



**Minutes of the  
Millcreek City Council Meeting  
Monday, August 14, 2017**

APPROVED 08/28/17

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

John Geilmann – City Manager

Leslie Van Frank – Acting Recorder

John Brems – City Attorney

**WORK SESSION**

Mayor Silvestrini called the meeting to order at 4:04 PM. The meeting was held at Fire Station #106 in Millcreek.

**1. Report by Salt Lake County attorney's office regarding courts**

Mayor Silvestrini announced that no representative of the County attorney's office would be present. He and City Attorney John Brems described each of the proposed interlocal agreements with the County for Court services. The proposed contract amounts are: general court services, \$649,024; indigent defense services, \$112,558, and prosecution services, \$255,813. Prosecution costs are higher than defense costs because the prosecutors must investigate many offenses to determine whether to bring charges. The contract costs should be offset by fines and court costs. The County will be billing the City for the difference. There might need to be a budget amendment for these contracts.

The amounts in the contracts represent the County's best effort at identifying the cost of providing services to Millcreek in the past. There had never been a reason in the past to track Millcreek separately. These numbers may change in the future as experience shows the actual costs.

Mr. Brems explained that the City had explored the idea of whether court services had to transfer to the City on incorporation. Based on ambiguous language in the governing law, Millcreek has an argument that it does not have to take over court services, but those services should remain with the

County. He and Mayor Silvestrini concluded that the interlocal agreements were a better way to go. Mr. Brems explained that he was concerned that the County had not had to keep costs under control in the past, and that this would likely be a way to keep costs in check. Mayor Silvestrini noted that Holladay has its own justice court and Cottonwood Heights contracts with Holladay for those services. Both cities lose money.

The mayor indicated the best guess was that the costs would end up being about what has already been budgeted. Councilmember Marchant asked whether in the future there would be better numbers. The mayor indicated that yes, and then the contracts could be renegotiated with more accurate information. He further explained that there are still logistical issues in tracking citations. For example, someone lives in Holladay and is cited in Millcreek, the citation should be heard in Millcreek, but it's not been well-tracked at the police level or in the prosecutor's office. Mr. Brems noted that there's a uniform bail schedule, but judges can relieve offenders of paying the full amount. The mayor noted that the council had budgeted for a \$552,000 loss. The contracts give Millcreek 53% of the historical costs, but it is yet unknown what percentage of the citations are issued in Millcreek. This year, going forward, the County and the police will be tracking where the citations are issued.

## **2. Report from Rolen Yoshinaga from Salt Lake County regarding planning**

Mayor Silvestrini explained that Mr. Yoshinaga would not be present. The mayor explained that as of July 1<sup>st</sup>, the County is still doing all of Millcreek's planning, but that the City has a plan to take that over.

The mayor noted that the last day to submit applications for the planning director position is the 15<sup>th</sup> of August. City Manager John Geilmann reported that quite a few applications have been submitted, some very promising. He will be interviewing candidates this coming week.

Mayor Silvestrini reported that the proposed interlocal agreement with the county for planning and development services was for 90 days, i.e., July 1 through September 30. The contract is renewable. The contract price is adjustable if the City hires employees who are laid off from the County. The County has already given reduction-in-force notices to several employees, some of whom have been working exclusively on Millcreek applications. For continuity, they've been asked to come to work for the city on a probationary basis. The new planning director needs an opportunity to choose his or her staff, so their choices should not be handcuffed. But the agreement does give the City a price adjustment if County employees are hired.

Mayor Silvestrini reported that the City will get the leased space on 1300 East and 3300 South up and going as soon as possible, but there will be a transition period. The mayor indicated that he has spoken with Mr. Yoshinaga about the County finishing applications that were filed before the City takes over. That's still on the table, and may depend on how quickly the new planning department can ramp up.

## **3. Discussion with Logan Simpson about general plan issues**

Mayor Silvestrini noted that Logan Simpson (LS) was not present at the meeting. He indicated they will be coming to a few more public events. They are working on getting the survey online. LS will also be attending the next meeting of the Envision Committee, which is Sept 13<sup>th</sup> (2d Weds) at 6 PM at the City

offices. The mayor reported that LS has been given all information the City has been collecting from the public. So far, the collection of information not as broad-based as we want, but LS knows that and will address it.

Planning Consultant John Jansen reported that he had reminded LS of tonight's meeting, but they indicated they had not planned on attending. Mr. Jansen reported that he and the mayor had been at the Envision Committee meeting the previous week, where Logan Simpson had assisted with some visioning exercises. Mr. Jansen said that the Envision Committee had talked about various ways we could promote expanded outreach in the community. LS is happy that that the City is ahead of the curve in its public engagement efforts. LS will be meeting for two days next week with people on a list that the Council and other opinion leaders had compiled. Mr. Jansen reported that the Envision Committee had had some discussions about branding, a slogan and a tagline.

#### **4. Discussion of Millcreek City Council's draft governing vision and mission statements**

Mr. Geilmann reported that he had taken the minutes from the workshop in which the City Council had participated earlier this spring. He took thoughts that kept surfacing and put them into traditionally formed value statements. He felt that the values expressed by the Council in the workshop were:

1. Safe Community
2. Sustainable environment that provides recreational accessibility
3. Active volunteerism
4. Embrace diversity
5. Empowered & engaged in governance
6. Changing yet preserving

He then drafted a vision statement in a traditional form used by other cities that incorporated these values and other concepts from the workshop:

Millcreek is an empowered, interactive, and diverse community where residents and businesses respectfully engage with each other in governance and volunteerism to maintain a fiscally responsible, environmentally sustainable City that provides a "welcome home" feeling to everyone - past, present and future.

Mr. Geilmann explained that this vision statement would be a springboard for the Envision Committee and the group working on the general plan.

Mr. Geilmann then explained that he did the same thing with a mission statement, which deals with governance and staffing. How do the City provide services, how does the City take care of the community:

Millcreek provides superior and responsive municipal governance and services in a fiscally conservative and responsible manner that sustains and improves the quality of life for residents and stakeholders of the City.

Mr. Geilmann explained that the two statements could still be wordsmithed. He suggested a two or three-hour work session. Mayor Silvestrini said that the Council would have time later in the work meeting today to work on that, but indicated he would like first to discuss municipal priorities.

## **5. Discussion about draft Employee Manual**

Mayor Silvestrini postponed this discussion to later in the work meeting, after completion of the discussion about municipal priorities.

## **6. Discussion with John Geilmann about municipal priorities**

Mr. Geilmann predicated his presentation with a “behind-the-scene look at why cities exist.” Cities exist because the state allows them to exist—Millcreek is a “creature of the state.” He explained that 80 percent of what we as a City do is the same as what other cities do. It’s only the remaining 20 percent that’s unique. That’s where the governing body and the planning commission and staff steps in. What makes us unique? What is unique to Millcreek? That’s what we’ll focus on when we get into priorities. We must first figure out what is unique before we can start talking about priorities.

Mr. Geilmann explained his view that the City’s priorities must be determined in a sliding scale – from not changing anything to completely changing everything. Look at a yardstick. “Never put that which matters most at the mercy of that which matters least.” Don’t worry about what is at 1 when what matters the most is at 30. Always ask the question, “Is this in the best interests of the overall City?”

He then pointed out that the City Council has been working on regulatory priorities since last December, such things as ordinances, budgets, a treasurer, a recorder. That’s the 80 percent. The other 20 percent includes things like aesthetics, municipal services, biking and walkability, committees, events, land use/general planning, historical preservation, recreation, retail centers, and on and on. These are the things that Millcreek has that are unique.

Councilmember Uipi confirmed that this is what she wanted when she asked Mr. Geilmann to talk about priorities.

Councilmember Catten asked how these principles are applied. She noted that priorities in her neighborhood are probably different than those in other councilmembers’ neighborhoods. How does the Council determine the priorities? Do we have our own personal priorities and then the council one? How do we manage that?

Mayor Silvestrini said that the first question must always be: is it good for the whole City? We must prioritize the competing needs in council districts as well.

Councilmember Jackson said that the priorities would change over time as different circumstances develop.

Councilmember Marchant asked what are the current priorities.

Councilmember Uipi said that the Council will need to try to bridge gaps between the four districts.

Mr. Geilmann noted that the Council is now the governing body. It's not a different set of groups anymore. The councilmembers receive input from constituents and bring that input to the Council. Then, what then does the budget allow for? While living within your budget, what are you seeing within your City? Hypothetically: we have a recreation area at this location, do we need another one in another part of the City? Could we get a developer to come in and amass properties to create another recreational area? Do we decide to do it ourselves? It's not, who gets it first, but how do we as a governing body to make people's lives better? What's important to Millcreek? If it's important to Millcreek, it needs to be on this table.

Councilmember Uipi suggested that as a next step, each of the councilmembers give a list to Mr. Geilmann of their top five priorities. Her constituents are concerned about snowplowing and waste services. Councilmember Catten said she had heard a little about those issues from her constituents but she had heard much more about land use and planning and parks and open space. Councilmember Jackson echoed Councilmember Catten's concerns.

Mr. Geilmann said that the Council could give him the list, but it was the Council that had to decide what has priority. He indicated that he could explain how specific tasks get done, so the Council has enough information to decide whether to put it higher on the list. He pointed out that Millcreek is a unique city, because we've already been doing a lot of these things with the community councils. Before incorporation, we didn't have the regulatory power to get these things done. Now the Council does have that power.

Mr. Geilmann said that starting in about December, the Council will be learning about priority based budgeting. That process helps to define where the dollars are and where the dollars are going to go. This process will be based on the values and vision the Council adopts. That's why the general planners want this information. You must find the consistencies in what's being said.

Councilmember Uipi suggested that when the flavor of the month changes based on circumstances, then Mr. Geilmann can bring it back to the Council and help us weigh it.

Mr. Geilmann noted that many cities go through an annual strategic planning process. How do we mesh the vision that Logan Simpson (LS) is putting together through the general plan process with what's going on here? Part of LS's job is to pull this together.

Mayor Silvestrini stated that the vision statement the Council wanted was one for the City itself. It was a City Council exercise—a starting point for the Council. Councilmember Uipi noted that the Council's prior workshop was the beginning stages of the internal strategic plan that we didn't want to go any further with until we hired a City manager. We want the employees to be accountable to what the governing body wants.

Mr. Janson said that he was worried that the general plan will complicate that. Often the topics overlap. There may be some things that you want to add as the plan gets completed.

Councilmember Uipi noted that the vision statement is a fluid document. It can be sent to LS for now. The mayor noted that the Council is a stakeholder, too, and its vision is the Council's input.

Millcreek resident Kumar Shaw noted that the statement is flexible, and can change as circumstances change.

Mr. Geilmann said that the process is like a spinning wheel, you're getting better or you're getting worse. You want to be sufficiently dynamic to be getting better all the time.

Mr. Marchant noted that each district's specific priorities will always be a part of the recipe.

The Council then discussed the specific language of the statements, and determined that at the next meeting, it would adopt the following language:

#### Vision

Millcreek is a diverse community where residents and businesses are empowered to respectfully engage and interact with each other in governance and volunteerism to maintain a fiscally responsible, environmentally sustainable City that provides a "welcome home" feeling to everyone - past, present and future.

#### Mission

Millcreek provides superior and responsive municipal governance and services in a fiscally conservative and responsible manner that sustains and improves the quality of life for residents and stakeholders of the City.

#### **The discussion then turned to the Employee Manual, an earlier agenda item:**

Mr. Geilmann explained that several changes had been made to the draft Employee Manual since it was last circulated. He said that it needed to be tailored back quite a bit to where it addresses 50 or so employees.

Mr. Brems noted that he wanted the City human resources consultant, NFB, to review the document before the City adopts it. NFP had made recommendations for leave and so forth and the manual should be consistent with NFP's recommendations

Mr. Geilmann noted that as the City manager, he wants flexibility with hiring and dismissing employees. He said he would have NFP review the Employee Manual, and have it ready for consideration at the August 28<sup>th</sup> meeting

#### **7. New items for consideration**

Mayor Silvestrini announced that Herriman had voted to leave the Salt Lake Valley Law Enforcement Service Area (SLVLESA). Mr. Brems noted that Herriman's notice went to SLVLESA today. Mayor Silvestrini explained that when he talked to Herriman's Mayor Freeman, he asked for Herriman's support if Millcreek voted in favor of Herriman's leaving. If they and Riverton agree Millcreek can leave, then Millcreek will not need the additional feasibility study that state law requires.

Fundamentally, in terms of the financial impact, the state law study wouldn't reveal anything more than the feasibility study the City has already commissioned.

Mayor Silvestrini reported that he recently had a discussion with Millcreek Precinct Chief Steve DeBry and others at the UPD about identity theft. They gave the Mayor some ideas about how the City can help.

Mayor Silvestrini further explained that he and Chief DeBry had discussed whether the UPD should use the sheriff that the Democratic Party would soon be selecting, or hire its own police chief. The current organization of the department, where the County sheriff is the head of the UPD, came about in large part to satisfy other cities so they would have more control. Sheriff Winder yielded a lot of power at the time, but still remained in charge of the UPD. Only the legislature can change the current organization. Several SLVLESA board members, including County Mayor Ben McAdams, support this concept.

Mayor Silvestrini reported that Chief DeBry had also recommended that Millcreek exit SLVLESA. If Millcreek wanted to increase forces, other SLVLESA members might not agree. The process to leave is a resolution by the Council. While not legally necessary, it would be advisable to have a public hearing. The timing is another issue. That revolves around how the City can finance it. Herriman and Riverton have decided to form their own taxing districts. The advantages are, according to their mayors, that the property taxes will be dedicated to police services. In other cities, the City council has discretion to move funds around, such that sales tax could be used for police services and property taxes for street repairs.

In response to a question from Councilmember Jackson, Mr. Brems explained that Herriman currently has a property tax, but doesn't collect much money from it. Riverton has no property tax. The property taxes for police services will be collected by the taxing districts they intend to create.

Councilmember Jackson expressed concern that with all of the residential apartments being built, they will not be contributing to Millcreek's police services. Mayor Silvestrini explained that the property owners are indeed contributing property tax. They are not entitled to the residential exemption that homeowners enjoy. Thus, they are paying for police services. Councilmember Jackson asked whether what they are paying is sufficient for the police service that we need or will there be a time where we wish we could supplement with sales tax? It would be good to have more than one source.

Mayor Silvestrini indicated that his personal preference would be to contract directly with UPD, and not be limited to funding police services with just property taxes. It would also diversify the City's revenues, and give us a better bond rate. Sales tax is volatile. Mayor Silvestrini indicated that he was not certain that it was a good selling point to tell residents that their property tax will be spent only on police services. It's better to explain to them that the City's funds are diversified. The mayor also noted that he would not want to hire a separate financial officer/director, and have an additional audit, both of which are items that a special taxing district would require. The real issue is the timing.

Mr. Brems reported that Herriman is leaving after the 22<sup>nd</sup> of December, 2017. He noted that there had to be a public hearing and a resolution adopted, and then the City had to give the SLVLESA board timely notice. An interlocal would have to be negotiated. Millcreek would have to be out of the

SLVLESA district on January 1, 2018 in order to not miss the property tax collection. Mr. Brems reported that he's already started working on an interlocal agreement.

Mayor Silvestrini said that he wanted to ask financial advice from the consultant Millcreek contracted for the feasibility study, Lewis Young. It was outside the scope of the study they'd already completed, but he wants to ask them to help figure out a strategy to pay for police without forming a district. The problem, the mayor noted, is that Millcreek would not be collecting the 2017 property tax. SLVLESA will collect that tax and use it to pay off the tax anticipation notes they took out to pay for 2017 services. Then SLVLESA will have a part of Millcreek's tax money to pay for services again until they have to borrow. The mayor noted that we need to know what the legalities are. Is there a way to issue a bond rather than notes? These could be secured by property tax revenue. The difficulty with notes is that Millcreek's fiscal year ends in June and notes would have to be repaid by then. If the borrowing period could be extended through the end of the calendar year, that would solve the financing problem. Mayor Silvestrini wants to ask Lewis Young how this could be fixed.

Mr. Brems pointed out that municipalities' fiscal reporting year is set by the Utah Constitution, so that could not be changed easily.

After discussion, the Council determined to have a public hearing on September 11, 2017 on whether to leave SLVLESA. The resolution could be heard on the 18<sup>th</sup> before the SLVLESA board meeting on the 21<sup>st</sup>. Councilmember Jackson will work on a postcard to send to the public before Labor Day. Councilmember Catten agreed to locate a larger space for the public hearing.

The Council then discussed items for future agendas including:

Employee Manual – on August 28<sup>th</sup> agenda for adoption

Vision statement – on August 28<sup>th</sup> agenda for adoption

A Millcreek resident who wants to discuss accessory apartments. Mayor Silvestrini noted that he would like to hear from someone from Sandy or somewhere else about their experience with such an ordinance. Councilmember Uipi noted that the City must be open to diverse ways of housing. Councilmember Jackson asked whether stipulations, like off-street parking, could be required.

The Arts Council – Mr. Brems asked the Council what they wanted to do about the Arts Council. He needs to see the 501(c)(3) before taking any further steps, but has not yet heard back from the Arts Council with the requisite information. Councilmember Jackson suggested that Rita Lund could reach out to Kevin Flynn, who is apparently the new Arts Council president.

Councilmember Marchant noted that the contract price the Council had previously approved with Dave Sanderson had increased. He has been told that was required because he would now be preparing payroll. Councilmember Uipi noted that the Council had understood there would be no changes to the contract, and she thought NFP was doing payroll. Mayor Silvestrini reported that he had had a discussion with NFP about payroll, and they suggested it would be more cost effective for the City for Mr. Sanderson to take over payroll. Mr. Geilmann noted that Mr. Sanderson is a modified finance-type person. Mr. Geilmann wants to move tasks from NFP if possible. He noted that an in-

house finance director would cost \$80,000, and that Mr. Sanderson's contract for \$20,000 is a good deal. The Council agreed.

Mayor Silvestrini noted that there may be County reports on the August 28<sup>th</sup> meeting.

He noted that the Council needs to make decisions about streets program and capital projects based on John Miller's project priority spreadsheet

Mayor Silvestrini reported that the City is waiting for the County to issue (on Millcreek's behalf) a permit for the buildout. The County produced checklist of questions, like what's going to be stored in the storage area? The City received two bids for the work– both much higher than what we anticipated. The bids were submitted to four contractors and two responded. Contractors are busy right now. We should still be getting money from the fund balance from the MSD. We don't have that in the budget now. It would augment our budget. We might not get it until the end of the year, and it isn't certain that it will be coming. It will have to be negotiated. We have recommended going to the low bidder and asking if they'd accelerate the schedule with a \$20,000 kicker.

The Mt. Olympus Improvement District is waiting for the City to move out so they can do some remodelling. On August 22<sup>nd</sup>, a moving company is moving all the furniture in the basement and also the furniture from its current location in the storage unit. It will then be tarped. When the demising wall goes up, there shouldn't be much dust. Mr. Geilmann says once it's in the new space, he will be able to spread it out and see what's there.

For the August 28<sup>th</sup> meeting, add a discussion about the discretionary part of our budget – things the Council must decide, like how much to fund for 50/50 program, which ones of the projects on Mr. Miller's list do we want to go forward with. Councilmember Uipi asks how the priorities will be determined. Mayor Silvestrini suggested that each councilmember pick a project in their district, then the Council as a whole can discuss what's best for the City. He and Mr. Geilmann will work with Mr. Miller on the list.

Councilmember Jackson asked whether the Council would be deciding who to hire as the planning director and recorder. Mayor Silvestrini noted that hiring employees is now Mr. Geilmann's job. He will report at the August 28<sup>th</sup> meeting who he has hired.

Councilmember Jackson asked about what progress had been made on storm drains. Mr. Geilmann reported that he had spoken with Elaine Bentley. She'll be gone until the end of August, and he will talk with her when she returns.

The Work Meeting adjourned at 6:26

## **REGULAR MEETING:**

### **1. Call to Order**

Mayor Silvestrini called the meeting to order at 7:02 PM. He recognized County Councilmember Sam Granato in the audience.

Mayor Silvestrini then led the audience in the pledge of allegiance.

Councilmember Jackson moved to approve the minutes for 8/7/17 meeting. Councilmember Marchant seconded the motion. All approved

### **2. Public Comment**

Millcreek resident Bob Johnson. Mr. Johnson reported that he lives at Shadybrook. He recently watched the police raid what he believes is a meth house. He has been watching drug deals in the neighborhood parking lots. There are many safety issues. Mr. Johnson wants to know whether Scott Avenue will ever be improved into a normal road? Any plans for sidewalks? Finished road?

Mayor Silvestrini responded that Scott Avenue is on a list with a number of other streets for improvement. Many others in the past have asked about it. This project has a higher priority because of the park. The lead story in the newsletter this week was about sidewalks and how the priorities work. Scott Ave is one of our four parks. But it's difficult to know right now when improvements can be made.

Mr. Johnson reported that the street feels unsafe, because the road is very narrow.

Councilmember Marchant advised that Scott Avenue had been under discussion as to the best thing to do. It is a through street to the east. It's not wide enough to put in a painted line. Humps were being studied. There are many issues, which the engineers are reviewing.

Councilmember Uipi asked Mr. Johnson about his report about crime. Mr. Johnson explained that he was curious about what is happening with the house. The mayor encouraged him to talk to the police. He also explained that it's the private owner's responsibility to rehabilitate a meth house, not the City's.

### **3. Reports**

#### **3.1 Report of the Mayor**

The mayor reported that earlier in the day, he, Councilmember Catten, and members of the Envision Committee and the Planning Commission, had toured the types of mixed use projects that could potentially be built in Millcreek, as well as several projects already built here. He explained that the idea was to try to get a feel of what we like, what things present problems, what are the challenges, what's working.

The mayor reported that he had met with the Envision Committee last week and with the consultant. They had talked about continued public engagement. There will be some branding proposals.

Mayor Silvestrini reported that the annual Mt. Olympus cleanup had occurred on Saturday. He expressed thanks to the volunteers, and the police and public works. Public works had provided 200 visibility vests, all of which were distributed. About 250 people volunteered. They cleared litter off Wasatch Boulevard, did spot cleanups around Fortuna, and cleaned graffiti from the trailhead. The mayor suggested that the Council should consider spreading this around the City. The project was done in two hours because there had been so many volunteers and the work assignments were very well organized.

3.2 Reports of City Council members – There were no reports

3.3 Report of City Manager – There were no reports

3.4 Report by the Unified Police Department

Millcreek Precinct Chief Stephen DeBry announced that Officer Mike Prettyman would be awarded as Officer of the Month, a long-standing tradition with plaques that go back to 1971 or 72. Chief DeBry explained that Officer Prettyman has served for 4 years in the Millcreek Community Oriented Police program. This year was Millcreek's first 4<sup>th</sup> of July parade as a City. Officer Prettyman coordinated it flawlessly. He is receiving his citation this past month, and for the past four years. He is leaving to serve as the officer at Kearns Jr. High.

Chief DeBry introduced Officer Bettina Allen, who will be taking over Officer Prettyman's COP position. Officer Allen has served in patrol in Millcreek for 15 years. She'll be COP.

Millcreek resident Sam Granato (also County Councilmember), as well as J.Thelan on behalf of Millcreek's Citizens' Advisory Board (CAB), also expressed their thanks to Officer Prettyman for his service, and each presented him with a certificate and a gift.

Mayor Silvestrini and other members of the Council also thanked Officer Prettyman, and praised his work.

Officer Ronnie then presented the UPD's overall statistics for July. He gave some examples of arrests that had been made. He then thanked the City, CAB and Chief DeBry for their efforts in presenting the Night Out Against Crime. Six hundred people were served, the Lions Club had snow cones, bikes given out on raffles. It was a national night out against crime. The UPD was able to show off their services. It was a big success. Councilmember Uipi expressed her appreciation to the UFA and the UPD for the evening, noting that it was difficult to schedule in Millcreek when so many other cities and metro townships are doing the same thing. She thanked the UPD for giving Millcreek priority and sending the canine unit to our City to show off.

Mayor Silvestrini also expressed his thanks. He further reported that he had met with Detective Lambert and Sgt. Van Wagoner that evening and again this week. He intends to work with them on legislation to criminalize the possession of tools of identity fraud

3.5 Report by the Unified Fire Authority – Chief Dan Larsen welcomes the Council to Fire Station #106.

4. **Appointments** - there were no appointments on the agenda

5. **Consent Agenda** - there were no items on the consent agenda

6. **Planning Matters** – there were no planning matters on the agenda

7. **Financial Matters** – there were no financial matters on the agenda

#### 8. **Other Matters**

8.1 Discussion and consideration of City Manager’s recommendation regarding responses to Request for Proposals for lobbying services –

Mr. Geilmann reported that the City had received only three responses to the RFP for lobbying services. All three responders were qualified. He then looked for at the cost for services. The least expensive was from Capstone at \$25,000. The next was for \$36,000, and the next was \$60,000-plus. Based on the City’s procurement policy, he recommended Capstone as the lowest bidding group.

Mayor Silvestrini reported that the City had used Capstone during the 2017 legislative session. He said he was happy with Capstone’s services. As a result of their work, the City saved more than . I was happy with the service he rendered last year. We saved more than \$100,000in election costs, and also was able to obtain more than \$1 million in start-up costs.

Councilmember Uipi said she was glad to see the Council go through the RFP process this year. She also indicated her desire to have a presentation from Capstone about what the City’s legislative priorities will be.

The mayor reported that he would be meeting with Capstone, Mr. Brems and Mr. Geilmann to talk about legislative priorities. He said that they would work on a presentation for a future meeting.

8.2 Discussion and consideration of Ord No. 17-\_\_\_ - adopting a fee schedule for GRAMA requests

Mayor Silvestrini explained that the City had received one GRAMA request so far. There are costs involved. Having a uniform fee schedule will help the City respond.

Councilmember Uipi asked if the proposed fees are similar to those in other cities. Mr. Brems reported that they are.

Mr. Brems, in response to a question from Councilmember Catten, indicated that a requester can get copies of documents if they request them. The mayor explained that the proposed schedule allows flexibility in how the response is made.

Motion was made by Councilmember Uipi, seconded by Councilmember Jackson, to adopt Ordinance No. 1-\_\_\_, adopting a fee schedule for GRAMA requests. 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-\_\_\_ - approving interlocal for planning/development services

Mayor Silvestrini explained that the agreement would assist the City and provide some continuity in helping the City to set up our own department.

Motion was made by Councilmember Catten, seconded by Councilmember Uipi, to adopt Resolution No. 17-\_\_\_ - approving interlocal for planning/development services. 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

8.4 Discussion and consideration of Resolution No. 17-\_\_\_ - approving interlocal for indigent defense services

8.5 Discussion and consideration of Resolution No. 17-\_\_\_ - approving interlocal for prosecution services

8.6 Discussion and consideration of Resolution No. 17-\_\_\_ - approving interlocal for justice court services

Mayor Silvestrini conducted a discussion on these three items together. He noted that each was subject to approval by the County Council. He pointed out that there are three agreements related to court services. The first is for misdemeanor offenses with jail time threatened. Under the proposed agreement, Millcreek would pay the County \$112,000. The contract would be administrated by the County but be executed by Legal Defenders

The second contract is for prosecution services at a cost of \$255, 813. Prosecution costs are more than defense costs because prosecutors not only try cases, they have to evaluate cases to determine whether they will bring charges for the offense. This contract is for one year of services. The mayor explained that he had spoken with the judge at the Salt Lake County justice court. She is satisfied with the professionalism of the Salt Lake County attorney's office.

The third contract is for justice court services for the courtroom at 21<sup>st</sup> South and State. The mayor explained that contrary to what some people believe from anecdotal evidence, courts don't pay for themselves. Cities subsidize courts. Mayor Silvestrini reported that he'd spoken with a number of mayors in Salt Lake County. The justice court that Salt Lake County runs has a good reputation.

Part of the issue this year on all the contracts was figuring out pricing. The UPD, courts, and attorneys have never had a reason to keep track of Millcreek specific offenses. That makes the pricing difficult. Thus, the pricing of these agreements is an experiment at this point. The cumulative price of these contracts is more than what we have budgeted in our 2018 budget. But forfeitures, court costs, expenses of being processed through the criminal justice system will offset against these contract prices. The mayor reported that at the end of the day, we hope to come out in the black, but there's a possibility that a budget adjustment will be necessary in the future./

A motion was made by Councilmember Jackson, seconded by Councilmember Uipi, to approve Resolution No. 17-\_\_\_ - approving interlocal for indigent defense services. 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

A motion was made by Councilmember Catten, seconded by Councilmember Jackson, to approve Resolution No. 17-\_\_\_ - approving interlocal for prosecution services. 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

A motion was made by Councilmember Uipi, seconded by Councilmember Catten, to approve Resolution No. 17-\_\_\_ - approving interlocal for justice court services. 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

Mr. Geilmann reminded the Council that when the IT services contract had been approved, the Council had not required a separate resolution. He asked the Council whether it would be necessary to bring back a separate resolution to approve a contract for lobbying services. The Council agreed that such would not be necessary.

Motion to Councilmember Uipi to adjourn, seconded by Councilmember Jackson. All approved

Meeting adjourned at 7:50 PM