

MINUTES OF THE HELPER CITY COUNCIL MEETING
Thursday, August 4, 2022
at 6:00 p.m.
in the Council Chambers
19 South Main Street
Helper, Utah 84526

ATTENDANCE:

Mayor Lenise Peterman

Council Members:

David Dornan

Michelle Goldsmith

Gary Harwood

Malarie DeVincent – Absent Excused

Amanda Wheeler – Phone

City Staff

City Recorder: Zack Tonc

Attorney: Dominique Kiahtipes

Public Works Director: Michael Mastin

Citizens: Traci Bishop.

PUBLIC COMMENT:

APPROVAL OF THE MINUTES FROM JULY 7 & 14, 2022

Council Member Goldsmith moved to approve minutes from July 7 & 14, 2022. Council Member Harwood seconded the motion. Motion carried, the council roll call vote is as follows: Goldsmith, Wheeler, and Harwood all voting yes.

DISCUSSION AND POSSIBLE APPROVAL OF STREET CLOSURE FOR CNS MAKE A WISH FOR SENIORS FROM POST OFFICE TO AUDITORIUM FOR CORN HOLE CONTEST.

Mayor Peterman stated this event will be held in conjunction with Saturday Vibes on August 27. This event is a fundraiser for seniors on hospice, for a last wish or to relive a memory.

Council Member Harwood moved to approve street closure for CNS make a wish for seniors from Post Office to Auditorium for a Corn Hole contest. Council Member

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

DISCUSSION AND POSSIBLE APPROVAL OF STREET CLOSURE FOR HELPER ARTS FESTIVAL STARTING THURSDAY, AUGUST 18TH AT NOON, REOPEN MONDAY, AUG 22ND.

Council Member Dornan moved to approve street closure for Helper Arts Festival starting Thursday, August 18 at noon, and reopening Monday, August 22, 2022. Council Member Harwood seconded the motion. Motion carried, the council roll call vote is as follows: Dornan, Goldsmith, Wheeler, and Harwood all voting yes.

DISCUSSION AND POSSIBLE APPROVAL OF BILLIE HEILESEN AS CITY TREASURER.

Mayor Peterman stated we are excited to present Billie Heilesen as our new City Treasurer. As we all know Ellie Jones is retiring soon. We have built in ample training time before Ellie Jones leaves.

Billie Heilesen gave a summary of her employment background.

Council Member Goldsmith moved to approve Billie Heilesen as City Treasurer. Council Member Dornan seconded the motion. Motion carried, the council roll call vote is as follows: Dornan, Goldsmith, Wheeler, and Harwood all voting yes.

DISCUSSION AND POSSIBLE APPROVAL OF PURCHASING DUMP TRUCK.

Public Works Director Mastin stated we budgeted 30,000 for a dump truck. The proposed truck is similar to our bobtail. The bed is deeper, has 39,000 miles, and is a 2006. The new truck comes with a snow plow, salter, and is priced at \$22,500.

Council Member Dornan asked if the truck will have to be prepped for salt. Council Member Harwood responded the auger hangs off the tailgate.

Council Member Dornan moved to approve purchasing a dump truck in the amount of \$22,500. Council Member Harwood seconded the motion. Motion carried, the council roll call vote is as follows: Dornan, Goldsmith, Wheeler, and Harwood all voting yes.

DISCUSSION AND POSSIBLE APPROVAL TO SURPLUS THE OLD DUMP TRUCK.

Public Works Director Mastin stated the old dump truck's transmission is shot and is no longer useful. He would like to surplus the old dump truck.

Council Member Harwood stated the transmission quit last January and could not find parts.

Council Member Harwood moved to approve surplussing the 1998 Ford dump truck. Council Member Goldsmith seconded the motion. Motion carried, the council roll call vote is as follows: Dornan, Goldsmith, Wheeler, and Harwood all voting yes.

DISCUSSION AND POSSIBLE APPROVAL OF THE FIRE CONTRACT WITH UTAH COUNTY.

City Attorney Kiahtipes suggested tabling the Utah County Fire contract until errors in the contract are corrected.

Council Member Harwood moved to table the fire contract with Utah County. Council Member Goldsmith seconded the motion. Motion carried, the council roll call vote is as follows: Dornan, Goldsmith, Wheeler, and Harwood all voting yes.

DISCUSSION AND POSSIBLE APPROVAL OF PURCHASING IT FROM LESS OLSEN IN THE AMOUNT OF 20,000 FROM THE AMERICA RESCUE.

Mayor Peterman explained that the funding for IT devices will be from last year's remaining ARPA funding. The new IT devices will include a new virtual server and workstations. The new IT system will be supported and maintained by Less Olsen. City Recorder Tonc explained the current servers are out of date and no longer receiving security and software updates. The four workstations are to replace outdated and no longer functioning computers. As well as, one workstation for the Council Chambers.

Council Member Wheeler moved to approve purchasing IT services and equipment from Less Olsen in the amount of \$20,000. Council Member Goldsmith seconded the motion. Motion carried, the council roll call vote is as follows: Dornan, Goldsmith, Wheeler, and Harwood all voting yes.

DISCUSSION AND POSSIBLE APPROVAL OF COOPERATIVE AGREEMENT WITH UDOT.

Mayor Peterman explained this is the guardrail project in Price Canyon on Highway 6. Helper and Price City's water lines run along Highway 6. We do not have an accurate map of the lines. To prevent damage to the lines, they are using a potholing method to find the lines. UDOT has budgeted for 20 potholes. They are now close to 60. This has caused them to be way over budget. They have reached out to the Helper and Price and asked for help with the cost of locating the lines.

Public Works Director Mastin stated that UDOT is asking for \$9,600 to help with potholing. In return, we will receive an accurate map of where our water line is located. Council Member Dornan asked if they have hit our line. Public Works Director Mastin responded the only line they have hit so far is Price City's.

Council Member Harwood explained before the project started, he informed UDOT that the water lines were installed when the highway was revamped in the 50s. Also, during the installation, there was not an accurate map created. He warned UDOT that they would need to pothole and pothole a lot.

Mayor Peterman informed the council that City Attorney Kiahtipes has requested a change to the agreement for accuracy.

Council Member Goldsmith moved to approve the cooperative agreement with UDOT with the noted changes by City Attorney Kiahtipes. Council Member Harwood seconded the motion. Motion carried, the council roll call vote is as follows: Dornan, Goldsmith, and Wheeler voting yes, with Harwood voting no.

DISCUSSION AND POSSIBLE APPROVAL OF THE REQUEST FROM LIVE WIRE MINING FOR AN ELECTRIC RATE CHANGE FROM LARGE-SCALE INDUSTRIAL TO SMALL-SCALE INDUSTRIAL.

Mayor Peterman introduced Don Mealing and Tim Panic, owners of Live Wire Mining. Don Mealing explained they are a small two employee business and was surprised to find out they are classified as large-scale industrial. He asked to be changed to a small-scale industrial, which he feels is more accurate to his business. He gave the council a handout, with information from his side.

Council Member Harwood asked his fellow council member what the difference is between large and small-scale industrial. Council Member Goldsmith stated to her it would depend on the amount of power that is being used. She then asked Don Mealing and Tim Panic how much power they are using.

Council discussed how to determine a small scale from a large scale.

Don Mealing also asked for a line failure and repair bill to be forgiven or reduced. The bill is due to a power line melting between the transformer and their building. City Attorney Kiahtipes stated the repair bill is not on the agenda and the council is unable to take action on the request at this time.

City Attorney Kiahtipes recommended for the council to table the item until the council can determine the difference, and make a clarifying ordinance. Council agreed and tabled the agenda item.

Exhibit A – Hand out.

DISCUSSION AND POSSIBLE APPROVAL OF NEW ROOF AT LOCUST ST. PARK.

Public Works Director Mastin stated he found out there is damage to the roof at the Locust St. Park pavilion. He knows there are some plans in the works for the park, and would like to know if the council would like to start working on the park.

Council Member Harwood stated he feels reroofing the park pavilion is not a priority. Mayor Peterman suggested looking for outside funding that could help reroof the pavilion.

DISCUSSION AND POSSIBLE APPROVAL OF BID TO REPLACE SIDEWALK.

Public Works Director Mastin stated The bid is from Southeast Concrete Inc. for \$2,250 to repair and fix two areas of the sidewalk. He has received many phone calls from residents concerning a jagged transition in the sidewalk on 1st Ave. Several bicyclists are concerned about the safety of the sharp edge while riding on the Spring Canyon Trail. The bid will make the transition smooth from street to trail and prevent accidents. The bid also includes replacing a portion of the sidewalk that is broken in several places between the council chambers and the library.

Council Member Goldsmith moved to approve the bid to replace the sidewalk in the amount of \$2,250. Council Member Dornan seconded the motion. Motion carried, the council roll call vote is as follows: Dornan, Goldsmith, Wheeler, and Harwood all voting yes.

ADJOURNMENT:

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

I hereby certify that the foregoing represents a true, accurate, and complete record of the Helper City Council meeting held on Thursday, August 4, 2022.


Lenise Peterman
Mayor


Zack Tonc
City Recorder

Approved on August 18, 2022

Exhibit A



Requests to Helper City Council

August 4, 2022

Introduction

LiveWire Mining specializes in Data Mining for various Crypto Currencies. We have been operating in Helper City since February 2022.

Request 1

We are a small business that depends on accessible and competitive power rates in order to remain stable and provide opportunity to grow our business. We are leasing 1,600 sq ft from local resident Gary DeVincent. Currently, Helper City has us rated as a Large Industrial Power Customer.

We are requesting to be rated under a Small Industrial Customer rate structure. This would better fit our actual business size and usage. The net savings to us would provide opportunity to buy more power over time, and develop a long-term base of operations in Helper.

Power rates are the single greatest cost to digital mining operations like ours. Labor is second. The new and emerging economic opportunities that our technology brings are dependent upon being placed under the best possible rate structures.

Request 2

Our Operation is located at 378 N Main Street in Helper where it has two different power meters on the property. There appears to be occasional metering rate discrepancies and we request to review these issues with

someone who has technical knowledge of Helper's power structure and the way metering is configured.

Finally, we are requesting an update on our proposed July 27th, 2022 payment resolution [See Below Correspondence] to an incident that occurred on April 14th, 2022 where power lines to our building failed at the coupling joints.

Please let us know if you need any further information from us or require our assistance in order to complete your review.

Thank you for your consideration!

Sincerely,

Don Mealing & Tim Panic

July 27, 2022. Re: Invoice # 161

Dear Joan,

We are writing in regards to Helper City Invoice # 161 for \$10,403.41. We were not sure who to address this to, so please pass this to Mike Mastin, the new Helper City Electrician for his review (and others as needed) and help us come to a resolution - thanks!

This matter involves the installation of new power lines connecting our building to the pole transformers located at 378 N Main Street in Helper where our Data Mine is operating. We had an incident on Thursday night, April 14th, 2022 when there were high winds that contributed to a failure in old line couplers. This caused the lines to overheat and melt connections at the transformers and a surge into our electrical panels inside the building.

Our breakers performed as normal and shut off preserving our computer systems and inside transformers, however there was damage to the outside line couplers, and evidently the external power lines between the poles and building.

Rocky Mountain Power was called, and they were scheduled over the next two days to come out and repair the lines.

We are having difficulty seeing this as our *total* responsibility given the following facts:

1. Our electrical systems were designed and installed under code by licensed electricians to operate at a level power base-load; with minimal changes in peak demand. Everything had been operating normally for some weeks before this incident and we were operating below maximum limits.
2. We used new wiring throughout our system to connect the inside transformers to existing electrical panels, which were in turn connected to old lines from the power poles. According to the previous building owner who was present that night, along with Gary (Harwood), the lines and pole transformers installed by Rocky Mountain Power had been in place at this building for approximately 40 years.
3. Essentially, the key contributing factors in this incident were the high winds, and that new lines and equipment were connected to old lines and pole transformers close to the end of their useful service life.

As you know, we are substantial power customers, and have really enjoyed the welcome and working relationships we have encountered with Helper City. We have long term plans to stay and build our business.

We think a more fair proposition would be to split the cost of this invoice, where these new lines will have a service life way beyond our lease terms.

We welcome a dialogue to discuss this situation further and exchange more information to arrive at a reasonable solution.

Thank you,

Don Mealing & Tim Panic
949-690-9900