

MINUTES OF THE HELPER CITY COUNCIL MEETING
Thursday, May 21, 2009
6:00 p.m.
Helper Auditorium
Council Chambers
19 South Main
Helper, Utah 84526

ATTENDANCE:

Mayor Mike R. Dalpiaz (Absent Excused)

City Staff

Council Members:

Kirk Mascaro
Chris Pugliese (Absent Excused)
Larry Ganser
Dean Armstrong
Brandon Wise (Absent Excused)

City Recorder Jona Skerl
Attorney Gene Strate
Chief Trent Anderson

Citizens: Marilou Kundmueller, David Dornan, Ann Evans (Chamber of Commerce)
Mary Lupo, Charles Hamilton, Collin McRann (Sun Advocate).

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

APPROVAL OF MINUTES May 7, 2009

Council Member Armstrong moved to approve the corrected minutes of May 7, 2009. Council Member Ganser seconded the motion. Motion Carried. Ganser, Mascaro and Armstrong voting yes.

WADE WILLIAMS, CITY SANITATION, UPDATE ON DISPOSAL RATES.

Mr. Williams sent up a new fee schedule on the reduction of disposal fees for the council to review. The disposal fee had been reduced in January and a credit will be issued to Helper City for the difference that was paid. Mr. Williams was unable to attend the meeting so Attorney Strate will meet with him on a new contract or addendum.

BEAU STOKER EMERY TELCOM FRANCHISE AGREEMENT.

Mr. Stoker was not present at the meeting. Attorney Strate told the council that none of the cities have signed the agreement to date. The council agreed to wait on signing the agreement.

HELPER ARTS COUNCIL ON RIO THEATER.

Dave Dornan asked if the council had a chance to review the proposal that the Lund's had presented to them last council meeting. The council felt that an agreement for managing the Rio Theater could be negotiated.

Council Member Armstrong moved to enter into negotiation on an operating agreement for the Rio Theater. Council Member Mascaro seconded the motion. Motion Carried. Ganser, Mascaro and Armstrong voting yes.

DISCUSSION AND/OR APPROVAL ON BUSINESS LICENSE FOR FOLDED ARM INC 340 HARDSCRABBLE ROAD.

Council Member Armstrong moved to approve the business license for the Folded Arm Inc 340 Hardscrabble Road. Council Member Ganser seconded the motion. Motion Carried. Ganser, Mascaro and Armstrong voting yes.

OPEN AND POSSIBLE AWARD OF BIDS ON LAWN MOWERS AND BACKHOE.

Mayor Pro-Tempore Mascaro opened bids for the two lawn mowers they are as follows:

Jeff Powell \$150 each

Tom Boyack 156.87 and 211.89 with battery

Charles Hamilton 221.60 with battery

Steve Pierce 321.60 with no battery

Mayor Pro-Tempore Mascaro opened bids for the backhoe bids are as follows:

Merrill Jones \$1050

Jeff Powell \$1500

Layton Foster \$3500

Merrilee Zmerzlikar \$110

Mike Dalpiaz \$2101

Jim Henrie \$4252

John Jones \$4530

Hamilton Auto \$2160.99

John Zmerzlikar 858.90

Ed Chavez \$1250

Bob Gitlin \$4600

Council Member Ganser moved to award the lawn mowers to Charlie Hamilton and Steve Pierce and the backhoe to Bob Gitlin. Council Member Armstrong seconded the motion. Motion Carried. Ganser, Mascaro and Armstrong voting yes.

DISCUSSION AND/OR APPROVAL UTAH POWER PAYMENT AGREEMENT.

Utah Power had recalculated Helper City billing for 2008 because of a defective meter. The billing difference of \$62,130.20 was not charged to the city. Utah Power was willing to let Helper City make payments on the amount at no interest and \$5,000 per month. Council Member Armstrong proposed that the meter may not have been running slow for the whole year and wants a spreadsheet on the charges from the last three years to compare. Council Member Armstrong told the council that the amount may be negotiable. Council agreed to roll this item over until more information can be obtained.

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

Nothing to report

FRANCHISE RIGHTS FOR EMERY TELCOM.

Discussed earlier on the agenda.

APPOINTMENT TO PLANNING AND ZONING BOARD.

Mayor Pro-Tempore Mascaro appointed Dr. Alfonso Trujillo to the Planning and Zoning Board

Council Member Ganser moved to appoint Dr. Alfonso Trujillo to the Planning and Zoning Board. Council Member Armstrong seconded the motion. Motion Carried. Ganser, Mascaro and Armstrong voting yes.

INTERCONNECTION WITH PRICE RIVER WATER IMPROVEMENT DISTRICT.

Nothing to report.

DON JACKSON WATER ISSUE.

Discussion in Executive Session.

PURCHASING POLICY.

This item will be on the next agenda.

RELOCATION OF PUBLIC WORKS.

Council Member Ganser addressed the council with a proposal on a new building for the Public Works. Council Member Ganser told the council that he had an estimate on a metal building 60'x100' in the amount of \$100,000. The new building could be placed at the current location or at the material yard on Wilson and Palmer. The council agreed to continue to look at a new building for the Public Works.

MOTION FOR EXECUTIVE SESSION.

Council Member Armstrong moved to go into an executive session to discuss pending litigation. Council Member Ganser seconded the motion. Motion Carried. Ganser, Mascaro and Armstrong voting yes.

Council Member Ganser moved to go out of executive session. Council Member Armstrong seconded the motion. Motion Carried. Ganser, Mascaro and Armstrong voting yes.

Council Member Armstrong moved to consult a water attorney on Jackson water issue. Council Member Ganser seconded the motion. Motion Carried. Ganser, Mascaro and Armstrong voting yes.

ADJOURNMENT:

There being no further business Council Member Ganser moved to adjourn. Council Member Armstrong seconded the motion. Motion Carried Ganser, Mascaro and Armstrong 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, May 21, 2009.

Kirk Mascaro
Mayor Pro-Tempore

Jona Skerl
City Recorder

Approved on June 4, 2009