

**MINUTES OF THE HELPER CITY COUNCIL MEETING**  
**Thursday, March 4, 2010**  
**6:00 p.m.**  
**Helper Auditorium**  
**Council Chambers**  
**19 South Main**  
**Helper, Utah 84526**

ATTENDANCE:

City Staff

Mayor Dean Armstrong

Council Members:

Kirk Mascaro

Chris Pugliese

Robert Bradley

Gary Harwood (Absent Excused)

Brandon Wise

Deputy Recorder Joan Burgess

Chief Trent Anderson

City Attorney Gene Strate

Public Works Orlando Ochoa (Absent Excused)

Citizens: Michael Overson, Donald Mortensen

The regular meeting of the Helper City Council was called to order by Pro Tempore Kirk Mascaro at 6:00 P.M.

**APPROVAL OF MINUTES February 4, 2010.**

Council Member Wise moved to approve the minutes of February 4, 2010. Council Member Bradley seconded the motion. Motion Carried. Bradley, Mascaro, Wise and Pugliese voting yes.

**DISCUSSION AND/OR APPROVAL ON RESOLUTION 2010-1 NEW CONSTRUCTION, REPAIRING OR REPLACEMENT CURBS, GUTTERS OR SIDEWALKS.**

Attorney Strate told council there were minor corrections made and Mayor Armstrong said it was only in the verbiage. Attorney Strate stated there was an error on the approval date on Resolution 2010-1 and Mayor Armstrong could strike and change from February 4, 2010 to March 4, 2010.

Council Member Mascaro moved to accept as written with corrected approval date change Resolution 2010-1 New Construction, repairing or replacement curbs, gutters or sidewalks. Council Member Wise seconded the motion. The Council roll call vote is as follows: Council Members Bradley, Mascaro, Wise and Pugliese and in favor with no one in opposition Resolution 2010-1 passed by a unanimous roll call vote.

**DISCUSSION AND/OR APPROVAL ON RESOLUTION 2010-2 RENEWAL OF THE ENTERPRISE ZONE.**

Mayor Armstrong said the renewal was a formality comes from a recommendation from DeLynn Fielding. Council Member Pugliese stated the error on the date for approval was February 4, 2010 and should be March 4, 2010.

Council Member Pugliese moved to accept as written with corrected approval date change Resolution 2010-2 renewal of the Enterprise Zone. Council Member Mascaro seconded the motion. The Council roll call vote is as follows: Council Members Bradley, Mascaro, Wise and Pugliese and in favor with no one in opposition Resolution 2010-2 passed by a unanimous roll call vote.

**DISCUSSION AND/OR APPROVAL ON RESOLUTION 2010-3 RENEWAL OF THE RECYCLING MARKET ZONE.**

Mayor Armstrong stated he could not see any reason to reject the resolution. Council Member Mascaro said it was a formality every year to renew the Recycling Market Zone.

Council Member Bradley moved to approve Resolution 2010-3 renewal of the Recycling Market Zone. Council Member Mascaro seconded the motion. The Council roll call vote is as follows: Council Members Bradley, Mascaro, Wise and Pugliese and in favor with no one in opposition Resolution 2010-3 passed by a unanimous roll call vote.

**DISCUSSION AND/OR APPROVAL ON CIVIL WAR CAMP FOR MUSEUM.**

Council Member Mascaro told the council that the war camp was a reenactment and was part of the Lincoln Exhibit function. Council Member Wise stated the item was put on agenda to discuss the overnight camping activities. Council Member Pugliese said his only concern might be complaints of the noise, but this should not be an issue for such a short time. Council Member Mascaro asked if there should be a charge and all agreed there should be no charge. All council members were in support of the Civil War Camp for the museum. Council would like to have an Ordinance on Special Event that would cover this type of activity.

**DISCUSSION ON PERMIT AND FEES FOR FILM PRODUCTION COMPANIES.**

Council Member Bradley asked what type of events would the city charge fees for. There was further discussion on events that would require involvement from public safety or public works and the labor cost involved. The council would like to see a Special Event Ordinance drawn up that would outline what type of events would have fee's attached to them. Attorney Strate had filming permit application examples from other cities on Special Events and said he could draw up an Ordinance for next meeting requested these items to be rolled over to the next agenda.

**DISCUSSION ON OVER NIGHT CAMPING ORDINANCE AND FEES.**

Council Member Pugliese told council that he feels that parking for a night might not require a fee but longer overnight parking charge might be needed. He suggested the Pony League field could be used for a camping facility in the future. Police Chief Anderson suggested that a money drop box for overnight camping might be a good idea. All of the council was in favor of having a fee ordinance for special events held in Helper and item will be rolled over to the next agenda for review of Special Event Ordinance.

**DISCUSSION AND/OR APPROVAL ON APPOINTMENT FOR LESLIE TALLERICO TO THE MUSEUM BOARD.**

Council Member Mascaro told council he made the recommendation for Leslie Tallerico to the Museum Board. Mayor Armstrong said there was a process they can adopt to do things by unanimous consent. Attorney Strate told council that there had been some parliamentary procedure questions before and the city can adopt parliamentary rules. Attorney Strate stated he will draft up an Ordinance and Mayor Armstrong requested it to put on the April agenda for further discussion.

Unanimous consent from council members and Mayor Armstrong made the appointment for Leslie Tallerico to the Museum Board.

**DISCUSSION AND/OR APPROVAL ON WATER CONSERVATION PLAN 2010.**

Mayor Armstrong told council that he has been working with Council Member Harwood and they have been compiling data and the requirements have been updated on the Water Conservation Plan. They have been focusing on the leak management plan and the state will come down and will help with a rate study that will bench mark rates against other communities in Utah. Mayor Armstrong said he will continue to work with Council Member Harwood and the plan will be submitted. This item will be rolled over to next agenda.

**DISCUSSION AND/OR APPROVAL ON EMPLOYEE TIME CLOCKS.**

Council Member Wise told council that he was concerned about employee's time being over accounted for and the possibility of the use of time clocks. Council Member Mascaro said that time clocks were used at the pool because of the large turnover of employees. Donald Mortensen commented that time clocks are a good way to have proof of employee work time. Councilman Bradley relayed a concern from Councilman Harwood about employee after hour call outs and the time it would take to need to go to City Hall first to clock in. Mayor Armstrong stated that a complete review of the Employee Policy Manual needed to be done and the time clock issue could be addressed then. The Council was in agreement that trust is the issue and if there is a problem it should be addressed directly with the employee. No action will be taken at this time.

**DISCUSSION AND/OR APPROVAL FOR HIRING VOLUNTEER FIREMAN.**

Mayor Armstrong told council that Stephen Boyer had resigned from the Fire Department and he was making the recommendation that we advertise the position and would like post the opening at Work Force Service.

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

Mayor Armstrong talked with Tom Boyack and he is interested in talking again, so they are still going to have discussions. Mayor Armstrong talked with Attorney Strate about the appraised value and the past offers. This is a property issue and it will be discussed in a future executive session.

**FRANCHISE RIGHTS FOR EMERY TELCOM.**

Attorney Strate is still working with Jared Anderson, Emery Telecom. A meeting is scheduled first part of next week to give him physical copies of the agreement with the discussed changes. Attorney Strate suggested we roll item over.

**DON JACKSON WATER ISSUE.**

Attorney Strate told council that Judge Hanson gave more time to resolve the case or do a discovery on it. Attorney Strate stated that Steve Kline prepared a surprise water agreement that he sent to Mr. Jackson's attorney and it was sent to Mr. Jackson to review. Attorney Strate said that there will be new attorney to replace Mr. Jube because Mr. Jackson and his attorney feel they need council that specializes in cases like this.

## KEY BANK LEASE.

Attorney Strate made the counter offer to sell the property for \$5,000 instead of renting and the offer to sell had been accepted. . Attorney Strate said there were some questions about easements and he would get the Council and Orlando involved. Attorney Strate will work up the document for the sale because it has been stated that they will accept the offer.

## EXECUTIVE SESSION

Council Member Mascaro moved to go into an executive session on personnel issue. Council Member Pugliese seconded the motion. Motion Carried. Pugliese, Bradley, Mascaro and Wise all voting yes.

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

## REPORTS FROM COUNCIL MEMBERS AND HEADS OF DEPARTMENT

**Chief Trent Anderson** reported to the council that he has applied for a \$7,500 CCJ grant for free money to upgrade equipment. Chief Anderson went to Drug Task Force meeting and this will allow Helper City to have part time man on the force and will solely be comp time at no cost to the city, this allows us a voice and input.

**Council Member Wise** reported that he found dirt for the ball fields and Jeff Cisneros will give us money also, the cost of the dirt will be \$500 for 40 tons. Commissioner Bill Krompel will have Carbon County haul the dirt and he hopes the dirt will be here by the first of April. Frank Ori will add information about the Lincoln Exhibit in the Carbon Recreation flyer.

**Council Member Mascaro** told the council that the fundraiser for the Rio had a good night. The museum had a final inspection and is open for business; grand opening will be during Lincoln Exhibit. Getting bids for painting the floor and walls at the auditorium from general contractors, contractors and people with a handyman license.

**Council Member Bradley** reported that Morgantown may need additional power and there are still issues with numbers for price for upgrade. Had a meeting trying to get a quote from Rocky Mountain Power for upgrade. Waiting to find out who the primary contact person from Morgantown so he can nail down what the actual power needs are.

**Council Member Pugliese** reported that he met with Council Member Harwood, Jason Llewelyn and PRWID on upgrades on our wells and to do volume measurements on our tanks. Looked at 1<sup>st</sup> West sewer line with Gary Harwood to see what it would take to fix water and sewer lines. Planning and Zoning has completed revising the ordinances and it has been sent Meg Ryan for review.

**Mayor Armstrong** reported that Mike Zamantakis will be getting a Wild land grant for boots in the amount of \$3,200. Kathy Hanna Smith with Carbon County Travel Bureau is working hard and involving business owners in the Tourists Oriented Destination Signage (TODDS) which will help with signage issues to get people into Helper. Mayor Armstrong expressed appreciation to those involved in Rural Business Conference booth it was good public image for our community. A meeting held with Mayor Armstrong, Council Member Harwood, Council Member Bradley and Jones Engineering regarding the infrastructure on 1<sup>st</sup> West and they are going to write up a grant proposal. April 10<sup>th</sup> will be the Little League baseball clean up day and this may require help from public works.

There being no further business Council Member Mascaro moved to adjourn. Council Member Wise seconded the motion. Motion Carried Bradley, Mascaro, Wise and Pugliese 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, March 4, 2010.

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Dean Armstrong  
Mayor

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Joan Burgess  
Deputy Recorder

Approved on April 1, 2010