted and posted, was seconded by Council Member McOmber

391 Roll Call Vote: Council Members Porter, Poduska, McOmber, Willden – Aye

392 Motion carried 4-0; Council Member Baertsch excused/absent.  
393

394 **CLOSED SESSION:**

395  
396 Motion by Council Member Willden to enter into closed session for the purchase, exchange, or lease of  
397 property, pending or reasonably imminent litigation, the character, professional competence, or physical or  
398 mental health of an individual, was seconded by Council Member McOmber

399 Roll Call Vote: Council Members McOmber, Willden, Poduska and Porter – Aye

400 Motion carried 4-0; Council Member Baertsch excused/absent.  
401

402 The meeting moved to closed session at 8:10 pm.  
403

404 Present: Mayor Miller, Council Members McOmber, Poduska, Porter, Willden, City Manager Mark  
405 Christensen, City Attorney Kevin Thurman, Assistant City Manager Spencer Kyle, Public Relations/Economic  
406 Development Manager Owen Jackson, Planning Director Kimber Gabryszak, City Recorder Cindy LoPiccolo  
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408 Closed Session Adjourned at 8:32 p.m.  
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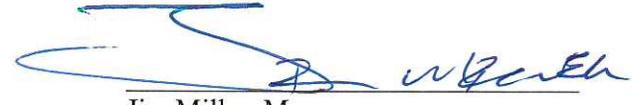
410 **ADJOURNMENT:**

411  
412 There being no further business, Mayor Miller adjourned the Policy Meeting at 8:33 p.m.  
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415  
416 Attest:

417   
418 Cindy LoPiccolo, City Recorder  
419



  
Jim Miller, Mayor