



**Minutes of the  
Millcreek City Council Meeting  
Monday, January 30, 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 – Acting Recorder

**4:00 PM – WORK SESSION**

**1. Presentation by Barbara Fitzpatrick and Kathy Holder of the Federal Emergency Management Agency to discuss Millcreek joining the National Flood Insurance Program.**

Mayor Silvestrini introduced Barbara Fitzpatrick and Kathy Holder from FEMA. Ms. Fitzpatrick presented an overview of the National Flood Insurance Program that Millcreek will have to join. There is an existing rate map that is currently existing but is undergoing a new mapping process that should take at least 1 ½ years. She then outlined the steps that Millcreek will have to take: 1) Fill out the application that FEMA will forward; 2) adopt a Resolution to appoint a Flood Plain Administrator; 3) complete an Ordinance adoption; 4) FEMA will assist

in obtaining maps for the City. Upon submittal of all of these requirements, FEMA will issue a Community ID Number to Millcreek.

There was discussion related to fines and penalties for violations. An average for most cities is \$500 fine plus issuance of a Class B Misdemeanor. It is important that Millcreek adopt and enforce the requirements otherwise the city itself can be held liable if a building is allowed in a flood plain. Homeowners insurance does not provide flood coverage. Ms. Holder offered to assist by compiling information from comparable cities.

Ms. Fitzpatrick told the group that FEMA will return to present to the City Council when the new mapping has been completed and offered to provide any training the city would like to have.

2. **Interview with Karen Stone regarding becoming a Title V volunteer for Millcreek.**

Mayor Silvestrini announced that he had been approached by Karen Stone, a Title V volunteer who has agreed to work for Millcreek as a volunteer for 20 hours a week. Ms. Stone will receive a stipend that is paid through a federal program administered by Salt Lake County Aging Services. Mayor Silvestrini reported he had interviewed Ms. Stone and found her to be very qualified. Ms. Stone then reviewed her qualifications and indicated that she would be willing to assist the newly hired Administrative Aide Tara Whiting with office duties including accounting.

3. **Presentation by Jeff Wanklier from Millcreek City Pony Baseball**

Mayor Silvestrini then introduced Mr. Jeff Wanklier representing Millcreek City Pony Baseball. Mr. Wanklier gave a brief history of the league, a community-based 501(c)(3) organization. Mr. Wanklier requested sponsorship from Millcreek City to assist in field reservations with Granite School District. There was discussion of providing the city logo for use on the Pony Baseball flyers. Councilmember Uipi suggested that the logo not be used until the city has formalized a branding policy.

Mayor Silvestrini directed City Attorney John Brems to draft a Resolution for the next agenda wherein the City Council may approve preparing a sponsorship letter for the Pony League.

4. **Discuss and consider Request for Proposal for website design services**

Mayor Silvestrini discussed the need to let an RFP for a city website. Councilmember Jackson reported that she and Mayor Silvestrini had met with Don Willie who has offered to assist with a social media component. She also reported that Utah Interactive is already registered with the state and an RFP would therefore not be required. If Utah Interactive is utilized, there would be no upfront costs or ongoing costs to the city as users are charged at the time they access the service.

Mayor Silvestrini suggested that the city proceed with an RFP process and Leslie Van Frank reviewed a draft that she had prepared for council consideration. Councilmember Catten stated an RFP process could be beneficial in that responders could bring innovative ideas that have not yet been considered.

There was additional discussion and it was determined that there should be three changes to the RFP draft: 1) change the weighting to 20% for each component; 2) change the item "Proposed approach" to "Proposed Approach/Innovation"; and 3) add the word "government" to the line "Municipal Services".

*Mayor Silvestrini requested that Items 5-10 be bypassed to allow for Item 11, a time certain item.*

**11. Ethics Training by Utah League of Cities and Towns**

Mr. David Church from the League of Cities and Towns conducted an Ethics Training session for the City Council and offered to return at any time if additional training is desired.

**5. Discuss and consider entering into contract with John Jansen for planning services**

Mayor Silvestrini discussed the proposed contract with Mr. John Jansen for planning services. He indicated that he had received a concern from Mr. Bruce Parker about entering into this contract in the absence of an RFP process. The Mayor gave a brief history of the volunteer work that has been performed by Mr. Jansen including the transition committee, assisting with WFRC grant applications, work on revision of the mixed use ordinance and other items. Mr. Jansen is no longer able to contribute his time on a volunteer basis and has asked to be hired by the city on a personal services contract in order to begin work with the recently approved Visioning Committee. This committee will begin visioning for a new General Plan for the city and would assist in preparation of an RFP for a consultant who would prepare the General Plan.

Mayor Silvestrini reported that he had met with Mr. Parker, Mr. Jansen and Councilmember Uipi and felt that Mr. Parker's concerns had been addressed. Councilmember Uipi stated that the involvement of U of U students that could be developed through Mr. Parker was extremely important, not only to assist with the visioning process but to encourage engagement with students in the future of Millcreek.

*Motion was made by Councilmember Jackson, seconded by Councilmember Marchant to suspend the Work Session, take a short recess and begin the Work Session immediately following the General Meeting with Item 9 as the first agenda item. Motion passed unanimously.*

**6:25 PM – GENERAL MEETING**

**1. Call to Order**

1.1 Pledge

1.2 Approval of Minutes - **MOTION** was made by Councilmember Jackson, seconded by Councilmember Catten to approve the minutes of the meeting of January 23, 2017. Motion passed unanimously.

## **2. Public Comment**

Mr. Isaac Murdoch, a Millcreek resident residing at 3600 S 2807 E, addressed the Council. Mr. Murdoch is interested in completing an Eagle Scout project for the city, potentially a "Welcome to Millcreek" sign. Mayor Silvestrini thanked Mr. Murdoch and encouraged the councilmembers to consider potential projects.

## **3. Report of Mayor, reports of City Council members**

Mayor Silvestrini reported on his attendance of a UFA Board meeting and that that board had determined to refer certain former employees of the District for criminal prosecution and the former UFA attorney for a Utah State Bar complaint. There is a potential action that could result in recovery of funds from board members. The board will tighten policies to avoid any future inappropriate activities. The Mayor reminded the Millcreek City Council of the weighty responsibilities of their duties.

Mayor Silvestrini reported he had been in discussions with Salt Lake County Mayor McAdams about potential additional startup funds for Millcreek and is pursuing possibilities.

Mayor Silvestrini then reported that a Municipal Services District (MSD) board meeting had been scheduled for Wednesday, January 8<sup>th</sup>, from 6:00 to 8:00 PM in the COW meeting room. MSD meetings will take place on the second Wednesday of each month moving forward.

Councilmember Marchant reported he had received information from the Wasatch Front Waste & Recycling District that the entire fleet had been converted to CNG vehicles. This will provide the district with a savings of approximately \$800,000 annually based on 1.3 million miles drive per year as well as reducing impacts to air quality.

Councilmember Jackson reported that she had met with Amy Harmer from the Utah Refugee Connection who had requested assistance in finding new office space. She also reported that the Granite School District has the largest refugee population in the state with a large portion of the refugees located in Millcreek.

Councilmember Jackson then reported that she had attended a VOAD meeting with Linda Milne and Lisa Bagley and was becoming educated about the large amount of work that Millcreek needs to do in order to be prepared for a major emergency. She also reported that there are several emergency supply "cache" sites in the city, some of which had been provided by the community councils. The Millcreek Community Councils Association (MCCCA) is interested in transferring ownership of the caches to the city. Linda Milne is assisting with an inventory of the sites and will be looking for grants to bring the caches up to better standards. Nancy Carlson-Gotts told the group that some of the caches have conditions attached based on how they were established.

Lee Ann Hansen told the council that the community councils would be discussing the possibility of turning the movie equipment over to the city but required approval from the community councils before doing so.

Councilmember Uipi suggested that the city should develop a process through which to accept donations.

Councilmember Uipi reported that she has had a request from the Upland Terrace school Community Council related to safe sidewalks. Lee Ann Hansen told the council that a study had been completed for the sidewalk and suggested that John Miller should be contacted to discuss the study.

Councilmember Uipi suggested that there should be further discussion about how to accept and prioritize requests. She is extremely concerned with complete transparency in all programs because they deal with public funds.

Rita Lund reported that the county is interested in meeting with the council to discuss project lists that have been developed, ranking processes that are currently used and other projects. Mayor Silvestrini stated that he would like to have regular meetings with county departments and that future agendas should have a 15-minute item on the work sessions where the various departments could come to present projects or issues.

Councilmember Uipi discussed the continuing need to develop an organizational chart for the city.

Steve DeBry, UPD Chief for the Millcreek Precinct joined the meeting and was introduced. Chief DeBry reported on the Parleys Historic Nature Park which had recently been annexed by Salt Lake City but is patrolled by the UPD through an interlocal agreement in the amount of \$25,000 annually. The officers are keeping statistics on incidents in the parking area, related to dog issues and nighttime partying that spills into the surrounding neighborhoods. Mayor Silvestrini indicated that during the annexation negotiations the community councils had requested that the park be patrolled by the UPD and the UFA due to the proximity to services. There have been some problems with dispatchers sending calls to Salt Lake City and they should be trained that calls from this area must go to the UPD and UFA.

Chief DeBry also informed the council that officers had been provided for the Venture Out events in the past with some funding that had come from Salt Lake County. Mayor Silvestrini indicated that Millcreek would like to continue to have officers at these events.

Chief DeBry will be sending COP Officers to attend City Council meetings with crime reports broken down by Council District.

#### **4. Appointments**

4.1 Discussion and consideration of Resolution No. 17 \_\_\_\_\_ appointing Tim and Rhonda Bachman as CERT Volunteer Program Manager/Coordinators.

**MOTION** was made by Councilmember Jackson, seconded by Councilmember Marchant to change the name to CERT Volunteer Program Manager/Coordinator, and then to adopt the Resolution. Motion passed unanimously.

#### **5. Consent Agenda**

No consent items appeared on the agenda

## 6. **Planning Matters**

6.1 Discussion and consideration of Resolution No. 17 \_ appointing a temporary appeal authority.

Mayor Silvestrini noted that he had been informed that there were two appeals that potentially would have to be addressed by the city very soon including a neighbor appeal of the approval of the Carden School construction and a garage on 27<sup>th</sup> E that has been constructed too close to the roadway. Mayor Silvestrini indicated that David Church would be a good choice for an interim hearing officer to hear the two appeals. Mayor Silvestrini recognized that Dwayne Vance, a Millcreek resident who was present, and others had already applied for the position, and asked Mr. Vance if he would like to hear the two appeals. Mr. Vance stated he believed it would best to have Mr. Church hear the appeals so as to give all applicants an equal opportunity for the more permanent position.

Councilmember Uipi suggested she would feel more comfortable if the city went through a due diligence process for the permanent position. Mayor Silvestrini offered to contact three cities and ask about how they handle the appeals process and what they pay.

**MOTION** was made by Councilmember Jackson, seconded by Councilmember Catten to authorize Mayor Silvestrini to move forward with the appointment of an appeal authority to hear the two pending appeals. Motion passed unanimously.

6.2 Discussion and consideration of Resolution No. 17 \_\_ authorizing the mayor to enter into a contract with John Jansen to provide temporary planning services.

Mayor Silvestrini outlined the terms of the proposed contract which includes a rate of \$100 per hour and not to exceed \$1,750 per month; payment would be deferred until the city has funds are available; the contract could be terminated with 30 days' notice based on work performed; and the contract end date is the end of June 2017. Mr. Jansen would work on establishing the Visioning Committee, a new mixed use ordinance and would be available to assist in answering questions that may arise.

Councilmember Uipi requested that if any questions arise within a specific district that would require the mayor to consult with Mr. Jansen, the District councilmember be notified.

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

## 7. **Financial Matters**

No financial matters appeared on the agenda.

## 8. **Other Matters**

8.1. Discussion and consideration of Resolution No. 17 \_\_\_ authorizing the mayor to issue a Request for Proposal for website design services.

Mayor Silvestrini asked the audience if anyone had additional questions related to this resolution that had not been answered in the Work Session. There was no response.

**MOTION** was made by Councilmember Uipi, seconded by Councilmember Catten to approve the resolution with the changes outlined in the work session including changing the weighting to 20% per item, adding the word "innovation" on the Proposed Approach line and the word "government" on the Municipal line. Motion passed unanimously.

8.2 Discussion and consideration of Resolution No. 17 recognizing the receipt from the mayor of a written statement that the purchase of an outdoor movie screen for use at community events for the amount of \$11,999.30 from Open Air Cinema without a request for proposal is in the best interest of Millcreek, and authorizing the mayor to purchase the outdoor movie screen.

Mayor Silvestrini explained that resident Amy McConkie, who runs Millcreek's Venture Outdoor events, had received a bid from Open Air Cinema, the manufacturer of the current movie screen used at Millcreek Movie Nights, for a new, larger screen. The current screen is almost a decade old. It is an inflatable, it ages, and it oxidizes. Should it fail, as many as 500 people would be sent home disappointed on a typical Movie Night. Open Air Cinema is offering a discount of about 30% on a screen that is twice as big as the current one.

Mayor Silvestrini noted that Movie Nights are a tradition in Millcreek. They bring the people of Millcreek out for an evening of neighbors meeting each other, opportunities to educate people, and building community. Government departments, the Red Cross, St. Mark's Hospital, have participated. We've signed people up for CERT classes and CPR classes. We've educated people about the services their government provides for them, and provided opportunities for citizens to interact with their local officials, in a way we wouldn't otherwise be able to reach them. This is a community event that is one of the things that makes Millcreek Millcreek. We need to continue and support the event.

Mayor Silvestrini explained that the offer is limited in time. He had received pricing from three vendors but that two were not actual proposals, that they were costs taken from two websites. He reported that the Millcreek Movie Nights are a tradition in Millcreek and have been invaluable in developing community relations. Open Air Cinema is the lowest of the three prices and is offering a time limited discount. The existing movie screen has some value, probably between \$3,000 to \$5,000 if the community councils determine that it can be sold or turned in. That would reduce the actual cost to the city to about \$7,000 and the mayor believes it would be good value at that cost. This is a justifiable expense for community building. We were elected to elected to serve 60,000 residents of Millcreek. In the context of other things, this is not a significant expense.

Mayor Silvestrini said that the council could choose to issue a Request for Quotation or to purchase the screen from Open Air Cinema. Councilmember Uipi told the group that she would feel more comfortable if this went out as a Request for Quotation.

**MOTION** was made by Councilmember Uipi to amend the Resolution to require an RFQ process for the movie screen with the same specifications as shown in the Open Air Cinema quote and a five business day response period from vendors. Motion was seconded by Councilmember Jackson and passed unanimously.

Nancy Carlson-Gotts asked if the new screen would belong to the city, to which the mayor responded affirmatively. She further mentioned that the community councils are considering the possibility of donating the movie equipment to the city.

**9. New Items for Subsequent Consideration**

There were no items for subsequent consideration

**10. Calendar of Upcoming Events**

City Council meeting February 6<sup>th</sup>, 2017

**11. Closed Session (If Needed)**

No closed session was required.

**12. Adjournment**

**MOTION** was made by Councilmember Uipi, seconded by Councilmember Jackson for adjournment of the General meeting and return to the remaining Work Session items. Motion passed unanimously.

**7:45 PM - RESUMPTION OF WORK SESSION**

**6. Discuss and consider creating a policy on social media use.**

Mr. Don Willie, a Millcreek resident who had offered to assist the city with social media issues was introduced. There was discussion related to the existing Facebook page that had been used by the incorporation group and how this existing page could be transferred to city use. All incorporation and candidate information and photographs should be removed, the name should be Millcreek rather than Millcreek City and there should be restrictions on the number of administrators. The Facebook page should integrate with the city website when it is developed. Tara Whiting can assist Mr. Willie with social media.

Councilmember Catten suggested creation of a policy for social media use by employees was extremely important.

**7. Discuss and consider the purchase of a movie screen for Venture Out.**

This item was discussed in the General meeting and there was no further discussion.

**8. Discuss and consider a job description and salary for future city manager position.**

Mayor Silvestrini led a discussion related to what kind of services the city will potentially be providing the future. Based on the results of the feasibility study it seems likely that the city will

be leaving the MSD and will provide its own planning, economic development, code enforcement and an engineering component and that the city should stay with the county for Reinvestment services (RDA, CDA). Councilmember Jackson added that it will be necessary to have someone in place to negotiate contracts.

David Salazar from Salt Lake City had previously provided the council with salary comparisons and felt that although they had been put together some time ago, that they were still within a 2% range. On the comparison sheet, the City Manager salaries range between \$116,000 and \$191,000. Assistant City Manager salaries have a \$122,000 median range.

Councilmember Uipi reminded the council that an appointed merit system had not yet been developed and wondered about investigating an incremental contract based on the limited number of employees that will be hired in the next few months. Mr. Salazar responded that there were still a lot of unanswered questions but that an incremental contract may not attract the best candidates.

Mayor Silvestrini noted that the city has a bit of a cushion related to timing, that there would likely be a vote on leaving the MSD by April 30<sup>th</sup> but that it is important to consider the timing of the next budget cycle and the city hire and be ready on July 1<sup>st</sup>.

Councilmember Catten suggested hiring at the lower end of the salary comparison and set a merit structure. Mayor Silvestrini noted that the opening could be advertised with no salary included and that could be negotiated later with the applicants based on qualifications and experience.

Mr. Salazar felt that Millcreek would probably end up in the \$120,000 to \$150,000 range and that the city manager would assist in developing the city structure.

#### **9. Discuss and consider future employee benefits.**

Councilmember Uipi discussed the presentation at the last meeting by Mr. Dave Jackson from NFP Services whose firm could assist with HR, transitions, the organization chart, hiring the core employees, and providing a contract for an employee benefits package. She suggested considering a source like NFP for these services. Mayor Silvestrini agreed that the city should develop an RFQ for a benefits package and begin putting that in place. Mr. John Brems will develop the RFQ and forward it to Mr. Salazar for comment.

Councilmember Uipi also stated that she is interested in looking at comparables for planning/zoning and would like to discuss how some other cities handle it. Mayor Silvestrini and Councilmember Uipi will invite planning directors from a few cities to talk to the council.

Mayor Silvestrini told the group that Mr. Fred Healey is investigating future office locations. The current offices within the district offices are adequate for now and the city is very thankful to the district for providing the space but there will be a need for a larger meeting room and additional offices. He asked the councilmembers to consider spaces needed.

#### **10. Discussion of form of minutes for Council meetings.**

There was a discussion related to the amount of information noted in the official minutes, and the councilmembers were asked to send any changes they would like to have included.

Mr. John Brems asked the council if they were interested in a change to the sexually oriented business section of ordinance to conform with the recent change made to county ordinance and was instructed to move forward with the change.

**MOTION** made by Ms. Uipi, seconded by Ms. Jackson, to adjourn. Motion passed unanimously.

Meeting adjourned at 9:00 PM.