

**MINUTES OF THE HELPER CITY COUNCIL MEETING**  
**Thursday, February 5, 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  
Phillip Jensen (Resigned)  
Larry Ganser  
Dean Armstrong (Late)  
Brandon Wise

City Recorder Jona Skerl  
Attorney Gene Strate  
Officer Chris Pugliese  
Public Works Director Orlando Ochoa

Citizens: Pat Kokal, Tom Paluso, Lynnda Johnson, Jared Anderson.

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

**APPROVAL OF MINUTES January 8, 22, 2009**

Council Member Mascaro moved to approve the minutes of January 8, 22, 2009. Council Member Wise seconded the motion. Motion Carried. Ganser, Mascaro, and Wise voting yes. Armstrong was not present for this vote.

**DISCUSSION AND/OR APPROVAL ON RESOLUTION 2009-2 APPROVING A TRANSFER OF THE CABLE TELEVISION FRANCHISE PRECIS TO EMERY TELCOM.**

Attorney Strate recommended that the council approve Resolution 2009-2 transfer of the franchise to Emery Telcom.

Council Member Ganser moved to approve the Resolution 2009-2 the transfer of franchise to Emery Telcom from Precis. Council Member Mascaro seconded the motion. Motion Carried. The Council roll call vote is as follows: Council Members Ganser, Mascaro, and Wise in favor with no one in opposition Resolution 2009-2 passed by a unanimous roll call vote. Armstrong was not present for the vote.

**DISCUSSION AND/OR APPROVAL ON BUSINESS LICENSE FOR LISA DIMICK AT 102 WEST 300 NORTH, ODDS & ENDS CLEANERS.**

Council Member Mascaro moved to approve the business license for Lisa Dimick providing that only small repairs related to cleaning will be done. Council Member Wise seconded the motion. Motion Carried. Ganser, Mascaro, and Wise voting yes. Armstrong was not present for this vote.

**DISCUSSION AND/OR APPROVAL ON BUSINESS LICENSE FOR WILLIAM MISHLER AT 110 HILL STREET, HANDYMAN LICENSE.**

Council Member Mascaro moved to approve the business license for William Mishler providing that no materials be stored at apartment unless it is in an enclosed storage building. Council Member Ganser seconded the motion. Motion Carried. Ganser, Mascaro, and Wise voting yes. Armstrong was not present for this vote.

**DISCUSSION ON MUSEUM BOARD ORDINANCE.**

Council Member Armstrong told the council about the wording in the present ordinance for the Museum board, the Board is allowed to approve expenditures for the Museum. The City Council is the only body that can approve any expenditure in the budget. Council agreed that the ordinance should be looked at and will give Attorney Strate their suggestions for changes.

**DISCUSSION AND/OR APPROVAL ON GK UNIFORMS CONTRACT.**

The council was concerned on budget availability for the cost of the uniforms and the length of three years on the contract. This item will be rolled over to the next meeting.

**DISCUSSION AND/OR APPROVAL ON ORDINANCE 2009-1 REVISING PERSONNEL MANUAL REQUIRING UNIFORMS.**

Council Member Wise moved to approve the Ordinance 2009-1 revising personnel manual requiring uniforms. Council Member Mascaro seconded the motion. Motion Carried. The Council roll call vote is as follows: Council Members Ganser, Mascaro, Armstrong and Wise in favor with no one in opposition Ordinance 2009-1 passed by a unanimous roll call vote.

**DISCUSSION AND/OR APPROVAL ON ORDINANCE 2009-2 GARBAGE CAN REMOVAL.**

Mayor Dalpiaz informed the council that several residents were not removing their garbage cans from the street. The ordinance gives residents twenty-four hours to remove the cans after pickup. Council Member Armstrong had concerns with some of the wording in the ordinance pertaining to dumpsters blocking the view of the sidewalk.

Council Member Ganser moved to approve the Ordinance 2009-2 . Council Member Mascaro seconded the motion. Motion Carried. The Council roll call vote is as follows: Council Members Ganser, Mascaro voting yes, Armstrong and Wise voting no, Mayor Dalpiaz voting yes in tie breaker, Ordinance 2009-2 passed.

**DISCUSSION AND/OR APPROVAL ON PURCHASING A COPIER FOR THE COUNCIL/COURT ROOM.**

Council Member Ganser moved to approve the purchase of a copier in the amount of \$810. Council Member Mascaro seconded the motion. Motion Carried. Ganser, Mascaro, Armstrong and Wise voting yes.

**DISCUSSION AND/OR APPROVAL ON APPOINTMENT FOR LIBRARY BOARD.**

This item was rolled over to the next meeting.

**DISCUSSION AND/OR APPROVAL ON MUSEUM BOARD APPOINTMENTS.**

This item was rolled over to the next meeting.

**DISCUSSION AND/OR APPROVAL ON MUSEUM EXPANSION PROJECT.**

Tom Paluso reported to the council that he had three cost estimates from Ridgeline Design, the architects for the project. The first estimate is a complete building in the amount of \$1,216,159.24. The second estimate in the amount of \$1,078,946.54 is a complete building with no second floor and to add the floor after, you would have to remove the roof. The third estimate is a complete building without any interior, but complete bathrooms and elevator in the amount of \$606,628.44. Mr. Paluso recommended the third option, this way we have something to show for the current funding that we have. Mr. Paluso felt that once the building shell is complete, the funding for the interior will be easier to obtain. Council Member Armstrong and Council Member Mascaro agreed that something needed to be completed on this project.

Council Member Armstrong moved to approve the third cost estimate of \$606,628.44 to receive contractor bids. Council Member Ganser seconded the motion. Motion Carried. Ganser, Mascaro, Armstrong and Wise voting yes.

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

Attorney Strate is still working on this.

**FRANCHISE RIGHTS FOR EMERY TELCOM.**

Attorney Strate is still working on this.

**APPOINTMENT TO PLANNING AND ZONING BOARD.**

Mayor Dalpiaz was not ready to make the appointment.

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

Council Member Armstrong is waiting for the cost estimate.

**DON JACKSON WATER ISSUE.**

Mayor Dalpiaz told the council Attorney Strate was looking into the water issue for the Jackson's sheep trough. Attorney Strate told Mr. Jackson's attorney that as soon as the weather cleared the city would work on a watering system.

**MOTION FOR EXECUTIVE SESSION.**

There were no motions.

**ADJOURNMENT:**

There being no further business Council Member Mascaro moved to adjourn. Council Member Armstrong seconded the motion. Motion Carried Ganser, 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, February 5, 2009.

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Mike R. Dalpiaz  
Mayor

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Jona Skerl  
City Recorder

Approved on February 19, 2009