

Notice is hereby given
The Mayor and City Council of Helper City,
A Municipal Corporation will hold a regular meeting
on the 6th day of April 2023.
At the Council Chambers
19 South Main, Helper, Utah.
The meeting shall begin at 6:00 pm.

- 1- Call to order.
- 2- Pledge of Allegiance.
- 3- Roll call.
- 4- Public Comment.
- 5- Approval of the minutes from March 2, 2023.
- 6- Good Samaritan Acknowledgement.
- 7- American Legion – Jeff Cisneros
- 8- Arbor Day Proclamation.
- 9- Discussion and possible approval of access management for US-6 cooperative agreement.
- 10-Discussion and possible approval of purchasing 800 mhz radios in the for approximately \$11,000.
- 11-Discussion and possible approval of submitting a grant for new police vehicles.
- 12-Discussion and possible approval of updating the special event permit.
- 13-Discussion and possible approval of purchasing fertilizer for parks not to exceed \$2,900.
- 14-Discussion and Possible approval of purchasing a new park pump in the amount of \$11,620.
- 15-Discussion and possible approval of Resolution 2023-02 creating by-laws for the Helper Historic Preservation Commission.

Reports only from Council Members and Department Heads.

Possible closed session.

Adjournment:

The public is invited to submit questions or comments 24 hours before the meeting on agenda items only by calling (435) 472-5391 or emailing ztonc@helpercity.net. I Zack Tonc Helper City Recorder, do hereby certify the above notice and agenda was posted on the 31st day of March 2023 at City Hall and Utah Public Notice Website. Agenda was provided to the media at least 24 hours before such meeting.

Under the Americans with Disabilities Act, the City of Helper will make reasonable accommodations to participate in the meeting. Request for assistance can be made by calling (435) 472-5391 at least 48 hours in advance of the meeting to be attended.



Zack Tonc

1 **MINUTES OF THE HELPER CITY COUNCIL MEETING**

2 **Thursday, March 2, 2023**

3 **at 6:00 p.m.**

4 **in the Council Chambers**

5 **19 South Main Street**

6 **Helper, Utah 84526**

7
8
9 **ATTENDANCE:**

10 Mayor Lenise Peterman

11
12 **Council Members:**

13 David Dornan

14 Michelle Goldsmith

15 Gary Harwood

16 Malarie DeVincent

17 Amanda Wheeler

18
19 **City Staff:**

20 City Recorder: Zack Tonic

21 City Attorney: Dominique Kiahtipes

22 Public Works Director: Michael Mastin

23 Police Officer: Lara Olson

24
25 Citizens: Jake Gray, Justin Needles, Jean Boyack, Marilou Kundmueller, George
26 Waldren, and Gary DeVincent.

27
28
29 **PUBLIC COMMENT:**

30
31 **APPROVAL OF THE MINUTES FROM FEBRUARY 2, 2023.**

32 Council Member Goldsmith moved to approve minutes from February 2, 2023. Council
33 Member Wheeler seconded the motion. Motion carried, the council roll call vote is as
34 follows: Dornan, Goldsmith, Wheeler, DeVincent, and Harwood all voted yes.

35
36
37 **DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 2023-01**
38 **CONFIRMING HELPER CITY'S COMMITMENT TO UPDATING AND REVISING THE**
39 **CARBON COUNTY PRE-DISASTER MITIGATION PLAN.**

40
41 Justin Needles Carbon County's Emergency Manager stated pre-disaster mitigation
42 plan needs to be updated every 5 years. The current Pre-Disaster Mitigation plan
43 expires in October 2023. The county is in the process of updating information. What a
44 Pre-Disaster Mitigation plan does is it groups all mitigation projects together into one
45 plan. Helper City can add its concerns and plans to the county's plan. Being a part of
46 Carbon County's Pre-Disaster Mitigation plan will help open up funding opportunities

that you can only receive if you are part of a local Pre-Disaster Mitigation plan. If you partner with the county you can use the county's contractor.

Council Member Dornan asked if Moab had joined Grand County's plan. Justin Needles responded it is his understanding that Moab was not part of Grand County's plan and now is not eligible for federal funding from FEMA.

Council Member DeVincent asked if this will make a public process for the plan and how will it work. Justin Needles responded the plans will be out for public comment and will adjust plans according to public comments. Then the plan will go to the State and FEMA for approval. Council Member Devincent asked if FEMA will be reevaluating the floodplain map in May. Justin Needles responded FEMA is in the process of updating the maps for Carbon, Emery, Grand, and San Juan Counties this year and is not part of Carbon County's Pre-Disaster Mitigation plan.

Council Member Dornan moved to approve Resolution 2023-01 Confirming Helper City's commitment to updating and revising the Carbon County Pre-Disaster Mitigation Plan. Council Member Goldsmith seconded the motion. Motion carried, the council roll call vote is as follows: Dornan, Goldsmith, Wheeler, DeVincent, and Harwood all voted yes.

DISCUSSION AND POSSIBLE APPROVAL OF EASTERN UTAH BABE RUTH USING THE WALT BORLA AND HERITAGE BASEBALL FIELDS BEGINNING MARCH 20, 2023.

Mayor Peterman stated this is for the little league teams that use the fields. They will start practice in March but will not start playing until April. Jennifer Black is the representative that has asked for the use of the fields.

Council Member DeVincent moved to approve Eastern Utah Babe Ruth using the Walt Borla and Heritage Baseball Fields beginning March 20, 2023. Council Member Harwood seconded the motion. Motion carried, the council roll call vote is as follows: Dornan, Goldsmith, Wheeler, DeVincent, and Harwood all voted yes.

DISCUSSION AND POSSIBLE APPROVAL OF RELOCATING THE STAR AT OLD CITY HALL TO THE RIO THEATER.

Public Works Director Mastin asked to relocate the star at Old City Hall to the Rio Theater, to make room for new signage.

Council Member Harwood asked where the star would be located at the Rio Theater.

Public Works Director Mastin responded the star would be outside, the exact location he is unsure of.

Council Member Dornan stated he would like the star outside so it can be lit with colored lights. He feels this will be ascetically pleasing and match the feel of the theater.

Council Member Goldsmith moved to approve relocating the star at Old City Hall to the Rio Theater. Council Member Wheeler seconded the motion. Motion carried, the council roll call vote is as follows: Dornan, Goldsmith, Wheeler, DeVinent, and Harwood all voted yes.

DISCUSSION AND POSSIBLE APPROVAL OF PURCHASING A FLASHING STOP SIGN WESTBOUND AT THE INTERSECTION OF N. MAIN AND BRYNER ST. IN THE AMOUNT OF \$1700.

Police Officer Olson stated on Tuesday, February 28th she watched the intersection for 30 minutes from about 1:00 pm to 1:30 pm. In the 30 minutes, she counted 30 cars using the intersection, 10 cars stopped, 11 slowed and rolled, and 9 did not stop. She would like to try a flashing stop sign to get people's attention and help people get in the habit of stopping. The stop sign she has picked out is solar-operated so it will not need to be connected to power.

Council Member Dornan asked if she found more people violating stop signs going west to Pick & Rail. Police Officer Olson responded, westbound in general. The stop sign by Ron's Meats, is the stop sign that people are running, whether they are turning or going straight. People are stopping at the other 4 stop signs, it is just the one-stop sign of the intersection.

Council Member DeVinent moved to approve purchasing a flashing stop sign westbound at the intersection of North Main and Bryner St. not to exceed \$1700 as well as refreshing the stop line. Council Member Wheeler seconded the motion. Motion carried, the council roll call vote is as follows: Dornan, Goldsmith, Wheeler, DeVinent, and Harwood all voted yes.

DISCUSSION AND POSSIBLE APPROVAL OF ORDINANCE 2023-01 A SECOND ORDINANCE EXTENDING THE LIMITS OF THE CITY OF HELPER TO INCLUDE THE ANNEXATION OF THE RV PARK.

City Recorder Tonc stated the previous ordinance from 2018 had the wrong legal description. This ordinance is to correct the legal description.

Council Member Dornan explained we had an issue with a water report that led us to learn the annexation was not completed.

Jean Boyack explained we never received a Certificate of Annexation from the Lieutenant Governor's Office. When she did some research on the matter she discovered the legal description on the plat did not match the legal description on the ordinance. To correct and complete the annexation we need to correct the legal description with Ordinance 2023-01, and send it to the Lieutenant Governor's Office.

Council Member Wheeler moved to approve Ordinance 2023-01 a second ordinance extending the limits of the City of Helper to include the annexation of the RV Park. Council Member Dornan seconded the motion. Motion carried, the council roll call vote is as follows: Dornan, Goldsmith, Wheeler, DeVincent, and Harwood all voted yes.

DISCUSSION ON PROHIBITING DOGS IN CEMETERIES, PARKS, AND PARKWAYS.

Council Member DeVincent stated she is not in favor of banning dogs, but it has come to her attention there is a lot of dogs crap everywhere. It is all down Main Street and on the riverwalk everywhere you go you are stepping over dog poop. The council approved dogs on the riverwalk back in 2017. The Helper Projects donated the receptacles and the city would provide the bags. Dogs are to be on leashes not to exceed 8 feet. Here we are now and people are not picking up after their dogs. Also, dogs are not allowed in parks and cemeteries. She would like to find ways to remedy the situation. We will soon have an ordinance officer. We should have him start give tickets.

Council Member Wheeler asked if we could post on social media that the council is considering banning dogs on the parkway because people are not cleaning up. Council Member DeVincent stated we can try that again, and should try that again.

Council Member Goldsmith stated if we ban dogs, can we make a specific area for dogs?

City Attorney Kiahtipes asked how often the city checks on the bags. Council Member Harwood responded the bags are checked weekly on Mondays.

Police Officer Olson asked what the violation is. Council Member DeVincent responded it is considered an infraction. Council Member Harwood asked which means, Police Officer Olson responded the person ticketed will go to the justice court and pay a fine. Council Member DeVincent stated we should find out how much the fine will be so we can post it on social media, and start ticketing people.

Council Member Dornan stated that dog-friendly towns are wise if we can get the problem under control. Council Member Harwood stated he agrees.

UPDATE REGARDING RECEIPT OF NOTICE TO FILE A CLAIM FROM DEVINCENT ENTERPRISES.

Mayor Peterman stated she wanted to make sure the council is aware that DeVincnet Enterprises has submitted 2 claims to our insurance.

City Recorder Tonc stated both claims have been submitted to the insurance company and the claims have been assigned a claims professional and a claim number.

Council Member Wheeler asked what the amount of the claim is. Council Member DeVincent stated the amount is a maximum of \$1 million per claim. She also stated, as a citizen of Helper she thinks the city should increase the liability policy.

Council Member Dornan stated it is a difficult situation with FEMA and the county. From his view, more things occurred at the county level. Council Member DeVincent responded the reason why Gary DeVincent and herself chose to file claims against Helper City's insurance provider is that the city's ordinance lists the floodplain manager's role and does not state it is the county's responsibility. They feel and it was advised to them, that it was the city's responsibility and the city dropped the ball.

Council Member Dornan stated to get a building permit you have to go through the county. We represent all the citizens here, and if FEMA decides we have stepped out from under them, we will lose their backing when we have a flood.

Gary DeVincent interrupted and asked if he could speak. Council Members Wheeler and Goldsmith both stated this discussion is not open for public comments. Council Member DeVincent stated he could come up and speak. Council Member Wheeler does not think it should be opened. Gary DeVincent stated he did not want to get Council Member DeVincent in trouble, she responded that she is recusing herself.

Gary DeVincent stated he wanted to mention one thing and explain another. He does not think the city should pull out of FEMA for him. He also stated when Council Member Wheeler asked the amount the claims were for, he feels he needs to explain why he is asking for \$1 million per claim. During the stall in development, his bank's interest rates increased from 3.25% to 9.5%. When stalls on his end happen during development he is unable to take advantage of low-interest rates. The difference between the 2 interest rates on a 30-year mortgage is well over \$1 million on just one item. He is still going to move forward because everything is ripped apart and he has to finish. The difference in interest rates gets passed down the community. He can't rent an apartment for \$500 when the mortgage payment is \$1000. Council Member DeVincent stated that Gary DeVincent and herself understand that Helper City is a small municipality and relies on

volunteers. But when mistakes are made, there are real-world consequences for those who are on the receiving end of their mistakes. Council Member DeVincent also stated that in order to get funding from FEMA, the natural disaster has to be recognized by the President of the United States. That is the only way we can get funding from FEMA. Pulling out of the program is something to look at because of all the restrictions on the floodplain property owners. She has been trying to contact FEMA but no one from FEMA will talk to her.

Council Member DeVincent stated that during the process of getting the floodplain permit, no one would reach out to her asking if they needed help. Instead, no one would reach out to her about it because they would sue the city.

Council Member Dornan stated that when someone involves litigation reaching out has to be done through specific channels.

Council Member DeVincent stated that the work Gary DeVincent and herself do to the buildings is very mentally draining.

Mayor Peterman stated during the process she communicated with Council Member DeVincent and Gary DeVincent that we are trying to do the right thing. The city was given the runaround and we had to keep going back and telling FEMA this does not resonate. Council Member DeVincent stated that she understands knowledge gets lost when new representatives take office.

Mayor Peterman stated that now it is in the hands of the insurance company, and we don't know how long the process will take.

ADJOURNMENT:

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

I hereby certify that the foregoing represents a true, accurate, and complete record of the Helper City Council meeting held on Thursday, March 2, 2023.

Lenise Peterman
Mayor

Zack Tonc
City Recorder



Whereas, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

Whereas, Arbor Day is now observed throughout the nation and the world, and

Whereas, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

Whereas, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal.

Now, Therefore, I, Lenise Peterman, Mayor of the City of
Helper, do hereby proclaim
April 28, 2023 as

Arbor Day

In the City of Helper, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

Further, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Dated this 6th day of April
Mayor

ACCESS MANAGEMENT FOR US-6, HELPER, UT, MP 231.2 to 240.1

City of Helper
Federal ID No. _____

Carbon County,
Federal ID No. _____

COOPERATIVE AGREEMENT

THIS COOPERATIVE AGREEMENT, made and entered into this _____ day of _____, 2023, by and between the **UTAH DEPARTMENT OF TRANSPORTATION**, hereinafter referred to as “**UDOT**”; and **Helper City**, a municipal corporation in the State of Utah, and **Carbon County**, a county corporation in the State of Utah, hereinafter referred to as the “**LOCAL JURISDICTIONS**”.

RECITALS

WHEREAS, the parties hereto desire to establish an access management plan for US-6 from MP 231.2 to MP 240.1. The purposes are to facilitate traffic flow, maintain safety, be an effective use of right of way, be in accordance with **LOCAL JURISDICTIONS** future plans, and to be in accordance with **UDOT**’s current Access Management Standards and practices.

NOW THEREFORE, it is agreed by and between the parties as follows:

ACCESS MANAGEMENT PLAN and INTERSECTION CONTROL PLAN

1. US-6, from SR-157 (Poplar Street, approximately MP 233.5) to Carbonville Road (approximately MP 236.4) will be improved to include a center raised median barrier.
 - A. Within the limits of the center raised median barrier, existing and future access to US-6 will be restricted to right-in/right-out movements only, with exception of:
 - i. Two U-turn locations within the limits of the center raised median barrier where the median barrier is removed to allow for U-turn movements, at locations determined or approved by **UDOT** during a future final design project.
 - B. **UDOT** will notify and coordinate with **LOCAL JURISDICTIONS** to plan and execute a public and stakeholder engagement process prior to construction of a center raised median barrier.
2. Intersections with US-6 will be improved to include *a traffic signal or a roundabout*, when warranted and approved by **UDOT** as follows:
 - A. SR-157 (Poplar Street)
 - B. SR-139 (Spring Glen Road)/Country Club Road
3. Intersections with US-6 will be reconfigured to restrict turning movements as follows:
 - A. Martin Road (approximately MP 232.45), restrict the southbound left-turn movement from Martin Road to eastbound US-6.
 - B. Carbonville Road (approximately MP 236.40), restrict the westbound left-turn

ACCESS MANAGEMENT FOR US-6, HELPER, UT, MP 231.2 to 240.1

City of Helper

Federal ID No. _____

Carbon County,

Federal ID No. _____

movement from Carbonville Road to eastbound US-6.

- C. North Martin Road (approximately MP 231.75), close access and restrict all movements from North Martin Road to US-6.
 - i. Improvements to 1000 North and Martin Road local road intersection may be required prior to restricting movements at the US-6 and North Martin Road, to enable large vehicles to navigate the intersections.
 - ii. Intersection improvements to 1000 North and US-6 intersection may be required prior to restricting movements at the US-6 and North Martin Road. Improvements may include auxiliary turn lanes, acceleration or deceleration lanes, or pavement markings.
4. In addition to intersections and access management at locations specified in paragraphs 1, 2, and 3, **UDOT** may consider other or additional access management measures at locations along US-6 within the access plan limits. If additional intersections are studied and additional access or signal control is warranted in the future by **UDOT**, there is no guarantee the intersections will be signalized or otherwise improved. It may be necessary to restrict certain types of traffic movements at any intersection or access to maintain traffic flow and improve safety through the corridor.
5. **UDOT**, as part of this access management agreement, requires the following conditions / requirements be met and maintained:
 - A. Offsetting of existing and future streets is not encouraged. Local streets should connect to US-6 at 90-degree angles and line up across the intersection. Should there be a need for variation from this standard, an allowable skew of no greater than 15 degrees will be considered.
 - B. Every effort possible should be made for existing non-street accesses onto US-6 to be combined and access directed to internal roadway systems and not directly onto US-6. This is to help facilitate traffic flow onto and along US-6 by limiting access onto US-6 from roadway systems and not individual accesses. It is recommended that these accesses be set back from the US-6 intersections consistent with **UDOT's** road classification standards.
 - C. Any local right-of-way that is intended to be a road accessing US-6 that does not meet spacing standards may not be approved by **UDOT**, and at a minimum shall be right-in/right-out, upon evaluation and approval by **UDOT**. Under standards applicable at the time of this agreement minimum access spacing within this segment is 1,000 feet (which is subject to change).
 - D. If existing **UDOT** roadway right of ways, including easements, are proposed to be used by new developments for the construction of acceleration/deceleration lanes; additional property will be required to be dedicated to **UDOT** so as to preserve right of

ACCESS MANAGEMENT FOR US-6, HELPER, UT, MP 231.2 to 240.1

City of Helper
Federal ID No. _____

Carbon County,
Federal ID No. _____

way for future **UDOT** projects such as roadway widening, shoulders, drainage features, etc.

- E. When practical, the **LOCAL JURISDICTIONS** should work to provide for all permanent improvements above ground to have a setback of 30 feet from the existing ROW line or perpetual easement line to facilitate future widening of US-6. If the **LOCAL JURISDICTION** believes it cannot maintain that set back distance, it will notify **UDOT** not less than ninety days before issuing an approval without that set back distance.
6. Segments of US-6 within the access plan limits which are currently designated as No Access, Limited Access, or Regular Right-of-Way are unchanged by this Agreement.

Exhibit A shows the US-6 ACCESS MANAGEMENT PLAN and INTERSECTION CONTROL PLAN.

- A. The parties shall consider the concepts contained herein during the development of any master plans in this area and work towards the common goal of this Agreement.
- B. In the event there are proposed changes in the provisions covered by this Agreement, a modification to this Agreement approved in writing by all parties is required to place them into effect.
- C. The failure of any party to insist upon strict compliance of any of the terms and conditions, or failure to delay by either party to exercise any rights or remedies provided in this Agreement, or by law, will not release either party from any obligations arising under this Agreement.
- D. Each party represents that it has the authority to enter into this Agreement. This Agreement does not create any type of agency relationship, joint venture, or partnership among the parties.
- E. If any provision or part of a provision of this Agreement is held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision. Each provision shall be deemed to be enforceable to the fullest extent under applicable law. This Agreement shall not be interpreted or applied to require a violation of any applicable legal rights or obligations. This Agreement may be executed electronically and by counterparts.

IN WITNESS WHEREOF, the parties hereto have cause these presents to be executed by their duly authorized officers as of the day and year first above written.

ACCESS MANAGEMENT FOR US-6, HELPER, UT, MP 231.2 to 240.1

City of Helper
Federal ID No. _____

Carbon County,
Federal ID No. _____

ATTEST:

HELPER CITY

Municipal Corporation in the State of Utah

By:
Title:
Date:

By:
Title:
Date:

CARBON COUNTY

County Corporation in the State of Utah

By:
Title:
Date:

(IMPRESS SEAL)

RECOMMENDED FOR APPROVAL: UTAH DEPARTMENT OF TRANSPORTATION

By: _____
Region Four Traffic Operations Engineer

Date: _____

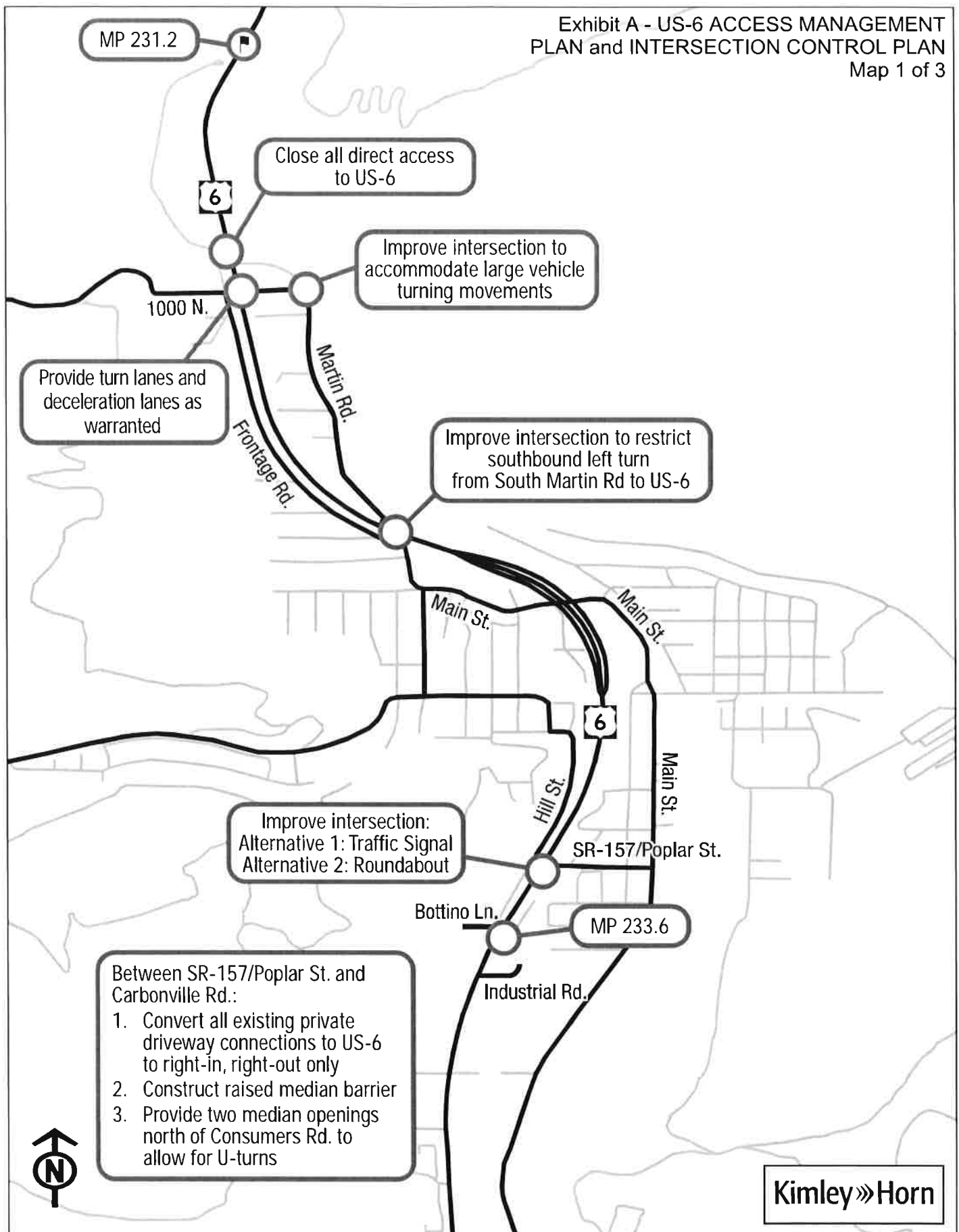
By: _____
Region Four Deputy Director

Date: _____

APPROVED AS TO FORM

This Form Agreement has been previously
approved as to form by the office of Legal
Counsel for the Utah Department of
Transportation

Exhibit A - US-6 ACCESS MANAGEMENT
PLAN and INTERSECTION CONTROL PLAN
Map 1 of 3



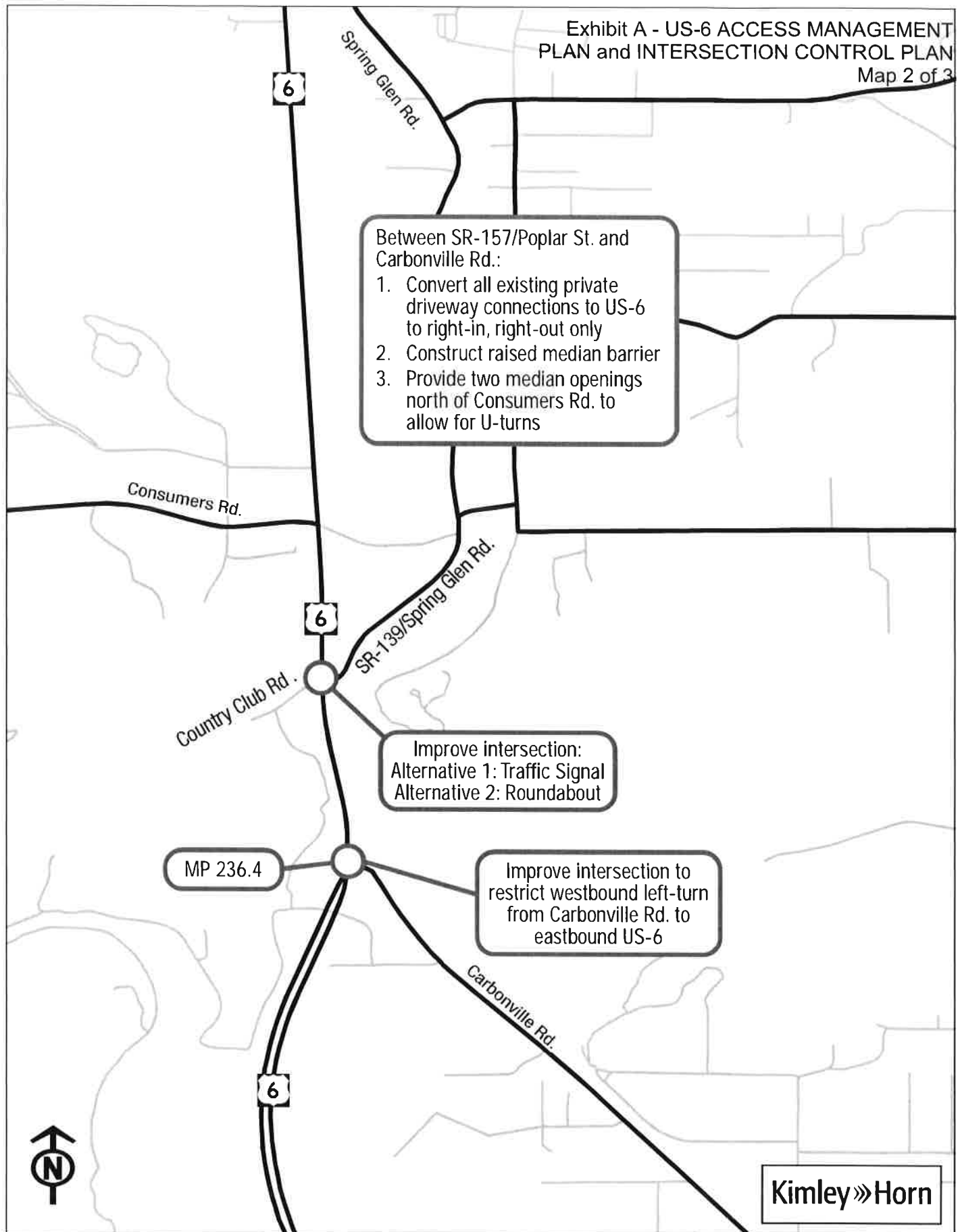


Exhibit A - US-6 ACCESS MANAGEMENT
PLAN and INTERSECTION CONTROL PLAN
Map 3 of 3





5215 Wiley Post Way, Suite 550
Salt Lake City, UT 84116
Phone 801-840-4200 Fax 801-840-4242
www.uca911.org

January 19, 2023

Re: P25 Migration and Radio Upgrades for Public Safety

Dear UCA Stakeholders:

Happy New Year! By now, we hope that all of Utah's public safety agencies have heard of the opportunity to utilize funds appropriated to UCA by the Utah Legislature to upgrade their end user radios at little or no cost. This is an exceedingly rare opportunity for Utah to make sure that the entirety of its public safety communications equipment is on the cutting edge of technology and to make sure first responders are utilizing the best tools for their safety and for citizen support.

Utilizing these referenced funds, UCA has already placed an order for the first batch of L3H radios and have started to take delivery of the same; it is very exciting! We are also actively working with many of you to finalize the details of your orders, collect payment for your portion (if applicable), and move things along. When we started this upgrade process, we had some uncertainty on the types of radios agencies would be ordering, the mix of portables and mobiles, and numerous other variables that have significant bearing on these individual orders. We now have a large enough sample size that we are able to make a significant adjustment to the program which will be quite positive for city/county public safety agencies ("Agency" or "Agencies"). Prior to now, the baseline radio selected by UCA was the XL-185, a top-tier, *single band*, radio. Agencies wishing to upgrade to an XL-200 or an XL-400P would have to pay the difference in the price. UCA is officially amending the baseline radio to be an XL-200, meaning those of you who believed there would be a cost to upgrade from the XL-185, there is now no cost. (There is still a cost to upgrade to the 400P, however, it is less than before.) For those of you who have already ordered and paid for XL-200 radios, UCA will be issuing a credit toward your future amounts due and/or refunding amounts (if necessary).¹ For those of you who have already ordered XL-185 radios but would like to now upgrade to an XL-200, radio, UCA or L3Harris will be contacting you in the very near future to discuss the option and, of course, will be crediting/refunding any amounts due/paid as necessary.

The second exciting thing I want to make you aware of is that L3Harris has recently hired a local salesperson. Some of you may know Mr. Nate Mutter, who joins L3Harris from the Utah Attorney General's Office. Nate has started his new role at a sprint and is

¹ There are a few other pricing tweaks, all in agencies' favor, that will also be applied as either a credit against amounts due or refunds. UCA will communicate with those agencies regarding total credit amounts and refunds.

very much aware of the awesome opportunity provided to Utah's public safety personnel through this program. He will be working closely with UCA on this program, including the change of the baseline radios, to make sure everybody has exactly what they need. You can reach Nate via email at nathan.mutter@l3harris.com or by calling him at 801-707-4079.

In addition to the above information, UCA has received a number of questions about this opportunity/program and thought it would be beneficial to put out an FAQ communication to address these questions. Of course, we hope that everybody understands that you can always reach out to UCA with your questions, including by calling or emailing me (at 801-841-4201/qstephens@uca911.org) or by contacting UCA's Deputy Director, Tina Mathieu (801-840-4202/tmathieu@uca911.org).

What is the program/opportunity you are referring to?

During the last legislative session, thanks in large part to the efforts of Senators Derrin Owens and Wayne Harper, as well as Utah's legislative leadership, UCA has been appropriated funds to help upgrade some of Utah's radios to take advantage of Phase II functionality on the P25 system.² Funding has been designated for local (city/county) police, fire, and EMS users. The funding is not for federal agencies, private agencies, public works agencies, or other local government users.

As noted above, UCA has now selected the L3Harris, XL-200 radio (portable and mobile) as a baseline radio for purposes of this program/opportunity. The XL-200P is a high-quality, dual band, portable radio which, as configured, will include: a dual band antenna, LTE Capabilities, BeON, P25 trunking, P25 Phase 2/TDMA, in-band GPS, single key AES encryption, link layer authentication, VIDA ID, Wi-Fi, Bluetooth connectivity, a 3100 mAh battery, and a charger for that battery. MSRP for this radio and configuration would be approximately \$8,195.02. With the negotiated discounts, the purchase price is \$2,719.50. The XL-200M is a high-quality, dual band, mobile radio which, as configured, will include: LTE Capabilities, BeON, P25 trunking, P25 Phase 2/TDMA, in-band GPS, single key AES encryption, link layer authentication, Wi-Fi, Bluetooth connectivity, VIDA ID, a microphone, antenna (including GPS antenna), antenna roof mount, speaker, cabling, and control unit. MSRP for this radio and configuration would be approximately \$13,064.51. With the negotiated discounts, the purchase price is \$3,968.83.

UCA also understands that one size does not fit all. Agencies have the opportunity to add features to the baseline radio and/or select a different L3Harris model of radio, though the agencies will have to pay 100% of the cost of such changes (in addition to whatever agency contribution is required, as discussed in the next paragraph). These changes can be documented when you submit your order information to UCA to access the program.

Some agencies are required to contribute a portion of the radio costs. This determination is based upon the class of county within which you are located. For example,

²P25 stands for Project 25, a digital radio standard that allows for increased competition because of its open architecture. Phase II of the P25 standard refers to the utilization of TDMA to divide talk paths in half, thereby nearly doubling the system capacity when end-users are utilizing Phase II devices.

counties of the 6th class (and public safety agencies within those counties) are not required to contribute anything to the purchase of the baseline radios. Counties of the 5th class (and public safety agencies within those counties) are required to contribute 10% of the cost of the baseline radios. Counties of the 4th class (and public safety agencies within those counties) are required to contribute 20% of the cost of the baseline radios. Counties of the 3rd class (and public safety agencies within those counties) are required to contribute 30% of the cost of the baseline radios. Counties of the 2nd class (and public safety agencies within those counties) are required to contribute 85% of the cost of the baseline radios. Counties of the 1st class (and public safety agencies within that county) are required to contribute 100% of the cost of the baseline radios.

How do I take advantage of this opportunity?

Accompanying this letter is an order form which can be completed and returned to UCA. Please complete the proper worksheets in the contemporaneously provided Excel workbook and return the same to radio_replacement@uca911.org. Prior to submitting your order to L3H, UCA will provide you with an invoice for fifty percent (50%) of the total amount due by your agency, which will need to be provided pre-order (unless other arrangements are made with UCA). The remaining 50% will be due to UCA at the time the radios are delivered to UCA.

I am in a county of the 2nd class, is it even worth it for me?

Obviously, individual agency circumstances may differ, but this will likely be the lowest cost that an agency can purchase a radio for in the foreseeable future. Through UCA's negotiations with L3Harris, we have obtained a uniform discount on radios, regardless of quantity, of 65% off MSRP **through June 30 of 2023**.³ As noted above, this drops the cost of the XL-200P from \$8,195.02 to \$2,719.50 and drops the cost of the XL-200M from \$13,064.51 to \$3,968.83.⁴ When you then apply the contribution from this legislative funding, the savings are even greater. Even a county of the 2nd class could purchase the XL-200P for \$2,311.58 and the XL-200M for \$3,373.51. This represents a total "discount" of approximately 72% on end user radios! To compare and contrast, once this opportunity is gone, the cost of a XL-200P radio for agencies within counties of the 2nd class will go from \$2,311.58 to \$5,049.94 and the cost of an XL-200M will go from \$3,373.51 to \$8,050.62! So, yes – if you need new radios or think you will need new radios in the near future, it is worth it for you to purchase now, under this program.

Do I have to purchase new radios?

No, as long as you have a radio found on UCA's approved radio list (available on our website, www.uca911.org) that is at least P25 Phase I capable, it will work on the new P25 radios system. However, UCA is strongly encouraging agencies to upgrade their radios to Phase II, either through the purchase of a new radio or a software upgrade of an existing radio (if possible). Phase II radios effectively double the capacity of the statewide radio

³ Some features are actually being offered free for a limited time.

⁴ These same discounts apply to L3Harris's other radio models as well.

system and though not *required* by UCA,⁵ if an agency or area starts to have capacity issues, the first recommendation from UCA will be to upgrade to Phase II radios to solve that capacity concern.

Can agencies use these funds to purchase or upgrade Motorola or Kenwood radios?

No. The new P25 radio system is an open architecture radio system meaning that more than one radio vendor's radios will work on the system for a baseline set of P25 features. However, certain proprietary features will or will not work based upon the matching of the system and the radio manufacturer. For example, much has been said about the ability of an end-user's radio to be able to utilize not only an LMR signal, but also Wi-Fi or LTE signals to have voice communications with other system radios. This, however, will only work if the end-user radios are L3Harris branded radios. Similarly, while many radios may provide GPS locations, only L3Harris branded radios have the option of providing this data "in-band" meaning it's mixed in with the voice traffic. This can be important because with a voice-primary system, like we have in Utah, there exists a possibility that a GPS location could be pre-empted by a voice call and go undelivered unless it is in-band. And, of course, the cost of an upgrade such as this is always a factor. UCA has been very aware of this fact and has negotiated with L3Harris to provide a 65% discount off of their MSRP pricing. This presents an incredible opportunity for Utah to upgrade some of its old and unserviceable inventory with brand new, high-quality radios. Accordingly, the Utah Legislature has instructed UCA to purchase only L3Harris radios with the funds provided.

What is the deadline for participation?

UCA previously issued a deadline of November 15, 2022, for these orders to be placed. However, we are still accepting orders and plan to until the money is gone, or time runs out. Nevertheless, we strongly encourage agencies to place orders as quickly as possible. There is a significant amount of work that still has to occur in terms of manufacturing, programming, delivering, and installing these radios, as the sooner this can begin to happen, the better! The extension of this deadline should not encourage procrastination or delay.

Can these funds be used to purchase radios for agencies that are not primarily public safety, such as public works or county/city officials?

No. These funds are meant for police, fire, and emergency medical personnel. Every radio purchased using these funds will be programmed with a full public safety personality/template, which will permit access to police, fire, and/or emergency medical talk groups.

As indicated in my prior correspondence, there is a process for those who are not police, fire, and/or emergency medical personnel, to be able to obtain access to the statewide, public safety radio system. Utah Code Ann. §63H-7a-402(1)(a) states that UCA

⁵ Though Phase II is not required of legacy radios, any new radios purchased will be required to be Phase II and have link layer authentication in order to be programmed onto the radio system.

is to “provide and maintain the public safety communications network for state agencies and local government public safety agencies....” For purposes of this instruction, Utah law defines a public safety agency as “a functional division of a public agency which provides firefighting, law enforcement, medical, or other emergency services.” Utah Code Ann. §69-2-102. To better define “other emergency services” and who can and cannot participate on the network, UCA has adopted Administrative Rule R174-1-501 which provides that local agencies, including public works agencies, that are not providing firefighting, law enforcement, or emergency medical services, may participate on the public safety radios system if: 1) they can state a public safety purpose for their participation; 2) they have a letter from a firefighting agency, law enforcement agency, or emergency medical provider sponsoring their participation for the stated purpose; and 3) they receive approval from UCA’s Executive Director. UCA recognizes that those providing “other emergency services” may vary based on the emergency. While there can be benefits to a broad usage of the public safety radio system, there is also a counterbalance when it comes to system capacity, as well as federal and state guidelines on things like the use of public safety frequencies and funding. The purpose of this rule is to balance these competing interests.

Agencies wishing to utilize the public safety radio system should apply to UCA for access, considering the requirements above. Published on UCA’s website is the application for public works and “other emergency services” to seek participation in the public safety radio system. This application can be found by going to www.uca911.org, scrolling to the bottom of the page, and clicking “UCA Applications, Learn More.” When applying, it would be advisable to provide a written letter or statement outlining the public safety purpose of the request and explaining the intended use of the radio system on a regular basis. At the time of migration, UCA will only program those radios that are police, fire, emergency medical, or that have applied for and been accepted onto the system.

As part of balancing the above interests, we ask agencies to consider a few possible options. First, as noted, the primary purpose of the public safety radio system is public safety, and the condition upon which an agency may be applying for access is an emergency or crisis situation. As such, UCA requests that agencies consider their actual need in that emergency scenario. Consider whether it may be more appropriate for your agency’s leadership and/or dispatch teams to have public safety radios so that they can communicate with a PSAP and coordinate their own non-traditional public safety personnel in that specific emergency utilizing the agency’s day-to-day communications tools and policies. We respectfully ask agencies to consider this option.

Second, we would also like agencies to consider L3Harris’s BeON application. BeON is a smart phone/tablet app that provides push-to-talk connectivity to the public safety radio system utilizing Wi-Fi and LTE instead of LMR capacity. This would allow for a broader use of the system without interfering with public safety agencies, while also providing connectivity through interoperability channels in the times of an emergency. It’s also worth noting that the cost of a BeON license is currently less than \$200, which is a substantial savings over the cost of a public safety radio. If this has interest to your agency, we again request you apply for access to the system by using the link above, and in your description of your requested use, please discuss how you might consider using this BeON solution.

I hope this addresses the majority of the questions that are out there, but I am certain there are others floating in the ethos. Again, please feel free to email or call myself (801-840-4201/qstephens@uca911.org) or Ms. Mathieu (801-840-4202/tmathieu@uca911.org) with any additional questions. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Quin Stephens', with a stylized, cursive script.

Quin Stephens
Executive Director/General Counsel
Utah Communications Authority

HELPER CITY SPECIAL EVENT PERMIT



Helper City requires a special event permit for a temporary gathering or organized activity that will disrupt the normal course of business of any area in Helper City or for any activity outside the established and normal use allowed by zoning, including, but not limited to the following: parades, ceremonies, shows, pageants, races, festivals, circuses, carnivals, community festivals, car shows, concerts, or the like. City Council will hear requests for street closures and local area consent which must be presented at one of the regularly scheduled City Council meetings. All other supporting activities for an event will be determined by the Public Works Director.

Instructions:

Applications must be submitted at least thirty (30) days prior to the event date. Applications submitted less than thirty (30) days prior to the event ***will not be accepted***. Depending on your event, you may be asked to attend a meeting to elaborate on your application. Insurance is required for all events held where beer, wine or alcohol is being served. Please note the permit fee and deposit are due at the time the application is submitted to Helper City. A separate rental agreement for city assets is available at City Hall and must be completed and secured with payment for those assets (tents, tables and chairs).

Checklist:

- ☐ Complete special event application (***due 30 days before event***)
- ☐ \$10 non-refundable application fee
- ☐ Event site plan
- ☐ Traffic control plan (if applicable)
- ☐ Proof of insurance naming Helper City as additional insured in the amount of \$1,000,000.00
- ☐ Temporary sales tax number for event and vendors
- ☐ Alcohol sales application (***Utah Department of Alcohol Beverage Control***)
- ☐ Alcohol/liquor consent from Helper City
- ☐ City Council approval for street closure

SPECIAL EVENT PERMIT APPLICATION

Type of event: (check all that apply)

- | | | |
|--|--|---|
| ☐ Concert | ☐ Rally/Protest/March | ☐ Parade |
| ☐ Festival | ☐ Fundraiser | ☐ Farmer's market |
| ☐ Community benefit | ☐ Non-profit | ☐ Car show |
| ☐ Other: _____ | | ☐ Film/Photo Shoot |

Event name: _____

Applicant name: _____ Contact Person: _____

Phone: _____ Organization: _____

Applicant address: _____ City: _____ State: _____ Zip: _____

Mailing address: _____ City: _____ State: _____ Zip: _____

Email: _____ Event web address: _____

Location of event: _____

Event date(s): _____ Start time: _____ End time: _____

Approximate number of persons attending event per day: _____

Admission fee charged? Yes _____ No _____ Amount _____

Will food be served? Yes _____ No _____

Will alcohol be sold or served? Yes _____ No _____ (if yes, please attach licenses from DABC)

Event site setup (for information purposes only): (check all that apply)

- ☐ Street Closure Signage (provided by Helper City; set up and removal by applicant)
- ☐ Street Closure for film or magazine photographic shoot
- ☐ Music/PA/Audio system (provided by applicant)
- ☐ Stage lighting (provided by applicant)
- ☐ Portable sanitary units (provided by applicant)
- ☐ Tents/canopies (provided by applicant)
- ☐ Tents/canopies rented from Helper City **set up includes \$50/hour per employee billed post event capped at \$200/tent or actual time worked if less**
- ☐ Fireworks/fire performance/open flame/propane/gas (requires approval from **Helper Fire Department**)
- ☐ Fencing/scaffolding/barricades (provided by applicant)
- ☐ Bleachers/tables/chairs (provided by applicant)
- ☐ Bleachers/tables/chairs (rental from the city, set up by applicant)
- ☐ Bleachers/tables/chairs (rental from the city + set up by Public Works which must be approved by the Public Works Director and with the cost of \$50/hour per employee for set up and tear down)

I have read, understand, and agree to abide by Helper City Special Event Permit. _____ please initial

I agree to restore the location to its condition prior to the event. _____ please initial

I certify that the above information is true and accurate. By signing below, I acknowledge receipt, review, and understanding of the special event permit guidelines, and schedule of fees. I am aware that I am responsible for paying for requested City services. I will also comply with all local, state, and federal regulations.

In consideration of being permitted to hold the above referenced special event within Helper City, the undersigned does hereby personally, and on behalf of the above named applicant, agree to waive, release, indemnify, and hold harmless Helper City, its officers, employees, and agents from and against any and all liability, claims, demands, actions, causes of action, proceedings, awards, judgements, and expenses, (including attorney's fees and litigation costs) of every kind and nature, and by whomsoever made or brought, in respect of any personal or bodily injury (including death) to any person, and any loss of or damage to any property, caused directly or indirectly by the undersigned and/or applicant, its officers, employees, agents, or subcontractors, engaging in and/or sponsoring the above referenced special event.

Applicant

Date

*****STAFF USE ONLY*****

Date received

Received by

Fee Amount/Payment Method

Deposit Amount/Payment Method

Helper Police Chief

Mayor

Helper Fire Chief

Public Works Director

Notes: _____

SPECIAL EVENT VENDOR REQUIREMENTS

The organizers of the event in which sales are conducted are liable for sales tax to be collected by their exhibitors or vendors. The promoter or organization must obtain a Temporary Sales Tax Permit from the Utah Tax Commission or have proof of an existing tax identification number registered with the state. Please contact the Utah Tax Commission at 801-297-6303 or visit www.tax.utah.gov/sales/specialevents. Vendors serving or providing food items must comply with the Southeastern Utah Health Department requirements and obtain any required permits from their office.

I certify that the above information is true and accurate to the best of my knowledge.

Applicant Signature

Date

Attachment One – Fee Schedule

City Service	Fee	Number Needed	Amount Due
Placement & Removal of Detour Signage on Main Street (per location of street closure)	No cost (Applicant places and returns signage to side of street)		
Street Closure for Film or Magazine Photographic Shoot	\$300.00/day		
Placement of Signage above Main Street or Main Street Banners	\$300.00		
Tent Rental (includes set up and tear down)	\$50.00/hour per employee (Actual time spent or cap at \$200.00 per tent)		
Table Rental (does not include set up)	\$5.00 per table		
Chair Rental (does not include set up)	\$1.00 per chair		
Main Street Stage Rental (includes power for the stage, power for vendors on street or old City Hall parking lot)	\$75.00/day		
Public Works Event Support (Public Work Director approval required)	\$50.00 per hour		

Total Due: _____

*Events taking place during the regular workweek (i.e., Thursday, Friday) and running throughout the weekend may request materials during the week, with pick up Monday.

*The Public Works Director will determine if city employees are available to provide hours in support of event(s). This will be determined by work load and staff availability in support of health, quality of life or pressing city demands. Based on Public Work recommendation and with approval of the mayor, available labor hours will be determined on a case-by-case basis as requested by the permittee. Any set up or tear down performed by the city will be invoiced to the permittee for each hour worked at the rate of \$50/hour.

*Work is billed for actual time spent or a cap of 4 labor hours for tent set up to allow applicants to budget accordingly. If payment is not received within 30 days of invoice, the permittee will not be eligible for further rentals or use of city assets until payment is received.



453 W. 700 S.
Pleasant Grove, UT 84062
Phone (801) 321-8242
sales@rhinopumps.com

RHINOPUMPS

Quote

Customer ID

0427

Attn

Quote Date

3/30/2023

cc

Quote Number

RQ1434

Job Number

R1337

Quote By: Wes Fadely

PO #:

RFQ #:

Salesperson: Bryan Martinez

Phone: (435) 472-5391

Fax:

Customer Information

Helper City
PO BOX 221
Helper, UT 84526

Ship To Information

Helper City
PO BOX 221
Helper, UT 84526

Quote Information

Comments: NOTE: This pump is now obsolete. Parts listed on quote for repair are those that are still available. Other parts that are still needed for this repair (such as the impeller, deflector, and wear rings) to make the pump run at it's best are obsolete and not available. The pump can be put back together with the available and existing parts and run but Rhino Pumps will not guaranty that it will run efficiently or effectively.

Labor

Teardown & Inspection

Assembly Work

Total for Labor : 2,338.00

Material

Repair Parts for Griswold R3GM (SN 0040208459)

8028615: Sleeve
- Part # 8243600K (replaces #8028615), INCLUDES TWO 47012604 O-rings.

1003700: Mechanical Seal

22056006: Impeller Key

ALLEN500-13X125UNBRK: Impeller Bolt

47027404: Bracket/Case O-Ring

Total for Material : 510.00

SIGNATURE:

DATE:

PO# (IF NOT ALREADY ISSUED):

Ship Via:

Page 1 of 3

Our Tax ID: 46-3826223
Taxable Material

Your Tax ID:
Taxable Labor

Sales Tax Code 1: No Sales Tax on Sales



453 W. 700 S.
Pleasant Grove, UT 84062
Phone (801) 321-8242
sales@rhinopumps.com

RHINOPUMPS

Quote

Customer ID

0427

Attn

Quote Date

3/30/2023

cc

Quote Number

RQ1434

Job Number

R1337

Customer Information

Helper City
PO BOX 221
Helper, UT 84526

Ship To Information

Helper City
PO BOX 221
Helper, UT 84526

Quote By: Wes Fadely

PO #:

RFQ #:

Salesperson: Bryan Martinez

Phone: (435) 472-5391

Fax:

Lead Time

TBD

Subtotal : 2,848.00

Tax : 0.00

Total for Quote RQ1434 : 2,848.00

Quotes Do Not Include Sales Tax or Freight, Unless Otherwise Noted.
We Are not Responsible For Items Left Over 60 Days.
Quote is valid for 30 days.

SIGNATURE: _____

DATE: _____

PO# (IF NOT ALREADY ISSUED):

Ship Via: _____

Page 2 of 3

Our Tax ID: 46-3826223

Your Tax ID:

Taxable Material

Taxable Labor

Sales Tax Code 1: No Sales Tax on Sales



453 W. 700 S.
Pleasant Grove, UT 84062
Phone (801) 321-8242
sales@rhinopumps.com

RHINOPUMPS

Customer ID
0427
Attn

Quote Date
3/30/2023
cc

Quote

Quote Number

RQ1492

Job Number

R1337

Quote By: Bryan Martinez

PO #:

RFQ #:

Salesperson: Bryan Martinez

Phone: (435) 472-5391 x

Fax:

Terms: Net 30

Customer Information

Helper City
PO BOX 221
Helper, UT 84526

Ship To Information

Helper City
PO BOX 221
Helper, UT 84526

Quote Information

Comments: **NOTE: Manufacturer's lead times are not guaranteed**

Freight		Unit Price	Ext Price
1	Estimated Freight	450.00	450.00
Total for Freight :			450.00
Material		Unit Price	Ext Price
1	Series 850 End-Suction (NSF-50), Model: 4x3-10T, Closed-Coupled, 3600 RPM, Impeller Trim(Inches): 7.82, Motor Phase: Three, Enclosure Type: TEFC, Motor Frame: 286JP	11,169.00	11,169.00
Total for Material :			11,169.00

**Quotes Do Not Include Sales Tax or Freight, Unless Otherwise Noted.
We Are not Responsible For Items Left Over 60 Days.
Quote is valid for 30 days.**

Lead Time

7-8 weeks ARO plus transit

Subtotal : 11,619.00

Tax : 0.00

Total for Quote RQ1492 : 11,619.00

SIGNATURE: _____

DATE: _____

PO# (IF NOT ALREADY ISSUED):

Ship Via: _____

Our Tax ID: 46-3826223

Your Tax ID:

Taxable Material

Taxable Labor

Sales Tax Code 1: No Sales Tax on Sales

RESOLUTION NO. 2023-02

RESOLUTION CREATING THE BY-LAWS AND OPERATING PROCEDURES FOR THE HELPER HISTORIC PRESERVATION COMMISSION

WHEREAS, Helper City desires to establish the by-laws and operating procedures for the Helper City Historic Preservation Commission (“HPC”);

NOW, THEREFORE, BE IT RESOLVED by the Helper City Council of Helper City, Utah, that the following by-laws and procedures shall be adopted for the operation of the Helper City Historic Preservation Commission.

Article I. Purpose of the Historic Preservation Commission

As governed by ordinance and stated in Helper Municipal Code Section 2.95.010, Helper City recognizes that the historical heritage of the community is among its most valued and important assets. It is therefore the intent of Helper to identify, preserve, protect, and enhance historic buildings, structures, sites, objects, and districts lying within the city limit of Helper City.

Article II. Authority

The HPC shall have the powers and duties assigned to it in accordance with the Helper City Municipal Code, Utah Code Ann., and the Code of Federal Regulations. The HPC shall act as the certified local government (CLG) for Helper City in accordance with 36 C.F.R. §61.6. The Helper City Council shall have the final authority over the HPC.

Article III. Duties and Responsibilities

The HPC shall uphold and carry out the duties and responsibilities assigned to it in accordance with HMC Section 2.95.030. Further, the HPC shall:

A. Promote the preservation of Helper’s historic locations by raising public awareness, understanding, and appreciation of the city’s history, including the value of sustaining a vibrant community for future generations of citizens and guests. Oversee the preservation of historic buildings, structures, sites, objects, and districts lying within the limits of Helper City.

B. The HPC may coordinate with other governmental agencies and non-profit organizations in raising funds for historic preservation. Funds and donations shall be received and handled as outlined in Article VIII.

C. Oversee the preparation, dissemination, and periodic update of design guidelines to assist property owners and government entities in preserving the historic character of Helper City.

D. Administer preservation incentive programs awarded by local, state, or federal governments.

E. Advise the Helper City Council and other city officials or staff on the identification and evaluation of historic resources within the city. Provide information regarding the significance of available resources, the nature and degree of threat to their preservation, and methods for their protection.

F. Review and advise the city on applications for material alterations to places within the Helper Historic District and/or on the Helper Landmarks Register. The HPC may recommend documentation of sites and preservation of parts or materials prior to granting of permits.

G. Recommend additions to, review, or revisions of local ordinances to the Helper City Council in an effort to encourage historic preservation.

Article IV. Membership

A. Disciplines: The HPC shall consist of a minimum of five, and no more than seven, members with a demonstrated interest, competence, or knowledge in historic preservation, appointed by the Helper City Council. To the extent available in the community, two members shall be professionals, as defined by National Park Service regulations and the Secretary of the Interior's Professional Qualifications Standards, from the disciplines of history, archaeology, historical architecture, architecture, or architectural history. A minimum of two shall be professionals as defined by the Secretary of the Interior's

B. Terms: Each member shall serve a term of not less than two years and shall continue until their successors are appointed. Members may be reappointed without limitation and there shall be no restriction as to the number of terms a member may hold. The terms shall commence on July 1st in the year in which they are appointed, so long as the HPC will still have a sufficient number of members to remain compliant with this Article. If commencement of a term would result in the HPC having less than five members, the member's term shall continue until a suitable replacement is found and approved by the Helper City Council.

C. Council Representative: One member of the HPC shall be a member of the Helper City Council, appointed by the Mayor, to serve as Chairperson of HPC.

D. Ex-Officio Members: The Chairperson, with the approval of the HPC, may invite members of the public with specific expertise or interest in historic preservation to serve as ex-officio, non-voting members of the HPC.

E. Attendance: Membership includes the responsibility to prepare for and attend the HPC regularly scheduled meetings in person or electronically. The Chairperson may recommend to the HPC and the Helper City Council the replacement of any member who is unable to participate fully and regularly in scheduled meetings.

F. Compensation: All members shall serve without compensation except for reasonable expenses totaling less than \$500.00 and preapproved by the Chairperson/council representative or Mayor.

The HPC shall make reasonable efforts to fill those positions as described. If the HPC is unable to do so, it shall document the reasonable efforts it undertook to comply with this Article.

Article V. Roles

A. Chairperson: The Chairperson shall preside over meetings and perform the duties conferred by parliamentary procedure. Additionally, the chair shall perform other such duties as appointed to it by the HPC. The Chairperson may designate a moderator pro tem to preside over meetings. The Chairperson may enter into discussion and vote on all matters brought before the HPC.

B. Co-Chairperson: The HPC shall elect a Co-Chairperson from among its membership. The Co-Chairperson may enter into discussion and vote on all matters brought before the HPC. In the event that the Chairperson is absent or incapacitated, the Co-Chairperson shall assume all duties and responsibilities of the Chairperson.

Article VI. Meeting Procedures

A. Schedule: The HPC shall meet monthly on a schedule approved yearly by the HPC. The HPC shall conduct business in accordance with Utah's Open and Public Meetings Act, including public notification of each meeting's place, time, and agenda items.

B. Recorder: The Mayor shall appoint a city employee to prepare and preserve minutes of each meeting, as well as, all documents used by the HPC in its considerations. The Chairperson may appoint a member of the HPC as temporary note taker should the recorder be absent from a meeting. The recorder shall distribute meeting minutes to the HPC members and to the Helper City Recorder.

C. Conduct of Meetings: All regularly scheduled meetings shall include the following items of business and their order shall be determined by the Chairperson prior to each meeting.

- Call to Order
- Roll Call
- Approval of Minutes
- Reports and Communications
- Discussion Items
- Action Items

- Comments from guests and members and the public
- Other Business
- Adjournment

D. Agenda: The Chairperson shall compile meeting agendas and circulate them to the HPC members no later than five days prior to a scheduled meeting. Requests from other members that items be placed on the agenda may be submitted to the Chairperson at least seven days prior to a scheduled meeting.

E. Parliamentary Authority: Robert's Rules of Order shall apply in all parliamentary matters, unless as otherwise described by these bylaws. Rules of order may not be suspended.

F. Quorum: No meeting shall commence without a quorum. A minimum of three members in attendance at a meeting of the HPC is required to constitute a quorum.

Article VII. Voting

All actions of the HPC shall be represented by a vote of the membership. A simple majority of the members present at the meeting shall approve any action taken. Should there be a split decision, the action shall not pass. The HPC may vote at regularly scheduled meetings.

Article VIII. Funds

The HPC may accept cash or electronic monies on the commission's behalf, by the way of gift, contribution, sale of merchandise, or fundraising activity. To meet state regulations, this requires two members be present at the acceptance of any funds as described above. A numbered receipt book shall be made available assigning sequential receipt numbers to the HPC by Helper City. The members shall complete a receipt in the event of a cash exchange, be it a donation or purchase. Both board members must sign the receipt for monetary transactions. The receipt will be turned into the Helper City Recorder for tracking. In the case of unused or skipped receipt numbers, the HPC must account for it directly to the Helper City Recorder. For fund raising activities or sale of merchandise the members may directly accept the money as indicated above, but shall deliver it to the Helper City Recorder within twenty-four (24) business hours from the time of collection.

Article IX. Standing and Ad Hoc Committees

The Chairperson may appoint subcommittees to prepare reports and recommendations for the HPC for its consideration and possible action.

Article X. Amendments

Any and all rules and regulations proposed by the HPC shall be forwarded in writing to the Helper City Council following a majority vote of the HPC. The council may amend, adopt, or reject any such rules or regulations. If any such rules and regulations should be rejected, the HPC may modify and resubmit such modified, proposed rules and regulations to the council. The Helper City Council has final authority over the HPC's adoption of such rules and regulations.

SIGNED AND ADOPTED THIS 6TH DAY OF APRIL, 2023.

Lenise Peterman
Helper City Mayor

ATTEST:

Zack Tone
Helper City Recorder