



**Minutes of the
Millcreek City Council
July 8, 2024
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 July 8, 2024, at City Hall, located at 1330 E. Chambers Avenue, Millcreek, UT 84106. The meeting was recorded for the City's website and had an option for online public comment.

PRESENT:

Council Members

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

City Staff

Francis Lilly, Assistant City Manager
Elyse Sullivan, City Recorder
Kurt Hansen, Facilities Director
Mike Winder, City Manager
John Brems, City Attorney
Lisa Dudley, HR-Finance Director
Rita Lund, Communications Director
Brad Sanderson, Current Planning Manager
Alexander Wendt, Deputy Recorder

Attendees: Rick Hansen, Pam Spencer, Alicia Fairbourne, Adam Hughes, Laura Renshaw

WORK MEETING – 6:30 p.m.

TIME COMMENCED: 6:30 p.m.

1. Presentation of Certified Municipal Clerk Designation from the International Institute of Municipal Clerks to Alexander Wendt, Deputy Recorder, by the Utah Municipal Clerks Association

Pam Spencer and Alicia Fairbourne with the Utah Municipal Clerks Association presented Alexander Wendt with his Certified Municipal Clerks designation. The mayor commended Wendt for his work and the recorder/clerk position.

2. Community Council Funding Discussion

Mayor Silvestrini said the council has tried to be equitable with funding, which is based on population, to the community councils. The Millcreek Community Council is the largest and has received the most funding relative to the other councils. The Millcreek Community Council has consistently requested city funding but has not spent it consistent to their requests. The community councils are required to submit a budget report of how they have expended their funds each year and a prospective budget that is a request for funding with the intent of how to spend the funding. The Millcreek Community Council had a year end budget

of \$41,000 and had asked the city if they could make donations to nonprofits of their choosing. The mayor did not feel that was an appropriate expenditure. The funds were given to the community council for specific purposes. They are taxpayers' monies and the taxpayers are not choosing the nonprofits. It was concerning to him that much funding had been accumulated. He wanted more details from the community councils on what the funds are spent on. One community council has asked to spend funds on emergency caches but has not done the necessary work to secure agreements for placement of them on properties. The community councils should expend the money according to the budgets or give the money back to the city.

Council Member DeSirant concurred. He was comfortable with the community councils raising their own funds for nonprofits, but not city funds. Council Member Catten agreed but felt they could save money for some type of capital fund. She wondered if the community councils should petition the city for money instead of money being given to them. Council Member Uipi agreed with the comments provided. The community councils were recommending bodies, and the money should come back to the city for community events if it is not to be used appropriately. Mayor Silvestrini felt accumulating funds for a proposed use may be acceptable. The procurement policy would come into play for spending \$41,000. He directed staff to tighten up the budget process and requests from the community councils. Public funds may not be distributed to third party charitable organizations without express city council approval.

Council Member Catten felt other organizations should be treated the same, such as the Millcreek Arts Councils. There needed to be a clear policy on other entities that work with the city but are not run by the city. Mayor Silvestrini agreed on consistency.

3. Staff Reports

Lisa Dudley presented the council with a FY 2024-25 budget in brief and described how it could be found online.

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 Uipi seconded. Mayor Silvestrini called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Uipi 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. He excused Council Member Jackson and noted Council Member Uipi and Council Member Catten were participating electronically.

1.2 Public Comment

Laura Renshaw, Millcreek Library, noted the summer reading program was halfway through. She introduced a garden share program for surplus produce. Mayor Silvestrini reported that Millcreek Promise Program also has a produce share program. Renshaw said they would be starting a dialogue night to discuss controversial topics. Council Member Uipi asked if the senior center still did a current events group session. Renshaw said that had become a library program.

2. Planning Matters

2.1 Discussion and Consideration of Ordinance 24-34, Amending the Millcreek Together General Plan by Changing the Future Land Use Map in the Area of 3743 South 900 East from Retail/Office to Neighborhood 3

Mayor Silvestrini said the council had a first reading of the item previously. The council was aware of issues at the former Fat Cats property. The old Fat Cats facility was being vandalized.

Brad Sanderson showed the council the site proposal changes from June 2023 to present. The former proposal included parking on the north side of the drive aisle on the property with Granite Credit Union. That parking and three units had been removed. The initially proposed 59 units was now down to 56 units. The egress and building elevations had been updated. Mayor Silvestrini asked about individually platted units for sale. Adam Hughes said there would be 17 units for sale. Sanderson recommended approval of the application, based on the findings and conclusions in the staff report, subject to a development agreement with the added section on demolition:

Demolition. On or before July 29, 2024, Developer agrees to secure the current buildings on the Property (“Current Buildings”)“ as directed by the Millcreek Building Official , on or before August 7, 2024, apply and obtain a demolition permit for the Current Buildings from the City in its governmental capacity, and on or before September 20, 2024, complete demolition of the Current Buildings, which shall include but not be limited to removal of the Current Building, hazardous or regulated materials, and debris from the Property. If Developer fails to meet these deadlines or requirements, it shall be considered an Emergency Default as set forth in paragraph 17.

Mayor Silvestrini proposed that the property be addressed soon because of issues with the building’s vacancy. He understood that the applicant was amenable to those development agreement changes.

Adam Hughes, Lotus, said his contractor could meet those dates but requested a two week grace period for the demolition on September 20, 2024 (October 4th). Mayor Silvestrini agreed. He noted another developer in the city had individually platted each unit in another subdivision and found it to be more helpful because the market demanded it.

Mayor Silvestrini asked for public comment. There was none. Council Member Catten thanked the applicant for taking care of the property. She wanted to see continued

surveillance on the property to keep it secure. Hughes expressed concern for the activity and said there would be security patrol added.

Council Member DeSirant moved to approve Ordinance 24-34, Amending the Millcreek Together General Plan by Changing the Future Land Use Map in the Area of 3743 South 900 East from Retail/Office to Neighborhood 3. Council Member Catten seconded. The Recorder called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

2.2 Discussion and Consideration of Ordinance 24-35, Rezoning Certain Property Located at Approximately 3739 South 900 East from the Commercial (C-3) Zone to the Residential Multifamily (R-M) Zone

Council Member DeSirant moved to approve Ordinance 24-35, Rezoning Certain Property Located at Approximately 3739 South 900 East from the Commercial (C-3) Zone to the Residential Multifamily (R-M) Zone subject to a development agreement. Council Member Catten seconded. The Recorder called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

2.3 Discussion and Consideration of Ordinance 24-36, Approving a Development Agreement for BV Lotus Calla Ph 2, a 3.05 Acre Commercial and Residential Mixed Use Development Pertaining to Property Generally Located at 3743 South 900 East

Council Member DeSirant moved to approve Ordinance 24-36, Approving a Development Agreement for BV Lotus Calla Ph 2, a 3.05 Acre Commercial and Residential Mixed Use Development Pertaining to Property Generally Located at 3743 South 900 East, subject to an amendment to require that the building be secured by July 29, 2024, that a building permit be applied for on or before August 7, 2024, and then the demolition of the building be completed by October 4, 2024, with the additional language discussed. Council Member Uipi seconded. The Recorder called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

3. Business Matters

3.1 Discussion and Consideration of Resolution 24-16, Approving an Interlocal Cooperative Agreement with Salt Lake County for Funding Pursuant to the Tourism, Recreation, Cultural, Convention, and Airport Facilities ("TRCC Funds")
John Brems said this was a cleanup matter.

Council Member DeSirant moved to approve Resolution 24-16, Approving an Interlocal Cooperative Agreement with Salt Lake County for Funding Pursuant to the Tourism, Recreation, Cultural, Convention, and Airport Facilities. Council Member Catten seconded. The Recorder called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

4. Reports

4.1 Mayor's Report

Mayor Silvestrini reported that Millcreek was contacted by Unify to have a citizen's assembly which is a convening of residents of the community to select an issue, research the issue, debate the issue, and then make a recommendation to the city council on an issue of concern to the community. It is an opportunity to get folks that have not been engaged before in a civic process to get involved and to collaborate, to try to bridge divides. Citizen assemblies have been held in other parts of the world, but not much in the United States. The council requested that Unify reach out to "underrepresented" persons in the city. The council pledged to consider what the group proposes. The mayor reported a successful "Independence Eve" event at Millcreek Common and East Mill Creek Lions Club 4th of July parade. He cautioned against using fireworks with the hot conditions and potential brush fires. He proclaimed that vandalism at the former Fat Cats and at Canyon Rim Park was unacceptable behavior.

4.2 City Council Member Reports

Council Members DeSirant and Uipi commended the 4th of July parade.

4.3 Staff Reports

Mike Winder appreciated the Community Life and Communications departments. He said the "Independence Eve" event had an admission fee of \$3 this year to help control crowds, and grossed \$12,000+. He noted the public market had a hobby shop going on with race cars. The Farmer's Market would start on Wednesday and run through September on Millcreek Common. The city partnered with Cache Valley Cheese for that event.

Winder gave an update on Jordan River recreation improvements. Winder highlighted a map showing the additional trail in Millcreek. He showed the council plans for the trailhead with a parking lot, pavilion, and climbing structure. A vault toilet was an option to consider for \$80,000. The city is contractually obligated to contribute \$81,000 for the improvement project. He also showed the plans for another parking lot and ramp for boat launching. He presented a sign that would go on the Salt Lake County skybridge saying "Welcome" and "Jordan River Regional Park" and the Millcreek, South Salt Lake, and Salt Lake County logos. Mayor Silvestrini asked about the cost disbursement since the sign was originally going to be 50/50 with South Salt Lake. Winder said the County would pay to add their logo. He showed current pictures of the site. Council Member Catten wondered if the construction would be done by the "Get to the River Festival" in September. Winder suggested a tentative ribbon cutting at the end of September.

5. Consent Agenda

5.1 Approval of June 10, 2024 Work Meeting and Regular Meeting Minutes

Council Member DeSirant moved to approve the June 10, 2024 Work Meeting and Regular Meeting Minutes. Council Member Uipi seconded. Mayor Silvestrini called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

6. New Items for Subsequent Consideration

There were none.

7. Calendar of Upcoming Meetings

- Planning Commission Mtg. 7/17/24 5:00 p.m.
- City Council Mtg. 7/22/24 7:00 p.m.
- City Council and Planning Commission Special Mtg. 7/29/24 5:00 p.m.

ADJOURNED: Council Member DeSirant moved to adjourn the meeting at 8:03 p.m. Council Member Uipi seconded. Mayor Silvestrini called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

APPROVED:



Jeff Silvestrini, Mayor

Date

8-12-2024

Attest:



Elyse Sullivan, Recorder