



Minutes of the
Millcreek City Council Meeting
Monday, March 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

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

WORK SESSION

Mayor Silvestrini called the meeting to order at 4:00 PM and announced that Councilmember Catten would be joining the meeting later as she was representing Millcreek at a Mosquito Abatement Board meeting. Councilmember Catten joined the meeting at 4:20 PM.

Agenda Item 2. Discussion with Salt Lake County Public Works Flood Plain Manager, Kade Moncur.

Mayor Silvestrini introduced Dave Ulibarri who outlined his experience with emergency preparedness and CERT as an employee of the Unified Fire Authority. Mr. Ulibarri offered to assist Millcreek with establishing their programs including CERT training, emergency preparedness and volunteer squads. Mayor Silvestrini thanked Mr. Ulibarri and informed him that Councilmember Jackson was working with these programs as part of her portfolio. Councilmember Jackson indicated she would be contacting Mr. Ulibarri.

Mayor Silvestrini then introduced Kade Moncur, Salt Lake County Flood Control Section Manager. Mr. Moncur introduced Mr. Robert Thompson, Salt Lake County Watershed Manager and turned the time over to him for a presentation related to preparations and protocols being prepared for the spring runoff. Water outlooks were reviewed along with snow conditions. The snow pack at this time is on the high side with the higher elevations being extremely high and the lower elevations extremely low. The indications are that the mid elevations which include Millcreek Canyon could see a significant snow melt with conditions being determined by the temperatures moving forward.

Mr. Moncur then reviewed the preparations that are being completed including a sand bag filling event scheduled for March 25th where the county hopes to fill 10,000 sandbags. A flood emergency booklet has been prepared that contains all pertinent phone numbers and collateral information. Mr. Moncur indicated he would forward an electronic copy of the handbook to the Council.

Agenda Item 3. Discussion with Janna Wilkerson, certified flood plain manager with State of Utah

Mayor Silvestrini introduced Janna Wilkerson, a Millcreek resident and certified flood plain manager with the State of Utah who offered to assist Millcreek in establishing the required National Floodplain Insurance Program and applying for status in the program. Ms. Wilkerson also indicated that the city would be required to prepare a mitigation plan update and should provide a letter of intent to participate with Salt Lake County in the update. Ms. Wilkerson additionally indicated the importance of having a plan in place in order to apply for grants and that she would be willing to assist with staffing and the determination of designated emergency managers as well as the flood plain application.

Mayor Silvestrini indicated that an agreement had been sent to FEMA but that the city has not yet had a response.

Mr. Moncur indicated that the county interfaces with the NFIP program and listed the streams in Millcreek that would be involved including Millcreek, Neffs, Big Cottonwood and a small part of Parleys. Salt Lake County staff includes seven certified floor plain managers and the county role is to enforce Title 17, the flood control ordinance. The county additionally helps review

and adopt new flood plain maps, collects technical data and studies the hydrology and hydraulics. There is also a resident outreach program that is designed to educate residents about the issues along streams.

Councilmember Uipi asked Mr. Moncur for additional information about the services that the county provides. Mr. Moncur indicated that the county can assist Millcreek when the need arises and can review plan sets and engineering related to flood plain issues as well as having information about the history and projects that have been completed in problem areas.

Mayor Silvestrini then introduced Scott Baird, the public works director for the county who described the recent reorganization of the department which will now include flood control, engineering, planning & zoning, fleet, operations, animal services, landfill and some emergency services. Mr. Baird further explained that economic development would be moving back into the regional development office and Alison Weyher would be filling the senior policy advisor position under Rick Graham. All efforts are being taken to keep funds separate, making a clear distinction.

Agenda Item 4. Report by Dave Spatafore to wrap up legislative session

Dave Spatafore, Millcreek lobbyist, reported on the recently concluded legislative session. Mr. Spatafore indicated that it was a pretty good session for Millcreek and listed several of the bills that had been tracked.

HB429 – Judgement Levy Fund - Allowing the county to release judgment levy funds to Millcreek and the metro townships passed with an immediate effective date of 20 days after the governor’s signature, probably the 1st of April. The County Council must approve the fund transfer. Mayor Silvestrini added that the amount should be around \$1.4M. The mayor outlined additional funds that should be coming to the city, including approximately \$450,000 from the MSD. He suggested that this amount should be set aside for the fund balance.

SB138 – Community Preservation - The community preservation clean up bill passed including the Millcreek amendment guaranteeing that the city would pay for only for the services it uses.

SB152 – Mayoral Term - This bill passed easily allowing the Millcreek mayor to serve a three year term and will be on the same cycle as Salt Lake City, Ogden and some smaller Utah cities. This bill saved Millcreek significant funds.

HB229 – Withdrawal from Public Safety Districts – This bill would allow a city to withdraw from the UFA or UPD by a vote of the city council rather than a popular vote in cases where the city joined the district by a vote of the council. The bill passed with an amendment requiring a feasibility study and would allow a city to create its own district that could contract back with

the original district. The bill additionally contains specific language related to human resources and the transfer of employees.

SB241 – Building Plan Reviews – Amendments were added to the bill including a one year sunset provision to allow for interim study. The bill passed and requires a residential building plan review to be completed in 14 business days and a multi unit building plan review to be completed in 21 business days.

SB81 – Home Business Licenses – Under this bill, cities can regulate home based businesses and there can be no fee charged for anyone under the age of 18.

Councilmember Uipi asked about HB441 dealing with the location of a homeless resource center. Mayor Silvestrini indicated that he had been promised by Mayor McAdams that a location would not be proposed in Millcreek, although one of the South Salt Lake locations is only two blocks outside of the Millcreek boundary. The bill additionally requires that any facility must comply with local zoning regulations.

Councilmember Uipi asked Mr. Spatafore about the interim sessions and requested that the city councilmembers be more engaged in discussions. Mayor Silvestrini told the council that any member can be involved to whatever level they would like and requested that the council works toward determining priorities. Mr. Spatafore added that So Jordan has three seats on the League of Cities and Towns legislative policy committee and Millcreek should have a similar number of seats.

Agenda Item 1. Report from John Jansen on planning matters

John Jansen updated on the progress that had been made on creating a new MD zone. Work sessions have been conducted the community councils and the planning commission. Additional issues that should be determined are whether the zone should only be applied in the Meadowbrook area, heights are a concern, there has been a suggestion that a size limitation should be included to preclude structures like big box stores among others.

Additional topics of discussion include the list of prohibited uses, first floor convertible use and setbacks. Another suggestion is to require ownership. Mr. Jansen provided information on the process that had been attempted related to ownership by other cities and the determination had been made that the requirement would be unlawful though there could be a requirement for onsite management for larger facilities.

The Envision Committee intends to begin work on the C zones next month and will be holding an open house on March 29th from 4 – 7:00 PM in the atrium of the south building at the

County Complex. The format will include tables to be staffed by Mr. Jansen and Tom Stephens with assistance from county staff Max Johnson and Spencer Hymas.

Mayor Silvestrini told the group that he, John Jansen and Leslie Van Frank met with county staff to review the proposal and that the county is willing to assist.

Mr. Jansen added that there will be a public hearing on the MD zone proposal at the Planning Commission meeting to be held on March 15th at 5:00 in the County Council Chambers. Development agreements will be part of the discussion.

Agenda Item 5. Presentation by Amber DeBirk from Millcreek Arts Council

Ms. DeBirk was not in attendance and had sent a message stating she would no longer be part of the Arts Council.

Agenda Item 6. Discussion with Fred Healey about acquisition of leased office space for the city

Mayor Silvestrini introduced Mr. Fred Healey who reported on discussions he has had related to potential office locations for Millcreek. He outlined the needs including an auditorium space for 150 people, 8 individual offices, 2 small conference rooms, 8 cubicles and a break room. Discussions are ongoing with Woodbury Corporation for space located on the southwest corner of 13th E just south of 33rd South. Woodbury is interested in remodeling the building at that location and would be willing to lease space to the city. Millcreek would be required to pay for the interior remodeling that would be needed and Woodbury would be willing to upgrade the exterior. Mr. Healey feels that this space could be utilized by the city for three years and additional time if needed.

Mr. Healey told the council that he is working on this on a volunteer basis and if he does collect a commission he would donate it back to the city.

Councilmember Uipi thanked Mr. Healey for finding a location along a transportation corridor in the center of the city and further acknowledged AnnaClare and Earl Shepherd for the work they had done.

Mr. Healey will put together some hard numbers for presentation to the council. Mayor Silvestrini will add an item to the next council meeting agenda to discuss issuing an RFP for office space and also thanked Mr. Healey for his work.

Agenda Item 7. Presentation by Steve Knox from the Sierra Club

Steve Knox was not in attendance and will attend a future council meeting.

Agenda Item 10. Discussion of contract with The Village

Mayor Silvestrini announced that he has had resident complaints related to the poor sound quality of the Facebook podcast of council meetings and that he would like to reopen the conversation with The Village to provide quality live streaming. Another option might be the purchase of more sophisticated equipment including better microphones.

Agenda Item 11. Review Public Works Operations slurry lists

Councilmember Uipi stated that the Mt Olympus Community Council has requested that they be allowed to review the slurry seal list and to allow comments. Rita Lund was asked to request the timing for the projects along with the three year plan that had been discussed with Kevyn Smeltzer at the last council meeting.

Councilmember Uipi discussed the ongoing process of city council prioritization and is very interested in developing educational pieces to apprise the Millcreek community of how road maintenance projects are determined.

There was further discussion of problem roads in the various districts of the city.

Agenda Item 12. Discussion about conferences, who is going to what and dates

The council held a discussion about upcoming conferences and training sessions. Councilmember Marchant reminded the councilmembers to submit receipts to him for reimbursement.

Agenda Item 13. Continued discussion of municipal priorities

Mayor Silvestrini reported that the request for proposals for human resources had been released and that he intended to discuss the item with Judy Thimakis, a Millcreek resident who had volunteered to assist the city.

Mayor Silvestrini additionally reported that there had been a meeting with Lewis Young to discuss progress on the feasibility study and a deadline of April 12th had been decided. There has been a delay related to the concern by the county that releasing the costing basis which would allow potential competitors an unfair advantage. The mayor reported on alternatives that could address the concern including the possibility of entering in to short term contracts with the county for certain services, potentially including snow plowing, street repairs, animal services and parks and recreation. This would allow for time to gradually determine how best to provide the services in the long term.

Mayor Silvestrini is in discussions with the county to investigate possibilities. The mayor further discussed the alternative of letting a request for proposal for the services. John Brems added

that entering in to short term contracts would allow the city to begin to make progress and felt that public works with the county would generally be less expensive because they are interested in having the business.

There was further discussion related to timelines for withdrawal from the Municipal Services District and the need to move forward with hiring a city manager who could have a planning department in place by July 1st. It was determined to request Tara Whiting to attempt to find adequate space for a public hearing in the middle of May, preferably May 15th, beginning after 6:00 PM.

Councilmember Uipi commented that she is pleased with the progress being made that the city is becoming more comfortable with determining top priorities. The councilmember added that she is very interested in pursuing community relations to proceed with education to residents and define a working relationship with the community councils.

The work session adjourned at 6:40 PM.

GENERAL MEETING

1. Call to Order

1.1 Pledge

1.2 Approval of Minutes

The minutes of the March 6, 2017, meeting were approved upon MOTION by Councilmember Marchant, seconded by Councilmember Jackson.

2. Public Comment

Kathy Swift, a Millcreek resident, addressed the resident in her capacity as the President of the Skyline High School PTA and outlined actions that the school had taken after the suicide of a student on Martin Luther King Day. Ms. Swift invited the council to participate in a “Building a Better You” suicide prevention parent information night to be held on April 4th from 6:00 to 7:00 PM in the Skyline auditorium. Ms. Swift additionally is very interested in the PTA working in cooperation with the city council on issues such as suicide prevention and drug awareness.

Ms. Swift then spoke as a resident and outlined her concerns with the process being undertaken for the new MD zoning. She urged caution and requested that the city move carefully through the process. Mayor Silvestrini responded and assured Ms. Swift that property owners and residents will be involved throughout an extensive public outreach process. The mayor invited Ms. Swift to attend the Envision committee meetings and encouraged her input.

Linda Bagley, a Millcreek resident, addressed the council outlining concerns she has had with feral cats in her neighborhood. She is allergic to cats and was concerned that animal services traps cats but then returns them to the area. Mayor Silvestrini noted that a representative from Salt Lake County Animal Services would be in attendance at the next city council meeting and invited Ms. Bagley to attend in order to have her questions answered.

Unified Police Department Community Oriented Police Officer Ronnie Prescott was introduced and gave a presentation including crime statistics in the four community council areas and photos of homeless camps and clean up efforts in Millcreek. Officer Prescott reported on steps that are taken to assist the homeless community in accessing services. On March 21st and 22nd, the UPD will be participating in a multiagency cleanup program in cooperation with South Salt Lake, West Valley City, Millcreek, Wasatch Front Waste & Recycling, Salt Lake County Public Works and a labor crew from the prison moving camp to camp to complete a clean up.

Officer Prescott then reported that the UPD had recently completed a program that uses undercover youth to determine if outlets are selling alcohol to minors and had made two arrests.

Councilmember Jackson mentioned that there had been speeding concerns mentioned at a recent community council meeting. UPD Chief Steve DeBry responded that whenever surveys are completed or comments are gathered, speeding always come back as a top priority. The UPD will be proactive deploying speed trailers and patrols but it is difficult to ensure speed limits will be respected.

3. Reports

3.1. Report of the Mayor, reports of City Councilmembers

Mayor Silvestrini reported that he had been privileged to meet with the 5th and 6th graders at Upland Terrace Elementary School and had given a talk on “Trailblazers”.

Mayor Silvestrini congratulated the UPD for their excellent service to Millcreek. The mayor had participated in an overnight operation that resulted in the arrest of three burglary suspects. The mayor announced that he had been extremely impressed with the professionalism of the officers and how well trained they are to be aware of the surroundings.

Mayor Silvestrini then reported that the council had been invited to convene their April 10th work session at the South Salt Lake City offices for a presentation on the South Salt Lake Promise program.

The mayor additionally reported on the recent Municipal Services District meeting. There had been a budget discussion and the MSD board had determined to hold a budget workshop

session. The mayor felt the MSD board was working more smoothly and had made some progress.

Councilmember Jackson reported on a meeting she had participated in with Steve Ray and the Citizens Corp. Councilmember Jackson related that there is a need for additional active volunteers for CERT programs. The councilmember additionally reported that a Neighborhood Watch meeting will be held on April 20th at 6:00 PM at the city offices.

Councilmember Catten reported on a Mosquito Abatement District meeting she had attended and requested time on a future agenda to provide information on programs that are available for residents.

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 Ord. No. 17-_____ - notifying the public of a pending ordinance regarding off-premise signs and the definition of existing off-premise signs that affects among other things the off-premise sign bank and the off-premise sign credit with respect to off-premise signs located within Millcreek boundaries

Mayor Silvestrini reported that Yesco sign company had attempted to make application at Salt Lake County to locate a sign in Millcreek utilizing credits that had placed in the billboard bank for a sign that had been removed in Magna in 2014. The mayor has instructed the county to deny the application because Millcreek's ordinance would not allow the billboard to be removed from Magna and then be placed in Millcreek after incorporation. The proposed amendment ordinance adds clarification that only credits for signs removed in Millcreek could be replaced in the city. It also starts the billboard bank timeline to begin at 12/27/2013 rather than 2004, when the county's billboard bank began. Yesco's application could be denied on the further basis that it missed the three-year deadline in county ordinances to use billboard bank credits.

MOTION to adopt Ord. No. 17-_____ - notifying the public of a pending ordinance regarding off-premise signs and the definition of existing off-premise signs that affects among other things the off-premise sign bank and the off-premise sign credit with respect to off-premise signs located within Millcreek boundaries was made by Councilmember Uipi, seconded by Councilmember Catten. A roll call vote was held with councilmembers voting as follows:

Councilmember Marchant – Aye
Councilmember Jackson – Aye
Mayor Silvestrini – Aye
Councilmember Catten – Aye
Councilmember Uipi - Aye

7. Financial Matters

No financial matters appeared on the agenda.

8. Other Matters

No other matters were discussed.

9. New Items for Subsequent Consideration

No new items were discussed.

10. Calendar of Upcoming Events

The calendar of upcoming events was discussed. A public meeting is scheduled to be held on March 21st at 7:00 PM at Churchill Jr. High to hear public comment and to discuss and determine whether to continue the Grandeur Peak Trailhead parking permit program.

11. Closed Session (If Needed)

No closed session was required.

12. Adjournment

MOTION for adjournment was made by Councilmember Uipi, seconded by Councilmember Jackson.

Meeting adjourned at 8:40 PM.