



**Minutes of the
Millcreek City Council
June 10, 2019
6:00 p.m.
Work Meeting
7:00 p.m.
Regular Meeting**

The City Council of Millcreek, Utah, met in a public work meeting and regular meeting on June 10, 2019 at City Hall, located at 3330 S. 1300 E., Millcreek, UT 84106.

PRESENT:

Council Members

Jeff Silvestrini, Mayor
Silvia Catten, District 1
Dwight Marchant, District 2 (excused)
Cheri Jackson, District 3
Bev Uipi, District 4

City Staff

John Brems, City Attorney
John Geilmann, City Manager
Elyse Greiner, City Recorder
Rita Lund, Communications & Programs Director
Laurie Johnson, HR-Finance Director
Kurt Hansen, City Services Director
Francis Lilly, Community Development Director
Erin O'Kelley, Planner
Blaine Gehring, Planner

Attendees: Richard Hansen, Marv Poulson, Angel Vice, Mitchell Vice, Les Parkin, Larry Plowgian, John Janson, Millie Rogers, Jason Burningham, Ralph Becker, Lindsey Neilson, Byron Goates, Pasu Pasupathi, Alice Pasupathi, Rebecca Reed, Diane Wenzl, Lindsey Nielsen, John Darr, Alisha H. Owen, Lois Wright, Ralph Morelli, Nick Baldwin, Carolin Cady, Russell Ussery, Chief Steve DeBry, and Chief Duane Woolsey.

WORK MEETING – 6:00 p.m.

TIME COMMENCED: 6:02 p.m.

Mayor Silvestrini called the meeting to order.

1. Planning Item First Reading:

**a. Discussion of ZM-19-005, Rezone from M and C-3 to MD at 3999 S. Main Street;
Blaine Gehring, Planner**

Mayor Silvestrini said that the item would be continued to the next meeting.

2. Discussion on Code Section 19.80.035 Parking In R-1 and R-2 Residential Zones; Kurt Hansen, City Services Director

Kurt Hansen said code enforcement has received a lot of complaints about recreational vehicles (RV) blocking the line of sight from driveways. Hansen said one resident has 5 RVs parked at a house and he showed an image of an RV parked in the City's right-of-way.

Hansen said an RV could also be a trailer. He read the definition of a recreational vehicle from

Millcreek code sections 19.04.554 and 17.24.020. He proposed a combined definition to the Council, “Recreational vehicle’ means a vehicle, snowmobile, trailer, camper, or watercraft with or without a motor; built on a single chassis, 400 square feet or less when measured at the largest horizontal projections, designed to be self-propelled or permanently towable by a light-duty truck; designed and constructed for recreational use or as temporary living quarters for travel or vacation purposes, not for use as a permanent dwelling. ‘Recreational vehicle’ does not include human or battery powered personal apparatuses, such as bicycles, kick-scooters, or children's toys.”

He then referenced subsections A and C of code section 19.80.035 about parking recreational vehicles. He then proposed two code amendments to the Council. Option A would prohibit parking in the front yard setback that is not temporary, must be parked 20 feet back from the edge of the street, and would limit RVs as living quarters for more than ten consecutive days. Option B had the same amendments but would not allow parking in the front yard setback. He suggested using the term “end of pavement” instead of “right-of-way” for measuring because the right-of-way is often unclear to define. Council Member Jackson said her neighborhood does not typically have space to keep an RV on the side of the house. Mayor Silvestrini said most driveways are not long enough to measure 20 feet back for parking in front of the house. He felt 20 feet was excessive and too limiting. Council Member Jackson said the neighbors have a hard time seeing around RVs within 10 feet of the road if the driveways are next to each other. Council Member Uipi expressed favor for measuring from the pavement instead of the right-of-way. Mayor Silvestrini said he was more comfortable with 15 feet instead of 20 feet from the edge of the pavement. Hansen said each area of the City has issues with the enforcement of parking, so all neighborhoods would be affected. Council Member Jackson recommended educating the residents about parking requirements. Mayor Silvestrini said he would like public engagement to see what the community thought about the issue. Council Member Uipi asked if other cities do 10 consecutive days for temporary living/parking. Francis Lilly said South Salt Lake does and they issue a permit for it. The Council pointed out that some recreational vehicles are smaller than others. John Brems said the floodplain ordinance (17.24.020) definition was dictated by FEMA, so he would be hesitant to change it. He also said 10 consecutive days would be hard to measure and recommended against it. Hansen said he would revise his proposal and bring it back to the Council.

3. Reports from Millcreek Staff

John Brems presented a video to the Council from Get Gephardt on Channel 2 News regarding hedges blocking the clear view on a corner lot of a Millcreek resident’s property. Brems said that the owners have done some of the work to trim back the hedges, but not enough. He said city crews will cut them back. He said he had been out three times and explained exactly what is required by code to the resident. Mayor Silvestrini said code enforcement started with warnings and then code violations. The property owner involved a lawyer. Mayor Silvestrini said the City entered into an agreement with the property owner to trim the hedges who then continually asked for extensions. The property owner wants to keep the hedges, but they are obstructing the clear view around the street corner. Council Member Catten asked if this would be the first case of the City potentially putting a lien on a resident’s property. Hansen said the City will send the bill to the property owner, if they do not pay it, it becomes a lien assessed to the property. Mayor Silvestrini thanked the other residents who have complied with the clear view enforcement.

Rita Lund said there would be a FEMA floodplain open house on Wednesday night. She said 500+ letters had gone out to residents in the floodplain. Mayor Silvestrini said there had been flooding from Neff's Creek recently, so residents should now be aware of the possibility of flooding in their neighborhood.

4. Discussion of agenda items, correspondence, and/or future agenda items

There were none.

Council Member Jackson moved to adjourn the work meeting at 6:36 p.m. Council Member Uipi seconded. Mayor Silvestrini called for the vote. The motion passed unanimously.

REGULAR MEETING – 7:00 p.m.

TIME COMMENCED: 7:01 p.m.

1. Welcome, Introduction and Preliminary Matters

1.1 Pledge of Allegiance

Mayor Silvestrini called the meeting to order and led the pledge of allegiance.

1.2 Public Comment

Russell Ussery, Park Terrace Drive, said there are 60,000 residents in Millcreek and then asked how many participated in the City Center engagement. He felt the city center should be on the ballot.

2. Planning Matters

2.1 Discussion and Consideration of Ordinance 19-21, Rezoning Property Located at 3244, 3260, 3261, 3273, 3280, and 3290 S. 1000 E. from C-2 to R-1-6; Blaine Gehring, Planner

Mayor Silvestrini said all the planning matters had been previously presented to the City Council as a first reading in prior work meetings.

Blaine Gehring said there are six single-family homes located north of 3300 South on 1000 East which are zoned C-2. Under the C-2 Zoning, these homes are considered legal non-conforming because the current C-2 Zone does not allow single-family dwellings as a permitted or conditional use. Millcreek is seeking a rezone of the properties to align their use with the zone. This rezone came to the attention of city staff during the General Plan open houses and hearings. The future land use map in the General Plan calls for these specific properties to be Neighborhood 1, which is single family residential. At their meeting on May 7, 2019, the Millcreek Community Council recommended approval of the zone change by unanimous vote. At their meeting on May 15, 2019, the Planning Commission voted to send a favorable recommendation to the City Council to approve the rezone request. Staff recommended approval of the zone change.

Mayor Silvestrini said Council Member Dwight Marchant was excused for the evening.

Mayor Silvestrini asked for public comment. There were no comments. Mayor Silvestrini said the City sponsored the rezone. The residents approached the Council about rezoning the property and had asked to be excluded from the community reinvestment area. The Mayor said the zoning ordinances require a height transition between commercial and residential uses, but it would not apply to these properties being zoning commercial. He said that all the property owners had signed a petition asking the City to rezone the property. With the rezone, the properties would be conforming and would have the benefit of the height transition if property on 3300 S. redevelops.

Council Member Catten moved to approve Ordinance 19-21, rezoning properties located on 1000 E. Council Member Uipi seconded. The City Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

2.2 Discussion and Consideration of Ordinance 19-22, Rezoning Property Located at Approx. 534 E. Delno Drive and 3999 S. 500 E. from the R-2-10 Zone to the R-1-3 Zone; Erin O’Kelley, Planner

Erin O’Kelley said the reason the applicant wants to rezone the property is to have three duplexes with the ultimate goal of having 6 single family lots. She said the property is designated as Neighborhood 3 in the General Plan and this rezone aligns with that. There were two neighborhood meetings, one in February and one in March, which resulted in a less dense proposal. The Millcreek Community Council and Planning Commission both recommended approval of the rezone subject to the conditions in the development agreement as outlined by staff. There was a petition signed by neighborhood residents asking that the character of the neighborhood remain single story dwellings. Staff recommended approval of the rezone subject to staff conditions. She said there were changes made to the development agreement conditions in Exhibit B.

Mayor Silvestrini asked for public comment. There were no comments. Mayor Silvestrini said he appreciated that the developers worked with the neighborhood to reduce the concerns and density.

Council Member Uipi moved to approve item 2.2, Ordinance 19-22, subject to the development agreement. Council Member Jackson seconded. The City Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

2.3 Discussion and Consideration of Ordinance 19-23, Approving a Development Agreement for a Single-Family Project with 6 Units with Respect to Approx. 0.52 Acres of Real Property Located at Approx. 534 E. Delno Drive and 3999 S. 500 E.; Erin O’Kelley, Planner

Mayor Silvestrini said this was the development agreement for the prior item rezone. He then asked for public comment. There were no comments

Council Member Catten moved to approve Ordinance 19-23, approving a development agreement for the single-family project on Delno Drive. Council Member Uipi seconded. The City Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

2.4 Discussion and Consideration of Ordinance 19-24, Rezoning Property Located at Approx. 3923 S. 500 E. from the R-2-10 Zone to the R-M Zone; Erin O’Kelley, Planner

Erin O’Kelley said the purpose of the rezone is a change of use. The applicant will keep and improve all existing structures on the property and convert the main level to an office and the basement to an apartment. She said the property is currently surrounded by other R-2-10, R-M and C-1 zoned properties. The subject property is Neighborhood 3 in the General Plan which allows for a mixture of housing and small commercial uses. At the neighborhood meeting on February 4, 2019, there were concerns about security lights, graffiti, and trees. The Millcreek Community Council recommended approval of the rezone with certain development agreement conditions. The Planning Commission recommended approval of the rezone subject to a development agreement with conditions outlined by staff.

Mayor Silvestrini asked for public comment.

Marv Poulson, 3631 Carolyn Street, asked that the security lights be dark skylights pointing down.

Council Member Uipi moved to approve item 2.4, Ordinance 19-24, subject to the development agreement. Council Member Jackson seconded. Mayor Silvestrini said the application would be an improvement to the property. He said he supported adding the lighting condition to the development agreement, so it does not interfere with neighbors. **The City Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.**

2.5 Discussion and Consideration of Ordinance 19-25, Approving a Development Agreement for a Mixed-Use Project Limited to 1 Dwelling Unit and Office on the First Floor with Respect to Approx. 0.2 Acres of Real Property Located at Approx. 3923 S. 500 E.; Erin O’Kelley, Planner

Council Member Uipi moved to approve item 2.5, Ordinance 19-25, with the amendment of lighting to the development agreement. Council Member Catten seconded.

Mayor Silvestrini asked for public comment. There were no comments.

The City Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

2.6 Discussion and Consideration of Ordinance 19-27, Rezoning Certain Property Located at 3608 E. Jupiter Drive from the R-1-8 Zone to the C-2 Zone; Francis Lilly, Community Development Director

Francis Lilly said the Council discussed the rezone last week. In order to facilitate the onsite redevelopment of the fire station, it will need to be rebuilt at a zero-lot line. He said no one has objected to the rezone. The Mt. Olympus Community Council and Planning Commission have both recommended approval of the rezone with the zoning condition limiting the property to public and quasi-public uses.

Mayor Silvestrini said Station 112 on Jupiter Drive is the worst fire station in the Unified Fire Authority. The station is not seismically sound and is falling apart. He said as a

board member of the Unified Service Area (UFSA), he was able to help get a rebuild of the station. The UFSA has enough funds in the budget to rebuild it without bonding and it would give Millcreek a third modern fire station. The plan is to build a one-story crew quarters next to a garage bay that will house three apparatuses. Station 112 is the only station east of I-215 and it is cheaper to rebuild it onsite. The need to rezone is to eliminate the side yard that faces the Mt. Olympus Hill Shopping Center. Council Member Jackson said a UFA firefighter's foot went through the shower floor the other day. Mayor Silvestrini asked for public comment. There were no comments.

Council Member Uipi moved to approve item 2.6, Ordinance 19-27. Council Member Jackson seconded. The City Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

2.7 Discussion and Consideration of Ordinance 19-20, Adopting the Millcreek City Center Master Plan; Francis Lilly, Community Development Director

Francis Lilly said the City Center Master Plan is the culmination of a considerable amount of public engagement over the last year and a half. The public has expressed a desire for a gathering place for the City. The adopted General Plan identified a place between Elgin Avenue and 3400 South and Highland Drive and Richmond Street as a good location for a city center. There are already existing historic uses, commercial businesses, and mixed uses in that area. He said that one challenge staff faced when they were initially hired was that developers wanted to develop under the existing zone. The applications were for acceptable projects, but staff wanted a legacy place for the community, so they encouraged developers to wait to develop until a plan was in place. Lilly said but for a plan that addressed streets, open space, quality design, view sheds, height sensitivities, and mixed uses, that the City would not get what it wanted. The goal is to not have a high-density village but harness market pressures, entitlements, and development energies that will provide a value to the community. Central to the plan is a park that will occupy the location of a known fault line which inhibits building. The park will be the gathering place and it will be surrounded by ground floor retail commercial. Staff is working on codes and structuring economic development policies towards that goal. He said absent strong guidelines and a vision, there is concern Millcreek will not get that place. He said Millcreek has listened to and engaged with the community through the General Plan and City Center Master Plan development. There were monthly meetings with the Envision Committee during the General Plan process, there have been over three summers of engagement at the Venture Out! series, numerous surveys, community meetings with over 2,000 residents in attendance, and there has been constant communication with a significant stakeholder and resident email list.

Lilly said Granite Mill Court reached out to Millcreek staff and asked that the map in the plan designate their neighborhood as residential, and that has been fixed. Mayor Silvestrini said the city center area plan is marked in blue on the map, the other colors are not part of the plan. Lilly said the plan does not include any property that was not already zoned high density or commercial. He said the City anticipates a section that could be as high as 6 stories next to the park and away from the surrounding residential. Lilly said the Planning Commission recommended approval of the plan with the following findings:

1. The proposed city center master plan creates a framework to implement the General Plan goal to establish the city center as the City's hub of commerce, governing, innovation, entertainment, art and culture.
2. The city center master plan establishes standards for building heights and designs that promote an iconic, walkable community and that respect surrounding neighborhoods.
3. The city center master plan establishes street standards that advance the General Plan goals for active transportation, walkability, and bike connectivity.
4. Implementation of the city center master plan will result in the creation of a significant urban park that will be a benefit to existing and future residents and be a legacy for the community.

Mayor Silvestrini asked for public comment.

Russell Ussery, Park Terrace Drive, asked about the bonds the City would be using to pay for the project. Mayor Silvestrini said the bonds would be paid back by tax increment. The bonds will be secured with a portion of the City's sales tax, but there is almost 5 times the coverage and reserves in the West Millcreek Redevelopment Area. Ussery said there is an active earthquake fault and the fault opens up during an earthquake, so it was not a good place for a park. He said it was a public safety issue and therefore needed to be on the ballot. He said there should be a better place in Millcreek to put the city center and that the residents would own the unusable property if there is an earthquake. He felt it could bankrupt the City.

Marv Poulson, 3631 Carolyn Street, said he had not heard before that the city center would have 6-story buildings in it. He said the park would destroy the viewshed.

Mayor Silvestrini addressed the level of public engagement. He said the City launched efforts to formulate a General Plan with community input since incorporating. He said Millcreek had received awards and compliments from neighboring cities on the level of phenomenal engagement. Residents said they wanted a gathering place and said it should be where the plan indicates. He said before Millcreek incorporated, Salt Lake County approved high density projects in the area and there were projects entitled to be approved. The plan takes an area where buildings should not be constructed, where they currently are, and moves the setbacks off the fault line to where it is safe. A seismic study was done to address the safe setbacks and the buildings will be seismically sound. He said open space is a good use for an earthquake fault because it is better than existing businesses falling into it. The benefit of the plan is shaping the development that is happening anyway in a way that is beneficial to the community. The redevelopment will bring in more money through the community reinvestment area which will provide for affordable housing. The State's strategy to improve air quality and reduce traffic is to build nodes of density that can be connected to transit. He said he has considered bring the S-line streetcar or other transit to the city center. He said the plan calls for reduced height that would otherwise be allowed without the plan. The height is transitioned on the edges for the surrounding neighborhoods. He said he recently returned from San Francisco and they have a similar park set up in front of their city hall with even higher buildings surrounding it and it did not feel like a canyon. He said Millcreek would be getting development with a plan instead of haphazard development. The plan also

reduces density that could currently be built there. He congratulated staff on the public engagement. He said he has spoken to more people that support the plan than oppose it. The area is currently vacant and is a magnet for crime. He has received complaints from business owners in the area about the high crime. He said coming up with a plan for the redevelopment of the area would make the City better in the long run.

Council Member Jackson said the area is one of concern because of the crime and this was a way to alleviate those problems. She said she engaged with District 3 residents and only two people responded with concerns about the city center of over 850 people who she emails and one of those people subsequently changed their opinion once they saw the plan. She expressed favor of the proposal because it gives the City control over the area. Council Member Uipi said some people's opinions would be missed, though that was not the intent. She said Millcreek minimized the allowable height approved by the County. She said the Council took the same public approach as what happened with the Millcreek Community Center. She said 6th grade has moved from elementary schools to junior highs and 9th grade has moved to Skyline High School which is indicative of young families not living in Millcreek because of a lack of affordable housing. Council Member Catten said her district has not communicated their feelings to her on the city center. She said the area is a great spot because it is in the middle of the City and it is on a main corridor. She insisted that the area was going to change whether the City assists or not. She said the city center will be beautiful and the City will be proud of it. Mayor Silvestrini asked to incorporate the findings of the Planning Commission into the Council's approval. Lilly said the findings were in the ordinance. Mayor Silvestrini said 3 of the 4 community councils unanimously recommended approval of the plan and the other one recommended approval of it on a 10-3 vote.

Council Member Jackson moved to adopt Ordinance 19-20, Adopting the Millcreek City Center Master Plan highlighting the findings from the Planning Commission. Council Member Catten seconded. The City Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

3. Financial Matters

3.1 Public Hearing to Allow Public Input Regarding (A) the Issuance and Sale of Not More Than \$20,000,000 Aggregate Principal Amount of Sales Tax Revenue Bonds, Series 2019; and (B) any Potential Economic Impact that the Project Described Herein to be Financed with the Proceeds of the Series 2019 Bonds Issued Under the Act May Have on the Private Sector; and Related Matters

Jason Burningham, Lewis Young Robertson and Burningham, said his purpose was to provide background relative to the bond issuance process and preface to the public hearing. The parameters resolution was adopted by the Council in May, which initiated the issuance process related to series 2019 bonds. It set a maximum amount of bonds the City can issue, the purpose of the bonds, and the repayments of the bonds. The security pledged for the bonds is sales tax, the repayments is on the tax increment revenues generated in the city center community reinvestment area. A series of notices were published. The parameters included; maximum par amount of the bonds which is not to \$20,000,000; length of bonds which is not to exceed 21 years; the maximum interest or coupon rate which is not to exceed 5%; and the minimum sale price of the bond which is 97%. The pledged revenue is the 1% local option sales and use tax. He said the primary

participation of the other taxing entities through the interlocal agreement process was largely because of the city center master plan.

Burningham said the project will be Mill Park plaza in the city center and it will be approximately 200 feet wide and 1,100 feet long. The park will be a catalyst for economic development and for mixed uses surrounding it. He showed a rendering of Mill Park to the Council. He then highlighted the community reinvestment project area. He said the city center would generate \$131,805,185 in taxable value and \$24,169,487 total tax increment over twenty years. Mayor Silvestrini said Salt Lake County is at 75% participation level but has agreed to provide economic development assistance, and the other entities are participating at 80%. Burningham said the purpose of the public hearing was on the issuance of the bonds and the security under which it is pledging for the bonds and the impact this project may have on the private sector whether positive or negative.

Mayor Silvestrini said these bonds are intended to be paid back with additional revenue that the development of the area will bring to the City. The other taxing entities agreed to pledge additional tax revenues for 20 years. He said other bonds that cities can issue are general obligation bonds which are secured as property taxes which is why it goes to a public vote. He said this bond will never increase Millcreek property taxes. Millcreek is pledging the repayment of the bonds with Millcreek's 1% local option sales tax. The City has about 5 times as much sales tax revenue than it needs to make the bond payments, which is not a relatively huge risk for the City. There is more than \$1 million in the bank in the West Millcreek Redevelopment Area which is extra security. Mayor Silvestrini said the benefit of executing this plan now is for the green space, otherwise it will not happen. The land the City is trying to buy for the park will never be cheaper than it is right now. The City needs to act on development interest in this economy and the approved projects will be breaking ground this summer which will bring in revenue. He said the Council would not take a risk that would bankrupt the City. If the City has an approved plan, the Council has to do the things necessary to execute it.

Council Member Uipi said having developers build around what the City wants is smart planning. She said she appreciated that some of the funding would go towards affordable housing. Council Member Catten said \$20 million is a shocking amount but the timing could not be better to execute the plan. Council Member Jackson said this plan was not planned for three years ago when the City incorporated but has happened since then. She said getting park space is a great win for the City. Mayor Silvestrini said the City is not giving money to developers but would be using it to establish a park for the residents of Millcreek.

Council Member Jackson moved to open the public hearing. Council Member Uipi seconded. The Mayor called for the vote. All Council Members voted yes. The motion passed unanimously.

Mitchell Vice, 3610 Carolyn Street, said he appreciated the willingness of the other taxing entities to participate but proposed that Granite School District be exempt from participating because the State has a reluctance to fund schools and he did not want to take away opportunity to invest in the school system.

Ralph Morelli, 1527 E. Woodland Avenue, expressed concern about tax increment financing and its effect on the tax districts. He said without the additional input into the taxing districts, the cost of running the districts will increase. He said it would be like stealing from Peter to pay Paul. The taxing districts will suffer, and it will be up to the residents to cover the shortfall.

Marv Poulson, 3631 Carolyn Street, seconded the notion that education is poorly funded, and children represent a resource that Millcreek is not fully supporting. He said there is no greater need than funding the children who are the future and he did not want Granite School District participating in the tax increment financing.

Council Member Uipi moved to close the public hearing. Council Member Jackson seconded. The Mayor called for the vote. All Council Members voted yes. The motion passed unanimously.

Mayor Silvestrini said the taxing entities still get 20% of the tax increase; it is an investment over the twenty years. The entities will be in a better position after the twenty years. He said the taxing entities weighed the benefit of participating, they did not have to, and their level of participation was up to them. The Mayor said kids need school, but they also need parks. The park will be an asset to them, and it will be an investment to the City on a number of levels.

3.2 Discussion and Consideration of Ordinance 19-26, Adopting a Final Budget; Make Appropriations for the Support of Millcreek for the Time Period Beginning July 1, 2019 and Ending June 30, 2020, and Determining the Rate of Tax and Levying Taxes Upon All Real and Personal Property within Millcreek (The Resulting Tax is the Same Amount of Tax Previously Collected by Millcreek and Will Not Result in a Tax Increase to Residents of Millcreek)

Mayor Silvestrini said the Council has already made the determination that no property tax increase is required, the tentative budget is a balanced budget, and Millcreek has better revenue collections than forecasted. There is enough money to pay an increased contract amount to Unified Police Department and to the County for public works services. Mayor Silvestrini said the Council previously had a public hearing on the budget but he still asked for public comment. There were no comments.

Laurie Johnson said the amount of the budget is \$25,525,000 for the general fund and \$1,751,000 for capital improvement projects. The certified tax rate was past due, but the ordinance will still capture it. She said regardless of the rate, the budget does not prescribe a property tax increase. Mayor Silvestrini said the State gives the City the certified tax rate.

Council Member Uipi moved to adopt item 3.2, Ordinance 19-26. Council Member Jackson seconded. Mayor Silvestrini thanked Laurie Johnson and the City Directors for operating on a lean budget. **The City Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.**

4. Business Matters

4.1 Discussion and Consideration of Resolution 19-16, Approving Appointments to the Planning Commission

Mayor Silvestrini said the Mayor makes appointments to the Planning Commission subject to the confirmation of those appointments by the City Council. He said staff advertised for an open seat on the Planning Commission for one vacancy due to the resignation of Heather Wilson. Since then, Commissioner Carlson had fallen ill and was unable to continue serving. Commissioner Carlson's and Healey's terms were up in June. Mayor Silvestrini said he supported the reappointment of Commissioner Fred Healey because he is the current Chair of the Commission and it provided continuity. The two new appointees are Skye Sieber and Victoria Reid. Mayor Silvestrini said he interviewed eight candidates and recommended the three appointments. Council Member Jackson requested that District 3 get more representation on the Commission.

Council Member Jackson moved to approve Fred Healey, Skye Sieber, and Victoria Reid as members of the Planning Commission. Council Member Catten seconded. Council Member Uipi pointed out that other reappointments have been made on the Commission. The City Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

4.2 Discussion and Consideration of Resolution 19-17, Appointing a Business License Appeal Authority, Administrative Law Judge for City Enforcement Actions, and a Land Use Appeal Authority

John Brems said the Resolution is for an appointment for one new appeal authority and a reappointment of the others. Mayor Silvestrini said Millcreek uses law-trained hearing officers for appeals to ensure that trained people are making adequate findings to make a decision on the right legal basis and that are sustainable if challenged to district court.

Council Member Catten moved to approve Resolution 19-17, Appointing a Business License Appeal Authority, Administrative Law Judge for City Enforcement Actions, and a Land Use Appeal Authority. Council Member Uipi seconded. The City Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

4.3 Discussion and Consideration of Resolution 19-18, Supporting the Central Wasatch Commission

Mayor Silvestrini said he sits on the Central Wasatch Commission. Ralph Becker said the Commission was formed as an outgrowth of the Mountain Accord and they are charged with carrying out the recommendations and coordinating functions of the Mountain Accord. He said Mayor Silvestrini has been a meaningful member of the Commission. The Commission will pursue congressional legislation to designate new public land areas in the central Wasatch Mountains from Parley's Canyon to Little Cottonwood Canyon to create new wilderness, special protection areas around White Pine, provide for where development can and cannot be in the future, and provide for land exchanges. That legislation was introduced in 2016 but has been held in suspension; they are now working on the fourth draft. Another task of the Commission is to find transportation solutions in the canyons, and they are working with UDOT on that. The resolution is being brought to the Council because part of the congressional effort has some controversy around some of the proposals, so the Commission is seeking support from

the jurisdictions in the Central Wasatch Commission. Lindsey Neilson added that the Commission is active on social media and they have been engaged with the public.

Mayor Silvestrini said the Central Wasatch Commission is not the Mountain Accord. The Mountain Accord was an agreement entered into by multiple parties that was signed before Millcreek became a city though Millcreek residents helped participate. The Central Wasatch Commission is a partnership with cities that have connections to the canyons in addition to some towns, counties, and the Department of Transportation. The Commission is a collaboration to take public comment, fashion solutions to preserve the watershed, preserve recreational opportunities, respect private property rights, and to make sure the resources in the canyons are available for generations to come. The federal legislation is designed to protect that and implement the concepts of the Mountain Accord. He asked the Council to approve the resolution because it sends a message to legislators. He also said he hoped to be able to improve transportation outcomes in Millcreek Canyon.

Mayor Silvestrini said he wanted to make amendments to the Resolution. The first amendment was in the third whereas clause. He said Millcreek was not involved in the Mountain Accord and it should say Millcreek residents have been involved. The second one was in the fourth whereas clause. He wanted it to say that Millcreek has committed to contribute financially.

Mayor Silvestrini asked for public input. There was none.

Council Member Uipi moved to approve item 4.3, Resolution 19-18, with the Mayor's amendments. Council Member Jackson seconded. The City Recorder called for the vote. All Council Members voted yes. The motion passed unanimously.

5. Reports

5.1 Mayor's Report

Mayor Silvestrini said he, the City Manager, and Jason Burningham visited San Francisco to obtain a bond rating for Millcreek. They met with three different agencies. Millcreek is a new city so there is not a financial track record because the County did not keep track of its financial data. The community has been around since 1848 and are relatively built out, so figures should be stable. He said the top sales tax generators are grocery stores, which are recession proof. He said the meetings went well and he expects to hear back within two weeks with a rating. Utah has an excellent reputation with rating agencies because of fiscal practices. Millcreek has built a 15% fund balance within two years, which is really good. Council Member Jackson asked if each company gives a rating. Mayor Silvestrini said they each give a rating and the underwriter of the bonds will choose which rating to go with.

Mayor Silvestrini said the Unified Police Department (UPD) Board and Finance Committee had meetings. He said Midvale is having budget issues and is concerned about being able to afford the UPD contract. The Board is sensitive to keep Midvale and make a strong statement to meet market compensation for officers. He suspected the Board would approve a budget which exceeds the Sheriff's recommendation at a 4% market adjustment instead of 2%. Those numbers keep Millcreek under the amount of

property tax collection. Millcreek has a reserve of just under \$400,000 and borrows \$6.5 million for the contract. He said Millcreek once did a survey with residents to see if it should collect 13 months-worth of property tax to reduce borrowing, but the Council did not do that. He said due to new growth, Millcreek is collecting more than expected which is reducing the borrowing rate by \$2.5-3 million.

5.2 Reports of City Council Members

Council Member Jackson said the Youth Council participated at Venture Out and there was a great showing by the public. Council Member Uipi asked about the applications for Youth Council. Council Member Jackson said they have 25 kids on the council from Olympus, Skyline and Cottonwood High Schools. Council Member Uipi said she met with the community council chairs to discuss transparency and budgeting. She said residents on El Serrito Drive have had not so favorable interactions with the Metropolitan Water District. She said she will work with the water district about an easement and said Millcreek should get representation with the water district. Council Member Catten reminded the public to not keep standing water around because of mosquitos. Mayor Silvestrini said Council Member Marchant went to the rate hearing for Salt Lake City Public Utilities and asked that Millcreek be afforded representation. Council Member Uipi said Salt Lake City Council Member Fowler extended gratitude for the Council's work with Salt Lake City.

5.3 Staff Reports

Chief Duane Woolsey said 26 recruits just graduated from Unified Fire recruitment camp. He then relayed a few stories from the new recruits. Council Member Jackson asked when firework restrictions signs would go up. Mayor Silvestrini said it was up to the City to do that. Mayor Silvestrini thanked Unified Police Department and Unified Fire Authority for their excellent work.

Rita Lund said Venture Out! would be at Churchill Junior High that week.

6. Consent Agenda

- 6.1 Approval of May 20, 2019 Work Meeting Minutes
- 6.2 Approval of May 28, 2019 Work Meeting and Regular Meeting Minutes

Council Member Uipi moved to approve agenda items 6.1 and 6.2. Council Member Jackson seconded. Mayor Silvestrini called for the vote. All Council Members voted yes. The motion passed unanimously.

7. New Items for Subsequent Consideration

There were none.

8. Calendar of Upcoming Events

- Planning Commission Mtg. 6/19/19 at 5:00 p.m., City Hall
- City Council Mtg. 6/24/19 at 5:00 p.m., City Hall

Mayor Silvestrini said the June 17th work meeting had been cancelled. Lund pointed out that the Central Wasatch Commission no longer met at City Hall, but at Cottonwood Heights City Hall.

ADJOURNED: Council Member Uipi moved to adjourn the meeting at 9:07 p.m. Council Member Jackson seconded. Mayor Silvestrini called for the vote. All Council Members voted yes. The motion passed unanimously.

APPROVED: _____ Date
Jeff Silvestrini, Mayor

Attest: _____
Elyse Greiner, City Recorder

DRAFT