

MINUTES OF THE HELPER CITY COUNCIL MEETING
Thursday, July 5, 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 excused)
Robert Bradley
Gary Harwood
Jason Llewelyn (absent excused)

Deputy Recorder Joan Burgess
Chief Trent Anderson
City Attorney Gene Strate

Citizens: John Serfustini, Michael Fox, Mark Cram, John Hrienson, Jinni Fontana Lund, Morgan Lund, Michael Williams, Ruth Metzger and Clay Iorg

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

APPROVAL OF MINUTES June 7, June 12, and June 27, 2012.

Council Member Harwood moved to approve the minutes of June 7, 12, and 27, 2012. Council Member Mascaro seconded the motion. Motion Carried. Bradley, Mascaro, and Harwood voting yes.

CAPTAIN BUFFINGTON NATIONAL GUARD PRESENTATION.

Lt. Michael G. Williams from Utah National Guard represented Captain Buffington who was unable to attend. Lt. Williams gave a brief description and explanation of the Community Covenant Program that helps community's better support service members and their families. The National Guard invites all cities to be a part of the program and would like to establish a liaison in each city to send updates and newsletters on what is going on in the military. To become an official Covenant City there are four challenges, accept the program, adopt a resolution, assign an official liaison and have a signing ceremony within two months. The Council discussed possibly having the appointment of a liaison during a ceremony at the Art's Festival and agreed to support a Community Covenant Program in Helper.

MICHAEL FOX, E. CLAMPUS VITUS, PLAQUE DEDICATION AND YARD SALE.

Michael Fox addressed the Council and asked if E. Clampus Vitus could place a dedication plaque for Carbon Fuel Mine/Hardscrabble Mine on the north end of the parkway. The annual dedication event would take place on July 14th at 11:00 a.m. Mr. Fox also asked if they could have a yard sale in the Rio Theatre parking lot on July 27th and 28th, 100% of the donations go back to the community and families in need.

Council Member Bradley moved to approve the placement of the dedication plaque and approved the yard sale event in the Rio Theatre parking lot. Council Member Harwood seconded the motion. Motion Carried. Bradley, Mascaro, and Harwood voting yes.

JINNI LUND DISCUSSION AND UPDATE FOR ARTS FESTIVAL. .

Jinni Lund thanked the city for the mosaic wall and said it exceeded all expectations. There will be no Plein Air or Arts Salon and the Ball Room Dancers cancelled. Ms. Lund revealed her new idea of having a kick off pool party; her concerns were if the liquor license could be transferred from the location at the Auditorium. Council Member Bradley had concerns about alcohol being served at the pool and the lifeguards being underage would not be able to work the event. Jinni Lund explained what help she would need with shade tents and the need for power outlets for vendors.

MARK CRAM, SIEMEN FEASIBILITY STUDY.

Mark Cram summarized the highlights of the Energy Performance Contracting Feasibility Study and said he was not able to assist Helper City at this time because Franson Engineering was already hired to do the job. The Council agreed with Mr. Cram that the electrical system in Helper does need upgraded and it will be considered in the future.

RUTH AND ROGER METZGER DISCUSSION AND/OR APPROVAL ON BURN OUT.

Ruth Metzger stated they still want to have a burn out during the Art's Festival on August 17th. Mrs. Metzger has inquired about getting a private insurance policy for the event and has looked into 2 different locations. The location at 255 South Main has been approved by the owner and the other location would be on Locust Street. The Council voiced their concerns with the event on Locust Street because of parking, private property and safety issues. There was a suggestion of having the burn out at the Helper City Park; Mrs. Metzger said they would like to see the event kept in the same area as the Art's Festival. Council Member Bradley remarked that he would work with Ruth Metzger on the best location for the event. The Council committed to support the event if a private insurance policy was purchased so the city was not held responsible.

DISCUSSION ON PAYMENT FROM DARRIN TEPLY AND SUEANN MARTELL.

Attorney Strate reported that the legal dispute between Helper City and Teply/Martell has been closed. After the audit from the state office it was determined that a pay off amount of \$11,000 would resolve the dispute. After litigation it was determined that criminal charges for improper activities would be dropped and the city would settle out of court if the money was paid back by Darrin Teply and SueAnn Martell.

RECOGNITION OF SERVICE VOLUNTEER FIRE DEPARTMENT.

Mayor Armstrong spoke on behalf of Fire Chief Zamantakis and made announcement of awards for leadership roles and sacrifice on the fire department. A 30 year service award to Gary Harwood who is 3rd in command on the fire department and a 20 year service award to Ed Callor as a volunteer fireman.

JOHN HRIENSON ON AMERICAN LEGION FIELD.

John Hrienson addressed the council asking about updates on the American Legion field. Mayor Armstrong informed him it is now a new budget year and repairs are being done. Council Member Harwood stated the public works department is waiting for the ground to dry out, it is still too soft to work on. Jeff Cisneros will come and locate and mark the bases and mounds.

CLAY IORG DISCUSSION ON WATERING PLANTS ON MAIN STREET AND GRANT MONEY FOR CLEAN UP.

Mr. Iorg asked if the city could help with the watering of the planters on Main Street like they have done in the past. The Council agreed the Public Works department can assist in the watering of the pots. Mr. Iorg stated he heard there is grant money to help clean up the looks of Main Street. Mayor Armstrong explained that there is money set aside for matching grants and redevelopment on Historic Main Street. Mayor Armstrong stated he will develop an application for businesses to apply for funding for improvements on their property.

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

Attorney Strate discussed the AT&T agreement, noted the corrections on the number of extension requests and the wrong date. Attorney Strate recommended changes to some of the provisions and language in contract, Mayor Armstrong agreed. Mayor Armstrong stated that he would not be willing to sign the contract until AT&T signed it first. Attorney Strate will make the recommended changes to the contract and item will roll over to August agenda for further review.

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

Attorney Strate stated Jean Boyack had all of the plat maps on the land, she was not able to be at the meeting. A legal description was needed and Ben Grimes was going to get an arial photograph of the property. Item rolled over to August agenda.

DISCUSSION AND/OR APPROVAL OF EIS/BODEC BID FOR ELECTRIC INFRASTRUCTURE INVENTORY.

Mayor Armstrong entertained a motion to approve the power study. Councilman Bradley explained the bid amount of \$15,630 from Bruno Engineering and another \$8,020 from EIS for pole locates. Council Member Bradley suggested a RFP be advertised for 2 weeks and review for a week before rewarding the bid because of the dollar amount. Item rolled over to August agenda.

DISCUSSION AND/OR APPROVAL OF PUBLIC SAFETY SPECIAL SERVICE DISTRICT.

Council Member Harwood described the special district for now is fire only, but could include the Police Department or EMS. Council Member Harwood stated the County Commissioners said the Special Service District would be for all the cities within the county. Mineral lease money or tax money would be used for funding the district. Money would be used to purchase equipment and the departments would not be combined at this time. They would help with matching money for equipment, trucks and buildings or any major purchases. The board would be an elected official or someone from the fire department, one from each city and one from the county, each having an equal vote. Mayor Armstrong stated they would like an answer by next week if Helper City would like to opt in or out of the Special Service District.

Council Member Bradley moved to participate in to the Special Service District. Council Member Mascaro seconded the motion. Motion Carried. Bradley, Mascaro, and Harwood voting yes.

AWARD BID FOR FISH CREEK SPRINGS.

Council Member Harwood moved to award bid for Fish Creek Springs to John Orton Excavating Inc. in the amount of \$474,024.19. Council Member Mascaro seconded the motion. Motion Carried. Bradley, Mascaro, and Harwood voting yes.

AWARD BID FOR SPRING CANYON SPRINGS.

Council Member Bradley moved to award bid for Spring Canyon Springs to John Orton Excavating Inc. in the amount of \$107,479.40. Council Member Harwood seconded the motion. Motion Carried. Bradley, Mascaro, and Harwood voting yes.

DISCUSSION AND/OR APPROVAL FOR SPRING PROJECT CONTRACT AUTHORIZATION.

Mayor Armstrong made a recommendation to have either Council Member Pugliese or Council Member Harwood in charge of the project with his support as contract manager. Council Member Harwood said he would do the job, Mayor Armstrong told him he will be negotiating change orders, invoice and modification approvals. Council Member Harwood will have contract authority up to \$25,000, amounts between \$25,000 and \$50,000 will require signatures from both Mayor Armstrong and Council Member Harwood. Any amount over \$50,000 will need Council approval other than routine invoice approvals.

Council Member Bradley moved approve Council Member Harwood be the primary contact person and is authorized to negotiate change orders up to \$25,000 for the Springs Project, Council Member Mascaro seconded the motion. Motion Carried. Bradley, Mascaro, and Harwood voting yes.

DISCUSSION AND/OR APPROVAL ON PARK DEFINITION.

Mayor Armstrong stated it may be necessary to clarify if the Main Street Park was actually considered a park for the purpose of those applying for the Liquor Store. The definition of Outdoor Recreation, Park or Playground (Public or Private) is in the approved Planning and Zoning definition section. After further discussion it was agreed that no action would be taken on a definition change and the Planning and Zoning documentation stands as written.

DISCUSSION AND/OR APPROVAL ON JACKSON WATER ISSUE.

Attorney Strate still working on agreement, item rolled over to August agenda.

MOTION FOR CLOSED SESSION.

No motion made.

REPORTS FROM COUNCIL MEMBERS AND HEADS OF DEPARTMENT.

Deputy Recorder Burgess reminded Council of the Bond Hearing on July 10th at 5:00.

Chief Anderson said there were no complaints on fireworks. The Police Department will help on the Art's Festival in any way they can, Chief Anderson will have inmates help clean up around the city.

Council Member Harwood stated the Colton Well motor/shaft was taken out and repairs should be completed by the middle of next week, water is being bought from PRWID. A work order needs to be sent to Rocky Mt. Power to remove the outlets from the power

poles at Wells Fargo. Restrooms are locked daily and he feels they need to be left open for public use. Council Member Harwood questioned Attorney Strate about the dormant fee letter, Attorney Strate requested it be put on agenda for next meeting to discuss and approve. The PRWID Wastewater Treatment Plant tour will be at 6:00 on July 10th.

Council Member Bradley said they had a couple days that the pool was closed because of fire ash and weather.

There being no further business Council Member Bradley moved to adjourn. Council Member Harwood seconded the motion. Motion Carried:Bradley, Mascaro 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, July 5, 2012.

Dean Armstrong
Mayor

Joan Burgess
Deputy Recorder

Approved on August 2, 2012