



Minutes of the Millcreek City Council Meeting Monday, January 9, 2017

Councilmembers present

Jeff Silvestrini – Mayor
Silvia Catten – Council District 1
Dwight Marchant – Council District 2
Cheri Jackson – Council District 3
Bev Uipi – Council District 4

Others present

John Brems, attorney
Rita Lund, deputy recorder
Leslie Van Frank, recorder

4:00 PM – WORK SESSION

Granite School District Presentation – Ben Horsley

Mayor Silvestrini introduced Ben Horsley, the Director of Communications for the Granite School District, who introduced Don Adams, the Assistant Superintendent, and Todd Zenger, Board of Education member. Board President Terry Bawden joined the meeting later.

Mr. Horsley gave a brief video presentation of a new community initiative related to a new capital plan for the District. They will be bringing this information to city councils and later will be going through a comprehensive public outreach process. Over 50% of the schools in the District are over 50 years old and the plan includes detailed assessments of all school facilities. A large amount of schools need

improvements, including building maintenance, improvements, security and seismic upgrades. The video and additional information can be found at www.gsdfuture.org.

The District has determined that there is a need for \$36.6M annually for major rebuilds along with ongoing needs for maintenance and upgrades. Three options have been developed to move toward funding the needs. The option chosen will determine whether there will need to be a tax increase, a series of bonds or a hybrid of the two. If a single tax model is chosen, there would be \$259.88 tax on a \$250,000 home. The bond series model would involve the passage of bonds for several years and would rely on bond rates remaining low. The hybrid model would have a \$183.43 tax impact on the average homeowner.

The facility condition index shows that in the Millcreek area, Eastwood and Oakridge Elementary and Evergreen Junior High fall in the category showing more than 85% of the building needs repairs/renovations. Rosecrest, Upland Terrace, Morningside, Moss Elementary and Skyline High schools show that 75-85% of the building needs repairs/renovations. Millcreek and Roosevelt Elementary schools fall in the category showing that 50-74% of the building needs repairs/renovations. The remaining schools in Millcreek fall in the category showing that 0-49% of the buildings need repairs/renovations.

Mr. Horsley stated that the Board is not considering school closures at this time and the direction that has been given is to address population shifts with boundary shifts or school configurations similar to the recent Skyline change to include the 9th grade. In the Skyline network there is a high number of elementary populations but it tends to fall off as you move to the higher grades. Councilmember Marchant asked about rumors of a closure of Millcreek Elementary and Mr. Horsley answered that no decision has been made and ideas are being discussed including a possible change of location.

The timeline for the public outreach process will run through March or April at which time options will be reassessed and decisions made. City Councilmembers will be surveyed individually by email and the District is very willing to return to for a presentation to the Council upon request.

At this point, Councilmember Uipi joined the meeting by phone.

Job Interview of Tara Whiting for the Position of Part-time Administrative Assistant

Mayor Silvestrini introduced Ms. Tara Whiting who had indicated interest in assisting the City in a part time position for the short term. Ms. Whiting outlined her experience and indicated that her schedule is very flexible and that she would be able to begin work immediately. Mr. Silvestrini stated that the City will be in the position to hire full time staff in April and that he needs some assistance in fielding phone calls, organizing his schedule and having a presence in the City offices. The payscale being discussed is in the range of \$15 to \$20 per hour. Councilmember Jackson requested references. Ms. Uipi told the group that she had already had a good reference for Ms. Whiting from an acquaintance. Mayor Silvestrini will circulate the references he receives and will add this item to the January 17th agenda.

At this point, Councilmember Uipi joined the meeting in person.

Open Meetings Presentation by John Brems, City Attorney

Before beginning the Open Meetings Training, Mr. Brems requested time to discuss two issues.

He asked the Council whether they have had any discussion about elections. There is notice that is required to be posted in the newspaper by February 1st. Election costs will need to be added to the amended City budget. Rita Lund indicated that there will be a meeting on February 2nd where she will get additional information on elections. She will also find the dates for the 2017 election cycle. Further discussion will be added as an agenda item to the January 17th agenda.

Mayor Silvestrini will be inviting the community council chairs to attend the January 17th City Council meeting to discuss funding and other issues. Community council and Venture Out funds could be pro-rated based on the date that Millcreek leaves the MSD.

Mr. Brems then asked about a Planning Commission issue, he told the Council that since conditional uses are administrative public comment is not required. Does the Council want to allow public comment on these applications? Mayor Silvestrini indicated that he feels there is a benefit in hearing the public on these issues, Councilmember Jackson agreed. Mr. Silvestrini asked John Jansen and Tom Stephens how they felt about the question. Mr. Jansen suggested that if public comment is continued, there must be clear and concise definitions be announced at each meeting and that public notices need to be revised. Mr. Stephens indicated that he sees a benefit in that the applicant hears the public's concerns and often compromises can be made. Mr. Jansen added that there should also be a discussion about this related to subdivisions.

Mr. Brems then conducted Open Meetings Training for the Council. This training needs to be conducted annually. Mayor Silvestrini notified the Councilmembers that this training is available on line and that Councilmembers who are members of District Boards will be required to have this training for their individual boards.

Mayor Silvestrini then outlined the draft agenda for the ACCT training scheduled for January 14th. The morning will consist of reports from the independent elected officials and the afternoon will be training for Metro Township Councilmembers.

Discuss Millcreek Envision Committee and Mayor's Proposed Appointments Thereto

Mayor Silvestrini told the Council that he has had additional requests from several residents indicating an interest in joining the Millcreek Envision Committee. The Mayor is very interested that this to be a truly functioning committee and he would like to determine the best way to proceed. Possibly the members would self-select based on their attendance and interest. Councilmember Uipi is interested in at least developing a list of members in order to maintain consistency and not impede progress. Councilmember Jackson added that they felt it would be important to have a committee chair to better manage the group. Mr. John Jansen stated he has managed several steering committees and feels that it is the general rule that information and a vision is developed and then presented to the committee after a consultant has been hired.

Mayor Silvestrini would like to not lose momentum and the interest of the residents who want to be involved and feels that there should be some activity before hiring of a consultant. This would not foreclose the idea of hiring a consultant. He would like to see this group be very active in assisting the Planning Commission along with the visioning process. This is a top priority for him and he is very interested in obtaining funds from WFRC but would also be willing to utilize some of the start up funds for this purpose. This committee could also assist in developing an RFP to be let for hiring of a

consultant to lead the General Plan effort. He understands that Mr. Jansen will probably be interested in responding to an RFP. The Meadowbrook Small Area Plan is an example of problems with public process. There was a public engagement process but it was difficult to get the public involved.

Councilmember Uipi suggested that John Jansen, Andrew Gruber and Bruce Parker get together and develop some proposals on how to move forward to present to the Council.

Mayor Silvestrini will put a membership list together including everyone who has expressed an interest and circulate it to the Council and that Item 5.1 will be postponed from the formal Council meeting today. He would like to move forward with adoption of Item 7.2 creating the committee, deleting Section 3 related to Organization, Meetings and Committees.

Discuss Revision of Title 19 of City Ordinances

Mayor Silvestrini explained that the ordinances that had been previously adopted that had been forwarded by the District Attorney's office was the incorrect version and had not been vetted. Therefore there is a need to go back to the original county code with revisions to make it applicable to Millcreek.

Discuss Noticing Requirements for Ordinances, and Budgeting for Newspaper Publications

Mayor Silvestrini stated that the costs for noticing requirements for ordinances should be in the budget and appear under the Recorder budget. The budget will be amended to reflect these costs.

6:25 PM – GENERAL MEETING/BUDGET PUBLIC HEARING

1. Call to Order

1.1 Pledge

1.2 Approval of Minutes - MOTION was made by Councilmember Catten, seconded by Councilmember Jackson to approve the minutes of the meeting of January 3, 2017, with a correction to the ending time to 3:30 PM.

2. Public Comment

Resident Leslie Van Frank, 3400 Crestwood Drive, shared a message from the videographer who attended the inauguration commenting how impressed he was with the group of young people who volunteered to assist him with his heavy equipment. A copy of the email is appended to these minutes.

Resident Al Haines, 2501 E Neffs Lane, who works for a solar contractor had a question related to any changes related to permitting in the city and was told that everything will continue to be handled at the county for the immediate future.

Resident Jeff Gibson, 1250 Manor Circle, commented that he felt snow plowing had been worse since creation of the city. Mayor Silvestrini explained that the recent storms had been extraordinary and had impacted the entire valley. Another problem is with residents who leave vehicles parked on the streets, creating an impediment to the snow plows. UPD Detective Mike Prettyman told the group that warning (pink tag) violations had been issued to vehicles parked on the street, tickets had been issued and there potentially will be impounding of frequently offending vehicles. Reports of violations should be reported to 385-468-9620. Rita Lund reported that the phone number for Public Works is 385-468-6101 and the main number for the UPD is 801-743-7000. Councilmember Marchant reported that County Councilman Sam Granato had invited residents to contact his office with any concerns.

Resident Garth Daniels, 2346 E 2815 S, commented that he had seen his street cleaned three or four times and was pleased with the services.

Dave Muir reported that roads have different priorities and the priority roads must be maintained first and that a storm like the recent one can be difficult.

3. Reports

Report of the Mayor, reports of City Councilmembers

Mayor Silvestrini reported that he was very pleased with the Inaugural Ceremony and thanked everyone involved, particularly the Skyline Madrigals. He reiterated that the event had been at no cost to taxpayers. Additionally, Mr. Rick Graham had delivered a \$100,000 check for city start up costs. The check has been deposited in the account.

Mayor Silvestrini moved to a discussion of the Millcreek City budget. Adoption of a budget is required before any expenditures. He explained that this budget is based on estimates, there is some uncertainty about revenues and when funding will come to the city. For the first ninety days, sales tax funds will continue to go to Salt Lake County and should begin to come to the city in June. Road taxes will come in March.

The budget assumes general sales and use taxes in the amount of \$2,250,000 which will come to the city in June, \$295,000 in franchise taxes which should be collected sometime in the first six months. Business license and building permit fees shown is just for one month and assumes that the city will be set up to accept those fees at that time. Until then the fees will continue to go to Salt Lake County. Line # 3356 refers to Class C road funds which will come to the city and is being estimated to be in the amount of \$1,167,00. Line #3372 shows the \$100,000 that has been received from Salt Lake County and we are assuming that additional start up funds in the amount of \$1,400,000 will be forthcoming.

The budget shows a credit in the amount of \$90,000 which is an in kind donation by Mt Olympus District providing free rent for the first six months. The Council will adopt an amended budget when more details are available. The adoption of the amended budget will require an additional public hearing.

Line #4111 contains rough expenses. There is an estimate of around \$85,000 in administrative and legislative expenses. The City has obtained indemnification and workers comp insurance. There is an entry for \$50,000 in the executive line for purchase of software, setting up a website and other general expenses. There is a line for expenses for John Brems, the city attorney who has been working many hours to get the city set up. The expense for the feasibility study by Lewis Young is also included.

The last page shows funds to be owed to Salt Lake County who will be providing services plus a required \$200,000 minimum reserve.

4. Public Hearing

Councilmember Uipi moved to open the public hearing, seconded by Councilmember Marchant. Motion passed unanimously and public comment was opened.

Al Haines, 2501 Neffs Lane, asked the Council if there was any plan in place if the city falls short of revenue goals and begins to run in the red. He commented that he had heard that both Holladay and Cottonwood Heights initially run in the red. Mayor Silvestrini responded that he believed that statement to be incorrect, that the city will not run in the red and projections show that there will be a surplus of around \$1,000,000. The city will make adjustments if required. Millcreek does not receive property taxes and does not have the ability to collect property taxes in the July 2016 to June 2017 tax year. There would be the potential to collect property taxes in the 2017 to 2018 year if needed.

Gloria Kuhn, 4455 Gordon Lane, commented that it was the incorporation opposition people who put out these incorrect figures.

There being no additional public comment, a motion was made by Councilmember Jackson, seconded by Councilmember Marchant to close the hearing. Motion passed unanimously and the public hearing was closed.

5. Appointments

5.1 Discussion and consideration of Resolution No. ____ - appointing members to the Millcreek Envision Committee.

Mayor Silvestrini announced that a decision had been made in the work session to not take action on this Resolution at this time.

5.2 Discussion and consideration of Resolution No. 17-1 - advising and consenting to the Mayor's appointment of Dwight Marchant as Treasurer for the city.

Mayor Silvestrini explained that the city intends to hire three different people/groups or firms to fill the positions of Accounting Manager, Treasurer and Auditor in compliance with state guidelines. Mr. Dave Sanderson has been selected to serve as Accounting Manager. Councilmember Marchant has agreed to serve as City Treasurer and at a point to be determined, an independent Auditor will be selected.

MOTION was made by Councilmember Uipi, seconded by Councilmember Catten to approve the Resolution. Motion passed unanimously.

5.3 Discussion and consideration of Resolution No. 17-2 - advising and consenting to the Mayor's appointment of Leslie Van Frank as City Recorder for the City, to act in a volunteer capacity.

Mayor Silvestrini disclosed for the record that Ms. Van Frank is his wife and law partner and has functioned and will continue to function in a volunteer capacity.

MOTION was made by Councilmember Jackson, seconded by Councilmember Marchant to approve the Resolution. Motion passed unanimously. Councilmembers thanked Ms. Van Frank for the work she has done on behalf of the City.

5.4 Discussion and consideration of Resolution No. 17-3 - advising and consenting to the Mayor's appointment of Rita Lund, Salt Lake County employee, as acting Deputy Recorder for the city.

Mayor Silvestrini explained he had negotiated with Salt Lake County Mayor McAdams for the ability for Millcreek to use Rita Lund for approximately 50% of her time through April, noting that Ms. Lund has performed duties for Millcreek Township in the past including preparation of the newsletter and liaison work with the County.

MOTION was made by Councilmember Jackson, seconded by Councilmember Uipi to approve the Resolution.

5.5 Discussion and consideration of Resolution No. 17-4 - electing a Mayor pro tempore.

Mayor Silvestrini explained that if the Mayor is not available, there is a need for a Mayor pro tempore. Councilmember Uipi is willing to serve in this capacity.

MOTION was made by Councilmember Catten, seconded by Councilmember Jackson to approve the Resolution. Motion passed unanimously.

6. Consent Agenda

No consent items appeared on the agenda.

7. Planning Matters

7.1 Discussion and consideration of Ordinance No. 17-1 - adopting a revised compilation of ordinances, specifically with reference to Title 19.

Mayor Silvestrini explained that the code of ordinances that had been previously adopted was the incorrect ordinance, had never had a public review and contained some significantly problems. Mr. Brems has reviewed the current county ordinance and made the necessary changes related to a city. The incorrect ordinance needs to be repealed and replaced with this version.

MOTION was made by Councilmember Jackson, seconded by Councilmember Catten to adopt the revised compilation of ordinances. Motion passed unanimously.

7.2 Discussion and consideration of Ordinance No. 17-2 creating the Millcreek Envision Committee to study, investigate, solicit input from the citizens for a new general plan.

Mayor Silvestrini explained that there had been discussion in the work session related to formation of a Millcreek Envision Committee and it had been determined that the committee should be formed at this time with details of the members to be decided later. The discussion was to approve the Ordinance with the deletion of paragraph 3.

MOTION was made by Councilmember Jackson, seconded by Councilmember Uipi to adopt the Ordinance, striking paragraph 3. Motion passed unanimously.

8. Financial Matters

8.1 Discussion and consideration of Ordinance No. 17-3 - adopting a final budget; making appropriations for the support of Millcreek for the time period beginning January 1, 2017 and ending June 30, 2017.

Mayor Silvestrini explained that the budget will be amended and reviewed as better information is received.

MOTION was made by Councilmember Marchant, seconded by Councilmember Catten to adopt the Ordinance as drafted. Motion passed unanimously.

8.2 Discussion and consideration of Resolution No. 17-4 - adopting a transient room tax.

Mayor Silvestrini explained that transient room tax is taxes paid by visitors to the community and stay at a hotel or bed & breakfast. Millcreek has at least one bed & breakfast.

MOTION was made by Councilmember Catten, seconded by Councilmember Marchant to approve the Resolution. Motion passed unanimously.

8.3 Discussion and consideration of Resolution No. 17-5 - authorizing and directing the Mayor to enter into an accounting service contract with DS Accounting Services, LLC.

Mayor Silvestrini asked Mr. Sanderson if the contracted price would include payroll services. Mr. Sanderson agreed.

MOTION was made by Councilmember Uipi, seconded by Councilmember Jackson to approve the Resolution. Motion passed unanimously.

9. Other Matters

9.1 Discussion and consideration of Ordinance No. 17-5 - granting a cable license to Comcast of Utah to operate and maintain a cable television system in Millcreek; setting forth conditions accompanying the grant of the license; providing for city regulation and administration of the cable television system; and prescribing penalties for violation of the license.

Mayor Silvestrini introduced Mr. Kirk Nord, 683 Beaumont Way, Draper, an employee of Comcast who explained that the fee only pertains to the video component of Comcast services. The franchise fee imposed is 5% and he gave an initial estimate that there are around 15,827

customers with an average charge of \$65.00. The fee is to allow Comcast to utilize the public right of way. There will be a franchise fee discussion with CenturyLink at a future date.

MOTION was made by Councilmember Jackson, seconded by Councilmember Marchant to approve the ordinance. Motion passed unanimously.

10. New Items for Subsequent Discussion

No new items were discussed.

11. Calendar of Upcoming Events

It was decided that the Millcreek Work Session for January 17th will begin at 4:00 PM and the Millcreek General Meeting will begin at 6:00 PM.

Agenda items will include a discussion with Aimee McConkie about Venture Out!, a discussion with the Millcreek Community Council Chairs, a discussion about conducting elections.

Councilmember Uipi added that there will also be training by the League of Cities & Towns either for ethics or GRAMA.

Mayor Silvestrini added that he would like to discuss letting an RFP for a website and requested that everyone let him know any websites that they feel are good examples.

There may also be a contract with The Village to do internet streaming of meetings.

If time allows, there should be some discussion related to creating a job description for City Manager and an organizational chart.

12. Closed Session (If Needed)

No closed session was required.

13. Adjournment

The meeting adjourned at 7:45 PM upon motion by Councilmember Jackson, seconded by Councilmember Catten.



Leslie Silvestrini <lvfsilve@gmail.com>

Millcreek Inauguration

1 message

steve@ayltv.com <steve@ayltv.com>
To: Leslie <lvfsilve@gmail.com>

Tue, Jan 3, 2017 at 8:42 PM

Leslie,

I just wanted to send an email letting you know how impressed I was with the inauguration tonight. The feeling was great there, but more than that, as I was walking out with my camera gear I had two different groups of teenagers stop, ask if they could help carry anything, and then help me pack it all out. I've filmed a lot of events but that was a first, and I think it is a wonderful testament to the city you've built and a great example being set that two independent groups of youths would, without any prodding from an adult, take it upon themselves to volunteer to help someone. If you could pass this on to the city council, I think it is something that speaks to the legacy of Millcreek all of you are trying to foster. It was a great experience and one I will definitely remember.

Steve