



**Minutes of the
Millcreek City Council
January 12, 2023
8:00 a.m.
Special Work Meeting**

The City Council of Millcreek, Utah, met in a special public work meeting on January 12, 2023, at the Millcreek Common Adventure Hub, located at 1354 E. Chambers Avenue, Millcreek, UT 84106.

PRESENT:

Council Members

Jeff Silvestrini, Mayor
Silvia Catten, District 1 (arrived at 8:25am)
Thom DeSirant, District 2
Cheri Jackson, District 3
Bev Uipi, District 4

City Staff

Mike Winder, City Manager
Elyse Sullivan, City Recorder
Francis Lilly, Assistant City Manager
John Miller, Public Works Director
Kurt Hansen, Facilities Director
Rita Lund, Communications Director
John Brems, City Attorney
Laurie Johnson, HR-Finance Director
Jim Hardy, Building Services Director
Aimee McConkie, City Events Director

Attendees: Jason Pemberton, Greg Beecher, Ashley Spatafore Mirabelli, Dave Spatafore, Representative Sahara Hayes, Senator Nate Blouin, Senator Stephanie Pitcher, Representative Doug Owens, Dave Harris

WORK MEETING – 8:00 a.m.

TIME COMMENCED – 8:15 a.m.

Mayor Silvestrini called the meeting to order. Mike Winder welcomed the council and staff to the meeting. He said the focus for the year was moving into the new city hall.

1. Five Year Budget Plan

Laurie Johnson reviewed her five year budget plan which was based on best guess information available and was subject to change. She described the major General Fund revenues and expenses. Property tax is difficult to project due to new growth and Unified Police Department (UPD) contract increases. Salt Lake County needed to know whether cities would do a Truth in Taxation hearing by February 1st every year. There was not any history yet on the energy sales and use tax which would begin in January 2023 and had a two month lag. The actuals would affect how much property tax was needed. Johnson projected a 3% growth rate on sales tax. The franchise tax had minimal growth potential. Building permit revenue could begin to flatten and then decrease over time. She was conservative on projections of Class C Road funds due to the

volatility of oil. With expenses, she projected a 5% growth in personnel salaries in 2023 (includes a cost of living adjustment and merit) and a 6% growth in benefits. The new city hall would have increased maintenance and utility cost. The fleet would update or purchase one new vehicle every other year. Mayor Silvestrini asked about mileage on vehicles. Kurt Hansen said they averaged about 10-12,000 miles a year. His goal was to get each vehicle to 100,000 miles before changing them out. The Community Life budget had segregated revenues and expenses as best as was possible. The city hall bond debt series 2021 payments were included. Johnson cited state code (11-36a-602) that cities had to expend park impact fees within six years of collection. She was in the process of creating a financial model for the Capital Improvement Project (CIP) fund, Storm Water fund, and Community Reinvestment Area fund.

Johnson presented a spreadsheet of the General Fund revenues and expenses by fiscal year actuals and projections through FY 2028. She noted that grants were not recognized until the funds were received. These grants differed from CIP fund grants. She noted the large percentage increase on personnel from the prior fiscal years was for the 7% cost of living adjustment due to inflation. John Miller anticipated the public works budget increasing by 3-4% every year. The UPD budget was tough because the amount of the energy sales and use tax collected and the annual contract increases were unknown. She projected a 4% budget increase in the next five years. There would be a deficit in FY 2026-27 and FY 2027-28 with her current projections.

Mike Winder wondered if the property tax increase should go up and down instead of having a consistent increase. Johnson said the weather influenced the energy sales and use tax. She asked the council about property tax increases in the coming years. She built in a 4% increase. There was a brief discussion about proposed state legislation capping cities on the amount for property taxes increases. Winder said consistent lower increases were more palatable for residents than large infrequent ones. He recommended the council maintain a steady tax increase and notify the county of a potential property tax increase every year whether or not it was used. Council Member Catten wanted to inform residents to expect a steady increase every year, and not necessarily follow the consumer price index. Council Member Catten asked if it would be prudent to have a Millcreek police department. Mayor Silvestrini said things to consider were economies of scale and efficiencies to be achieved in a properly managed department, such as UPD, and a value proposition with services a city could have with teaming up with other people. He said other cities that have left UPD cannot afford services like the ones cities share with UPD, such as forensics. Millcreek having its own department would enable more officers on the street but not have a lot of the larger shared services. He noted those cities were spending more on other personnel like legal and human resources than they anticipated, and it was not part of their police budget. He described the duties of the Salt Lake County Sheriff potentially getting changed by the state legislature in the upcoming legislative session which would impact UPD services. He said the city hall space for UPD had the capabilities of being a standalone department space for use other than for UPD. Council Member Jackson asked what the city's position was on the proposed legislation. Mayor Silvestrini recommended the county and UPD board work out the legislation situation. He felt growing UPD would be prudent, but he would oppose the legislation to maintain local control. Winder acknowledged a city public works department could be something to consider in the future.

The council took a break.

Johnson continued reviewing the projected Community Life budget which had a large deficit. Winder said the city was working to get this budget to be self-sufficient and the city was learning how to do that. John Brems brought up borrowing money and paying it back with park impact fees. He said funds could be pigeon-holed beyond the state code requirement of using impact fees within 6 years if it was in written in policy. Council Member Jackson asked at what point the city should consider doing its own public works department. Johnson said a study had been conducted on that issue, so the study would need to be updated and the city would need to have startup costs. Mayor Silvestrini pointed out that the county's public works equipment was purchased with Millcreek and other city residents' tax dollars. John Miller said there were some triggers with other cities' actions that could be good timing for Millcreek to break away from the county. Winder noted there could be potential school sites available as Granite School District was studying and closing schools.

2. City Hall Presentation and Timeline

Greg Beecher, MHTN, and Jason Pemberton, Okland Construction, joined the meeting. Kurt Hansen commended their professional corporations working on the new city hall. The new city hall concrete structure was completed December 28, 2022, and the anticipated substantial completion of the building was anticipated for August 18, 2023. Pemberton showed the council pictures of what had been completed so far. Hansen said the original budget was \$40 million but the new budget was \$49 million. They worked to bring the cost down as much as possible. A lot of the existing city hall furniture and equipment would be moved over by professional movers and new furniture would be purchased for workstations, conference rooms, the community room, lobbies, and council chambers. He said the current city hall lease expired June 31, 2023, but the landlord has let the city extend month-to-month beyond that for up to three months. Mayor Silvestrini said UPD would be working to get a similar lease at their building. Hansen said the construction was operating on temporary power and was hoping to get permanent power in April. He said construction was halfway done. He anticipated the formal opening day being September 1st. Mayor Silvestrini said a grand opening date should be planned early and not in conjunction with a city council meeting. Pemberton noted there could be weather-related or other delays. They would know more about scheduling at the end of February. Hansen described the solar panels and various security measures in the building. The utilities in Chambers Avenue would be updated. The west side of Chambers Avenue would act as construction staging for Cottonwood Residential, but the east side would be finished as soon as possible. Hansen showed the utility yard site plan. There would be a time capsule installed by the fireplace on the public market that would be opened in 50 years. He showed the plans for each floor of the city hall and discussed parking for the site.

3. Tour City Hall Construction Site

The council and staff toured the site from 10:30-11:52 a.m.

4. City Hall Debrief

Mayor Silvestrini requested a Promise Room in the unfinished space. The group briefly discussed where community council meetings could be held.

5. Departmental Review of 2022 and Top Three Priorities for 2023

Mike Winder had requested that the department directors prepare a one page review of quantified accomplishments from the year 2022. Each department shared their 2022 reviews and listed their three priorities for 2023.

2022 Review:**Planning and Zoning:**

- 2.6 additional miles added to Millcreek's trail network
- 376 business licenses reviewed
- 746 planning and engineering building permit reviews completed
- 150 new affordable housing units entitled
- 1,158 new multifamily/townhome units entitled
- 32 new single family homes approved
- 17 retaining walls permitted
- 924 square feet of billboard rights eliminated
- 159,389 square feet of commercial space approved in Millcreek City Center
- 54 potential historic sites or neighborhoods identified
- 31 new residential or duplex lots created
- 9 new implementation strategies adopted to advance affordable housing in Millcreek
- 22 zoning compliance letters written
- 440 spaces approved in an agreement for a shared public parking structure on Millcreek Common
- 14 conditional use permits issued
- 45 new signs approved

Communications:

- 80,368 electronic newsletters delivered (52 issues)
- 55% electronic newsletter open rate
- 203,000 printed newsletters mailed (7 issues)
- 24 Youth Council meeting & events
- 7 press releases
- 1 city flag created
- 1 city Instagram created
- 1 new city logo adopted
- 6 new city services logos adopted
- 13 special event permits issued
- 1 fire mitigation project (93 vegetative debris piles chipped & hauled out of neighborhood)
- 2 six week Community Emergency Response Team Training (21 CERT trained residents)
- 8 emergency management info booths at Venture Out events
- 1 Millcreek Emergency Operations Plan adopted

Public Works:

- 32,243 visits to City Map Hub – web page
- 22.12 miles of storm drain pipe surveyed
- 9 renditions of redistricting boundaries
- 405,000 square feet of pavement preserve treatments
- 300+ potholes filled
- 15,000 square feet of concrete placed (not CIP)
- 1,830+ road cut inspections (not Google)
- 165 miles of Google Fiber inspected

- 14,000 ton of salt spread (8,000 ton in 2023)
- 478,270 \$ collected from 610 public works permits
- 151 MS4 compliance site reviews
- 10,250,000 \$ of federal grant projects designed

Building Services:

- Building Permits
 - 1,674 Permits Issued
 - 1,548 Residential Permits
 - 126 Commercial Permits
 - 183 Solar Energy Permits
 - 3,006 Plan Reviews
 - Substantial Improvement Determinations
 - 6,439 Building Permit Inspections
 - 442 Training Hours
 - 82 GRAMA Requests Processed
- Business Licenses
 - 350 Business License Reviews
 - 670 Business License Inspections
- Code Cases
 - 952 Code Cases
 - 3,008 Code Case Activities
 - Administrative Law Hearings
 - Administrative Law Summons
 - Cases in Default/Lien Status
 - 6 Dangerous Buildings Mitigated
 - Stop Work Orders Issued
 - 18 After Hours Emergency Callouts

Community Life:

- \$316,746 Adventure Hub revenue
- 19 Events at Millcreek Common
- 153 Event Series at Millcreek Common
- 86 sport development classes
- 18 city wide events
- \$77,121 Venture Out! Revenue
- 54.8k Venture Out! social media accounts reached in December
- 80.6k Millcreek Common social media accounts reached in December

Recorder's Office:

- 14 ordinances codified
- 18 boxes of paper records shredded
- 33.7 gigabytes of electronic records destroyed
- 4 Records Committee meetings held
- 1 Updated Records Management Plan
- 78 public body meetings noticed, and minutes taken for
- 1 all staff GRAMA training

- 133 GRAMA requests
- 74 documents notarized
- 83 public hearings noticed
- 1 Truth in Taxation hearing noticed

Facilities:

- 76,000 sf of ground broken on new city hall
- \$2,146,530 value engineering on new city hall
- 7 requests for proposals written and posted
- 3 new vehicles
- 22 oil changes
- 91 live streamed meetings
- 64 new business phones
- 15 new cell phones
- 10 workstations set up for new employees
- 36 sf new shed at Sunnyvale Park
- 30 uniform orders

Finance:

- 1,658 check processed totaling \$37,643,302
- 504 bank drafts processed totaling \$1,942,434
- \$21,476,829 total deposits processed
- 1 new holiday added – Juneteenth
- 16 job announcements posted
- 8 full-time and part-time jobs created
- 10 full-time employees hired
- 47 part-time seasonal employees hired
- 2 new benefits added
- 4 budget amendments
- 1 clean audit report
- \$1,600,431 outdoor grant funding received
- \$4,314,787 construction grant funding received
- \$7,500,000 economic development grant funding received
- \$43,350 Promise Program grant funding received
- \$150,000 grant for new city hall received
- \$6,000 art grant funding received
- \$8,308 emergency management grant funding received
- \$13,622,877 grand total of grant funding received

Legal

- 17 subdivisions reviews and approved
- 12 development agreements drafted
- 48 ordinances drafted
- 32 resolutions drafted
- 10 leases drafted

- 2 attorney opinions issued
- 25 RFPs and contracts drafted
- 1 conservation easement drafted
- 1 Energy Sale Tax ordinance drafted
- 1 Storm Drain Utility ordinance drafted
- 1 new volunteer policy drafted
- 86 pages of Employee Handbook reviewed
- 1 pipeline relocation agreement drafted
- 1 501(c)(3) application submitted
- 1 Trademark application submitted
- 1 Parley Mine delayed

Economic Development:

- 26 Business Council e-newsletters
- 94 job seekers connected to employers
- \$805,297 NEW sales tax generated by Millcreek businesses (up 7.2%)
- 249 new businesses (185 commercial / 66 home)
- 43 long term rentals & 11 short term rentals
- 3015 business license payments (3rd highest ever)
- \$748,877 worth of payments (highest ever)
- \$144,111 payments in December (2nd highest ever)
- 78 businesses closed, the lowest since 2017
- 3,940 total businesses
- 75 partner organizations connected to residents
- 1,500 hours of community volunteer work
- 1,500 winter clothing items donated to 6 Millcreek organizations
- 24 Promise Program events

Top Three Priorities for 2023:

Planning and Zoning – continue code and process updates, create sidewalk and trails master plan, and create arts policy plan.

Communications – continue to develop robust social media presence, roll out a redesigned city website, and create hazmat specific plans that will integrate into Salt Lake County web operations platform.

Public Works – keep Millcreek compliant with state and federal mandated MS4 criteria, deliver CIP FY2023-24 projects, and improve residents’ quality of life.

Building Services – improve default lien process, improve customer service, and obtain certifications.

Community Life – stand up the public market, programming the community room, and street programming.

Recorder’s Office – assist the Historic Preservation Commission collect, preserve, and showcase Millcreek’s historic records, create an organized storage room/space at the new city hall, and relocate the Salt Lake County ballot collection box to Millcreek Common.

Facilities – finish city hall, train at least one back-up person for duties/hire an assistant, create a facilities maintenance annual calendar and finish an asset inventory list.

HR-Finance – present the new employee handbook, create CIP 5-year plan, and create CRA 5-year plan.

Legal – determine future of justice courts, be responsive and nimble, and keep city out of trouble.

Economic Development – get ongoing Promise Program funding, construct the Chambers Avenue entrance from Highland Drive, and develop a funding plan for Millcreek Common Phase 2.

The council wanted the 2022 accomplishments published for the public through the e-newsletter. Council Member Uipi appreciated the passion and teamwork among the staff. Council Member Catten recognized staffs' willingness to be helpful, there was a good culture within city hall.

6. Lunch with State Legislators

The group broke for lunch with state legislators. The mayor welcomed the legislators and looked forward to working with them. Winder asked if there was any legislation the legislators needed help with from the city. Representative Doug Owens said the Great Salt Lake was a priority. He brought up a non-functional turf removal bill to help conserve water. The bill would allow \$12.5 million to be used to match local water districts or municipalities to take out grass, which equates to about \$1 a square foot. Cities would need to adopt water landscape ordinances for new development to gain access to that funding. Another bill is to conserve water by sending it to the Salt Lake by calculating water from agriculture and secondary water metering and committing some of it for the lake. The other bill was on water pricing to factor in environmental externalities, so providers can charge true market pricing for water. He said he tried to be responsive local issues. Ashley Mirabelli brought up that Representative Owens was putting out a bill to remove the five physical posting locations for public works projects requests for bids. The mayor said the reality is contractors do not go to public buildings to look for notices of bids.

Mayor Silvestrini said Millcreek was a leader in advancing housing density, multi-family, and transit-oriented development. He said a bill in the last legislative session required cities to pick from options of affordable housing strategies. Millcreek picked nine strategies, which was more than required. The state is 33,000 housing units short. He asked that policy be directed to achieve goals of affordable housing but to be careful in doing so and work together with cities and not take away local control. He said there was a bill to eliminate city's being able to use eminent domain for park space. To ensure the quality of housing, there needs to be open space for people to enjoy. Millcreek did not use eminent domain for property acquisition for Millcreek Common, but property owners requested a letter with a threat of condemnation from the city for tax reasons. Cities need to have the tool available. Winder requested the legislators continue to fund the Utah Outdoor Recreation Grant, and arts/cultural grants since the city had benefited from them. The mayor noted the city was able to obtain an outdoor recreation grant to purchase the remaining open space on Grandeur Peak to extend the Bonneville Shoreline trail. Winder said the Millcreek Promise Program emphasized progress towards free fare on UTA. The mayor said ridership went up 30% during the free fare month UTA had the prior year. He said transit needs to be quicker and more accessible.

Council Member DeSirant would like to change liability laws for condo developers. The mayor said lenders would not lend money on condos because there was a long term liability issue with respect to construction defects. He said it was also a federal problem. There is an issue with younger or first time home buyers being able to get into the owner-occupied housing market. He

felt the state could address the housing shortage by considering a state infrastructure bank which could offer low interest loans to first time home buyers for a down payment, to municipalities to construct infrastructure for large multi-family projects, and offer loan incentives to developers for building more density. He said Millcreek allows unlimited density in some zones. Developers were currently doing podium buildings, two floors of concrete and wood. Steel was too expensive to build taller buildings. The state could address the lack of housing which in turn affects the housing affordability. There was not an existing bank model the mayor knew of.

Winder said the city would keep in touch. Rita Lund mentioned that the legislators could utilize the city’s newsletters. The mayor said Millcreek had been fighting the construction of a new gravel mining operation in Parley’s Canyon. The existing mine blows dust down the canyon and it impacts Canyon Rim. He expressed concern about a bill overturning what the county had done to prevent another mine by changing the zoning to allow that use. The mining is too close to residences and negatively impacts the air quality. The mayor offered his availability/opinions to the legislators.

7. Overview of Millcreek Common Phase 2

Dave Harris, EPG, described the goals and objectives of Millcreek Common, which were:

- Continue to explore the MILLTOWN story
- Connected to nature
- The value of public space when you care about your community
- Skateboard / advanced skating activity
- A new 18-hole miniature golf experience
- Native adapted public gardens
- Interactive water (pass through from spring)
- Interactive artistic water wheel
- Shade, food, seating, lighting, speakers, more power
- Safety through environmental design
- Large pavilion
- Milltown clock tower
- Open lawn more landscape
- Lighted swings, hammock hangout
- Complete street concepts
- SITES certified (sustainability)

Harris showed the council images of possible landscaping, planes to encourage skating, a modern miniature golf course, and a pavilion. He showed a proposed site plan of the entire Millcreek Common with the two phases, and close ups of the proposed phase two. Winder said the city owned the property for phase two, but it would serve as temporary parking until the parking structure would be completed in April 2024. The city also needed to find funding to support the construction of it.

The meeting adjourned at 2:41 p.m.

APPROVED: _____ **Date**
Jeff Silvestrini, Mayor

Attest: Elyse Sullivan, City Recorder

DRAFT