

MINUTES OF THE HELPER CITY COUNCIL MEETING
Thursday, August 2, 2012
6:00 p.m.
Helper Auditorium
Council Chambers
19 South Main
Helper, Utah 84526

ATTENDANCE:

Mayor Dean Armstrong

City Staff

Council Members:

Kirk Mascaro
Chris Pugliese (absent)
Robert Bradley
Gary Harwood
Jason Llewelyn

Deputy Recorder Joan Burgess
Chief Trent Anderson
City Attorney Gene Strate

Citizens: John Serfustini, Tim Riley, Lita Riley, John Hrienson, Jinni Fontana Lund, Morgan Lund, Roger Metzger, Ruth Metzger, Zach Heywood, Sandra Diamanti

The regular meeting of the Helper City Council was called to order by Mayor Armstrong at 6:00.

APPROVAL OF MINUTES July 5 and July 10, 2012.

Council Member Harwood moved to approve the minutes of July 5 and 10, 2012. Council Member Bradley seconded the motion. Motion Carried. Bradley, Mascaro, Llewelyn and Harwood voting yes.

JINNI LUND DISCUSSION AND UPDATE FOR ARTS FESTIVAL.

Jinni Lund stated that the mosaic wall should be ready to be unveiled in September, fundraising for festival is almost complete and the Youth Art will be at the Museum and not in the Auditorium. Ms. Lund updated the Council on events and discussed the pool party, signs for boundaries, food vendors and security guards.

DISCUSSION AND/OR APPROVAL LOCAL CONSENT FOR POOL PARTY.

Council Member Bradley moved to approve the local consent for Art's Festival Pool Party. Council Member Mascaro seconded the motion. Motion Carried. Bradley, Mascaro, Llewelyn and Harwood voting yes.

JOHN HRIENSON ON AMERICAN LEGION FIELD.

John Hrienson complimented the Council on the good job the city was doing on the legion field. Council Member Llewelyn said he is working with Brad McCourt and Commissioner Jones from Carbon County and they are willing to continue to help with the field improvements.

LITA RILEY DISCUSSION ON GRANT WRITING FOR CITY IMPROVEMENTS.

Tim and Lita Riley stated they will be opening a business on Main Street. Mrs. Riley requested permission for them to write grants for city beautification at no cost or use of city resources. Mayor Armstrong stated that it is important to coordinate grant applications with anyone applying for funds for the city. Mayor Armstrong would like to arrange a meeting so they can discuss the topic further. Council Member Mascaro invited the Riley's to attend the Historic Preservation meeting held the 3rd Wednesday of each month at 5:30 p.m. and advised them to get on agenda.

DISCUSSION AND UPDATE ON BURN OUT EVENT FOR ARTS FESTIVAL.

Roger Metzger thanked the city for supporting the burn out to be held in the Main Park. Mr. Metzger updated and discussed the burn out event with the Council. Council Member Bradley agreed to close the pool at 5:00 p.m. on Aug 17th. Ruth Metzger explained that there were some changes that would be on the final liability policy through Price Insurance and every participant would be required to sign a release. Council Member Harwood asked if Fire Chief Zamantakis had been contacted to have a fire truck and EMT's on site. .

Council Member Bradley moved to approve the use of city property for the Art's Festival Car Show burn out event. Event is subject to compliance with private insurance and safety rules. Council Member Harwood seconded the motion. Motion Carried. Bradley, Mascaro, Llewelyn and Harwood voting yes.

DISCUSSION AND/OR APPROVAL ON BOYS AND GIRLS CLUB USING POOL FOR FUND RAISER.

Council Member Bradley informed the Council of the fundraising event scheduled for August 4th from 6:00 p.m. - 9:00 p.m. Mayor Armstrong asked Council Member Bradley to get a donated value to have document signed for an in-kind contribution.

Council Member Harwood moved to approve the use of the pool as an in-kind contribution for Boys and Girls Club Fund Raiser. Council Member Llewelyn seconded the motion. Motion Carried. Bradley, Mascaro, Llewelyn and Harwood voting yes.

DISCUSSION AND/OR APPROVAL ON AT&T LAND LEASE AGREEMENT.

Attorney Strate discussed the AT&T agreement and stated he has tried to get a word document from Mike Price to make some changes and has not received a draft yet. The City Council agreed that a more aggressive approach was necessary to get the lease agreement settled; they advised Attorney Strate to draft up the final agreement. Item will be rolled over to September agenda per Attorney Strate request.

Council Member Llewelyn moved to accept Attorney Strate's final drafted amendments to the agreement as written. Agreement must be signed and back to Helper City by September 30, 2012 or cease and desist by October 1, 2012. The rate of \$7,500 by September 30, 2012 or the rate of \$10,000 by October 1, 2012 and agree to all the stipulations that go into effect with a 25% increase. Council Member Harwood seconded the motion. Motion Carried. Bradley, Mascaro, Llewelyn and Harwood voting yes.

DISCUSSION AND/OR APPROVAL ON LAND BETWEEN 148 & 146 PALMER STREET.

Mayor Armstrong noted that the property extends farther to the east than anybody thought and there are land boundary issues. Attorney Strate stated a piece of the roadway that affects Ms. Lee's property and the property next to it might need to be vacated. He is still waiting on a title search to get a description of the property. Council Member Harwood added that there is also a private sewer line on the property. Item rolled over to September agenda.

DISCUSSION AND/OR APPROVAL ON APPOINTING TOM HATT TO PLANNING AND ZONING.

Mayor Armstrong stated Tom Hatt was recommended as a Commission Member for Planning and Zoning Committee. Tom Hatt is a Helper City resident, property and business owner.

Council Member Llewelyn moved to approve appointing Tom Hatt to the Planning and Zoning Commission. Council Member Mascaro seconded the motion. Motion Carried. Bradley, Mascaro, Llewelyn and Harwood voting yes.

DISCUSSION ON RIO THEATER.

Council Member Mascaro requested that the City Council make a decision on the Rio Theatre issue. Mayor Armstrong stated the City Council has backed itself into a corner financially because of the grants on the building. Morgan Lund addressed the City Council again with his ideas and suggestions for the management by the Other Side Players to produce effective productions. Council Member Mascaro requested to discuss how much money is going to be available for the Rio at a meeting he is attending on August 7th and bring information back to the Council. Item rolled over to September meeting.

DISCUSSION AND/OR APPROVAL ON E.I.S. ELECTRICAL INFRASTRUCTURE INVENTORY IN THE AMOUNT OF \$8,020.

Council Member Bradley explained that he has been working with Tom Paluso/EIS on tagging and locating power poles. Council Member Bradley stated there might be an adjustment on the amount when more poles and plates are added. This amount could possibly double; he will bring it back to the council at that time.

Council Member Bradley moved to approve E.I.S. Electrical Infrastructure Inventory in the amount of \$8,020, incidental costs may apply. Council Member Llewelyn seconded the motion. Motion Carried. Bradley, Mascaro, Llewelyn and Harwood voting yes.

DISCUSSION/AND OR APPROVAL ON DORMANT FEE LETTER.

Council Member Harwood asked the Council how they would like to handle the dormant fee due on customers that might change their mind on disconnecting from the system. Attorney Strate has approved the letter that will be sent out to the residents notifying them that the city is going to start disconnecting the connections. Council Member Harwood said his concern is to notify the customer prior to disconnecting the line and get their approval in writing to protect the city. The Council discussed and agreed that the resident will be back charged the dormant fee of \$19.50 from the date they requested to be disconnected if they choose to remove their request. A registered letter will be sent to each customer prior to removal, explaining the procedure and possible costs of disconnecting water/sewer from the city's line.

CONSIDERATION OF THE ADOPTION OF A RESOLUTION 2012-5 AUTHORIZING NOT MORE THAN \$6,5000,000 SEWER REVENUE BONDS TO FINANCE SEWER SYSTEM IMPROVEMENTS; FIXING THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT, MATURITY, INTEREST RATE, AND DISCOUNT OF THE BONDS; PROVIDING FOR PUBLICATION OF A NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUES; AND RELATED MATTERS.

Council Member Harwood made correction to Exhibit C stating it was Deputy Recorder Joan Burgess not City Recorder Jona Skerl at meeting; also Council Member Chris Pugliese was not present.

Council Member Mascaro moved to adopt Resolution 2012-5 with name corrections, authorizing not more than \$6,5000,000 sewer revenue bonds to finance sewer system improvements; fixing the maximum aggregate principal amount, maturity interest rate, and discount of the bonds; providing for publication of a notice of public hearing and bonds to be issued; and related matters. Council Member Llewelyn seconded the motion. The Council roll call vote is as follows: Council Members Bradley, Mascaro, Llewelyn and Harwood in favor with no one in opposition. Resolution 2012-5 passed by a unanimous roll call vote.

CONSIDERATION OF THE ADOPTION OF A RESOLUTION 2012-6 AUTHORIZING NOT MORE THAN \$8,000,000 WATER REVENUE BONDS TO FINANCE WATER SYSTEM IMPROVEMENTS; FIXING THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT, MATURITY, INTEREST RATE, AND DISCOUNT OF THE BONDS; PROVIDING FOR PUBLICATION OF A NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUES; AND RELATED MATTERS.

Council Member Harwood made correction to Exhibit C stating it was Deputy Recorder Joan Burgess not City Recorder Jona Skerl at meeting; also Council Member Chris Pugliese was not present.

Council Member Mascaro moved to adopt Resolution 2012-6 with name corrections, authorizing not more than \$8,000,000 water revenue bonds to finance water system improvements; fixing the maximum aggregate principal amount, maturity interest rate, and discount of the bonds; providing for publication of a notice of public hearing and bonds to be issued; and related matters. Council Member Llewelyn seconded the motion. The Council roll call vote is as follows: Council Members Bradley, Mascaro, Llewelyn and Harwood in favor with no one in opposition. Resolution 2012-6 passed by a unanimous roll call vote.

DISCUSSION AND/OR APPROVAL ON RESOLUTION 2012-7 A RESOLUTION SUPPORTING THE MILITARY MEN AND WOMEN OF HELPER CITY.

Mayor Armstrong stated it was established at the last meeting that Helper City would be in support of our armed forces, reserves and active military. The signing ceremony would take place at the Arts Festival on August 18th and Sandra Diamanti has volunteered to be the liaison for the city.

Council Member Mascaro moved to adopt Resolution 2012-7 a resolution supporting the military men and women of Helper City. Council Member Harwood seconded the motion. The Council roll call vote is as follows: Council Members Bradley, Mascaro, Llewelyn and Harwood in favor with no one in opposition. Resolution 2012-7 passed by a unanimous roll call vote.

DISCUSSION AND/OR APPROVAL ON THE APPOINTMENT OF SANDRA DIAMANTI AS THE MILITARY LIAISON.

Council Member Mascaro moved to approve appointing Sandra Diamanti as the Military Liaison. Council Member Llewelyn seconded the motion. Motion Carried. Bradley, Mascaro, Llewelyn and Harwood voting yes.

DISCUSSION AND/OR APPROVAL ON SEWER CLEANING AND VIDEO INSPECTIONS IN THE AMOUNT OF \$15,800.

Council Member Harwood explained that the video inspection is part of the sewer design the engineers need and they have contacted Twin D out of Layton to get a bid. Council Member Harwood wanted to know if a contract could be signed to video 10,000 ft –17,000 ft of sewer line. The cost would be approximately \$200.00 - \$250.00 per hr depending on the condition of the old collapsing line and the roots in the system. Council Member Harwood stated the engineers would like Helper City to sign their contract instead of rewriting it, the contract is geared toward cities not engineers. Council Member Bradley suggested having Council Member Harwood get other bids for video inspections of the sewer system.

Council Member Bradley moved to authorize Council Member Harwood to spend up to \$30,000 based on budgeted CIB money and select the lowest bid on the project. Council Member will sign contract and Mayor Armstrong will counter sign. Council Member Mascaro seconded the motion. Motion Carried. Bradley, Mascaro, Llewelyn and Harwood voting yes.

DISCUSSION AND/OR APPROVAL ON JACKSON WATER ISSUE.

Attorney Strate stated the engineers have suggested expanding the easement on the property approximately .38 acres. Attorney Strate and Chad Brown attended a meeting on Aug. 1st with the attorneys to talk about this issue. They thought Mr. Jackson might be in agreement to expand or possibly sell the property. The attorneys said they would prefer not to make it part of the agreement because of the time frame with district court. The attorneys would like to wrap up the original issue as soon as possible and address the easement issues separately. Attorney Strate will follow up with Steve Clyde on the changes and he would like to have Mayor Armstrong be able to sign the contract after changes are made and approved.

Council Member Bradley moved to authorize the mayor to sign the agreement with the flexibility on delivery points if necessary. Council Member Harwood seconded the motion. Motion Carried. Bradley, Mascaro, Llewelyn and Harwood voting yes.

MOTION FOR CLOSED SESSION.

No motion made.

REPORTS FROM COUNCIL MEMBERS AND HEADS OF DEPARTMENT.

Chief Anderson said the road closure was in place for the Arts Festival.

Council Member Harwood stated as part of Risk Management the 1989 Chevy ½ ton pickup needed to be fixed, parked or sold and what should be done to replace it.

Council Member Bradley would like to see Department Head meetings held each month. Pool will be closed during school hours beginning August 22 and reopen during afternoon hours and be open on the weekend and close for season after Labor Day weekend. Risk Management assessment done on pavilion on Locust Street and there were some problems with the GFI outlets, he would like to see upgrades for the park in the next budget. Three D will be the contractor for tree trimming. The weeds around town and in the sidewalks need to be sprayed by the city crews.

Council Member Mascaro said Park Partners would like to have another event around Halloween for fundraising for equipment. Cindy from Balance Rock Eatery has been using her own water for the pots on Main Street, can she get water from the city?

Council Member Llewelyn reported that Brad McCourt will call Monday for a meeting on the ball park to see what else the County can help with.

Mayor Armstrong stated that there has been a lot of positive feed back on what the Council is doing for the city. It is important that Helper City is participating in the discussions and completion of the Fire District.

There being no further business Council Member Mascaro moved to adjourn. Council Member Llewelyn seconded the motion. Motion Carried: Bradley, Mascaro and Llewelyn and Harwood voting yes. Meeting adjourned.

I here by certify that the fore going represents a true, accurate, and complete record of the Helper City Council meeting held on Thursday, August 2, 2012.

Dean Armstrong
Mayor

Joan Burgess
Deputy Recorder

Approved on September 6, 2012