



APPROVED 5/22/17

**Minutes of the**  
**Millcreek City Council Meeting**  
**Monday, May 15, 2017**

**Councilmembers present**

Jeff Silvestrini – Mayor  
Silvia Catten – Council District 1  
Dwight Marchant – Council District 2  
Cheri Jackson – Council District 3  
Bev Uipi – Council District 4

**Other present**

Leslie Van Frank – Acting Recorder  
John Brems – City Attorney  
Rita Lund – Deputy Recorder

**WORK SESSION**

Mayor Silvestrini called the meeting to order at 3:15 PM.

Agenda Item 1. **Discussion of employee benefit package options and a job description for the City's first management hire**

Mayor Silvestrini introduced Michelle Vargas and Dave Jackson from NFP who led a discussion about the proposed job description for a Millcreek city manager/administrator. Ms. Vargas suggested that the document related to the job posting was of the most important step to move more quickly through the process.

Mayor Silvestrini stated he feels that the pay range proposed is on the low end and would like to consider increasing the high end to at least \$150,000. Councilmember Uipi discussed the comparables that had been provided earlier by Dave Salazar that were around \$150,000 plus benefits. Ms. Vargas commented that she felt the range could be increased to attract good applicants.

Councilmember Marchant suggested that there had been a discussion about increasing the salary of the mayor, who will be performing a portion of the duties at this point. Mayor Silvestrini commented that he felt it would be important to find a qualified applicant and that there seemed to be adequate work for both the mayor and a manager/administrator.

Ms. Vargas suggested removing the pay range entirely and the council could decide a salary based on the qualifications of the applicants. She generally does not include a salary range on a job posting. Councilmember Marchant added that he felt that the applicants who would be interested in this job would already know the general salary range.

Mayor Silvestrini commented that he is comfortable with \$150,000 plus benefits for the best person. The applicant's capabilities would determine what the range should be based on the duties they would be performing.

Mayor Silvestrini noted that the requirement of five years' experience in city management may not be adequate. Councilmember Uipi stated she would rather see a requirement of 5 to 10 years in public management. There was a discussion about the minimum years required and there was general agreement to change the minimum requirement to 10-plus years and add the word "preferred".

Ms. Vargas asked about the other items in the posting and John Brems, city attorney, added that he had some comments he would forward for consideration. Ms. Vargas will incorporate the suggestions and forward the document for review by the council before posting.

David Jackson distributed and reviewed a Benefits Enrollment Guide that he had prepared for consideration. He explained the proposal had been benchmarked with the public sector in Salt Lake Valley, and the premium and benefits levels were accurate. There was discussion about the eligibility date, definition of "full time," plans offered to dependents, and open enrollment. Mr. Jackson noted that all benefits in the proposed guide follow all IRS rules.

Mr. Jackson then reviewed the high deductible medical plan benefits, along with the cost for employees in real numbers. Mayor Silvestrini related that in his experience with private sector benefits packages, plans that require some sort of payment from the employee gives the employees buy-in to the program. Mr. Jackson reviewed the health savings account options, which are competitive in the market. Mayor Silvestrini suggested potentially making a larger contribution for the employee rather than increased benefits for those with families. Mr. Jackson indicated that the federal government and IRS rules dictate many parts of the proposal.

Mr. Jackson then reviewed the traditional plan proposal along with co-pays, prescription benefits, deductibles and cost sharing and stated that statistically the traditional plan trends at about 50% among employees and commented that employees seem to prefer choices.

Mr. Jackson indicated that the dental plan presented is a standard basic plan. He stated that vision plans are highly valued by employees. Employers do not have to participate but it is attractive to employees to be able to obtain discounts through a group plan.

Mr. Jackson then reviewed the cafeteria plan, which is a very nominal cost to the city but does afford some risk. PEHP administers these plans at no cost.

Life insurance benefits were reviewed by Mr. Lyman who stated that these benefits are generally paid for by the employer. Additional life insurance would be available at the employee cost.

Mr. Jackson then completed the presentation by reviewing the remainder of the proposed booklet which includes general "how to" information. Mr. Jackson added that he feels the proposed plan would be attractive to applicants and was around the mid-point of those offered by other cities in the valley.

Mayor Silvestrini asked about retirement benefits. Mr. Jackson responded that URS is required but that the decision to be made is whether to opt in or out of social security. That decision should be made soon. Mr. Jackson added that if the city were to opt out of social security, it should offer a social security replacement plan.

There was discussion of a 457 plan and the council agreed that a 457 plan would not be of interest to the city.

Councilmember Marchant asked about the opt out option and commented that it really seems to be a philosophical choice. Mr. Jackson commented that an additional consideration could be survivors benefits or disability plans that are offered by social security.

Mr. Jackson indicated that if the city determines to opt out, they must remain vigilant. Mayor Silvestrini commented that the decision has to be made before any employee is hired. Ms. Vargas reported that the majority of the cities choose to remain in the social security system with about 25% staying out.

Mayor Silvestrini reported that a common comment is that some people are comfortable with social security, and but others feel that they can do a better job themselves. Councilmember Catten suggested that the younger generation has heard for years that social security will be gone before they reach retirement age, and that they may feel more comfortable with self-directing. Councilmember Marchant stated he would be comfortable opting out of social security.

Mayor Silvestrini stated that the city should consider how to attract the best employees. It was restated that the decision to opt out of social security is irrevocable. The mayor asked for a straw poll of the councilmembers. Mr. Jackson and Ms. Vargas both commented that they felt that this question may not have a big influence on applicants.

Mayor Silvestrini suggested the council decide and move forward with the process. He requested that the NFP representatives finalize the benefit package as presented with the assumption that Millcreek will opt out of social security, as well as a proposal for time off utilizing a PTO option with a limit of 20 days and a maximum number of hours.

Councilmember Uipi led a conversation about some differences in benefits offered to merit or appointed employees including probationary periods. NFP was requested to look at how other cities handle PTO and probationary periods.

Agenda Item 3. Presentation by Cory Lyman, "Fix the Bricks"

Mayor Silvestrini introduced Cory Lyman, who acknowledged Audrey Pierce and Summer Misner from Salt Lake City. Mr. Lyman then gave a presentation on the city "Fix the Bricks" program. Mr. Lyman outlined the probability and likelihood of a serious earthquake in Salt Lake County which is around 57% in the next fifty years and additionally outlined the consequences of a 7.0 magnitude earthquake that would have a much greater impact than the Katrina hurricane.

A Salt Lake City and Millcreek map of probable building damage was displayed that indicated the degree of damage based on building type with unreinforced masonry construction buildings being more prone to collapse. In Millcreek, of 16,638 total buildings, 9,833 buildings are built with unreinforced masonry. Mr. Lyman commented that the buildings on the east side of Millcreek will receive the most severe shaking and that liquefaction issues will occur in the western part of Millcreek. Liquefaction generally does not cause as many fatalities as severe shaking. Mr. Clint Mecham with county Emergency Services added that St. Marks Hospital is well reinforced and would most likely not be subject to collapse, but because of liquefaction, the facility will be difficult to get to.

Mr. Lyman further indicated that around 90% of the severe injuries and deaths will be caused by the collapse of unreinforced masonry brick buildings. Salt Lake City looked at the concern and obtained mitigation grants in cooperation with FEMA, including a 75% to 25% match. The county has considered doing a similar umbrella application.

Mr. Lyman reviewed the steps in the grant process including preapplication, a scope of work, seismic EHP, BCA, PDM Application/Award, pre-construction/bids/homeowner contract, construction, documentation and closeout/FEMA reimbursement. Salt Lake City has paid staff who assist with the application as the 25% match on the pre-application work. After being awarded a grant, the homeowner is asked to get a bid for the work and the bid is reviewed and compared to the costs determined by the city.

Mr. Lyman then reviewed the different types of homes and how improvements can be made to each. Chimneys are a big concern as they are very heavy and can collapse into a home.

Historic homes in Salt Lake City move through a different process that is reviewed by the Salt Lake City Landmark Commission and the state.

Salt Lake City is currently working on applications for 44 homes with a goal of addressing 200 homes. There is uncertainty surrounding future federal funding for this type of program and Mr. Lyman requested that Millcreek consider supporting their lobbying efforts to continue funding for the program. Mr. Mecham commented that the county emergency services department has been receiving questions from residents about whether Millcreek is considering this type of program.

Mayor Silvestrini asked whether Salt Lake City has a line item in their budget for this program and Mr. Lyman responded that Salt Lake City utilizes staff time and that Millcreek could change the amount of match or consider other grant options for the homeowner match.

Councilmember Marchant asked about how Salt Lake City advertised the program and Mr. Lyman responded that they have had an overwhelming response and felt that Millcreek would not have any problem attracting interested homeowners.

Tim Bachman, Millcreek CERT manager, commented that he had requested that Mr. Lyman attend the Millcreek meeting and indicated that there is a big planning component involved in the project.

Councilmember Uipi thanked everyone for the presentation and asked Mr. Lyman to give an idea about what needs Millcreek can expect. Mr. Lyman outlined some ideas that could be used as matches for funding.

Clint Mecham stated that the county emergency services department is very interested in creating this program throughout the county and Mr. Lyman offered his assistance.

Agenda Item 2. **Presentation by Clint Mecham about emergency management**

Councilmember Jackson introduced Mr. Clint Mecham and asked how Millcreek should move forward with their emergency preparations. Mr. Mecham indicated that the county emergency management services department indicated is willing to assist through the transition but that the city will be responsible for emergency planning in the future.

Funding for the emergency planning department is provided by the Unified Fire Authority and is paid from the general fund. The EM operations plan is not specific to each community. The mitigation plan assists with the response to an emergency. Tim Bachman pointed out that Millcreek will be required to have its own plan in order to apply for FEMA disaster relief assistance. It would be possible for Millcreek to contract for EM services with the county.

Mr. Mecham added that there are several plans that are required to be developed for Millcreek including a continuity of operations plan, a communications plan and a recovery plan. Each plan has a template and Mr. Mecham is willing to provide that information to assist Millcreek.

Councilmember Jackson pointed out that Linda Milne chairs the VOAD meetings and that at least half of the regular attendees are from Millcreek. Mr. Mecham pointed out that Millcreek has a very robust volunteer community in emergency preparation. Mr. Mecham added that Mr. Aaron Nelson is assigned as the liaison to Millcreek and Mr. Mecham serves as a backup.

Mayor Silvestrini talked about the current process that is underway to develop a community wildfire plan in Mt Olympus and asked how it could be coordinated. Captain Brian Case from the UFA is spearheading the Firewise plan and has been talking with the mayor about the locations of hazards and of essential structures in Millcreek. Mr. Mecham stated that the emergency management group is also working to identify the essential structures.

Mr. Mecham stated that most cities have staff emergency managers who are part time employees or employees who are assigned the duty as part of their regular duties. Mr. Mecham recommended that Millcreek consider a part time employee whose primary emphasis is on emergency planning, how to coordinate with FEMA and to determine other funding opportunities. Mr. Mecham offered to assist in any way that he can including writing a job description.

Mayor Silvestrini pointed out that he has added considerations in the budget for emergency management and grant writing that will be discussed later.

Agenda Item 4. **Presentation by Fred Healey concerning office space**

Mayor Silvestrini announced that Fred Healey would not be in attendance as the council had visited the office space location with him recently where they had discussed a revised floor plan. Mr. Healey will provide another revision of the floor plan for consideration with about 8,000 square footage.

Mayor Silvestrini and John Brems have reviewed the lease and are looking at the costs, the Woodbury rules and regulations and other issues that need to be clarified. The mayor stated that the lease is designed for commercial space and for tenants that may default and that there are sections that should be revised to apply to Millcreek. Mayor Silvestrini added that his law firm may be interested in donating a surplus scanner/copier and a high-density filing system.

The timeline for the lease and construction were discussed and it was announced that the city should be ready to move into the new offices in August.

### **Budget Discussion**

Mayor Silvestrini announced that he wanted to discuss item 7.1 on the Regular Meeting agenda, so he could explain revisions he had made to the tentative budget.

Mayor Silvestrini passed out copies of the revised tentative budget. He explained there are no changes to the revenue side other than the addition of the grants from WFRC and Salt Lake County RDA.

The mayor then discussed changes to the expenditure side which include:

- Rent/Common area maintenance
- Custodial services
- Utilities (gas/electric)
- Wiring for phones/internet
- Various supplies
- Addition of a Millcreek PROMISE program in the community outreach line.
- Salaries, benefits and training for the Council
- Consultants and training for city staff
- General plan project, community councils
- Emergency preparedness coordinator and emergency preparedness program/supplies
- Lobbying services
- Auditing services

The mayor explained that the capital project line has been reduced to balance the budget. He noted that the engineering line is the contract price from Salt Lake County, as are the line items for animal services, public works, and DA services.

Councilmember Marchant gave a report on unpaid accrued invoices:

- Attorney - \$43,505 – through April (February is not included)
- Lewis Young has added a change order for attendance at the community council meetings
- Utah Local Government Trust - \$14,520 to be paid in August
- John Jansen - \$1,750 per month with a total due of \$5,250
- Reimbursements to Mayor Silvestrini are around \$3,000

Rita Lund reviewed the Venture Out and movie night event expenses. Mayor Silvestrini suggested that the council assist with fundraising for the community events and asked that Aimee McConkie be invited to a future council meeting to discuss Venture Out.

Agenda Item 5. **Discussion of social media policy**

Mayor Silvestrini moved this item to a future agenda.

Agenda Item 6. **Discussion of newsletter mailer**

Mayor Silvestrini moved this item to the resumed work session.

Agenda Item 7. **Continued discussion of municipal priorities**

Mayor Silvestrini moved this item to a future agenda.

Mayor Silvestrini adjourned the work meeting at 6:40 PM.

## **REGULAR MEETING**

Mayor Silvestrini called the Regular Meeting to order at 7:10 PM.

### **1. Call to Order**

1.1 Pledge of Allegiance

1.2 Approval of 5/8/17 Minutes

Motion was made by Councilmember Jackson, seconded by Councilmember Marchant, to approve the minutes of May 8<sup>th</sup>, 2017. Motion passed unanimously.

### **2. Public Comment**

There was no public comment at the meeting.

### **3. Reports**

3.1 Report of Mayor, reports of Councilmembers

Mayor Silvestrini reported on his attendance along with other councilmembers at the recent Fire School presented by the UFA and thanked the organizers and department for their hard work on behalf of the Millcreek community. The mayor additionally thanked Chief Dan Peterson for his attendance at the event. Councilmember Catten also thanked the UFA and commented on how the event helped understand what the UFA personnel face on a daily basis.

Mayor Silvestrini next reported on the board meeting of the Greater Salt Lake Municipal Services District and noted that there was no support to reopen the budget. The board did approve a motion to ask the County Council to approve payment from the judgement levy that will result in \$1,287,000 to be paid to Millcreek.

Councilmember Uipi reported on the Teens and Suicide event at Skyline High. The event went well and as a parent the councilmember felt that it had been a good lesson in learning how to communicate with teens about the various dangerous issues they face. Councilmember Uipi thanked Lee Ann Hansen and Kathy Swift for their efforts, further stating that it is important to create a community where residents feel that they can communicate with their kids and that the UPD officers were extremely helpful at the event.

Mayor Silvestrini then introduced Chief Brad Larsen who commented he was pleased that Fire School was appreciated by the council. Chief Larsen talked about his job and how it involves making sure that prevention measures are in place to avoid situations such as those experienced by the attendees at Fire School.

Councilmember Uipi and Mayor Silvestrini commented on the comedy centered fundraiser that they had recently attended with Mayor McAdams.

### 3.2 Report from UPD

Mayor Silvestrini introduced Chief Steve DeBry who talked about the UPD Citizens Police Academy and some of the issues covered during the training.

## 4. Appointments

No appointments appeared on the agenda.

## 5. Consent Agenda

No consent items appeared on the agenda.

## 6. Planning Matters

### 6.1 Discussion of whether to re-zone properties on Millcreek's eastern foothills

Mayor Silvestrini reported on two parcels above Mt Olympus that would be key to the Bonneville Shoreline Trail and to connecting open space in the area. The parcels are going up for tax sale and will be discussed at the County Council tomorrow.

Mayor Silvestrini discussed the potential of rezoning the property. The property is subject to FCOZ and is very steep. Downzoning to FR20 or something less may ensure that the area stays predominantly as open space.

Councilmember Jackson asked how the owners felt about the possibility. Mayor Silvestrini responded that one of the parcels is up for tax sale due to a large amount being owed to the IRS. The other property is near where the Skyline "S" used to be and has a very low development potential due to the slope. Mayor Silvestrini indicated he would ask the Planning Commission to take up the issue.

## 7. Financial Matters

### 7.1 Continued work on 2017-18 budget

Mayor Silvestrini reported that the budget had been discussed at the work session and that he had prepared a revision to the budget that discusses items that had been considered since the initial budget discussion.

John Brems commented that the council should consider scheduling a public hearing to adopt a revised tentative budget.

Mayor Silvestrini agreed to provide footnotes to as many line items as possible and indicated that many items are estimates.

## **8. Other Matters**

### **8.1 Discussion and consideration of Resolution No. 17-\_\_\_\_\_ - authorizing NFP to set up benefits package**

Mayor Silvestrini reported that there had been a discussion related to the benefits package at the work meeting. Some revisions were discussed and these would be circulated for consideration by the council.

Motion was made by Councilmember Uipi, seconded by Councilmember Jackson to adopt Resolution No. 17-\_\_\_\_\_, authorizing NFP to set up benefits as outlined in the Benefit Enrollment Guide effective July 1, 2017, including but not limited to medical plan, dental plan, vision plan, health savings account, flexible spending account, life and disability supplement life, and voluntary additions and opting out of social security and contributing 6.2% of the employers portion to a 401K administered by the city. Motion passed unanimously by roll call vote with members voting as follows:

Councilmember Uipi – Aye  
Councilmember Catten – Aye  
Mayor Silvestrini – Aye  
Councilmember Jackson – Aye  
Councilmember Marchant – Aye

### **8.2 Discussion and consideration of Resolution No. 17-\_\_\_\_\_, authorizing posting of job description**

Mayor Silvestrini reported that there had been discussion related to the job posting and job description at the work session and stated that there is a need to authorize NFP to post the job as soon as possible, with work to continue on the job description.

Motion was made by Councilmember Jackson, seconded by Councilmember Marchant, approving Resolution No. 17-\_\_\_\_\_, authorizing the posting for the position with the job description being finalized at a later date, with inclusion of changes suggested by city attorney John Brems to be added to the resolution. Motion passed unanimously by roll call vote with members voting as follows:

Councilmember Uipi – Aye  
Councilmember Catten – Aye  
Mayor Silvestrini – Aye  
Councilmember Jackson – Aye  
Councilmember Marchant – Aye

8.3 Discussion and consideration of Resolution No. 17-\_\_\_\_\_ - authorizing the Mayor to negotiate a contract with \_\_\_\_\_ to provide an evaluation of the possibility of withdrawing from the Salt Lake Valley Law Enforcement Service Area ("SLVESA"), while continuing to obtain services from the Unified Police Department ("UPD")

Mayor Silvestrini reported that a supplement had been received from Zions for their proposal. The mayor had contacted Lewis Young and asked if they intended to provide a supplement. Mr. Burningham indicated that their firm would be providing a supplement and the mayor would like to be able to consider that supplement as well.

Mayor Silvestrini moved the item to a future agenda.

#### **9. New Items for Subsequent Consideration**

There were no items for subsequent consideration.

#### **10. Calendar of Upcoming Events**

The calendar of upcoming events was reviewed.

#### **11. Closed Session**

No closed session was required.

#### **12. Adjournment**

Motion to adjourn was made at 7:45 PM by Councilmember Uipi, seconded by Councilmember Catten. Motion passed unanimously.

### **WORK SESSION RESUMED**

Mayor Silvestrini called the work session back to order at 7:55 PM.

There was discussion of the preparation of a newsletter issue for July and August to promote the summer Venture Out events and to be mailed under the Venture Out bulk mail permit. Further discussion of additional newsletter issues should take place at a future council meeting.

Motion for adjournment was made at 8:15 PM by Councilmember Marchant, seconded by Councilmember Jackson. Motion passed unanimously.