



**Minutes of the
Millcreek Council-Elect Work Meeting
Monday, December 12, 2016**

Council-Elect

Jeff Silvestrini – Mayor Elect - In Attendance
Silvia Catten – District 1 Council Elect– In Attendance
Dwight Marchant – District 2 Council Elect– In Attendance
Cheri Jackson – District 3 Council Elect– Excused, joined later
Bev Uipi – District 4 Council Elect – Excused, joined at 5:30 p.m.

WORK MEETING

Mr. Silvestrini called the work meeting to order at 4:07 p.m.

1. Discussion with Rick Graham and Salt Lake County Department heads to discuss potential interface between Millcreek and Salt Lake County for MSP provided services.

Mr. Silvestrini introduced Rick Graham, Salt Lake County Township Executive, and Rolan Yoshinaga, director of Salt Lake County Planning and Development Services. Mr. Graham told the council that the County is here to serve the City. The County and the MSD have an interlocal agreement to provide services to Millcreek, and the County will continue to provide services so long as Millcreek is the MSD. The County also understands that Millcreek wants to go another direction.

Mr. Graham advised that the County Council recently accepted a budget to fund services to Millcreek at the same level of services as it has been providing. The services will include planning and development, engineering, public works, animal services, parks, and township services (community outreach and community engagement).

Mr. Silvestrini indicated that the Council is trying to figure out staffing. We will eventually have a city manager, but not right now. To whom in the county should the mayor and council members direct calls from residents about services. Mr. Graham said that most communications relative to delivery of services come from public works. He said the County could set up a person to field the calls. The County has been using Rita Lund as a liaison, and

that is still an option. However, he will provide a name a contact number. Council members can call him directly or this new contact person any time.

Mr. Silvestrini and Mr. Graham discussed the County's position about assigning Ms. Lund, at least in part, to Millcreek during the time Millcreek is still in the MSD. Mr. Graham indicated that discussions were ongoing at the County about this request, and he would have an answer later this week.

Mr. Graham noted that Millcreek's request for \$100,000 start-up funds is on the County Council's agenda tomorrow, and that if all goes well, the funds will be available to Millcreek before the end of the year. Mr. Silvestrini noted that the Council would be shortly be setting a budget for that that funding..

Mr. Silvestrini outlined the timetable for determining whether Millcreek remains in the MSD. He said that the feasibility study is supposed to be done by the end of March. Then three weeks' notice of a public hearing on whether to remain in the MSD was required by statute. A decision about the MSD could be completed by the end of April.

Mr. Marchant asked about how planning and zoning would be handled during the time Millcreek is in the MSD. Mr. Yoshinaga explained that the existing Millcreek Township Planning Commission would cease to have jurisdiction, and Millcreek's Planning Commission will be taking over. The County's staff will still be available to Millcreek. Applications will continue to be processed. Building permits and business licenses currently have Millcreek information on them, and the County will be functioning as Millcreek. The County is making adjustments on its on-line permitting system, so that the permits and licenses show that they are being issued by Millcreek.

Mr. Yoshinaga explained that the County could assign a staff person at the City's offices to take applications, wear a Millcreek shirt, and feed the information into the County's automated systems. Over time, applications could be accepted from both the City's and the County's offices, and then migrate them fully over to the City.

Mr. Silvestrini asked about animal services. Ms. Lund volunteered that the County's animal services licenses only have a generic number on them, but that enforcement vehicles have contracting cities' names.

Answering Mr. Silvestrini's question, Mr. Graham said that the County is currently tracking citations for the Justice Court, and also for animal services. Costing for providing those services will be unit-based, so tracking is important.

In response to a question from the public, Mr. Silvestrini explained that the MSD could decide to hire Millcreek, and not Salt Lake County, to provide certain services. He said he has been in contact with new members of the MSD Board, and that his efforts to assist or participate in an organizational meeting have so far been rebuffed. Millcreek has a seat on the MSD board, so he is working on being involved in the organization.

In response to a question from the public, Mr. Silvestrini explained that Mr. Yoshinaga had said he would provide a list of planners from which Millcreek could select specific individuals to be designated to Millcreek. He said that currently in the County, simple applications are directed to the counter staff, and more complicated ones to other planners with more expertise. There are County ordinances that affect only Millcreek, and we will be having new ordinances, so we need someone who can cover our issues. Mr. Yoshinaga said that the County would assign a specific person who could give Millcreek more precise support. Mr. Silvestrini said he would like the new Millcreek Planning Commission to be involved in the process of selecting a staff person.

Mr. Silvestrini and Mr. Yoshinaga discussed changes that the County is making to the Foothills and Canyons Overlay Zone, much of which is in Millcreek.

At the request of Ms. Jackson, Mr. Graham gave an update on the 2300 East construction project. It is virtually complete. There is still some finishing work on the park strips and some areas that need to be repaired. A separate contractor will be hired in the spring to complete this work. An opening ceremony for the roundabout is on December 20th at 2 p.m.

Mr. Marchant congratulated the County for the improvements made to 900 East. He asked about fences and lighting. Mr. Graham said he would find out.

Other:

David Muir, from Cottonwood Heights, passed out materials to the Council to use in its beginning to working on a proposed budget. The Council decided to hold a special budget meeting on December 20th to work on a proposed budget.

2. Discussion with current Millcreek Township Planning Commissioners.

Mr. Silvestrini introduced John Jansen and Tom Stephens, current members of the Millcreek Township Planning Commission. Mr. Stephens and Mr. Silvestrini discussed the ideal number of planning commissioners for the new Millcreek Planning Commission, and the difficulties the Millcreek Township Planning Commission have been having with absences. Mr. Stephens confirmed that currently, the time commitment is 4- 6 hours participation in a monthly meeting, and 2-4 hours of preparation for that meeting, including driving by affected properties.

Mssrs. Silvestrini, Jansen and Stephens discussed that the Millcreek Planning Commission would be involved in visioning for a new general plan, and they agreed that for the next 18 months to two years, the time commitment would be much greater than it had previously been, perhaps as many as two meetings a month for visioning in addition to the regular monthly meeting.

Discussion among council and members of the public about the process of visioning, writing up a general plan, and then changing ordinances to implement the general plan led to a question as to whether ordinance changes should wait. Mr. Silvestrini explained some ordinances have to be changed now, as they do not comply with state law. In addition, much can be done within the confines of what is already in place.

Andrew Gruber, Millcreek Township Planning Commissioner (and executive director of Wasatch Front Regional Council), agreed that many things could be done relatively quickly and easily. He said that Millcreek has been well-served by Mr. Stephens and Mr. Jansen. He said we have a once-in-a-lifetime opportunity for visioning and implementation, and we need a dedicated planning staff and consultants to help us.

Ms. Uipi asked whether it would be beneficial to geographically diversify demographics on the Millcreek Planning Commission. Mr. Jansen said it would be a good thing to spread out the work load, but the County had difficulty getting applicants. Mr. Gruber said that a diversity of perspectives, geographic and otherwise, is good. But the role of an individual commissioner is not to focus on his or her own district. A commissioner must think holistically, spreading a mix of uses broadly across the whole community.

A discussion among Mssrs. Silvestrini, Stephens and Jansen about a new mixed-use ordinance or a change to the currently-existing MD-1 and MD-3 zones led to a decision to take up further discussion after the first of the year.

Mr. Jansen explained the current general plan that was adopted in Millcreek Township, and why it is not workable. Both sides of an issue can quote the general plan in support of their positions.

Mr. Silvestrini explained that Millcreek will need an appeal authority, which he recommends be a single individual as opposed to a citizen board. The County's experience was that citizen boards make decisions that are not legally defensible, so the County was getting sued. Many cities contract with one or more law firms to provide this service.

3. Discuss appointment of council representatives to boards, including Unified Police Department/SLVLESA; Unified Fire Authority/UFSA; Municipal Services District;

Wasatch Front Waste and Recycling (sanitation); Mosquito Abatement District or other boards.

Mr. Silvestrini asked the Council to appoint him to several boards.

MOTION made by Mr. Marchant and seconded by Ms. Jackson to appoint Mr. Silvestrini to the boards of the Unified Police Department/SLVLESA; Unified Fire Authority/UFSA; and the Municipal Services District. Motion passed unanimously.

Pam Roberts from Wasatch Front Waste and Recycling indicated that its board is currently comprised of nine members, but will be increasing to 13 or 14 to accommodate Millcreek's and the Metro Townships' incorporation. Mr. Silvestrini complimented Ms. Roberts on the work WFWR does. A discussion ensued about the cost savings resulting from a change of the trash pickup day from Monday to Friday. Mr. Marchant volunteered to be on the board.

MOTION made by Ms. Uipi, seconded by Ms. Catten, to appoint Mr. Marchant to the board of Wasatch Front Waste and Recycling. Motion carried unanimously.

Ms. Catten volunteered to be on the board of the Mosquito Abatement District.

MOTION made by Ms. Jackson, seconded by Ms. Uipi, to appoint Ms. Catten to the board of the Mosquito Abatement District.

4. Discussion adoption of local option sales tax and interlocal agreement with State Tax Commission.

Mr. Brems said he is working on an ordinance, and will bring to next week's meeting.

5. Discuss position of City Treasurer/office administrator.

Mr. Silvestrini explained he had received a resume from an individual who might be suitable to fit this position, even if just temporarily. Discussion among the Council and members of the public about whether this should be a competitive application process. Mr. Silvestrini said that it would be helpful to have someone temporarily until revenues begin to flow. Ms. Catten suggested we invite that individual to a closed session, which Mr. Brems confirmed could be done in the context of talking about competency.

6. Discuss status of provision of City Recorder/clerk/administration employee (Rita Lund) by Municipal Services District and/or Salt Lake County.

Mr. Silvestrini noted that the County is likely to make Ms. Lund available to Millcreek, at least partially.

7. Discussion of liability insurance, worker's comp insurance, city officer bonds.

Mr. Brems said that there are three players who provide this type of insurance: Utah Government Trust, IRMA, and Olympus Insurance. It would be best to go with the UGT, as it will also be insuring the MSD. It's better to have the same insurance carrier so that the insurer of the MSD doesn't point fingers at the insurer of the City, and vice versa.

Discussion among the Council members and Mr. Brems about whether the MSD would be paying for this coverage. He said that this topic was not covered by the statute, and would have to be the subject of further discussion with the MSD Board.

8. Discussion of adoption of revised version of Salt Lake County ordinance relating to community councils.

Mr. Silvestrini acknowledged the presence in the audience of Linda Milne, chair of the Canyon Rim Citizens Association, Nancy Carlson-Gotts, chair of the East Mill Creek Community Council, and Diane Angus, chair of the Millcreek Community Council. Mr. Silvestrini explained that there has been a lot of discussion in the community about the role of community councils in the new City. He thinks it is important to consider an ordinance now to recognize them, as they are involved in the planning process.

Discussion among the council members about the traditional role of community councils, and their part in the planning process.

Ms. Angus stated that community councils are good mediators between the applicants and residents. They have been of huge benefit over the years, not only to planning and zoning, but also to community involvement and awareness. It would be a shame to not continue that tradition.

Discussion among the council and the public about the need for training, not only of citizens who participate on community councils, but also to the public in general about how planning works.

Ms. Carlson-Gotts explained how East Mill Creek Community Council has empowered the residents by involving them in the planning process.

Mr. Silvestrini noted that community councils can exist regardless of City recognition, but they have no authority to make recommendations without an ordinance. Ms. Jackson suggested that we circulate a revised ordinance. She said that the City is committed to keeping the community councils, and we need them to weigh in on any changes from the County ordinance. Ms. Lund noted there was a problem with the timing of meetings, and it would be helpful to coordinate the meetings of the Millcreek Planning Commission and the community councils.

Discussion among the council and the public about the pending Carden School application. Mr. Silvestrini gave a report on the status of the application and the difficulties in the height proposal. Mr. Jansen said the County's attorney will be giving advice to the Millcreek Township Planning Commission later this month.

9. Discussion of start-up funds from Salt Lake County.

Tomorrow, the County Council is considering Millcreek's initial request for \$100,000.

10. Discussion of giving Mayor Silvestrini authority to provide notice to Board of the Greater Salt Lake Municipal Services District that Millcreek has commissioned a feasibility study concerning Millcreek's withdrawal from the MSD.

Mr. Silvestrini noted that at the recent candidate training, mention was made that there's a rumor Millcreek is leaving the MSD. He thought it would be appropriate to give notice that Millcreek has commissioned a study, but has made no decision to leave.

MOTION made by Ms. Jackson, seconded by Mr. Marchant, to authorize Mr. Silvestrini to give notice to the MSD that Millcreek has commissioned a study to determine the feasibility of Millcreek leaving the MSD. Motion passed unanimously.

A recess was taken at 6:50 p.m.

PUBLIC MEETING

Mr. Silvestrini called the PUBLIC MEETING to order at 7:13 p.m.

1. Call to order.

Salt Lake County Council Member Richard Snelgrove led the meeting in the pledge of allegiance.

MOTION was made by Ms. Jackson, seconded by Mr. Marchant, to approve the 12/5/16 Minutes. Motion passed unanimously.

2. Public Comment

Millcreek Precinct Chief Steven DeBry (also Salt Lake County Council Member) thanked members of the City Council for attending the precinct's recent Christmas party. He received much feedback that was appreciative of the leaders of Millcreek coming.

Mr. Snelgrove introduced his policy advisor, Bart Barker. He invited members of the Council to call him or Mr. Barker any time. The County wishes Millcreek's transition from the County to go as smoothly as possible.

Ms. Carlson-Gotts read a letter into the record from Millcreek Township Council Chair Lee Ann Hansen. A copy of the letter is appended to these Minutes.

3. Reports.

Mr. Silvestrini reported that the request to the County Council for \$100,000 was an item on the County Council's agenda tomorrow. He said the interlocal agreement would make the funds available in 30 days, but that he would be asking for the funds to be made available sooner.

Mr. Silvestrini reported on the inauguration celebration.

Mr. Silvestrini reported he was opening a bank account for Millcreek at Zions Bank.

Mr. Silvestrini reported that he and Mr. Brems were working on the Code of Ordinances, which should in shape to adopt on December 28th.

Mr. Silvestrini reported that First Digital was fitting the Mt. Olympus Improvement District building with fiber optics, and that the copper wire had been removed from the building. We would have to rewire to use Cottonwood Heights' donated telephones. First Digital can provide us with phones at a relatively small price. Mr. Silvestrini is continuing to work with First Digital to get the phone system set up.

Mr. Silvestrini reported on his discussions with the Village. He is going to pursue a contract that the Council can consider.

Mr. Silvestrini said he had received about 15 applications for the Millcreek Planning Commission.

Mr. Silvestrini noted that agendas are available at the Utah Public Notice website.

Ms. Uipi reported that an ACCT-sponsored training would take place on January 14th. Department heads from Salt Lake County will be available to discuss what they will be providing in the MSD. There will be training for districts. Everyone is invited.

4. Appointments.

Mr. Silvestrini reminded the Council to attend the January 14th meeting if they are on a board..

5. Consent Agenda

MOTION made by Ms. Uipi, and seconded by Ms. Jackson, to adopt a resolution to appoint Mr. Silvestrini to represent Millcreek on the boards of UFA/UFSA, UPD/SLVLESA, and MSD; to appoint Mr. Marchant to the board of WFWR and Ms. Catten to the Mosquito Abatement District. Motion passed unanimously.

6. Planning Matters.

6.1 Discussion and consideration of Ordinance No. 16-___, to consider the creation of a planning commission.

Ms. Uipi noted that the Ordinance had been considered at the last meeting and had found only minor typographical errors.

MOTION to adopt Ordinance No. 16-___, to create a planning commission, made by Ms. Uipi and seconded by Ms. Catten. Passed unanimously.

6.2 Discussion and consideration of Ordinance No. 16-___ an ordinance creating an appeal authority.

MOTION to adopt Ordinance No. 16-___ to create an appeal authority made by Ms. Jackson, seconded by Mr. Marchant. Passed unanimously.

6.3 Discussion and presentation by John Jansen about the advisability of a moratorium.

Mr. Jansen explained that a moratorium is a temporary land use relation that is good for six months. You must say what you're going to accomplish. We are adopting county ordinances for now. To get into the details of those, we will need planning staff support. A moratorium makes sense only when enacted regarding very specific items.

Discussion among Mr. Jansen, the Council, and Mr. Brems about when and how best to use a moratorium.

In response to a question from Ms. Uipi, Mr. Jansen explained that general plans have regional context, but that Millcreek must do its own housing plan.

Mr. Brems explained the concept of an interlocal area, where development takes place across municipal lines where it makes sense, and sales tax dollars are shared.

Mr. Silvestrini said he would like to look at zone based ordinances, and Mr. Jansen said we would want to talk about that in the future.

7. Financial Matters.

8. Other.

8.1 Discussion and consideration of Ordinance No 16-___ an ordinance to consider adopting a seal

MOTION by Ms. Uipi, seconded by Ms. Catten, to adopt Ord. No. 16-___, which adopt the logo that was previously adopted as the seal for the City. Motion passed unanimously.

8.2 Discussion and consideration of Ordinance No 16-__ an ordinance adopting a name.

MOTION by Ms. Jackson, seconded by Ms. Uipi, to adopt Ord. No. 16-__ adopting “Millcreek” as the name of the City. Motion passed unanimously.

8.3 Discussion and consideration of Ordinance No 16-__ an ordinance to establish a regular meeting schedule.

MOTION by Ms. Catten, seconded by Mr. Marchant, to amend the draft of the ordinance that had been circulated, to set the schedule as follows: Mondays (except on holidays when the meeting will be held on Tuesday), with the work session to begin at 4 pm, and a regular session to begin at 7 p.m. Motion passed unanimously.

MOTION by Ms. Jackson, seconded by Ms. Catten, to adopt Ord. No. 16-__, with the amendment, to establish a regular meeting schedule. Motion passed unanimously.

8.4 Discussion and consideration of Ordinance No 16-__ an ordinance creating an arts council; and

8.5 Discussion and consideration of Resolution No 16-__ a resolution appointing members of the arts council.

Mr. Silvestrini explained that Millcreek Township has an official Arts Council. There must be an official one in order for it to apply for grants and for the City to assist it. We appreciate the work the Arts Council has done for the township. He read the purpose statement in the draft ordinance aloud. He said the City is asking for control because public money would be involved.

Amber DeKirk, chair of the Millcreek Township Arts Council, expressed concern that only one of the 13 people involved in the Arts Council knew that the proposed ordinance and resolution were under consideration. They have worked very hard, and want to have a say in the language of the documents. They need time to review the documents.

Erik Spreng, also on the board of the Arts Council, echoed Ms. DeKirk’s sentiments.

Mr. Silvestrini explained that the City Council was trying to be responsive to a request made at the last meeting to recognize the Arts Council

Ms. Uipi explained that the City Council thought there was a deadline.

Kurt Zimmerman, Millcreek resident and member of board of Arts Council, and Mr. Silvestrini discussed the Arts Council’s need to have a relationship with a 501(c)(d) organization, or the City.

Ms. DeKirk indicated that she thought the Arts Council board could have their review completed by the end of the year.

The Council agreed to defer consideration of the ordinance and the resolution until the Arts Council had been able to give input.

8.6 Discussion and consideration of Resolution 16-___ a resolution to appoint Cheri Jackson to serve as Millcreek Emergency Preparedness Coordinator with authority to appoint citizen volunteers to coordinate VOAD, CERT and other preparedness positions.

Mr. Silvestrini invited resident Ms. Milne to speak. She explained there are 11 different spheres of influence that go into preparing a community for emergencies. She explained how those work together, and described to Ms. Jackson the post that she would be assuming. She said that while we don't like to spend money and time on the maybes of life, please afford much respect to the position Ms. Jackson is undertaking and to the volunteers who contribute to emergency preparedness.

Mr. Silvestrini said he would like to start a City Community Emergency Response Training and get people across the community trained in emergency procedures.

MOTION by Ms. Uipi, seconded by Ms. Catten, to approve the resolution. The motion passed unanimously.

8.7 Discussion and consideration of Resolution No. 16-___ to approve acceptance of an interlocal agreement with Salt Lake County for an initial payment toward start-up funds.

MOTION by Mr. Marchant, seconded by Ms. Uipi, to approve the resolution. The motion passed unanimously.

9. New Items for Subsequent Consideration

10. Calendar of Upcoming Events

Next regular meeting is December 19th. 2 p.m. to 5 p.m. interviews for Planning Commission seats. 5:00 p.m., closed session to consider applications and interviews. Public meeting to commence at 7 p.m.

Ceremony for opening of roundabout on 23rd East is December 20th at 2 p.m.

Budget work meeting is December 20th at 3 p.m.

Public meeting on the budget is December 27th at the regular time.

Inauguration of Millcreek is January 3rd. Doors open at 6:30 p.m., presentation at 7:00 p.m. Wasatch Jr. High, 3740 South 3100 East.

MOTION by Ms. Jackson to adjourn, seconded by Mr. Marchant, to adjourn. Motion passed unanimously.

The meeting adjourned at 8:34 p.m.



November 28, 2016

Honorable Mayor Jeff Silvestrini
Millcreek City Council Members
3932 South 500 East
Millcreek, Utah 84107

RE: Millcreek City Council Recognition of Community Councils by Ordinance

Honorable Mayor Silvestrini and Millcreek City Council Members:

The four Millcreek Community Councils, comprised of Millcreek Community Council, Canyon Rim Citizens Association, East Millcreek Community Council and Mt. Olympus Community Council, ask for your recognition by ordinance, similar to (with substitutions) Muni Code Ordinance, Title 2, Chapter 2.56, Community Councils and Community Districts.

In summary, this ordinance continues the recognition of the community councils by Millcreek City (replace Millcreek City for Salt Lake County) and the authority as outlined in the complete ordinance:

- 1. Municipal Services Recommendations
- 2. Planning and Zoning Recommendations
- 3. Budgets -for operation of community councils and events
- 4. Council Participation
- 5. Volunteer Status – Indemnification

The community councils have existed in Millcreek Township for thirty plus years. Through the councils, countless volunteer hours have been garnered to the benefit of the community at large.

The councils desire to be a good advisory group to the city council and to build community involvement as has been the tradition for many years.

Thank you for your consideration.

Lee Ann Hansen
Chair
Millcreek Township Council

