



**Minutes of the
Millcreek City Council
July 8, 2019
7:00 p.m.
Regular Meeting**

The City Council of Millcreek, Utah, met in a regular public meeting on July 8, 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
Cheri Jackson, District 3
Bev Uipi, District 4

City Staff

John Geilmann, City Manager
John Brems, City Attorney
Elyse Greiner, City Recorder
Rita Lund, Communications & Programs Director
Laurie Johnson, HR-Finance Director
Kurt Hansen, City Services Director
Mike Winder, Economic Development Director
John Miller, City Engineer

Attendees: Jerry Nowlin, Tom Coverick, Marv Poulson, Richard Hansen, Phyllis Mayhew, Sydney Mayhew, Jason Burningham, Diane Wenzl, Amber Wilson, Chief Steve DeBry, Chief Duane Woolsey.

**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

There were no comments.

2. Financial Matters

2.1 Public Hearing on Consideration of Approving Appropriations to the Community Councils, Events (Utah Venture Outdoors, Inc and Millfreaks), the Rain Barrel Program, and Millcreek Arts Council

Mayor Silvestrini said a study was performed by Bonneville Research with the recommendation that the activities are consistent with the general health and welfare of Millcreek for various reasons. He said the contributions to the community councils are based on population. He then listed the appropriations, which were: \$6,000 to the Canyon Rim Citizens Association, \$5,000 to the East Mill Creek Community Council, \$3,000 to

the Mt. Olympus Community Council, \$15,000 to the Millcreek Community Council, \$125,000 for events (Utah Venture Outdoors, Inc. for the Venture Out! Series, and Millfreaks, the Annual Halloween party), \$5,000 to the Utah Rivers Council for the Rain Barrel Program, and \$6,000 to the Millcreek Arts Council. The rain barrel program provides subsidies for rain barrels to Millcreek residents to capture rainwater and it helps Millcreek qualify for a permit with the EPA for stormwater protection. The Millcreek Arts Council runs various events in Millcreek including an art fair and concert series.

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

There were no comments.

Council Member Jackson moved to close the public hearing. Council Member Marchant seconded. Mayor Silvestrini called for the vote. The motion passed unanimously.

2.2 Discussion and Consideration of Ordinance 19-34, Approving a Monetary Contribution of \$6,000 to the Canyon Rim Citizens Association, \$5,000 to the East Mill Creek Community Council, \$3,000 to the Mt. Olympus Community Council, \$15,000 to the Millcreek Community Council, \$125,000 for events (Utah Venture Outdoors, Inc. for the Venture Out! Series, and Millfreaks, the Annual Halloween party), \$5,000 to the Utah Rivers Council for the Rain Barrel Program, and \$6,000 to the Millcreek Arts Council

Council Member Uipi said she met with the community councils and the Venture Out folks about city funding. Mayor Silvestrini said the community councils submit budgets to the Council every year justifying what they expended the prior year and making requests for the coming year. He said Venture Out does the same thing. He mentioned that there was an accident this summer in which the Venture Out movie screen was torn. The appropriation to Venture Out is a not-to-exceed amount. Rita Lund said Venture Out collects sponsorships and they have collected about \$40,000 this year.

Council Member Uipi moved to approve Ordinance 19-34. Council Member Jackson seconded. The City Recorder called for the vote. The motion passed unanimously.

2.3 Introduction of Jerry Nowlin, Representative of KeyBanc Capital Markets – Underwriter for the Series 2019 Bonds

Jason Burningham, Lewis Young Robertson and Burningham, said the Council adopted a parameters resolution to issue up to \$20 million for the purpose of the Millcreek center park project which was a catalyst from the General Plan and City Center Plan. He said that he, the Mayor, and the City Manager went to San Francisco to get a bond rating for Millcreek. Millcreek received a AA+ bond rating. He said Millcreek has a lot of history, commercial establishments, and a good governance structure. He offered congratulations to the Council. He said they selected an underwriting firm from a request for proposals based on market data, experience, and proposals. They recommended KeyBanc Capital Market to the Council. He then introduced Jerry Nowlin and Tom Coverick with KeyBanc. Jerry Nowlin congratulated the Council on the bond rating and mentioned his background. Tom Coverick then went over his career experience. He said they were committed to do well on the transaction and to establish a relationship with Millcreek.

Mayor Silvestrini said the underwriter will market the bonds to be sold and purchased. He agreed with Burningham's recommendation in selecting KeyBanc because of their experience with Utah cities. Council Member Uipi appreciated being informed about the selection and said she supported it.

Council Member Marchant asked if the other agencies had the same bond rating for Millcreek. Mayor Silvestrini said they met with bond insurers in case the rating was low. Burningham said the other firm, Fitch Ratings, did not publish a rating. Fitch wanted 20 years-worth of financial history and Millcreek did not have that. Burningham said factors that accounted for the good rating were that Millcreek has great socioeconomics and the way the sales tax is distributed, not all population based or point of sale based. He said that 25-30% of the rating is the agency's opinion of Millcreek's financial management practices. He said having multiple ratings on this size of a bond was not cost effective. Mayor Silvestrini said some other factors in obtaining the rating were that the top ten tax outlets in Millcreek have been in business for over a decade, Millcreek has a diverse economy, the sales tax coverage is almost 6 times more than necessary to service the debt on the bond, Millcreek does not have a franchise tax, Millcreek has a stable property tax valuation, and the Council has been able to build and sustain a fund balance of over 15% in the City's first two years which was a credit to their fiscal discipline. Nowlin said the status of the bond market is favorable and rates are at all-time lows. Burningham said they would accelerate the timeline in anticipation of the Federal Reserve's meeting on July 30-31. He said the bond would be in the market by July 18th and close at the end of the month.

Mayor Silvestrini said the economic development team has been in negotiations for property in Mill Park in the City Center. Plowgians Auto will be relocated to Highland Drive. Mike Winder said they are working with commercial and residential property owners on property negotiations. They recently signed an agreement with Serv-a-Cup Coffee. He said many property owners are looking to close on their property in August.

3. Business Matters

3.1 Discussion and Consideration of Resolution 19-22, Approving an Agreement for Park Services with Salt Lake County

Mayor Silvestrini said this was a renewal of the existing contract for maintenance of the parks in Millcreek. Kurt Hansen said Millcreek has four parks and recommended a parks needs assessment in the future. The contract price is the same as last year, \$388,187. Council Member Jackson asked about tree maintenance in Canyon Rim Park. She said that what killed the trees there could spread to others in the park and she would like it addressed. Mayor Silvestrini said the County lost their arborist and he would like someone with that expertise working in the parks. He also posed the question if the County could provide urban forestry services. Hansen said he would look into it.

Council Member Catten moved to approve Resolution 19-22. Council Member Jackson seconded. The City Recorder called for the vote. The motion passed unanimously.

3.2 Discussion and Consideration of Ordinance 19-35, Regulating, Preventing, and Banning the Discharge of Fireworks or Use of Any Ignition Source Including

Lighters, Matches, Sky Lanterns, and Smoking Materials Within Certain Areas of the City

Chief Duane Woolsey said he discussed with Rita Lund about the designated areas in the city where fireworks would not be allowed. Mayor Silvestrini said the map was the same as last year in restricting fireworks in the existing areas where there is wildfire risk, but the ordinance was being approved to be in accordance with state law. Council Member Jackson recommended clarifying the wording in the ordinance that the restrictions are for certain areas in the City and to adopt it well before July 4th next year. Council Member Marchant said it seemed that people were more respectful of the fireworks laws this year.

Council Member Marchant moved to approve Ordinance 19-35 which regulates the fireworks and other dangerous things that can occur at this season of the year. Council Member Jackson seconded. The City Recorder called for the vote. The motion passed unanimously.

3.3 Discussion and Consideration of Resolution 19-23, Adopting an Updated Version of the Millcreek Employee Policy and Procedure Manual

Laurie Johnson said she revised the existing employee policy handbook to make it more readable, to update various elements, and to clarify legal items. She said the handbook would be printed and every employee would be given a copy. Mayor Silvestrini thanked her for her work on it.

Council Member Uipi moved to approve Item 3.3, Resolution 19-23. Council Member Catten seconded. The City Recorder called for the vote. The motion passed unanimously.

4. Reports**4.1 Mayor's Report**

Mayor Silvestrini thanked the Unified Fire Authority (UFA) and Unified Police Department (UPD) for participating in the July 4th parade. He announced that UPD came to an agreement on their budget. Sheriff Rivera made cuts to the regional services which allowed Midvale to stay with the department. He said they would relook at the budget to identify more cost savings. They authorized an 8.75% increase to officers; 2% COLA, 4% market adjustment, and 2.75% merit. He thanked Council Member Uipi for chairing the last Council meeting. He said he went to the Summer Jam series put on by the Arts Council and it was a great event.

4.2 City Council Member Reports

Council Member Jackson said the Youth Council participated at the Sunnyvale Market.

Council Member Marchant said he toured UTA Frontrunner to BYU campus. From the station, a bus system stops by the universities at no cost to students. He said the Independence Day parade was a success. He mentioned that Bill Johnson paints over graffiti at Scott Avenue Park on his own time and thanked him for that. He also brought up that property tax notices came in the mail that day. He said Millcreek's property taxes have not gone up, they were transferred from SLVLESA last year.

4.3 Staff Reports

Chief Steve DeBry said Unified Police has been patrolling Parleys Historic Nature Park for Salt Lake City and they have not paid for those services; \$35,000 annually. He said some officers have retired early through the offered buy-out, so UPD is refilling positions. Council Member Marchant asked about staffing. Chief DeBry said they are down one officer who is on administrative leave and down one patrol officer. Council Member Jackson thanked him for the 4th of July parade support.

Chief Duane Woolsey said UFA has one battalion chief opening and they interviewed for the position today. He said there were 6 recruits who were taking the EMT class and 5 of them passed. The sixth will retake the test.

John Miller brought up that a six-month term was negotiated for the County Public Works contract. He said the pavement preservation program is healthy and Highland Drive will be able to be repaved this year by county crews from 3900 S. to Murray Holladay Road in partnership with Holladay. Mayor Silvestrini said Millcreek was able to do emergency pavement repairs to 1300 E. around 3900 S. Miller said the current project bid for streetlights on 300 East Gordon to 4200 South came in higher than anticipated. It would be \$84,000 instead of \$64,000. Council Member Jackson asked why the pricing was high. Miller said boring costs were up and it accounted for half the total cost. He said wood poles would be cheaper to install, though they are contrary to city standards. Council Member Marchant said he would like to keep with the standards. Miller said there are other streetlight priorities in the City. The Council supported spending the extra \$20,000 on the project. Miller said Salt Lake City Transportation is installing bike lanes on 2000 East between 2700 South and the city border (about 3000 South). He said it would make sense for Millcreek to mirror the cross-section Salt Lake City does. Flyers will be going out to residents to inform them of the project. The irrigation ditch there will be buried on Salt Lake City's side. Mayor Silvestrini said he was supportive of bike lanes on 2000 East. Miller said storm drain repair projects cost estimates were coming in high. He recommended going forward with the projects that are emergency situations. He announced that the 3900 South Federal Aid Agreement was signed for \$8.7 million at zero cost to Millcreek. Transportation Choice Funds will be used for the match on the grant. The project is two years ahead of schedule. Miller mentioned that copper wire was stolen from streetlights on 3900 S. The City is launching a new map program on the website for capital improvements projects. The Jupiter Jump fix is in design right now, staff is working on the specs. Council Member Uipi asked to wait to open the bidding on the Jupiter Jump project until the timing was right to keep expenses down.

Rita Lund said she received information from the State Emergency Division about the FEMA floodplain maps. The flood insurance rate maps will become effective July 12th. There will be a 30-day review period with meetings and there will be a public open house. Then there will be a 90-day appeal period. She said it would wrap up at the end of year unless there are appeals. Lund said she sent out notices to businesses in Millcreek about the new insurance rates. Council Member Uipi requested soliciting homeowners about their insurance agents so the City could also notify them.

5. Consent Agenda

5.1 Approval of June 24, 2019 Work Meeting and Regular Meeting Minutes

Council Member Jackson moved to approve the minutes for the work and regular meeting held on June 24, 2019. Council Member Uipi seconded. Mayor Silvestrini called for the vote. The motion passed unanimously.

6. New Items for Subsequent Consideration

7. Calendar of Upcoming Events

- Planning Commission Mtg., 7/17/19, 5:00 p.m. at City Hall
- City Council Mtg., 7/22/19, 5:00 p.m. at City Hall

Mayor Silvestrini said he and Council Member Jackson would be meeting with Salt Lake City on July 12th. Council Member Uipi mentioned a memorandum of understanding (MOU) with Salt Lake County for police services. Mayor Silvestrini said there was an MOU between the County and Salt Lake Valley Law Enforcement Service Area (SLVLESA) to offset costs for patrol in Parleys Historic Park. He said the MOU should be between Millcreek and Salt Lake City. He said the Canyon Rim residents are affected by the impact of the park because they border it, not Salt Lake City residents. Chief DeBry said \$35,000 was the established amount about 5 years ago and the County, SLVLESA, or Millcreek has never received police services funding for Parleys Historic Park from Salt Lake City (the property owner). The Unified Police are taking care of the ripple effects that people cause by using the Salt Lake City parks. Council Member Jackson asked if \$35,000 was still a fair amount. Chief DeBry said it was close to accounting for the part-time work.

ADJOURNED: Council Member Uipi moved to adjourn the meeting at 8:29 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