



Approved 05/30/17

Minutes of the
Millcreek City Council Meeting
Monday, May 22, 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

Other present

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

WORK SESSION

Mayor Silvestrini called the meeting to order at 4:10 PM.

Agenda Item 1 – Report by the County

Mayor Silvestrini introduced Frederick Lutze from Salt Lake County Engineering who gave an update on the status of various projects throughout Millcreek.

- The 2300 East Project team is currently working through the punch list and there remain a few items to address.
- The 2300 East west side parking strip project team is about two-thirds of the way through contacting property owners to determine their preference. The project should begin mid-June.
- The 900 East project is almost complete and the lights are now on.
- The 3300 S & 3040 E project has encountered a delay due to the discovery of a historic wall that will create the need for an environmental study and should now be designed by late summer.
- The Achilles project should be under construction by August, a liner will be added to the culvert.
- The flooding concern project at 4284 South and 900 East is in the design phase and should be under construction later this summer.
- The addition of the 900 East flooding project will push the 1300 East project back to August.
- Residents have issued a complaint regarding water pooling at the west end of Evergreen Avenue and street is in need of storm drains or a cul de sac. This will be an expensive project. Mayor Silvestrini indicated that he would like to discuss this project further.
- The Wasatch Blvd. irrigation project interlocal is waiting for signature from UDOT.

Mr. Lutze then discussed the various methods utilized to collect data related to traffic calming throughout the city and during the summer. The mayor asked the councilmembers to advise him when there are traffic calming requests and he will forward the concerns to the UPD. Mr. Lutze discussed a concern related to buses parking in the bike lanes along Wasatch Blvd and related that this issue has been forwarded to UTA. Two sidewalk projects that have been designed and are awaiting funding are located at Upland Drive and Imperial Street. Mr. Lutze added that there will be ongoing curb, gutter and paving work throughout the summer.

Mayor Silvestrini asked Mr. Lutze to forward a thank you to Steve Sandoval, from Salt Lake County Operations, who has been working with neighbors along several streets in Millcreek related to trees that are located too close to the street. The mayor discussed a request he has received from a resident at 3725 South just east of 900 East who has requested paving on his street. The mayor is working with Mr. Sandoval on the request.

Councilmember Marchant discussed a complaint from a resident, Kelly Meyers, related to a trip hazard on 4500 South just east of American First Credit Union. Councilmember Marchant additionally discussed a crosswalk project at 3150 South 900 East where the neighbors have requested a street light and that a crosswalk be moved. Councilmember Marchant additionally noted that the neighbors on Scott Avenue would like to have some traffic calming along the street. Mayor Silvestrini noted that there is also bad pavement along the street. Mr. Lutze suggested adding Scott Avenue to the sidewalk list.

Additional Agenda Item – Discussion of HR Benefits Package with NFP

Mayor Silvestrini introduced Ms. Michelle Vargas from NFP who discussed the benefits package and updated the council on the job description which has been posted at various locations and has received several responses.

Ms. Vargas presented a proposal for personal time off (PTO) and noted that the package they are presenting is competitive in the market. Dave Salazar recommended beginning the accruals for the

cabinet level posts at the ten year level and that the city could consider a policy outlining a flexible package for recruitment purposes. A proposal for 11 holidays was also displayed including a floating holiday. The proposals are based on comparable cities with similar populations and is on the low end of other cities.

Councilmember Uipi asked about exempt or at will positions. Mr. Salazar stated the typically directors and deputy directors are at will employees. Mayor Silvestrini suggested that he like to be able to use PTO during negotiations with applicants. Councilmember Uipi suggested that many of these decisions should be made after a city manager has been hired.

The council seemed to be in agreement to utilize a holiday schedule including a floating holiday and the PTO accruals as presented.

Agenda Item 3 – Discussion of Thomas Peek photographs

Mayor Silvestrini indicated that a decision should be made related to photographs to be chosen for in display in the city offices. The mayor indicated that Tara Whiting will work with the councilmembers to determine the photos that will be used.

Agenda Item 5 – Discussion of responses for RFP for audit

Mayor Silvestrini discussed the responses that have been received related to auditing services. The RFP has closed and the city has received seven responses. The mayor asked the council to complete their score sheets. The mayor indicated that all of the respondents seem to have the qualifications and experience required and that the difference appears to be related to price. One of the responders had requested a meeting and had met with the mayor and Dave Sanderson.

Agenda Item 6 – Update on office space lease and building

Mayor Silvestrini explained that the council had toured the office space and discussed several questions with Fred Healey that will be addressed at a future meeting. The mayor and John Brems have negotiated with the property owners related to the lease agreement and Mr. Brems will create a document including the revisions discussed including an insurance waiver. The mayor has requested that the current temporary office space agreement be extended with Mt. Olympus Improvement District and is waiting for a response from the board.

Agenda Item 2 – Discussion with Aimee McConkie about Venture Out expenses

Mayor Silvestrini introduced Aimee McConkie who reported on the current plans for the 2017 Venture Out summer events. The mayor outlined the manner in which payments had been made in the past and indicated that the movie exhibition charges from Swank have been paid. Additional expenses will include the portables restrooms for the event at Eastwood Elementary. The cost of the portable restrooms are \$75.00 each including delivery and pick-up and there would be four units required at the event.

Ms. McConkie indicated that there will be one additional movie license charge and added that historically the community councils have paid for the postage for the Venture Out flyer as well as the sound and screen management cost at \$300 each. The technician will remain at the event the entire

time. Mayor Silvestrini commented that it is important to have a technician take care of the movie screen management and related how difficult it had been initially for volunteers to manage the screen.

Councilmember Marchant discussed the WFWRD schedule for participation at the Venture Out events and pointed out that the change that had been made was not reflected on the WFWRD schedule. The councilmember had let the WFWRD board know about the change.

Agenda Item 4 – Discussion of budget revisions

Mayor Silvestrini distributed a handout showing additional changes that had been made to the 2017-2018 proposed budget and discussed the items that had been changed including footnotes that have been added to most items for clarification purposes. The mayor explained that several of the entries are based upon information from the county, some are based on actual billing and some are estimates due to the fact that there is no history to utilize as a basis. The amount of rent and common area maintenance has decreased based on amounts quoted from Woodbury.

The mayor indicated that many actual figures have been included where available and that revenue and expenses for Venture Out for the current year have been taken out but will be included in the 2017-2018 budget.

Mayor Silvestrini has met with Dave Sanderson who suggested that the budget could be completed utilizing categories rather than specifics. After discussion, the council was in agreement that it is important to be specific in the interest of transparency.

The timeline for budget adoption was discussed with the Public Hearing to be held on June 5th, adoption of the budget on June 12th and that the May 22nd amended tentative budget be posted according to statute.

The mayor additionally mentioned that the Salt Lake County Council had approved payment to Millcreek in the amount of \$1,273,524 from the judgement levy and that the amount should be received in the PTIF account in the next few days.

Agenda Item 7 – Funding of interns for General Plan process

Mayor Silvestrini announced that the WFRC funding had been approved as well as the \$20,000 matching funds from the RDA and that the general plan process can now move forward.

Agenda Item 8 – Discussion of Bruce Parker proposal for general plan process

The mayor had negotiated an amount to pay two interns who will be working under the supervision of Bruce Parker at \$12.00 per hour and the mayor has interviewed both. One of the interns is interested in working on the general plan and the other would like to assist in the public outreach process for the Meadowbrook area.

Mayor Silvestrini then mentioned a conversation that he had held with a professor of planning at the U of U. The professor teaches a graduate level class and is interested in providing a class project that could assist in the general plan process. The cost of the project would be \$40,000 and the mayor would like to explore the option. The mayor related that the results would have to comply with the grant provisions and fit within the general plan process that is currently underway.

Agenda Item 9 – Discussion of Holi Festival of Colors on June 10th

Mayor Silvestrini asked whether anyone had attended the Festival of Colors in the past and whether the council would like to have some involvement. Rita Lund will contact the organizers and ask if there is an interest in having participation from the city officials.

Additional Items -

Mayor Silvestrini informed the council that the auction for the open space adjacent to Grandeur Peak will take place this week and that private funds have been pledged in the amount of \$25,000. The mayor explained that if the amount of funds provided by the county is enough to purchase the property, the funds from the community will be refunded to those who donated. The county has authorized an undisclosed amount for the purchase. The mayor explained that in past purchases the county has owned fee title to the property and Utah Open Lands has held a conservation easement.

Councilmember Marchant told the council that an invoice had been received from the League of Cities and Towns in the amount of \$36,994. Mayor Silvestrini reported that he will discuss the invoice with Roger Tew from the League and felt that the amount could be negotiated.

Councilmember Marchant mentioned an email that had been received regarding the glass recycling bins along Wasatch Boulevard that are a noise nuisance to the neighbors. The WFWRD discussed available options including signage that there be no use during the night. Another option would be to determine if the people who use the bin in the evening are from commercial establishments and they could be approached to ask to not deposit glass at night. The councilmember added that another option is removing the recycling bins. Councilmember Jackson suggested putting up signage to see if that might help with the problem before removal is considered.

Mayor Silvestrini related a concern he has heard from a resident about fireworks and will discuss the possibility of signs prepared at the county sign shop due to the fact that the UFA no longer has funding for the purpose of posting “no fireworks” signs.

Councilmember Catten commented that each councilmember should have received an informational packet for IT services and after discussion there appeared to be agreement from the council that any decision to hire a vendor for IT services should move through an RFP process.

Councilmember Jackson asked about a development that had been proposed along 1300 East. Mayor Silvestrini explained that a compromise had been determined and a development plan has been approved with less density that seemed to make the neighbors more comfortable.

Agenda Item 10 – Continued discussion of municipal priorities

There was no additional discussion of municipal priorities

Mayor Silvestrini adjourned the work meeting at 6:15 PM.

REGULAR MEETING

1. Call to Order

Mayor Silvestrini called the Regular Meeting to order at 7:00 PM.

1.1 Pledge of Allegiance

1.2 Approval of 5/15/17 draft Minutes

1.3 The minutes of the meeting of 5/15/17 were unanimously approved upon motion by Councilmember Jackson, seconded by Councilmember Catten.

2. Public Comment

There was no public comment.

3. Reports

3.1 Report of the Mayor, reports of City Council members

Mayor Silvestrini reported that the County Council had approved a distribution for Millcreek from the judgement levy in the amount of \$1.2M and thanked the Council for that action.

Mayor Silvestrini then reported that negotiations are ongoing related to the future city office space located at 1300 East and 3300 South.

Councilmember Jackson reported that she and Councilmember Uipi had attended the community engagement breakfast last week and felt it had been a valuable event.

Mayor Silvestrini additionally reported that Millcreek had good representation at the UFA strategic planning meetings and found the meetings useful. The mayor additionally stated that he noted that the majority of the attendees at the meetings were from Millcreek.

3.2 Report from UPD

Chief Steve DeBry reported that his officers will be ramping up speed enforcement particularly around Skyline High.

Chief Brad Larsen from the UFA acknowledged the crew from Station 116 and the council thanked them for their hard work.

4. Appointments

No appointments appeared on the agenda.

5. Consent Agenda

No consent items appeared on the agenda.

6. Planning Matters

No planning matters appeared on the agenda.

7. Financial Matters

7.1 Discussion and consideration of Resolution No. 17- _____ - authorizing the payment of Venture Outdoor 2017 expenses in the amount of \$ _____.

Mayor Silvestrini reported that there had been a discussion during the Work Session related to the Venture Out expenses and outlined the expenses that had previously been paid for by the community councils. Expenses for 2017 will include \$5,243 for movie rentals, \$300 for portable restrooms, approximately \$3,000 for postage for the flyers and \$3,300 for the sound and screen management technicians.

Motion was made by Councilmember Uipi, seconded by Councilmember Catten , to adopt Resolution No. 17- _____ - authorizing the payment of Venture Outdoor 2017 expenses in an amount not to exceed \$13,000. Motion passed by roll call vote with members voting as follows:

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

8. Other Matters

8.1 Discussion and consideration of Resolution No. 17- _____ - approving an agreement regarding the Unified Police Department entitled “Third Amendment to the Cooperative Agreement by Public Agencies to Create a New Entity, to Consolidate Law Enforcement Service, and Provide Rules of Guidance”

Mayor Silvestrini reported that an interlocal agreement is required by the Unified Police Department between Millcreek, the new metro townships and the UPD and requested approval from the council.

Motion was made by Councilmember Marchant, seconded by Councilmember Jackson, to approve Resolution No 17- _____ - approving an agreement regarding the Unified Police Department entitled “Third Amendment to the Cooperative Agreement by Public Agencies to Create a New Entity, to Consolidate Law Enforcement Service, and Provide Rules of Guidance”. Motion passed by roll call vote with members voting as follows:

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

8.2 Discussion and consideration of a Proclamation declaring June 2, 2017, as National Gun Violence Awareness Day

Mayor Silvestrini reported on a proclamation that is proposed to recognize National Gun Violence Day, to provide education and to promote gun violence awareness and stated that this proclamation had been brought to the city by Gary Sackett, a Millcreek resident. Councilmember Jackson questioned the

proclamation as related to constitutional law and questioned how the city should address these types of requests. Councilmember Catten asked if the council should consider a policy that could be used related to this type of proclamation. Mayor Silvestrini stated that this could appear to be a statement of values for the city. Councilmember Marchant felt that this was not setting a precedent and that these types of proclamations should be considered individually as they are brought to the city. Councilmember Uipi stated that the city should consider how this type of proclamation can relate to the city vision and mission and how a specific proclamation can align.

Mayor Silvestrini asked Chief DeBry his opinion and the chief responded that this does not appear to be a Second Amendment violation, that the city might want to promote gun violence awareness and that this comes from a national organization but that he has not been involved in this national day of recognition.

Councilmember Uipi suggested that the city will support the UPD and UFA in any efforts to promote gun violence awareness and restated her interest in developing a process for reviewing this type of request. Mayor Silvestrini responded that a city sometimes becomes involved in these kind of things to promote and state the city values.

Motion was made by Councilmember Catten, seconded by Mayor Silvestrini, to declare June 2, 1017, as National Gun Violence Awareness Day and encourage members of the community who wish to honor those who have been victimized by gun violence to wear orange on that day. Motion passed by roll call vote with members voting as follows:

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

8.3 Discussion and consideration of Resolution No 17-_____ - authorizing the Mayor to negotiate a contract with _____ to provide an evaluation of the possibility of withdrawing from the Salt Lake Valley Law Enforcement Service Area (“SLVESA”), while continuing to obtain services from the Unified Police Department (“UPD”)

Mayor Silvestrini explained that the city has received two responses to the RFP for a study reviewing the possibility of withdrawing from SLVESA while continuing to obtain services from the Unified Police Department. The mayor stated that both Zions and Lewis Young had forwarded revised proposals and outlined his score sheet based on the fact that the cost for Lewis Young is the least expensive of the two.

Councilmember Marchant asked about the process going forward when there are rebids and would like to make certain that all pertinent details are kept private to ensure all parties have an equal opportunity in the bidding process.

Motion was made by Councilmember Uipi, seconded by Councilmember Jackson, to adopt Resolution No. 17-_____ - authorizing the Mayor to negotiate a contract with Lewis Young to provide an evaluation of the possibility of withdrawing from the Salt Lake Valley Law Enforcement Services

("SLVESA"), while continuing to obtain services from the Unified Police Department ("UPD"). Motion passed by roll call vote with members voting as follows:

Councilmember Uipi – Aye

Councilmember Catten – Aye

Mayor Silvestrini – Aye

Councilmember Jackson – Aye

Councilmember Marchant – Aye

9. New Items for Subsequent Consideration

Mayor Silvestrini led a discussion related to the format of the upcoming public hearing for receive public comment regarding the possibility of opting out of the MSD.

Councilmember Jackson discussed the ongoing CERT class and reported that there had not been a good turnout.

10. Calendar of Upcoming Events

Mayor Silvestrini reviewed the calendar of upcoming events.

11. Closed Session

No closed session was required.

12. Adjournment

Motion to adjourn was made at 7:45 PM by Councilmember Uipi, seconded by Councilmember Marchant. Motion passed unanimously.