

MINUTES OF THE SPECIAL MEETING OF THE RUSH VALLEY TOWN COUNCIL HELD
ON FEBRUARY 24, 2016 AT THE RUSH VALLEY TOWN HALL, 52 SOUTH PARK
STREET, RUSH VALLEY, UTAH. THE MEETING BEGAN AT 7:005 P.M.

Mayor and Council Members Present: Mayor Brian Johnson, Council Members Dana Gardner, William Harding, Pete Albrecht and Alan Anderton.

Appointed Officers and Employees Present: Attorney Joel Linares, Amie Russell, Lacey Burrows and Chief Kevin Russell

REGULAR AGENDA:

1. Pledge of Allegiance/Roll Call. Mayor Brian Johnson, Dana Gardner, Alan Anderton and William Harding and Pete Albrecht.

2. Approval of meeting minutes for 01/27/16. Dana Gardner made a motion to accept the minutes as presented. Alan Anderton seconded the motion. All present voted in favor and the motion carried.

3. Update of Town Library. Kyler Hymas was present at the meeting. He reported to the council he had collected books, had Bill Nelson build shelving, and placed the books in the library for his Scout Eagle project. He thanked the council for letting him put the library at the Town Hall and for paying \$400.00 towards the shelves. The books are color coded. It was asked how the books will be checked out. There is a paper to compete to check out books. Kyler will place the books back on the shelves when they are returned. Dana Gardner commented the library will be open on the nights there is Planning & Zoning and Town Council Meetings. Kyler gave the council members a tour of the finished library.

4. Consideration to Open Bids and Make Selection for Park Maintenance Service Contract. There were three bids submitted to the town council for consideration. First bid was submitted by Trent and Kari Johnson \$650.00 per month, second from Kary Gardner and the third from Spencer Gardner. Kevin Russell asked, depending on who is selected for the job, would you want someone else to supervise or oversee this position? Mayor Johnson commented possibly yes. Dana Gardner commented there is a detailed scope of work to follow for work to be done. Mayor Johnson also commented the supervisory responsibilities could be moved under him if necessary. Dana also commented if the need arises to terminate the contractor, it is his responsibility and it's not pleasant. Attorney Linares commented he can take care of this if needed. Dana further commented in the past the town has paid a set amount of \$400.00. We haven't had bids for this contract. The RFP asked for qualifications and a proposal for cost. There was a pre-meeting. Pete Albrecht commented in the scope of work will they use the town equipment and the town will maintain the equipment. Dana Gardner asked how the insurance will cover the contractor regarding liability. Attorney Linares commented regarding the liability.

Dana Gardner also commented who is responsible for their safety. Attorney Linares commented if they are a true contractor and use their own equipment they carry their own liability insurance. If you give it to someone who is younger, they aren't a business and they are using your equipment you are co-mingling the liability. Giving contracts like this to young individuals quickly can be misconstrued. Dana commented if there is any spraying of pesticides it will be contracted out to someone who is licensed. The RFP was written as a bid and not a set price. The Mayor commented for the council to notice item 6, which addresses purchasing a new industrial mower and that will also need to be taken into consideration and make some changes. It started out being paid less than \$200.00 a month and has gradually increased. Pete Albrecht commented where do we move from here in the way the RFP was written and proposed. Dana commented it was always a set price and not put out as a bid. Attorney Linares because of the way it was written it was to provide qualifications and a bid for services, he recommends following the bid process and award to the individual who gave a bid amount or because of only having one amount that is a substantial increase to the budget it can be rebid and see if there are any more offers from other businesses. Dana further commented part of it was his fault in telling those that asked it was a set amount per month and he feels we should redo the process. Mayor Johnson commented out of the three applicants only one bid was received from a business. The owner was asked if he carried his own insurance, he replied yes he does carry his own insurance. There is a lot to consider with the use of equipment and the potential liability. Alan Anderton commented he feels it should be rebid. We are asking for applicants qualifications and also for the price they would bid for this contract. Mayor Johnson commented Dana and I are removing ourselves from voting because there is a conflict of interest. The other issue is it begins March 15, 2016. Attorney Linares recommended taking bids. William Harding made a motion to rebid the maintenance contract and to have a special session to open bids on March 9 at 6:45. Alan Anderton seconded the motion. Alan Anderton, Pete Albrecht and William Harding voted in favor and the motion carried. Mayor Johnson and Dana Gardner abstained from voting.

5. Consideration to Open Bids and Make Selection for Building Inspector. There was one bid received, from Ensign Engineering, from Tooele. Jacob Clegg is now a PE. Dana Gardner read the fees proposed. Attorney Linares commented in this circumstance the fees are adopted as part of the fees of the town. The applicants pay these fees. Pete Albrecht asked what the comparison is regarding the fees. Mayor Johnson believes it is less than what the fees were for AE2. Mayor Johnson commented it is competitive, the inspector is provided by Ensign Engineering and they are local. William Harding made a motion to accept the bid from Ensign Engineering. Pete Albrecht seconded the motion. All present voted in favor and the motion carried. Mayor Johnson commented he will contact Doug Kinsman and set up a meeting. The Mayor and Amie Russell will meet with them to get details worked out for a smooth transition and not hold up any permit applications.

6. Consideration to Purchase Lawn Mower to Mow Ballfield. Dana Gardner commented he made two calls. He called United Sales and Service. Both of mowers are Toro commercial grade, zero turn, \$5,832.00. We may need to get a bagging kit with a blower \$1,998.00. Dana will need to check on the tax requirements. The second mower is \$8,699.00. The deck is held by chains. They both have a two year warranty. Toro bought X Mark. We may need to get a bagging kit with a blower \$1,998.00. This mower cuts the grass so fine as a mulch a bag is not

need, This mower has a side discharge, a rear discharge is priced higher. GHS estimated \$11,000.00 - \$12,000.00. If a Toro is purchased we will need to purchase a bagging system. We are going to need to purchase a commercial mower for the ball field. A different mower or the roads equipment mower will be used for weeds or the perimeter of the ball field. William Harding commented he has worked with United Sales and Service and they are great to work with. Dana Gardner commented he is estimating the grass on the ball field will need to be cut twice a month. William made a motion to put out a RFP and seek bids for a 60" deck. Alan seconded the motion. All present voted in favor and the motion carried.

7. Consideration to Purchase Two Pagers for Fire Department. Pete Albrecht commented the fire department has some older pagers and some pagers didn't go off on a recent call. This was for a medical emergency. He also commented that he is aware of the fire departments budget, but we are concerned that those who are available to respond need to have reliable equipment. Chief Russell has looked at a couple different pagers. US Fire Comm 1 (Motorola) cost per \$345.00 per pager, program kit \$89.00 only, kit is required that put the frequencies and tones on the pagers. The other pager is a Swissphone for \$399.00. There is a trade in program to get \$60.00 to trade in old pagers. Trade program is good through March 31, 2016. Trade-in pagers need to be done within 30 days. Cost will be \$678.99 for Swissphone pagers. Swissphone will program the pagers before they ship them. William Harding made a motion to purchase two Swissphone pagers. Alan Anderton seconded the motion. Mayor Johnson commented this is an emergency purchase, where two quotes have been sought out. All present voted in favor and the motion carried.

8. Consideration and Discussion to Enter Into Negotiations for the Sale of Real Property. Last meeting were approached by some residents in Rush Valley about possibly selling the St. John Park Town Property. Attorney Linares commented the purpose of this item tonight is only to give public notice to formally consider this. There will have to be a Public Notice, public hearing, then put on agenda for purchase or contractual agreement. Tonight this is only to start process of this consideration. Councilmembers did not have any questions. William Harding made a motion to move into discussion to enter into negotiations. Pete Albrecht seconded the motion. All present voted in favor and the motion carried.

9. Sherriff's Report. LT Johnson reported there were 14 reportable incidents, 1 arrest, 2 citation, and felony burglary investigation. There was also a domestic assault resulting in an arrest. They are still shorthanded and trying to keep staffed. Kevin Russell asked how the sheriff's office merged with Stockton. There were 4 or 5 that responded to a recent medical incident. They can come stabilize scene but they Sheriff's Dept. in Tooele will make final decisions and reporting. Mayor Johnson commented Chief Deputy White brought coloring books and fingerprinting kits. The council thought a good way to handle the distribution was at Rush Valley Days and we were wondering if you would come out and help with that effort. Lt Johnson commented they are in the process to order some new fingerprinting kits, ink and will distribute them. Sherriff Wimmer was out last year for Rush Valley Days. August 13 is the date for Rush Valley Days. As a council and the Mayor we appreciate your support and being involved and listening to any concerns.

10. Fire Department Report. Pete Albrecht. All apparatus in running order. There is a leak in roof over number 2 North Bay that will need to be fixed when weather is better. South bay, training room and office light bulbs have been replaced. ISO will be getting with Chief Russell regarding the rating, PPE & SCBA needs to be retested soon. There were a few medicals in February. Eight personnel will be attending drivers training on February 27 at North Tooele. Pete thanked William for making sure snow is pushed from the bays and hydrants. The online process to submit paperwork to the state for payment will start this year. It will be approved by Tom Wilson and then forwarded to the state. They continue to do weekly apparatus checks to make sure equipment is in good working order. He thanked those who participate and encourage anyone who would like to get involved to come to the meetings held the first and third Wednesdays of each month. A National Fire station Database package was received he will complete it. The station is in the wrong location on their map. The primary response area will increase due to the mutual aid agreements with BLM and the state.

11. Council Reports.

Cemetery – Alan reported there was one burial for Keith Osbahr. He hired Dennis Sagers to remove snow. As soon as snow melts he will get out lawnmowers and prepare cemeteries for upcoming year.

Roads – William reported it has been good winter for moisture and snow, but it has been hard on the roads and unfortunately and will need some start getting some bids in place. Attorney Linares commented he has information ready so we can get started if needed. We should start now to get ready.

Parks – Dana Gardner commented he has been doing small maintenance on buildings and working on snow removal. He is starting to work on grant applications, asking for ideas. The county is only receiving \$70,000 this year. He intends to apply for a \$5,000 – \$7,000 grant. He is appreciative for all that has been received in the past. It has benefited the town. Dana commented we received \$10,000 last year. Mayor Johnson commented he appreciates all Dana's efforts with the Town Hall and the Ball Field.

Mayor Johnson reported he hasn't heard anything regarding SITLA. As far as Planning and Zoning there were a few barn and AG Buildings applications and had some land figured out for a family in St. John.

12. Safety Topic. Kevin Russell presented the safety topic on dryer fire prevention. In 2014 there were 118 dryer related fires. Quick tips are to clean filter screen after each load to prevent lint screen buildup, stay home when dryer is in use, clean vents to the outside twice a year to remove accumulation of dust and lint, vacuum motor area, do not dry mop heads in the dryer the heat can ignite chemicals on the mop head and keep area around the dryer free of debris and clothing.

13. Payment of Bills. Pete Albrecht made a motion to pay the bills as written. Alan seconded the motion. All present voted in favor and the motion carried.

14. Public Comments. There were no public comments offered.

15. Consideration of Holding a Closed Session of the Town Council for the Discussion of the Sales of Real Property. Pete Albrecht made motion to move to closed session for discussion of sales of real property. William Harding seconded the motion. All present voted in favor and the motion carried.

16. Adjourn. The meeting resumed at 9:20 pm. William Harding made a motion to adjourn. Pete Albrecht seconded the motion. All present voted in favor and the meeting adjourned at 9:21 pm.