

**MINUTES OF THE HELPER CITY COUNCIL MEETING**

**Thursday, August 20, 2009**

**6:00 p.m.**

**Helper Auditorium**

**Council Chambers**

**19 South Main**

**Helper, Utah 84526**

**ATTENDANCE:**

Mayor Mike R. Dalpiaz

**City Staff**

**Council Members:**

Kirk Mascaro (Absent Excused)

Chris Pugliese

Robert Bradley

Dean Armstrong

Brandon Wise

City Recorder Jona Skerl

Police Chief Trent Anderson

Public Works Orlando Ochoa

Citizens: Collin McRann, Walter Borla, Scott Prestwich, Beau Stoker, Joy Bradley.

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

**APPROVAL OF MINUTES August 6, 2009.**

Council Member Mascaro moved to approve the minutes of , 2009. Council Member Pugliese seconded the motion. Motion Carried. Pugliese, Mascaro, Armstrong voting yes. Council Member Wise was not present at this time.

**SHANE BAGGS, BEH COMMUNICATIONS AGREEMENT ON LEASING TOWER SITE.**

Attorney Strate told the council that he had reviewed the Radio Site Lease Agreement with BEH Communications LLC. The council had approved the agreement on August 6, 2009 with the approval of the City Attorney. The agreement was then signed by Mayor Dalpiaz and Shane Baggs.

**MICHELLE GOLDSMITH ON MOTORCYCLE CAMPERS.**

Ms. Goldsmith was not present.

**WALTER BORLA DISCUSSION ON PAVILIONS.**

Mr. Borla was not present.

**DISCUSSION AND/OR APPROVAL ON ORDINANCE 2009-4 AMENDING ZONING PROVISIONS OF THE HELPER CITY DEVELOPMENT CODE SET BACK REQUIREMENT TO ZERO LOT LINE.**

Council Member Pugliese advised the council that some of the language in Ordinance 2009-4 concerned the Planning Commission. Attorney Strate advised the council that changing some of the language would mean another public hearing. Council Member Armstrong expressed his concerns with zero lot lines and asked resident, Wendy Fischer if she would have a problem with someone building right next to her lot. Ms. Fischer, who is waiting to build a carport, had no problems with the zero lot line ordinance. Ms. Fischer felt that the ordinance would bring in revenue and legal building permits. Attorney Strate explained to the council that passing the Ordinance 2009-4 as written until the Planning and Zoning complete the reform of the Development Code, which will require another public hearing, and will include the zero lot line. Mayor Dalpiaz advised that the council will be approving Ordinance 2009-4 as written with the knowledge that Ordinance 2009-4 will be changed with the new code.

Council Member Armstrong moved to adopt Ordinance 2009-4 amending zoning provisions of the Helper City development code. Council Member Mascaro seconded the motion. The Council roll call vote is as follows: Council Members Pugliese, Mascaro Armstrong and Wise in favor with no one in opposition Ordinance 2009-4 passed by a unanimous roll call vote.

**DISCUSSION AND/OR APPROVAL ON PERSONNEL EXTENSION OF BENEFITS OF PART-TIME AND SEASONAL EMPLOYEES.**

Council Member Armstrong informed the council that Amanda Holley had lost her father unexpectedly and Mayor Dalpiaz had granted her three bereavement pay. Council Member Armstrong had agreed with Mayor Dalpiaz on this decision however, it is not in our policy manual to allow bereavement pay to part-time or seasonal employees. Council Member Armstrong recommended that an ordinance be drafted to allow all employees the bereavement benefit. Council agreed to have Attorney Strate draft an ordinance for the next council meeting.

**UNFINISHED BUSINESS:****BOYACK RIGHT-A-WAY.**

Attorney Strate explained to the council that he was waiting for an appraisal of the property to start condemnation.

**FRANCHISE RIGHTS FOR EMERY TELCOM.**

Attorney Strate presented council with the latest agreement from Emery Telcom for review.

**INTERCONNECTION WITH PRICE RIVER WATER IMPROVEMENT DISTRICT.**

Nothing to report.

**DON JACKSON WATER ISSUE.**

Nothing to report.

**UTAH POWER PAYMENT AGREEMENT.**

Nothing to report.

**MOTION FOR EXECUTIVE SESSION.**

Council Member Mascaro moved for an executive session to discuss legal matters with the Jackson water. Council Member Wise seconded the motion. Motion Carried. Pugliese, Mascaro, Armstrong and Wise voting yes.

Council Member Wise moved to close executive session. Council Member Pugliese seconded the motion. Motion Carried. Pugliese, Mascaro, Armstrong and Wise voting yes.

**ADJOURNMENT:**

There being no further business Council Member Armstrong moved to adjourn. Council Member Mascaro seconded the motion. Motion Carried Pugliese, Mascaro, Armstrong and Wise voting yes. Meeting adjourned.

I here by certify that the fore going represents a true, accurate and complete record of the Helper City Council meeting held on Thursday, August 20, 2009.

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Mike R. Dalpiaz  
Mayor

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Jona Skerl  
City Recorder

Approved on September 3, 2009