



**Minutes of the
Millcreek Council-Elect Meeting
Monday, December 19, 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– In Attendance
Bev Uipi – District 4 Council Elect – In Attendance

INTERVIEWS OF PLANNING COMMISSION APPLICANTS

Mr. Silvestrini called the meeting to order at 2:10 p.m.

MOTION by Ms. Uipi, seconded by Ms. Catten, to close the session to discuss the character, professional competence and physical or mental health of an individual. Mr. Marchant, aye. Ms. Jackson, aye. Ms. Uipi, aye. Ms. Catten, aye. Mr. Silvestrini, aye.

Session was closed at 2:12 p.m.

MOTION by Ms. Uipi at 8:20 p.m. to adjourn the closed session, seconded by Ms. Jackson. Mr. Marchant, aye. Ms. Jackson, aye. Ms. Uipi, aye. Ms. Catten, aye. Mr. Silvestrini, aye. Closed session adjourned at 8:20 p.m.

6:30 PM - GENERAL MEETING:

1. Call to Order

Mr. Silvestrini called the meeting to order at 8:39 p.m, and led the meeting in the Pledge of Allegiance.

MOTION made by Ms. Jackson, seconded by Ms. Catten, to approve the minutes of the December 12, 2016 meeting. Motion carried unanimously.

2. **Public Comment**

Mr. Silvestrini opened the meeting to public comment. No comments were made.

3. **Reports**

Mr. Silvestrini explained that he will make a recommendation to the Council on December 27th for appointments to the Planning Commission, and the Council will vote at that time. He indicated that excellent candidates had applied from every district.

Mr. Silvestrini reported that he had opened the four bank accounts required by state law, and was awaiting a wire transfer from Salt Lake County.

Mr. Silvestrini announced the ceremony tomorrow at 2 p.m. at the roundabout on 2300 East to celebrate its opening.

Mr. Silvestrini reminded the Council and the public that the Council will hold a special session tomorrow to discuss a tentative budget. Before a tentative budget is adopted, there will be 10 days' notice of a public budget meeting, per state law.

4. **Appointments**

4.1. Discussion and consideration of resolution no __ appointing Jeff Silvestrini to the Unified Fire Authority Board, Unified Fire Service Area Board of Trustees, Unified Police Department Board, Salt Lake Valley Law Enforcement Area Board of Trustees, and the Greater Salt Lake Metropolitan Services District Board of Trustees

MOTION by Ms. Uipi, seconded by Mr. Marchant, to approve the resolution. Motion carried unanimously.

4.2. Discussion and consideration of resolution no __ appointing Silvia Catten as a member of the Board of Trustees of the South Salt Lake Valley Mosquito Abatement District

MOTION by Ms. Uipi, seconded by Ms. Jackson, to approve the resolution. Motion carried unanimously.

4.3. Discussion and consideration of resolution no __ appointing Dwight Marchant to the Board of the Wasatch Front Waste & Recycling District

MOTION by Ms. Jackson, seconded by Ms. Uipi, to approve the resolution. Motion carried unanimously.

5. **Consent Agenda**

6. **Planning Matters**

7. **Financial Matters**

8. **Other Matters**

8.1 Discussion and consideration of ordinance no. -- adoption of a one percent municipal sales and use tax

Mr. Silvestrini explained that the County collects a one percent local sales tax. \$9.4 million of Millcreek's revenue comes from this tax. Once Millcreek is formally incorporated, the County can no longer collect this tax. This ordinance is a mechanism to transfer the tax to Millcreek from the County.

Mr. Silvestrini further explained that the state tax commission has acknowledged they have received our notice that the taxes will be going to the City. Pursuant to state law, the taxes go to the previous taxing entity (here, the County) for the first 90 days. State law also provides that the sales tax will go to the Municipal Services District. Millcreek will likely see its first sales tax check in June 2017.

MOTION by Mr. Marchant, seconded by Ms. Catten, to adopt the ordinance. Motion carried unanimously.

8.2 Discussion and consideration of adoption of council rules of procedure.

Mr. Brems explains he will bring a resolution to the Council at the next meeting to formally adopt the rules.

8.3 Discussion and consideration of resolution no. -- approving an Interlocal Cooperative Agreement with Salt Lake County for prosecution services

Mr. Brems explains that the MSD is supposed to provide these services, but the County wants it clear that if they are providing the prosecution services, they will get all the fines and the fees.

Mr. Silvestrini said that several Mr.s have told him that courts are not a place from which they can raise revenues. At best, the expenses and the revenues are a wash; at worst, they lose money. He said we have an option of contracting with some other entity. Cottonwood Heights contracts with Holladay for court services. This is something that can be explored if Millcreek leaves the MSD.

9. New Items for Subsequent Consideration

A discussion ensued about the business license fee schedule. Ms. Catten noted that the comparison of fees to other cities is difficult, like comparing apples to pineapples. Mr. Marchant asked when the Council wants to discuss this further. Mr. Silvestrini indicated that the law requires a study before fees can be raised.

Mr. Silvestrini noted that Mr. Brems and he are working on the ordinances, using the county ordinances as a template. They are trying to be comprehensive in the changes to reflect what the City can do that the County can't, and vice versa. Drafts of the ordinances will be placed on the website. They will be on the December 27th agenda for adoption.

Mr. Marchant asked whether the MSD is providing a city manager while we are in the MSD. Mr. Silvestrini noted that we will need a city manager eventually to take over the administrative powers, but until we hire, the administrative power is in the Mr..

A discussion ensued about the changes to the FCOZ ordinance that the County is currently reviewing. The Council will need to decide whether to adopt the old ordinance or the new one. The Millcreek Township Planning Commission has already recommended some changes. Most of the changes are not an issue in Millcreek. A draft of what the Planning Commission has proposed, as well as the current ordinances, will be posted on the website. The Mr. Silvestrini noted that the FCOZ ordinance is important to prevent building on steep slopes. He mentioned several examples of problems: an existing house that required installation of flying buttresses to keep from falling off the hillside, a subdivision that slipped off the hillside, springs that appear in downhill neighbors' yards, fire apparatus that cannot reach homes on unplowed streets. There are reasons to develop responsibly.

10. Calendar of Upcoming Events

City Council-elect sessions planned for December 27, time TBA;

Inauguration of Millcreek-January 3, 2017, 6:30-8:30 Wasatch Jr. High School.

11. Closed Session (If Needed)

11.1. *The Millcreek Council may temporarily recess the Council meeting to convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonable imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205*

12. Adjournment

MOTION by Ms. Uipi to adjourn, seconded by Mr. Marchant. Motion carried unanimously.

Meeting adjourned at 9:32 p.m.

CLOSED MEETING CERTIFICATE

Date: Monday December 19, 2016

Councilmember-elect Bev Uipi **MOVED** to meet in closed session to discuss the character, professional competence, or physical or mental health of an individual pursuant to Utah Code §52-4-205 (1)(a).

Councilmember-elect Silvia Catten **SECONDED** the motion.

Mayor-elect Jeff Silvestrini, Councilmembers-elect Silvia Catten, Cheri Jackson, Dwight Marchant, and Bev Uipi each voted yes. The motion passed unanimously.

I, Jeff Silvestrini, Chair of the Millcreek City Council, do hereby certify that a closed meeting of the Council was held on Monday, December 19, 2016 and was closed for the purpose of discussing the character, professional competence, or physical or mental health of an individual pursuant to Utah Code §52-4-205 (1)(a).

Those present during the closed session included Mayor-elect Jeff Silvestrini, Councilmembers-elect Silvia Catten, Cheri Jackson, Dwight Marchant, and Bev Uipi, and individual applicants to sit on the Millcreek Planning Commission.

Ms. Uipi **MOVED** to adjourn the closed session.

Ms. Catten **SECONDED** the motion.

The motion passed unanimously.

Mayor-elect Jeff Silvestrini declared the closed session adjourned.



Mayor-elect Jeff Silvestrini

IN WITNESS WHEREOF, I have set my hand on this 19th of December, 2016.

ATTEST:



Leslie Van Frank, Acting City Recorder

CLOSED MEETING CERTIFICATE

I, Jeff Silvestrini, Chair of the Millcreek Council, do hereby certify that a meeting of the Council held on Monday, December 19, 2016 was closed pursuant to Utah Code §52-4-205 (1) (a) to discuss the character, professional competence, or physical or mental health of an individual.

NO OTHER ITEMS WERE DISCUSSED DURING THIS CLOSED MEETING.



Mayor-elect Jeff Silvestrini,
Council Chair

IN WITNESS WHEREOF, I have set my hand on this 19th day of December, 2016.

ATTEST:



Leslie Van Frank, Acting City Recorder