



**Minutes of the
Millcreek City Council
August 28, 2023
6:30 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 August 28, 2023, at City Hall, located at 3330 S. 1300 E., Millcreek, UT 84106. The meeting was live streamed via the City's website with an option for online public comment.

PRESENT:

Council Members

Jeff Silvestrini, Mayor
Silvia Catten, District 1
Thom DeSirant, District 2
Cheri Jackson, District 3 (electronic)
Bev Uipi, District 4 (excused)

City Staff

Francis Lilly, Assistant City Manager
Elyse Sullivan, City Recorder
Mike Winder, City Manager
John Brems, City Attorney
Kurt Hansen, Facilities Director
Rita Lund, Communications Director
John Miller, Public Works Director
(electronic)
Jim Hardy, Building Official
Lisa Dudley, HR-Finance Director

Attendees: Lt. Chris Petty-Brown, Officer Chris Schroeder, Officer Daniel Hampton

WORK MEETING – 6:30 p.m.

TIME COMMENCED – 6:30 p.m.

Mayor Silvestrini called the work meeting to order.

1. Discussion on Millcreek Flag; Mike Winder, City Manager

Mike Winder showed examples of city flags from other cities. He showed what a prior Millcreek Youth Council created, and three alternative options for Millcreek. Council Member Catten said the consultants the city asked to revise the Youth Council's design did not enhance it. She worried about the city's logo colors being too dark for a flag. She said some staff who were surveyed like option A (an upgraded version of the Youth Council's design), and she anticipated it was because it had more detail. She said option B was simple but met flag design standards and the colors in option C were brighter than the logo colors. Council Member Jackson did not like the mountains on option A. Mayor Silvestrini agreed. Mayor Silvestrini did not like option C because it did not use the city's traditional colors; he liked option B the best. Council Member Jackson liked the mountains in option B. Council Member DeSirant did not like option C and appreciated the simplicity of option B. Winder showed some examples of other designs that were

not part of the A, B, and C options. The council briefly discussed their preferences. Council Member Catten would bring other options back to the council based on feedback provided.

2. Discussion on Updates to the City's Ethics Code; Lisa Dudley, HR-Finance Director

Lisa Dudley said this was a first reading for the council's consideration. Millcreek would continue to seek out and apply for various types of grants. It was important for Millcreek's conflict of interest policy and procedures to address key elements required by the awarding federal agencies. Many, if not all, professional associations for government professionals also require formal training in ethics for their members. She said suggestions had been added to the draft policy to address requirements for the expenditures of federal grant funding, but the draft policy also required elected and appointed officials and all employees to sign an annual ethics pledge form. The annual ethics pledge form was a requirement of the State Auditor's Office. She briefly reviewed the summary of changes which included compliance with the State Auditor's Office Fraud Risk Assessment to include an annual ethics pledge to be signed by all elected and appointed officials and all employees of Millcreek, mandatory ethics training for all city elected officials and employees, and periodic training for federally funded projects/activities as required by the federal agency/funding source, and updated definitions necessary to comply with federal grant requirements and for a conflict of interest policy.

Mayor Silvestrini brought up the Government in the Sunshine section and asked if it applied to all of the city's public bodies. He wanted every city public body to be subject to it. Brems confirmed they would.

3. Staff Reports

There were none.

4. Discussion of Agenda Items, Correspondence, and/or Future Agenda Items

There was none.

Council Member DeSirant moved to adjourn the work meeting at 6:59 p.m. Council Member Catten seconded. Mayor Silvestrini called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

REGULAR MEETING – 7:00 p.m.

TIME COMMENCED: 7:00 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 was none.

1.3 Unified Police Department Millcreek Precinct Officer of the Month for July 2023

Lt. Petty-Brown announced Officer Chris Schroeder and Officer Daniel Hampton as the Officers of the Month for July 2023. They investigated a road rage related vehicle shooting and were able to take the suspects into custody. The mayor commended their service.

2. Business Matters

2.1 Discussion and Consideration of Resolution 23-42, Approving an Agreement Between UDOT and Millcreek to Converted Transportation Alternative Program (TAP) Funds for Local Agency with Respect to Sidewalk Improvements Located on Columbia Avenue Between 40 East to State Street

Mayor Silvestrini said the funds would help ease the burden of the city constructing the project through state rather than federal requirements.

Council Member Catten moved to approve Resolution 23-42, Approving an Agreement Between UDOT and Millcreek to Converted Transportation Alternative Program (TAP) Funds for Local Agency with Respect to Sidewalk Improvements Located on Columbia Avenue Between 40 East to State Street. Council Member DeSirant seconded. The Recorder called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

2.2 Discussion and Consideration of Resolution 23-43, Appointing an Appeal Authority to Hear Appeals from the Building Official

Jim Hardy said this resolution came from section 113 of the International Building Code, it required that every municipality have a means for appeal from the Building Official's decisions. This resolution would help Millcreek comply with the building code. The hearing officer, Richard Catten, would be appointed.

Council Member DeSirant moved to approve Resolution 23-43, Appointing an Appeal Authority to Hear Appeals from the Building Official. Council Member Catten seconded. The Recorder called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

3. Reports

3.1 Mayor's Report

Mayor Silvestrini reported that FEMA was not granting Millcreek's BRIC grant application for the debris retention structure in Neffs Canyon. Millcreek would keep working on the issue and would get in touch with congressional delegation for assistance. John Miller said Millcreek would apply again. Staff would try to address the reasons why the application was not awarded. Winder said he received an email from the city's DC lobbyist, Ryan Leavitt, who said, "My response is that BRIC continues to be one of the most competitive and over-subscribed federal discretionary grant programs. They usually take several attempts to get one of these. My suggestion is that we work with the State and with FEMA to get a follow-up on our application and see where we can improve it for the next round."

The mayor said he had received several comments from residents about coyotes in neighborhoods. He felt this was a public safety and welfare issue. The city would look at options to remedy the situation. The council would be attending the Utah League of Cities and Towns convention the following week. He reported that he made a presentation to a panel sponsored by the National League of Cities on how to start a promise program with the Millcreek Promise Program Manager.

3.2 City Council Member Reports

Council Member DeSirant reported that the Wasatch Front Waste and Recycling District considered getting rid of the scrap program or instituting a fee, but the fee was voted down for the following year. Council Member Catten said September marked the, “Get to the River Festival” with events at Jordan River and it was kickstarting in Millcreek. The Millcreek Business Council would be doing a canoe cleanup of the river at the end of September. She attended a webinar on the Wasatch Front Area Comprehensive Safety Action Plan, which took a comprehensive look at making streets and safety better. Council Member Jackson noted she also attended that webinar. Council Member Catten noted for staff that there was a St. Mark’s Hospital portable digital sign that was blocking the hawk crossing signal on 3900 S.

3.3 Treasurer’s Report

Council Member Jackson reported:

- As of August 28, 2023, the balance of the Series 2021 Bond Construction Fund is: \$650,684.64. (City Hall construction)
- As of August 28, 2023, Millcreek’s PTIF account balance is: \$46,995,892.91.
- As of August 28, 2023, FY24 property tax has been received in the amount of \$113,130.87. Last year at this same time, Millcreek received \$110,872.72.
- As of August 28, 2023, FY23 sales tax has been received in the amount of \$15,206,133.86. Last year at this same time, Millcreek had received \$14,829,298.35. Please note there is a two-month lag in sales tax receipts, so these numbers are for FY23 and FY22 respectively.

3.4 Staff Reports

Mike Winder said there had been a great Camp Tracy weekend with VentureOut! The City Hall construction had run into a couple of problems, but the grand opening would be November 16th. Some congressmen and staff would attend a special VIP tour of the city hall on October 10th.

3.5 Unified Police Department Report

Lt. Petty-Brown reported the crime statistics for July 2023. There were 3,225 total calls, 1,052 total cases, 228 total citations, and 28 booking arrests. There were 34 assaults, 18 burglaries, 19 drug offenses, 80 family offenses, 63 larcenies, 3 robberies, 4 sex offenses, and 9 stolen vehicles. Millcreek Motors and C.O.P. detectives were enforcing school zone violations and 15 stops had been made so far in the school year. Millcreek C.O.P. detectives located several illegal homeless encampments throughout Millcreek. Detectives offered resources to those living in the camps. Most camps were cleaned up or would be cleaned up by the Salt Lake County Health Department. U.P.D.’s Millcreek Precinct joined VentureOut! for the annual Night Out Against Crime. Citizens were able

to look at UPD vehicles and speak to officers. Millcreek C.O.P. detectives took the ice cream van out to various apartment complexes to interact with children and discuss the dangers of alcohol and drugs. Afterwards, they stopped by the Wellington Retirement Center to hand out ice cream to the elderly residents. UPD Motors participated in numerous special events during the past two months. Millcreek Motors participated in Millcreek's 4th of July Parade, the Days of 47 Parade, the Kearns' Parade, Magna's Parade, and Midvale's Harvest Days Parade. UPD Motors also conducted numerous traffic enforcement saturations, resulting in hundreds of traffic citations being issued. UPD Motors joined Utah Highway Patrol and SLCPD Motors to escort the President of the United States during his recent visit to Utah.

Lt. Petty-Brown reported that in the month of July, Millcreek's Community Crime Suppression Unit had 11 arrests, 131 traffic stops, 9 stolen vehicle investigations, 1 fleeing vehicle, 11 drug investigations, 1 nuisance house investigation, and 2 warrants, assisted Magna Investigations with a search warrant, and assisted Taylorsville Police Department on a fleeing vehicle. C.C.S.U. seized a large quantity of methamphetamine, a large quantity of marijuana, 4.4 grams of heroin, 0.5 grams cocaine, 4.2 grams of fentanyl, and a large quantity of miscellaneous pills. A C.O.P. detective working with the D.E.A. task force located a pound of methamphetamine on a traffic stop. The case was turned over to the D.E.A. for further investigation and federal charges. In the month of July, Millcreek officers responded to 12 transient calls, 57 mental health related calls, 123 traffic accidents, and 28 hit and runs.

4. New Items for Subsequent Consideration

There were none.

5. Calendar of Upcoming Events

- Millcreek Community Council Mtg., 9/5/23, 6:30 p.m.
- Canyon Rim Citizens Association Mtg., 9/6/23, 7:00 p.m.
- East Mill Creek Community Council Mtg., 9/7/23, 6:30 p.m.
- Mt. Olympus Community Council Mtg., TBD
- City Council Mtg. 9/11/23 7:00 p.m.

ADJOURNED: Council Member DeSirant moved to adjourn the meeting at 7:29 p.m. Council Member Catten seconded. Mayor Silvestrini called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

APPROVED: _____

Jeff Silvestrini, Mayor

Date 9-11-2023

Attest: _____

Elyse Sullivan, City Recorder