



## **Minutes of the Millcreek City Council Meeting Monday, February 13, 2017**

### **Councilmembers present**

Jeff Silvestrini – Mayor  
Silvia Catten – Council District 1  
Dwight Marchant – Council District 2  
Cheri Jackson – Council District 3  
Bev Uipi – Council District 4

### **Others present**

John Brems – City Attorney  
Rita Lund - Deputy Recorder  
Leslie Van Frank – Acting Recorder

### **WORK SESSION**

#### **Mayor Silvestrini called the work session to order at 4:05 p.m.**

##### **1. Report from Salt Lake County**

David White, Principal Planner for Salt Lake County distributed a packet related to a grant opportunity through FTA Section 5310 Grant Applications and outlined details of the grant. He suggested that application could be made for two projects: (1) a sidewalk linking the Bud Bailey Apartments to the TRAX station, and (2) completion of a sidewalk on Evergreen Avenue leading to the Millcreek Community Center. The deadline for the application is

March 27<sup>th</sup> and Mr. White requested direction from the City Council as soon as possible. He also asked for any additional projects that councilmembers may want to be explored. The grant has a 80% to 20% match.

Councilmember Uipi requested that the Council find time for a discussion of priorities and how to address requests and overall city priorities. She feels that this particular grant should be taken advantage of but would like to look at the overall lists.

Mayor Silvestrini added that there needs to be an additional discussion about the MSD related to funding, and after receiving general approval from the Council, that the grant discussion could be added as an agenda item for the next City Council meeting.

Mayor Silvestrini then introduced John Miller, Associate Director of Engineering from Salt Lake County, who offered to follow up on the request for a project list as soon as possible.

Councilmember Uipi thanked Mr. Miller for attending the Upland Terrace Community Council meeting to update the group on a sidewalk request near the school.

Mr. Miller reported that both the 23<sup>rd</sup> East and 9<sup>th</sup> East projects were substantially complete with some punch list items that will be handled when the weather allows. He additionally reported that funds have been set aside for additional work on the west side of 23<sup>rd</sup> East. That work will begin as soon as the items related to the main project are completed.

Mr. Miller reported that he had attended a PlanTec meeting regarding the two grants that had been applied for on behalf of Millcreek, including sidewalks improvements on 9<sup>th</sup> East between 39<sup>th</sup> & 45<sup>th</sup> South and a pedestrian crossing at Big Cottonwood Park. The Holladay City request that had been completed in cooperation with Holladay City is also being considered. There is a question about this project along 39<sup>th</sup> South and whether Holladay had applied for the section from 23<sup>rd</sup> East to the freeway or 27<sup>th</sup> East to the freeway.

Mr. Miller also reported on additional projects and issues:

- Funds are earmarked for completion of the section of sidewalk that is missing on 33<sup>rd</sup> South at about 3040 East. Those funds should be available in July and construction should take place in 2018.
- Negotiations are almost complete for the requested crossing light on 33<sup>rd</sup> South at Melbourne/Honeycutt. Once settled, UDOT will be responsible for the utility work

- including the pole and power. The county will complete the concrete flatwork.
- Flood control is closely monitoring the runoff due to the high amount of snow in the mountains. The temperatures are helping control the runoff at this point. If problems develop, the county has sandbags ready to go. If any residents are concerned, they can pick up 25 free sandbags at the Public Works Operations building just off the freeway at 7600 South. Bags are available 24 hours each day. Mayor Silvestrini asked if there is a possibility to get some sandbags at the salt pile location and Mr. Miller felt that would be a good possibility.
  - The beautification project along Wasatch Blvd has been funded for \$20,000. Water hookups from Salt Lake City would cost \$5,000 for the meter and \$8,000 for installation on each side of the project area and there are not adequate funds to provide water hookups on both sides. John Knoblock from the Mt Olympus Community Council is working on a revised landscaping plan. Mr. Miller requested some guidance as to which side of the project should be addressed initially.
  - There was discussion about the pavement overlay plan that had been previously distributed and Mr. Miller will provide an electronic copy that can be posted on the Millcreek website.

Mayor Silvestrini advised the council that there had been a “bar card” appeal that will need to be addressed. After discussion, Mr. Brems was asked to look into the appeal and how the city should respond. This item will be placed on the agenda for the next City Council meeting.

### **3. Presentation by the Lion’s Club**

Mayor Silvestrini introduced Chris West, Bill Morey, Verlan Winkler and Nancy Carlson-Gotts representing the East Mill Creek Lion’s Club. They gave a presentation about the club, its formation, mission and activities. They requested assistance with membership and volunteers for their events. Mayor Silvestrini thanked the members for their many years of service to the Millcreek community.

### **4. Planning report from John Jansen**

Mr. Jansen reported that he had attended all four community council meetings and had conducted an exercise designed to determine the values and priorities of the community along with some training related to administrative vs legislative decisions. He gave a PowerPoint presentation about the ideas that will be discussed at the Visioning Committee and the potential changes to the MD and M zones that should assist in attracting appropriate

businesses to the Meadowbrook area. He presented various proposals including a new M zone that would allow for light manufacturing limited to the interior of buildings, design standards, disallowance of on-street parking; no changes to the MD3 zone with zoning conditions on 9<sup>th</sup> East; consideration of rezoning areas south of Central Avenue near 39<sup>th</sup> South; and updating the M zones in the rest of the Meadowbrook area.

Mayor Silvestrini told the group that he has been working with the county RDA manager, Alison Weyher, and a developer who has expressed interest in an area along State Street.

## **2. Legislative report from Dave Spatafore**

Millcreek lobbyist Dave Spatafore joined the meeting and gave a legislative update:

- HB229 (McCay) Amendments Related to Local Districts which would allow a City Council to vote to leave the UFA or UPD districts without a vote of the people passed out of committee and is #60 on the house floor calendar.
- SB138 (Mayne) Metro Townships Amendments is #51 on the second reading calendar. The amendments requested by Millcreek adding the word “only” was adopted.
- SB81 (Andregg) Local Government Licensing Amendments related to licensing of home businesses is on the Senate second reading calendar. Work is continuing to amend this bill.
- SB110 (Bramble) Sales Tax Collection Amendments related to collection of on taxes from on line sales is #22 on the Senate calendar.
- SB152 (Iwamoto) which would allow the mayor to fulfill a 3 year term passed the Senate on the consent calendar.
- SB139 & SB142 both related to RDA’s and the elimination of part or all of the educational portion of the tax increment is being closely monitored.
- The judgement levy bill that is being sponsored by Representative Hemingway is still being drafted.

Councilmember Uipi asked the council to begin consideration of future legislative priorities looking toward the interim session and requested that Mr. Spatafore present his recommendations on how best to move forward when the session is concluded. She reported that she had been contacted by other lobbyists who had questioned the contract process for a city lobbyist and confirmed that the contract with Mr. Spatafore was for a one-year term.

## **5. Reports from City Council members on their search for meeting rooms for Planning Commission**

Councilmember Catten reported that Western Governors University is not available due to after hour costs and concerns.

Councilmember Uipi reported that the Christian Center is available with a deposit of \$500 required.

After further discussion, it was determined that the Millcreek Planning Commission should continue to use the Council Chambers at the Government Center until an appropriate location is located.

## **6. Discussion of how the Council wants to proceed with applications for appeal authority, and proposed compensation**

Mayor Silvestrini reported that he had received about ten applications from parties interested in working as the appeal authority. He outlined the requirements for the position including legal training.

The Council broke for dinner and suspended the Work Session at 5:45 PM.

## **GENERAL MEETING**

**1. Call to Order** Mayor Silvestrini called the general meeting to order at 6:15 p.m.

1.1 Pledge

1.2 Approval of Minutes

**Motion** was made by Councilmember Jackson, seconded by Councilmember Catten to approve the minutes of the meeting of February 6, 2017, were approved with the changes requested by Ms. Uipi. Motion passed unanimously.

**2. Public Comment**

Joanne Wong, a Millcreek resident, pointed out that there were sidewalk projects already listed and that a sidewalk plan had been developed. Mayor Silvestrini

responded that he was aware of the sidewalk plan and was aware that there had been public input. He will ask John Miller to present the list.

Barbara Riddle, the CEO & Chair of ChamberWest was introduced. Ms. Riddle thanked the members who had attended the recent ChamberWest Gala and recognized Linda Milne, a Millcreek resident, who had been recognized as Volunteer of the Year.

### 3. Reports

#### 3.1. Report from the Unified Police Department

Officer Mike Prettyman presented the calls for service indicating that the Millcreek Community Council area had the most calls due to the fact that the area has the highest population. He reported that there had been an increase in thefts of utility trailers and outlined ways residents can avoid the problem including removal of the trailer hitch, parking trailers behind fences, park other vehicles to block the trailer and use appropriate locks. He also gave an explanation of the EASY (Eliminate Alcohol Sales to Youth) program that utilizes “covert underage buyers” who attempt to purchase alcohol and if a purchase takes place, the sales clerk is ticketed. The program is funded through a highway traffic study grant, there is no cost to Millcreek and the program has a 90% success rate.

Chief DeBry was introduced and said that he would have the crime statistics for the City Council. Mayor Silvestrini asked about a recent denial of a “bar card” and outlined the ongoing appeal. Chief DeBry will look into the process.

#### 3.2 Report of the Mayor, Report of City Council Members

Mayor Silvestrini reported that he has been involved in testifying at the state legislature, meeting with county personnel and scheduling meetings.

Councilmember Jackson reported on the recent initial Municipal Services District meeting. It was an interesting meeting and she felt that some members tended to override common sense with their personal opinions. Three of the Metro Townships have decided to contract for the services of a facilitator, Greg Schultz, in the amount of \$110,000 with approval from the MSD stating that they are independent and can make decisions. There seemed to be a lack of awareness of how the board functions. The

board decided that they would consider a payment for the facilitator for January and February. There was a concern that one person could have a loud overwhelming presence and that person did not have the necessary knowledge. Councilmember Jackson invited any interested party to attend the monthly meetings that are no scheduled for the second Wednesday of each month at 6:00 PM in the Committee of the Whole meeting room at the County Government Center. Mayor Silvestrini added that Steve Perry from Kearns Metro Township had been elected chair with Rick Raile from Emigration Canyon being elected vice chair. The MSD board determined that except for work the facilitator had already performed, the facilitator contract should not be honored, that a less vague job description should be prepared and the potential hiring should be required to go through a hiring process in order to determine an appropriate salary.

Mayor Silvestrini reported that the Metro Townships require legal assistance and there should be a process to allow for this but that Millcreek should then receive a proportional amount to pay for their legal services. He further reported that funds were approved to purchase liability and workers compensation insurance for the Metro Townships, and that he had requested a proportional amount for Millcreek to pay for their insurance. He has established good relationships with the other members and with time feels that some of the board members will grow into their positions. He stated he wants the Metro Townships to succeed and is concerned about this budgeting decision.

Councilmember Jackson agreed that some of the board members do not understand the budgeting process.

Mayor Silvestrini reported that the board will be hiring an administrator. The MSD is a taxing entity that has a limited source of revenue and one vendor similar to way the SLVESA/Fire Department operates. The MSD board will need help developing a budget, the county budget is complicated and they will be providing the services. The job of the MSD board is to collect the funds and determine the level of service.

Councilmember Jackson commented that the facilitator position is a duplication of costs, the county is already providing those services to the Metro Townships. Mayor Silvestrini stated that the county has been working hard to do a good job providing services to Millcreek.

Councilmember Jackson reported that she had attended the Watershed Study in South Jordan. The study will include the Neffs Creek floodplain and a portion of Parleys Creek. She had information from two certified floodplain managers who live in Millcreek and are interested in assisting the city through the process.

Councilmember Jackson also reported she had attended the Emergency Volunteer Coordinator meeting and had heard an interesting report from the Fire Chief in Tooele about a serious fast moving fire in the area.

Councilmember Catten reported she had contacted the Salt Lake City Mosquito Abatement board and found that members are appointed by Salt Lake City.

Councilmember Uipi reported that District 4 contains 23 sidewalks and she is interested in seeing a report of the sidewalk requests including the date requested. She would like to know which requests have been studied but not funded and suggested that the discussion include the schools and school community councils.

Mayor Silvestrini reported on a search & rescue effort that he had been involved in with the UFA and UPD. There was further discussion about the UPD's Citizen Police Academy and the UFA's Fire School. Chief DeBry invited the councilmembers to participate in a "ride along".

#### **4. Appointments**

No appointments appeared on the agenda.

#### **5. Consent Agenda**

No consent items appeared on the agenda.

#### **6. Planning Matters**

6.1 Discussion and consideration of Resolution No. 17 \_\_\_\_\_ - authorizing Salt Lake County to contract with HDR Engineering, Inc. to conduct a feasibility study of the 3900 South railroad overpass bridge (located at approximately 300 West) to address potential solutions to limit access under the bridge.

**MOTION** for approval was made by Councilmember Marchant, seconded by Councilmember Jackson. Motion passed unanimously.

6.2 Discussion and consideration of Resolution No. 17 \_\_\_\_\_ - [authorizing Salt Lake County to seek grants from the County Active Transportation Network Improvement Program \(CATNIP\) for \(1\) the Sugarhouse/Richmond Street bike connector traffic study and \(2\) safety striping at the intersection of Wasatch Boulevard and 3900 South.](#)

**MOTION** for approval was made by Councilmember Marchant , seconded by Councilmember Uipi. Motion passed unanimously.

## **7. Financial Matters**

No financial matters appeared on the agenda.

## **8. Other Matters**

8.1 Discussion and consideration of Resolution No. 17 \_\_\_\_\_ - [authorizing the Mayor to purchase an outdoor movie screen for community events.](#)

City Recorder Leslie Van Frank reported that three bids had been received: 1) Open Air Cinema - \$11,999.30; 2) Deutsch, Inc. - \$14,750.00; and 3) Spectrum - \$17,277.00. The Open Air Cinema includes a discount and is the lowest bid.

Councilmember Uipi suggested that the city should prepare a policy for surplus equipment related to the sale of the old movie screen. Mr. Brems will prepare a policy for consideration.

**MOTION** by Councilmember Catten and seconded by Councilmember Marchant to authorize the mayor to purchase an outdoor movie screen for the amount presented by Open Air Cinema Motion passed unanimously.

## **9. New Items for Subsequent Discussion**

Councilmember Uipi listed several upcoming meetings including Wasatch Choice workshops and the APA conference in the spring. Mayor Silvestrini added that the League of Cities and Towns Conference will be held in St. George from April 5<sup>th</sup> to 7<sup>th</sup>.

## **10. Calendar of Upcoming Events**

February 15, 2017 Planning Commission Meeting, at 5:00 PM in the County Council Chambers  
February 16, 2017 Envision Committee Meeting, at 6:00 PM at Millcreek's City Hall

## **11. Closed Session**

No closed session was required.

## **12. Adjournment**

**MOTION** to adjourn the General Meeting and reconvene the Work Session was made by Councilmember Uipi, seconded by Councilmember Jackson. Motion passed unanimously.

The General Meeting was adjourned at 7:30 PM.

## **RECONVENED WORK SESSION**

The Work Session reconvened at 7:30 p.m.

### **6. Continued Discussion of how the Council wants to proceed with applications for appeal authority, and proposed compensation.**

The Council determined that the appeal authority should be comprised of three individuals, who would serve on a rotating basis, to be compensated at \$125/hour. The Council reviewed twelve applications that Mayor Silvestrini had received. They narrowed the field to four individuals, who they determined to interview further.

### **8. Discussion of how the Municipal Services District funding is going to work, and whether a tax revenue anticipation note could be necessary.**

Mayor Silvestrini reported that the Community Preservation clean-up bill will most likely pass with the proposed amendment from Millcreek and it appears that funds will be coming to Millcreek in early August with the sales tax portion beginning in September. The City Council should decide by the end of April whether Millcreek will be leaving the MSD, and that Millcreek

should be set up by July for inhouse planning and economic development.

Mayor Silvestrini reported that the bill being carried by Representative Hemingway to allow for start-up funds has not yet been drafted and numbered but the Representative is hopeful the bill will pass. Passage of this bill could also assist the Metro Townships with funding. An alternative option is to file a claim against the county for the Millcreek's share of the judgement levy funds but Mayor Silvestrini is reluctant to do take that approach.

There was discussion of considering a tax revenue anticipation bond. Zions Bank has indicated a willingness to work with Millcreek on a potential bond but the mayor would like to avoid this option.

Councilmember Uipi requested that Lewis Young be asked to create a comparison sheet that could be utilized as an education piece. She feels strongly that Millcreek residents be informed of the various options available to the city.

The Council determined to invite Lewis Young to a future work session.

#### **7. Discussion of process for determining priorities.**

Councilmember Uipi led a discussion related to the need to review budgets, create an organizational structure including human resources and constituent relations. There is a need to assess priorities and review the current lists of projects related to traffic calming, sidewalks and other projects. Neighbors should be re-surveyed for projects that have been on the list for years and the community should be educated as to how priorities are developed and funded. The county budget line items should be reviewed and priority decisions should be made by the city in coordination with county personnel. She requested the county to supply current priority lists.

Mayor Silvestrini reported that the Metro Townships require funds for legal counsel and Councilmember Catten commented that proportional funds should be given to Millcreek possibly based on population.

There was additional discussion related to the need to develop a benefits package and it was determined that an RFQ should be prepared to design a city benefit package.

#### **9. Report by Rita Lund about mailer newsletter, and discussion of issue post office has raised.**

Rita Lund reported on a potential increase in postage for the newsletter. Alternatives to an official city newsletter were discussed. It was determined that a future newsletter should be put on hold.

**MOTION** made by Councilmember Jackson to adjourn, and seconded by Councilmember Marchant, passed unanimously.

Meeting adjourned at 9:20 PM.