



**Minutes of the
Millcreek City Council
December 16, 2024
6:45 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 December 16, 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
Thom DeSirant, District 2
Cheri Jackson, District 3
Bev Uipi, District 4

City Staff

Brad Sanderson, Current Planning Manager
Elyse Sullivan, City Recorder
Francis Lilly, Assistant City Manager
John Brems, City Attorney
Kurt Hansen, Facilities Director
Rita Lund, Communications Director
Lisa Dudley, HR-Finance Director
Kayla Mayers, Promise Program Director

Attendees: Jeff Miles, Sue Lin, Chris Zarek, Sandra Walker, Margaret Douglass, Tanya Beal, Brooke Moore, Kerwin Ipsen, Chief Petty-Brown, Lt. Lovato, Detective Prescott, Bethany Billeter, Arivan Verma

WORK MEETING – 6:45 p.m.

TIME COMMENCED: 6:46 p.m.

Mayor Silvestrini called the work meeting to order.

1. Presentation of the FY 2023-24 Audit; Lisa Dudley, HR-Finance Director and Jeff Miles, HBME

Jeff Miles said the audit committee met the prior week. HBME issued a clean opinion, unmodified, on the financial statements. He read from the auditor's report, "In our opinion, the accompanying financial statements present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City, as of June 30, 2024, and the respective changes in financial position, and where applicable, cash flows thereof for the year then ended in conformity with accounting principles generally accepted in the United States of America."

The city's total assets increased by approximately \$4 million year-over-year, while liabilities rose by just over \$1.5 million. A significant portion of this increase is attributed to the net pension liability, as the city participates in the state retirement plan. Each year, an actuarial study is conducted to evaluate investment returns, city funding, and determine the potential financial obligation if all employees were to retire at once. Fortunately, not all employees will retire immediately, so this liability will be addressed gradually through contributions and projected investment returns over time. As a result, the city's total net position grew by about \$3 million year-over-year. The most substantial increase in fund balances was in the investment in capital assets, which reached \$181 million by the end of the year. A notable decrease was seen in the restricted net position, primarily due to funds allocated last year for the completion of city hall, which were then used for capital asset expenditures.

An important factor for the city's financial health is the unassigned fund balance of the General Fund. State statute mandates that this balance must be no less than 5% of the city's revenues and no more than 35%. At the close of the fiscal year, the unassigned fund balance stood at the maximum allowable limit of 35%. This fund provides the City Council with discretion over spending and serves as a "rainy day" fund for unforeseen circumstances. Overall, the city is in a strong financial position, and the 35% unassigned fund balance provides a cushion against potential revenue fluctuations. The city's revenue base has become more diversified with growth in both sales tax and property tax revenue, which is a positive development. A broad revenue base reduces dependency on any single source of income and strengthens the city's financial stability.

In terms of internal controls, the auditor issues an annual report on the city's financial procedures. During the review, the auditors met with the finance team to assess segregation of duties, authorization of checks, and the handling of cash receipts. They did not identify any significant deficiencies in the city's internal controls. The auditors conducted tests for compliance with state regulations as outlined by the State Auditor's Office. They reviewed budgetary compliance, fraud risk assessment, government fees, fund balances, restricted taxes, and various fund transfers. The auditors found no instances of non-compliance.

Miles commended Lisa Dudley and her team for their excellent work. While the city has experienced some growing pains, especially as the accounting team has adapted to increased responsibilities, Dudley has made significant progress in ensuring the financial health of the city. Council Member Uipi and Mayor Silvestrini thanked Dudley and the Finance Department.

2. Staff Reports

Rita Lund explained how the newly printed newsletter would look.

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

The council discussed upcoming meetings and events.

Council Member Uipi moved to adjourn the work meeting at 6:57 p.m. Council Member Jackson seconded. Mayor Silvestrini called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

REGULAR MEETING – 7:00 p.m.

TIME COMMENCED: 7:01 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 Unified Police Department Millcreek Precinct Officer of the Month for November 2024

Chief Petty-Brown announced Sergeant Ronnie Prescott as the Officer of the Month for November 2024. Sgt. Prescott supervised an understaffed shift and another shift for another sergeant.

1.3 Public Comment

Sandra Walker expressed concern for a house at 827 E. 4280 S. [for a residential treatment facility]. She felt 15 grown men in one house was too many. She recommended the council deny any applications for reasonable accommodation. She noticed an increase in traffic in the area. She mentioned that two neighbors next to 827 E. had received legal letters. She asked how many times the applicant could appeal against denials by the city. Mayor Silvestrini said they could appeal through the city's administrative process then district court the Supreme Court. The city did deny their application and it was currently in litigation. Walker asked how about the timing of traffic lights because traffic is backing up between 3300 S and 4500 S on 900 E. She brought up traffic accidents at the intersections of 4500 S and State Street and 4500 S and 700 E.

1.4 Promise Program Quarterly Update & Youth Council Update; Kayla Mayers, Promise Program Manager

Kayla Mayers presented 2024 graduation rates from Cottonwood High School (76.9%), Skyline (96.6%), and Olympus (92.5%). The state average is 88%. In the last quarter, the Promise Program had volunteers provide child supervision at Bud Bailey Apartments, offer digital skills classes, do various service activities at the September 11th day of service, host a Welcoming Week event and the first annual Volunteer Appreciation event, host resume building workshops, film a Promise video, provide Spy Hop classes in afterschool programs, host a warm winter clothing drive, and held youth council meetings and a holiday party.

The Youth Council Mayor, Bethany Billeter, and the Mayor Pro Tempore, Arivan Verma, presented on the Youth Council. The council has 21 members from Skyline, Olympus, Cottonwood, Waterford, and Utah International Charter School. The council has meetings twice a month to work on upcoming service projects, fundraisers, and event planning. Their past projects include Promise 9/11 Day of Service, food drive for Olympus Pantry, Harvest Market, VentureOut! events, and the Promise Volunteer banquet. Current/upcoming projects include sub for Santa, warm winter clothing collection drive, Local Officials Day on Capitol Hill, and MLK day of service. Verma said the youth council allows the members to give back to the community and get more involved.

Mayor Silvestrini thanked the Youth Council for their innovative and creative ideas and work. Mayers presented data on Promise Program services. One hundred individuals were served in the digital skills classes, 55 volunteers aided in the 9/11 day of service, 12 youth participated in resume building workshops, 20 youth participated in Spy Hop classes, and 1,500 items were donated to 12 organizations for the warm winter clothing drive. The next quarter would include a showcase of art in January, Moss Elementary ice skating field trips, the Youth Council attending ULCT Local Officials Day on the Hill, and an Interfaith Harmony Day. Mayor Silvestrini thanked Mayers and the Promise team.

2. Planning Matters

2.1 Discussion and Consideration of Ordinance 24-55, Rezoning 0.415 Acres of Real Property Located at Approximately 815 East 4200 South, from the R-1-10 Single Family Residential Zone to the R-1-5 Single Family Residential Zone

Brad Sanderson reminded the council the four planning items were discussed at their last meeting on December 9th. Sanderson showed an aerial zoning map highlighting the area to be rezoned with the surrounding zones. The rezone would enable a future 5 lot subdivision when the property was combined with the adjacent easterly property. The Millcreek Community Council and Planning Commission recommended approval of the rezone, as did staff.

Mayor Silvestrini asked for public comment. Kerwin Ipsen asked about the difference between R-1-10 and R-1-5. Mayor Silvestrini said the size of the lots, R-1-10 is 10,000 square foot lots and R-1-5 is 5,000 square foot lots.

Council Member DeSirant moved to approve Ordinance 24-55, Rezoning 0.415 Acres of Real Property Located at Approximately 815 East 4200 South, from the R-1-10 Single Family Residential Zone to the R-1-5 Single Family Residential Zone. 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, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

2.2 Discussion and Consideration of Ordinance 24-56, Rezoning Real Property Located Approximately 1624 East 4500 South from the R-2-10 Medium Density Residential Zone to the R-M Multi-Family Residential Zone

Mayor Silvestrini noted the small portion of the property was already being used as part of the dominant lot for a business. The rezone would bring the entire property under the same zoning to provide for a slightly different zone use by the same business through a conditional use permit.

Mayor Silvestrini asked for public comment. There was none.

Council Member DeSirant moved to approve Ordinance 24-56, Rezoning Real Property Located Approximately 1624 East 4500 South from the R-2-10 Medium Density Residential Zone to the R-M Multi-Family Residential Zone. Council Member Jackson seconded. The Recorder called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

2.3 Discussion and Consideration of Ordinance 24-57, Vacating the Westerly Three Feet of the Olympus Way (3250 East) Public Street or Right of Way, Generally Located at 3239 East 3900 South

Mayor Silvestrini noted the vacation would provide for a two lot subdivision on the westerly side of Olympus Way. Sanderson noted the property would be surplus in the following agenda item.

Mayor Silvestrini asked for public comment. Sanderson noted he received an email inquiring about the vacation process.

Council Member Catten moved to approve Ordinance 24-57, Vacating the Westerly Three Feet of the Olympus Way (3250 East) Public Street or Right of Way, Generally Located at 3239 East 3900 South. Council Member Uipi seconded. The Recorder called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

2.4 Discussion and Consideration of Ordinance 24-58, Declaring an Area of Real Property Located at or Along 3239 East, Near 3900 South, as Surplus; Establish a Minimum Bid; and Establish a Method to Determine the Highest and Best Economic Return to the City

Mayor Silvestrini said this item would surplus the vacated portion of Olympus Way. Mayor Silvestrini asked for public comment. There was none.

Council Member Uipi moved to approve Ordinance 24-58. 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, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

2.5 Discussion and Consideration of Ordinance 24-59, Amending Title 19 (“Zoning”) of the Millcreek Code of Ordinances, Revising Chapter 19.62A (“Olympus Hills West Village Center Special District”) by Making Certain Additions and Deletions Pertaining to Building Height, Setbacks, Design, and Among Other Things, Overall Site Landscaping, Lighting, Fencing, and Signage

Mayor Silvestrini said this would affect the Village Center that Cowboy Partners was proposing south of 3900 South on Wasatch Boulevard. The changes would enable Cowboy Partners to develop a better project than the code currently provided for. The main changes were in building height (42 to 44 feet) measured from the southeast corner (instead of northeast) of the property and reduced setbacks (20 feet to 15 feet in the front and 10 feet to 4 feet in the back).

Mayor Silvestrini asked for public comment. There were none.

Council Member Jackson moved to adopt Ordinance 24-59, Amending Title 19 of the Millcreek Code of Ordinances, Revising Chapter 19.62A by Making Certain Additions and Deletions Pertaining to Building Height, Setbacks, Design, and Among Other Things, Overall Site Landscaping, Lighting, Fencing, and Signage. 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, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

3. Reports

3.1 Mayor's Report

Mayor Silvestrini reported the Porsche dealership on Wasatch Boulevard had a groundbreaking on December 14th. He felt the dealership would be a nice amenity for the area and the additional sales tax revenue would be a benefit to the city. The dealership and construction company for the project offered to give the city \$30,000 to assist with the new playground equipment at Fortuna Park. He reported the ice skating loop and public market were doing well. Mayor Silvestrini mentioned an upcoming event thanking Salt Lake County elected officials.

3.2 City Council Member Reports

Council Member Uipi said the Enbridge Gas line that was going to be replaced will be done in 2026 and not 2025.

3.3 Treasurer's Report

Council Member Jackson reported as of that day the total amount of shared cash, which is the combination of the operating account (\$2,499,682) and state fund account (36,408,126), was \$38,907,809. The current property taxes received for this year were 78.40% in the amount of \$9,339,148, the general sales tax revenue for the first three months of the year was almost 25% in the amount of \$3,798,399. The city had received \$680,132 in building permits. The total general fund revenue was \$18,523,521. For disbursement in November, the city had written 152 checks in the amount of \$4,260,859, 12 EFT/bank drafts in the amount of \$220,644, and two payroll periods in the amount of \$343,576, for a total disbursement of \$4,825,080.

3.4 Staff Reports

Francis Lilly invited the council to the holiday employee appreciation event on December 18th.

3.5 Unified Police Department Report

Chief Petty-Brown reported the November 2024 crime statistics. There were 2,387 calls for service, 733 new police reports, 433 citations/tickets, and 35 booking arrests. The November response times were 3 minutes for priority 1 calls, 7 minutes for priority 2 calls, and 13 minutes for priority 3 calls. The Directed Enforcement Unit had 18 arrests, 13 search warrants, 4 assists, 7 recovered stolen vehicles, and a list of drugs, cash, and a firearm seized. The Motors Unit had 38 crashes, 14 hit and runs, and 309 citations. The Violent Crimes Unit had 2 new cases, Special Victims Unit had 10 new cases, SWAT had 5 new call outs, and K9 Unit had 21 new call outs. Millcreek had 23 assaults, 8 burglaries, 16 drug offenses, 63 family offenses, 26 frauds, 69 larcenies, 1 robbery, 3 sex offenses, and 21 stolen vehicles. Millcreek detectives were assigned 51 cases and 13 were submitted for charges. There were 18 transient related calls and 45 mental health calls.

Chief Petty-Brown said in the Investigations Unit in November, a Millcreek apartment complex was the victim of numerous A/C unit thefts, totaling \$14,000 dollars in loss. Detective Warner was assigned the investigation and contacted victims, residents, and

managers from the apartment complex. Detective Warner learned there were several additional A/C unit thefts not reported. A photo of the suspect was obtained and quickly distributed to detectives around the Salt Lake Valley and a person of interest was identified. Through photo comparison, very distinct tattoos could clearly be seen. With the suspect positively identified charges were successfully filed.

Council Member Uipi asked how many of the mental health calls resulted in cases. Chief Petty-Brown said Detective Tracey Creno follows up on all of them. She announced that Detective Creno was awarded Officer of the Year for 2024.

4. Consent Agenda

- 4.1 Approval of November 25, 2024 Work Meeting and Regular Meeting Minutes
- 4.2 Approval of December 4, 2024 Special Meeting Minutes
- 4.3 Approval of December 9, 2024 Work Meeting and Regular Meeting Minutes

Council Member Uipi moved to approve items 4.1-4.3. 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, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

5. New Items for Subsequent Consideration

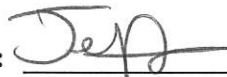
There were none.

5. Calendar of Upcoming Meetings

- Planning Commission Mtg., 12/18/24 5:00 p.m.
- East Mill Creek Community Council Mtg., 1/2/25, 7:00 p.m.
- Mt. Olympus Community Council Mtg., 1/6/25, 6:00 p.m.
- Millcreek Community Council Mtg., 1/7/25, 6:30 p.m.
- Canyon Rim Citizens Association Mtg., 1/8/25, 6:30 p.m.
- City Council Mtg. 1/13/25 7:00 p.m.

ADJOURNED: Council Member DeSirant moved to adjourn the meeting at 7:59 p.m. Council Member Uipi seconded. Mayor Silvestrini called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

APPROVED:



Jeff Silvestrini, Mayor

Date 1-13-2025

Attest:



Elyse Sullivan, City Recorder