

MINUTES OF THE HELPER CITY COUNCIL MEETING

Thursday, August 5th, 2021

6:00 p.m.

Helper Auditorium

Council Chambers

19 South Main Street

Helper, Utah 84526

ATTENDANCE:

Mayor Lenise Peterman

Council Members:

Donna Archuleta – Absent

Michelle Goldsmith

Gary Harwood

Malarie Matsuda

Amanda Wheeler

City Staff

City Recorder: Zack Tonic

Chief: Chris Gigliotti

Attorney: Dominique Kiahtipes

Citizens: Traci Bishop, Jean Boyack, Michael O'Shea, Terri Saccomano, Brittney Howell, Colleen Haigler, Ray Haigler, Charles Hamilton, Heather Mills, Cheryl Lupo, Travis Raby, Amanda Maddox, Tim Saccomano, Kate Kilpatrick Miller, Kenny Driggs, Harim Driggs, Tom Lund, Cindy Lund, Vikki Ori, Cliff Pessetto, Roger Pessetto, Gary Fluharty, Kathy Mason, and Charles Janes.

PUBLIC COMMENT:

Name: Heather Mills

Asked about a grant back in 2019 concerning a bridge by R&A Market to Family Dollar Store.

Name: Hollie Stapley

Council meeting August 5, 2021

Dear Mayor Lenise Peterman, City Council and Citizens,

I am writing this letter first and foremost as a thank you to Mayor Peterman and the council members for their long list of accomplishments over the last 4 years. Mayor Peterman has been instrumental in writing numerous grants for the city and has received around 2.5 million dollars in grant funds. With these funds, the city has been able to restore the river and revitalize Main Street as well as assist the museum, fire department and so much more.

During the 28 total years That I have lived in Helper, I am Unaware of any other Mayor accomplishing so much in their first four years in office. As a Helper native I am so

proud to call this city home and have been ecstatic to see the positive changes made in our small town.

It has recently come to my attention that there has been a question of misappropriation of city services and supplies by Mayor Peterman. This disheartens me that anyone would even question her integrity. In knowing Lenise for the last 6 years, I do not believe that she would do such things, especially knowing how hard she has worked to secure funds for the city. I am also aware that the stipend for the mayor of Helper is meager to say the least and that Mayor Peterman has used her own funds on numerous occasions towards city needs.

I do not believe that services or supplies were misappropriated by Mayor Peterman, or that she would do anything to harm the city that she so obviously loves and has worked so tirelessly for.

*Thank you,
Hollie Stapley*

Name: City Treasurer Jones

Gave information and recommendation concerning a Square Account for the Museum.

APPROVAL OF THE MINUTES FOR JULY 1 AND 2, 2021.

Correction to line 56, remove Matsuda from voting in the meeting.

Council Member Harwood moved to approve the minutes for July 1st and 2nd, 2021. Council Member Matsuda seconded the motion. Motion carried, the council roll call vote is as follows: Goldsmith, Harwood, Matsuda, and Wheeler, all voting yes.

DISCUSSION AND POSSIBLE APPROVAL OF LOCAL CONSENT FOR HARDSCRABBLE MUSIC FESTIVAL ON AUGUST 28 & 29, 2021.

Mayor Peterman asked Kathy Mason if the intention was to serve beer and wine. Kathy Mason answered with yes. Council Member Matsuda asked for the location of where the alcohol would be served. Kathy Mason responded with the tentative plan of a small beer garden in the Main Street Park and then another beer garden in the City Hall parking lot.

Council Member Harwood moved to approve Local Consent for Hardscrabble Music Festival on August 28 & 29, 2021. Council Member Goldsmith seconded the motion.

Motion carried, the council roll call vote is as follows: Goldsmith, Harwood, Matsuda, and Wheeler all voting yes.

DISCUSSION AND POSSIBLE APPROVAL OF CLOSING MAIN ST. FOR HARDCRABBLE MUSIC FESTIVAL, FROM MAIN STREET PARK TO HILL ST ON AUGUST 28 & 29, 2021.

Kathy Mason spoke about concerns from local businesses about closing Main Street with a fence. She has adjusted the area of Main Street to be closed for Hardscrabble Music Festival, so as not to disrupt normal Main Street businesses. The new area of closure she is asking for is from the Post Office driveway to Marsha's Sandwich Shop and Old City Hall parking lot. This will leave the length of the street open to the public on the west side of Main Street.

Mayor Peterman and Council Member Harwood asked what time the streets would need to be closed to set up the fence. Kathy Mason asked for 9 am to allow her time to load in vendors, musicians, and set up the fence.

Council Member Wheeler moved to approve closing Main Street from the Main Street Park to Hill Street. Council Member Matsuda seconded the motion. Motion carried, the council roll call vote is as follows: Goldsmith, Harwood, Matsuda, and Wheeler all voting yes.

DISCUSSION AND POSSIBLE APPROVAL OF RFQ FOR BROWNSFIELD GRANT.

Mayor Peterman gave the council some background on the grant. The purpose of the RFQ is to know who would like to work with Helper to clean up EPA findings. No contract is in the works yet, and the timeline to complete this grant will be tight.

Council Member Matsuda moved to approve RFQ for Brownfield Grant. Council Member Harwood seconded the motion. Motion carried, the council roll call vote is as follows: Goldsmith, Harwood, Matsuda, and Wheeler all voting yes

DISCUSSION AND POSSIBLE APPROVAL OF ACCEPTING SMUIN, RICH & MARSING CONTRACT FOR CONSULTING SERVICES.

Mayor Peterman asked Doug Rasmussen and Sean Johnson for an overview of the new governmental accounting laws. Doug Rasmussen gave an overview of the new changes that are now required. New laws change the work an auditor can and cannot do, and requires a member of city staff to possess knowledge, experience, skills,

expertise, and understanding, in all areas of the audit report, including the footnotes. In the past during audits, auditors have been able to help with modifications, changes, and adjustments, however now they will no longer be able to do this.

Council Member Goldsmith asked who would do our audit. Doug Rasmussen stated that Smuin, Rich, & Marsing would help find a new auditor.

Council Member Harwood moved to approve accepting Smuin Rich & Marsing Contract for Consulting Services. Council Member Wheeler seconded the motion. Motion carried, the council roll call vote is as follows: Goldsmith, Harwood, Matsuda, and Wheeler all voting yes.

DISCUSSION AND POSSIBLE APPROVAL FOR STEVEN GIACOLETTO'S 2 LOT PROPERTY SPLIT FOR PARCEL 1A-0386-0011.

Jean Boyack, gave a brief history of Steven Giacoletto's parcel. Also, Planning and Zoning approve of the split.

Council Member Harwood moved to approve Steven Giacoletto's 2 Lot Property Split for Parcel 1A-0386-0011. Council Member Goldsmith seconded the motion. Motion carried, the council roll call vote is as follows: Goldsmith, Harwood, Matsuda, and Wheeler all voting yes.

TERRI SACCOMANO CONCERNS ABOUT EMPLOYEE TIME FOR PERSONAL NEEDS.

Terri Saccomano voiced her concerns about misuse of city employee time for Mayor Peterman's wedding. She asked if the City Council approved for city employees to set up tents at Mayor Peterman's wedding. She also stated, she approves of having Helper City employees setting up the tents, because of how expensive the tents are. However, the employees should set up the tents on their own time after hours and should be paid by who rents the tents.

Terri Saccomano stated, Mayor Peterman and herself tried to work out the issue during a phone call and were unable to come to an agreement or conclusion. She stated because an agreement or conclusion was not reached, she needed to bring the matter before the City Council.

Terri Saccomano stated she is upset because city employees set up the tents for Mayor Peterman's wedding while the employees were on the clock. She does not feel like a tax-paying Helper City citizen that her taxes should have to pay for the city employees to set up the tents at Mayor Peterman's wedding. Terri Saccomano also stated everyone should be able to rent tables, chairs, and tents. She also asked if city employees are rented at the expense of the Helper City.

Terri Saccomano stated Utah State code, Utah Public Officers' and Employees' Ethics Act Section 67-16-1, Municipal Officers' and Employees' Ethics Act Section 10-3-1301, Ethics Act Conflicts of Interest, and Helper City Code 2.05.120 Ethics Act and Conflicts of Interest. She stated the purpose of stating the code is to bring it to the council's attention.

Terri Saccomano stated she rented chairs and tables for her family reunion and filled out the same lease Mayor Peterman filled out to rent the chairs and tables. A city employee took the tables and chairs to the Lions Park for her. Also, a city employee helped her unload the tables and chairs, but her family and herself set them up. When it was time to return the tables and chairs, her family and herself loaded the chairs on to city vehicle and had a city employee return them for her.

Terri Saccomano also stated Utah State Code 67-16-12 Penalties for Violation – Removal from office or dismissal from employment.

Mayor Peterman gave accounts of the process she went through to rent the tables, chairs, and tents, as a citizen. She felt \$25 per tent was too little to pay to rent the tents so she paid \$50 per tent. She also stated the employees only set up and took down the tents, she set up the tables and chairs. Mayor Peterman asked Council Member Harwood how long it took city employees to set up and take down the tents. Council Member Harwood responded it usually takes two hours to set up the tents and two hours to take them down, so four hours were spent on the tents. Council Member Harwood stated with the increase in price Mayor Peterman paid, would more than cover the city employee wages.

Council Member Matsuda stated the city employees put the tents when Saturday's Vibes, MMA Fights, and Helper Arts Festival rents them.

Council Member Wheeler asked Terri Saccomano what her goal was, and the outcome she is looking for. Terri Saccomano responded the code of ethics states Mayor Peterman should step down. Also, she would like for Mayor Peterman to pay the city again for the city employee wages, and pay the city employees separate from their city wages for their time. As well as, donate 2 days pulling weeds with Terri Saccomano along roads off of Main Street.

Mayor Peterman stated with no actionable item on the agenda for this agenda item she will defer to the council, to entertain a motion at the next council meeting.

Council Member Matsuda suggested the council needs to clarify the rental form. Council Member Wheeler agreed with Council Member Matsuda and stated by the next meeting the council will have a new rental form to approve.

DISCUSSION AND POSSIBLE APPROVAL OF ORDINANCE 2021-5 AN ORDINANCE AMENDING THE USE TABLE FOR THE LIMITED INDUSTRIAL ZONE, LI-1, TO INCLUDE AUTOMOTIVE SERVICE ESTABLISHMENTS.

Council Member Matsuda moved to approve Ordinance 2021-5, an ordinance amending the use table for the limited industrial zone LI-1, To include automotive service establishments. Council Member Harwood seconded the motion. Motion carried, the council roll call vote is as follows: Goldsmith, Harwood, Matsuda, and Wheeler all voting yes.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 2021-7 RESOLUTION AMENDING THE FEES AND PROCEDURES FOR THE USE OF HELPER CITY PROPERTIES AND FACILITIES.

Item Tabled.

Council Member Matsuda moved to table approval of Resolution 2021-7 a resolution amending the fees and procedures for the use of helper city properties and facilities. Council Member Wheeler seconded the motion. Motion carried, the council roll call vote is as follows: Goldsmith, Harwood, Matsuda, and Wheeler all voting yes.

DISCUSSION AND POSSIBLE APPROVAL OF CLOSING MAIN ST. FOR UTAH SYMPHONY, FROM THE MAIN STREET PARK TO HILL STREET ON AUGUST 11, 2021.

Mayor Peterman stated the symphony will set up their portable stage on Main Street for the concert. The symphony will arrive around 11:00 am on August 11, 2021. Chairs and bleachers will be set up for the concert.

Council Member Matsuda moved to approve closing Main St. for Utah Symphony, from the Main Street Park to Hill Street on August 11, 2021. Council Member Goldsmith seconded the motion. Motion carried, the council roll call vote is as follows: Goldsmith, Harwood, Matsuda, and Wheeler all voting yes.

DISCUSSION AND POSSIBLE APPROVAL OF CLOSING MAIN ST. FOR THE ARTS FESTIVAL, FROM MAIN STREET PARK TO DEPOT ST. ON AUGUST 20-22, 2021.

Mayor Peterman stated this is the standard closure for Arts Festival.

Council Member Matsuda moved to approve closing Main Street for the Arts Festival, from Main Street Park to Depot Street on August 19-22, 2021. Council Member Goldsmith seconded the motion. Motion carried, the council roll call vote is as follows: Goldsmith, Harwood, Matsuda, and Wheeler all voting yes.

DISCUSSION AND POSSIBLE APPROVAL OF A SQUARE ACCOUNT FOR THE MUSEUM.

Mayor reminded the council about City Treasurer Jones's recommendation. Council Member Matsuda expressed her concerns about not knowing the interface of the Chase Card reader system. Council Member Wheeler stated in order for a mobile card reader to be used with a government account must be NSF compliant. Council Member Wheeler, Matsuda, and City Recorder discussed the specifics about the use of the mobile card reader for the museum.

Council Member Goldsmith moved to approve a Chase Mobile Card Reader for the Museum with a separate bank account. Council Member Matsuda seconded the motion. Motion carried, the council roll call vote is as follows: Goldsmith, Harwood, Matsuda, and Wheeler all voting yes.

DISCUSSION AND POSSIBLE APPROVAL TO ADVERTISE FOR NEW TRUCK BIDS.

Council Member Harwood informed the council, he needs the council's approval to start advertising to accept bids for a new truck.

Council Member Goldsmith moved to approve advertising for new truck bids. Council Member Harwood seconded the motion. Motion carried, the council roll call vote is as follows: Goldsmith, Harwood, Matsuda, and Wheeler all voting yes.

DISCUSSION AND POSSIBLE APPROVAL TO ADD HANDICAP RAMP AT LIONS PARK.

Council Member Harwood informed the council, it is difficult to get a wheelchair up to the park. He feels a ramp should be installed, it will be on the northeast corner of the park.

Council Member Wheeler moved to approve install a handicap ramp at Lions Park. Council Member Harwood seconded the motion. Motion carried, the council roll call vote is as follows: Goldsmith, Harwood, Matsuda, and Wheeler all voting yes.

DISCUSSION AND POSSIBLE APPROVAL TO ADVERTISE FOR MUSEUM ROOF REPAIR BIDS.

Council Member Harwood informed the council, the roof at the museum leaks. He has two bids for the roof, one from Hansen Roofing at \$29,250 and a second from Shep's at \$28,956. Hansen Roofing is a bit higher, but he has extras that would be good to have done.

Council Member Matsuda moved to approve the bid from Hansen Roofing in the amount of \$29,250 for a new roof at the museum. Council Member Harwood seconded the motion. Motion carried, the council roll call vote is as follows: Goldsmith, Harwood, Matsuda, and Wheeler all voting yes.

DISCUSSION AND POSSIBLE APPROVAL TO VACATE WATERLINE EASEMENTS FOR PROPOSED MAVERICK PROPERTY.

Council Member Harwood informed the council, of two water lines on the property Maverick is looking to purchase. One goes to an old modular office and the second goes to a nonworking deer trough. The easements for the water lines are no longer needed. The proper paperwork is not present tonight, but the council can still vote.

Council Member Wheeler asked what if we don't vacate the easement. Council Member asked Jean Boyack why we would need to vacate the easement. Jean Boyack stated, it will cause an issue with the title to the property.

Council Member Harwood moved to vacate waterline easements for the proposed Maverick property. Council Member Matsuda seconded the motion. Motion carried, the council roll call vote is as follows: Goldsmith, Harwood, Matsuda, and Wheeler all voting yes.

DISCUSSION AND POSSIBLE APPROVAL OF ORDINANCE ESTABLISHING THE FORM OF CONDUCT EXPECTED FROM ELECTED OFFICIALS CONCERNING MEETING ATTENDANCE AND ESTABLISHING PENALTIES FOR FAILURE TO COMPLY WITH RULES.

Item Tabled

RECESS AS THE HELPER CITY COUNCIL AND CONVENE AS THE HELPER CITY COMMUNITY REINVESTMENT AGENCY.

Council Member Wheeler moved to recess as the Helper City Council and convene as the Helper City Community Reinvestment Agency. Council Member Matsuda seconded the motion. Motion carried, the council roll call vote is as follows: Goldsmith, Harwood, Matsuda, and Wheeler all voting yes.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 2021-9 AN INTER-LOCAL AGREEMENT FOR THE CASTLE GATE COMMUNITY REINVESTMENT PROJECT AREA.

Mayor Peterman stated the recommendation from the CRA is 53% for 10 years and asked for a motion to approve Resolution 2021-9

Council Member Harwood moved to approve Resolution 2021-9 an Interlocal Agreement for The Castle Gate Community Reinvestment Project Area. Council Member Wheeler seconded the motion. Motion carried, the council roll call vote is as follows: Goldsmith, Harwood, Matsuda, and Wheeler all voting yes.

COUNCIL REPORTS:

Council Members reported on various projects being worked on.

MOVE TO CLOSE THE MEETING FOR PROPERTY DISCUSSION.

Council Member Goldsmith moved to close the meeting for property discussion. Council Member Wheeler seconded the motion. Motion carried, the council roll call vote is as follows: Goldsmith, Harwood, Matsuda, and Wheeler all voting yes.

ADJOURNMENT:

There being no further business Council Member wheeler moved to adjourn. Council Member Goldsmith seconded the motion. Motion carried, the council roll call vote is as follows: Goldsmith, Harwood, Matsuda, and Wheeler all voting yes. Meeting Adjourned.

I hereby certify that the foregoing represents a true, accurate, and complete record of the Helper City Council meeting held on Thursday, August 5th, 2021.


Lenise Peterman
Mayor


Zack Tonic
City Recorder

Approved on September 2nd, 2021