

Minutes of The Price City Council Meeting
City Hall: Price, Utah
January 8, 2003, 5:30 p.m.

Present:

Mayor Joe L. Piccolo

Councilmembers:

Betty P. Wheeler

Stephen L. Denison

Richard Tatton

Elizabeth H. Kourianos

Engineer

Joanne Lessar, City Recorder

Pat Larsen, Finance Director

Gary Sonntag, Public Works Director/City

Keith Wight, Human Resource Director

Nick Tatton, Community Director

Aleck
Shilaos,
Chief of
Police

Don G. Reaveley, Jr.

Excused: Nick Sampinos, City Attorney

Others Present:

Ken Larson

Danny Decker

Stacie

Decker

Lyle Bauer

Mayor Piccolo led the Pledge of Allegiance. Roll was called with the above members in attendance.

1. COUNCILMEMBERS REPORT

The Mayor and Council presented reports on the activities taking place in their individual departments.

2. MINUTES - December 10, 2002 - Special Meeting

MOTION. Councilmember Wheeler moved that the minutes of the December 10, 2002 Special Meeting be approved as written. Motion seconded by Councilmember Kourianos and carried.

3. MINUTES - December 11, 2002

MOTION. Councilmember Tatton moved that the minutes of the December 11, 2002 meeting be approved as written. Motion seconded by Councilmember Denison and carried.

4. NOTRE DAME WINTERFEST - Temporary Special Event Beer Permit Approved

MOTION. Councilmember Denison moved that the Notre Dame Winterfest be given approval for a temporary special event beer permit. Motion seconded by Councilmember Reaveley and carried.

5. MYRLENE PARRY HIDER - Compensation For Moving Headstone In Cemetery Denied

Councilmember Wheeler presented a letter from Myrlene Parry Hider asking the Council to consider paying either the full or half the costs incurred to move her father's headstone to another grave site in the Price City Cemetery. Mrs. Hider paid to have her father's body exhumed and moved to another location. In doing so, cemetery personnel quoted her a fee for the exhumation, which did not include the headstone. Mrs. Hider assumed that this fee included the headstone and was upset that the cemetery personnel did not inform her of this. A monument company charged \$110 to move the headstone. Gary Sonntag, Public Works Director, wrote a letter to Mrs. Hider explaining that the headstone was not the City's responsibility and that they could not pay for these costs.

Councilmember Wheeler felt that this was a misunderstanding and that the City should pay half of the costs, which would be \$55. Mayor Piccolo felt that this was overlooked by both parties, but recommended that the Council stick to the decision made by Mr. Sonntag. Lyle Bauer, Cemetery Sexton, stated that he had been contacted by Mrs. Hider's brother, administrator of their parents' affairs, and he indicated he would be responsible for the costs incurred to move the headstone. The brother has arranged to have the headstone moved back to its original location and will purchase another stone to be placed at the site where the father is now buried. **MOTION.** Councilmember Wheeler moved that Mrs. Hider's request be denied and that the City Attorney be directed to write a letter to Mrs. Hider to that effect. Motion seconded by Councilmember Denison and carried.

6. CARBON COUNTY TRAVEL COUNCIL/NINE MILE SIGN - Request For Funding - Tabled

Councilmember Wheeler requested that \$1,000 be allocated for the Carbon County Travel Council/Nine Mile sign that is located at the west entrance to Price City. The sign advertises Nine

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Mile with information on the bottom of the sign to indicate current activities taking place in Price City. **MOTION.** Councilmember Denison moved that the request be tabled for further review. Motion seconded by Councilmember Wheeler and carried.

7. SEASONAL EMPLOYEES PERSONAL DAYS - Concept Approval

Lyle Bauer reported that a committee had reviewed his idea to provide one personal day off per month for seasonal employees. This would apply to seasonal employees returning after one year of work to be used to cover a holiday, doctors appointment, family emergency, etc. **MOTION.** Councilmember Denison moved that this item receive concept approval and that it be investigated to determine how many employees this would effect and if it would be feasible to provide a set amount of days the first year and possibly more the second year, etc., to encourage them to come back every year. Motion seconded by Councilmember Kourianos and carried.

8. PIGEON REMOVAL - One Proposal Received

Councilmember Reaveley reported that Boot-A-Pest submitted the only proposal for the eradication of the pigeons in the downtown area. **MOTION.** Councilmember Reaveley moved that the committee reconvene to review the proposal and report back to the Council. Motion seconded by Councilmember Denison and carried.

9. CDBG 2001-02, #8C-2001, 300 NORTH PEDESTRIAN SAFETY IMPROVEMENTS - Nelco Contractors, Inc. - Change Order #2, Final Payment

Councilmember Reaveley presented Change Order #2 to the contract with Nelco Contractors, Inc. for the 300 North Pedestrian Safety Improvements. The change order increases the contract #3,416 for additional fencing. Nelco also submitted a request for a final payment in the amount of \$8,411.64. **MOTION.** Councilmember Reaveley moved that the Change Order and final payment be approved. Motion seconded by Councilmember Denison and carried.

10. WATER TRANSMISSION PIPELINE, CONSTRUCTION SERVICES - Hansen, Allen, & Luce, Inc. - Partial Payment

Councilmember Denison presented a request for a partial payment in the amount of \$143,122.12 submitted by Hansen, Allen & Luce, Inc., for their contract on construction services for the Water Transmission Pipeline. **MOTION.** Councilmember Denison moved that the payment be approved. Motion seconded by Councilmember Reaveley and carried.

11. DECKER'S BICYCLES - Removal of Tree (77 East Main) - Denied

Dan Decker, owner of Decker's Bicycles, 77 East Main, requested that the tree located in the front of his business be removed and that it be replaced with a dwarf variety. The tree is so large that it interferes with his sign. He feels it will hamper his business. With the removal of the tree, he could have more parking spaces and a bike rack on the curb. Mr. Decker stated that he would remove the tree, cement the hole, take out the root system, and place another tree further down on the property line, or pay the \$675 for the purchase of additional trees. Councilmember Kourianos stated that the Shade Tree Commission recommends following the ordinance that is in place, which states that it is the responsibility of the requesting party to pay for the removal costs and that the tree be replaced with the same calibre of tree. If the Council feels it should be removed for a given reason, then the ordinance should be followed. It is the Shade Tree Commission's goal to plant even more trees. Lyle Bauer, Shade Tree Commission representative, stated that using the formula that the University of Utah uses, the tree would be valued at a minimum of \$22 per square inch of trunk area at 4 ½ feet high. The value of this particular tree would be over \$1,000. Mr. Bauer stated that the tree does need to be trimmed away from the building and the power lines. He felt that the tree should not be cut down. It has grown for 15 years with hundreds of man hours taking care of it. It would not be equal to buy a \$40 tree and plant it further down the street. Mayor Piccolo questioned if the best solution would be to replant the tree on the corner 11' to the east or if it would cause problems for either the City or Mr. Decker. **MOTION.** Councilmember Denison moved that Mr. Decker be allowed to remove the tree and place it to the east property line. The motion died for lack of a second. **MOTION.** Councilmember Kourianos moved that due to the comprehensive plan of the Shade Tree Commission to plant more trees and per the present ordinance, that the request to remove the tree be denied. Motion seconded by Councilmember Wheeler and carried with the following vote.

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Councilmember Wheeler - Aye
Councilmember Kourianos - Aye
Councilmember Reaveley - Aye

Councilmember Tatton - Naye
Councilmember Denison - Naye

Councilmember Wheeler asked Mr. Bauer to trim the tree and work with Mr. Decker in both the Cities and Mr. Decker's best interests. Mayor Piccolo stated the Council appreciates the downtown businesses. He thanked Mr. Decker for abiding by the law.

12. TERRA SYSTEMS - Ridge Road Property Purchase

Nick Tatton presented a letter from Terra Systems offering to purchase up to 30 acres of City-owned property for \$1,500 per acre. This property is located along Ridge Road in Wellington. In a telephone conversation with the owner, he indicated that he would purchase 10 acres immediately with the option to purchase 20 more. Mr. Tatton recommended that the City maintain the railroad easement. **MOTION.** Councilmember Denison moved that the offer be pursued, including maintenance of the railroad easement, that an earnest money agreement be prepared and reviewed by the City Attorney, and that it be brought back to the Council for discussion. Motion seconded by Councilmember Tatton and carried.

13. DANA YOUNG'S POSITION - New Job Description and Permission To Advertise For Full Time

Keith Wight requested that Dana Young be reclassified from permanent/part time to permanent/full time. She currently is working for the Administration and Police Departments. The Finance Department would like to use her for additional work, which would place her over the limit for part time classification. Due to recent personnel changes, funds are available in the budget. **MOTION.** Councilmember Reaveley moved that the reclassification be approved. Motion seconded by Councilmember Wheeler and carried with the following vote.

Councilmember Wheeler - Aye

Councilmember Denison - Naye

Councilmember Tatton - Aye
Councilmember Kourianos - Aye

Councilmember Kourianos - Aye

This item was revisited later in the meeting. Keith Wight reported that a new job description should have been prepared for this full time position and requested that the above motion be rescinded and that he be given permission to prepare a new job description and advertise for the position. **MOTION.** Councilmember Reaveley moved that the motion be rescinded. Motion seconded by Councilmember Wheeler and carried. **MOTION.** Councilmember Tatton moved that permission be given to prepare a new job description and advertise for the position. Motion seconded by Councilmember Wheeler and carried.

14. PRICE RIVER WATER IMPROVEMENT DISTRICT - Update

Councilmember Denison reported that the Utah Department of Transportation has provided the Price River Water Improvement District with cost estimates to move the water transmission lines to accommodate the Helper Interchange. The District wants to build a new box as part of changing the district lines and also changing out an old transite line to steel. The District's estimate to move the lines was approximately \$800,000. Gary Sonntag stated that he is preparing numbers for engineering and construction work in an effort to enter into an interlocal agreement with UDOT. PRWID and Helper City are doing the same thing. This will expedite the utility relocation which is a key point in advancing the Helper Interchange, which UDOT hopes to initiate soon. Councilmember Denison pointed out that because the District started work along Highway 6 between Price and Wellington, the project was not impacted by the Governors cut list. If the District had not started, it was likely the Governor would have denied funding. As it now stands, the project will be completed.

15. UTILITY DEPARTMENT SCHEDULE - Postpone Starting Date of Four Day/10 Hour Week

MOTION. Due to the questions and concerns that have surfaced since the Council action of the December 11, 2002 meeting pertaining to the Utility Department work schedule, Councilmember Denison moved that the starting date of February 1, 2003 be postponed and the project placed on hold until these concerns can be answered. Motion seconded by Councilmember Tatton and carried.

Councilmember Denison was excused from the meeting at 7:00 p.m.

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16. SMUIN, RICH AND MARSING - Audit Report For Fiscal Year Ending June 30, 2002

Greg Marsing, Smuin, Rich and Marsing, presented the annual audit report for the Fiscal Year beginning July 1, 2001 through June 30, 2002. He reviewed the exhibits in the packet of information pertaining to expenditures and revenues, Fixed Assets, fund balances at the beginning and end of the year, and the Financial Statement. It is the opinion of the auditor that the accounting practices and the financial position of Price Municipal Corporation are in accordance with generally accepted accounting principles. The Mayor and Council thanked Mr. Marsing for his report. Mayor Piccolo complimented the Finance Department on their exceptional work.

17. JIM MARRS AND ASSOCIATES, SHENG MING TZU WANG - Home Occupied Businesses Approved

Councilmember Kourianos reported that the Planning and Zoning Commission reviewed the following requests for home occupied businesses.

Jim Marrs and Associates - 295 South 600 West - Management Consulting, Jim Marrs-Owner
Sheng Ming Tzu Wang - 669 North Windsor Road, Paul W. Gabb-Owner - Martial Arts

MOTION. Councilmember Kourianos moved that the home occupied businesses be approved upon the purchase of a business license. Motion seconded by Councilmember Wheeler and carried.

18. FAMILY DOLLAR STORE - 718 East Main, Sign, Conditional Use Permit

Councilmember Kourianos reported that the Planning and Zoning Commission gave a favorable recommendation to the request of the Family Dollar Store to erect a free standing sign at their business location at 718 East Main contingent upon restriping the traffic lane and protecting the base of the sign pole from vehicles. **MOTION.** Councilmember Kourianos moved that the request be approved per the above contingencies and that a Conditional Use Permit be issued. Motion seconded by Councilmember Wheeler and carried.

19. FLAG DAY SCHEDULE FOR 2003 - Approved

Mayor Piccolo presented the following Flag Day schedule for 2003.

Saturday, January 4th - Statehood Day
Monday, January 20th - Civil Rights Day
Monday, February 17th - President's Day
Monday, March 17th - St. Patrick's

Friday, July 4th - Independence Day
Thursday, July 24th - Pioneer Day
Monday, July 28th - August 2nd - International

Saturday May 27th - Armed Forces Day
Monday, May 26th - Memorial Day
Saturday, June 14th - Flag Day

Days
Monday, September 1st - Labor Day
Monday, October 13th - Columbus Day
Tuesday, November 11th - Veterans

Day

MOTION. Councilmember Tatton moved that the Flag Day schedule be approved. Motion seconded by Councilmember Kourianos and carried.

20. NICK TATTON - Travel Request - Struck

21. ROGER TAYLOR, BRANDON SICILIA, PAUL BEDONT, GREGORY LOWDER, PAULA LEWIS - Travel Approved

Mayor Piccolo presented the following travel requests:

Roger Taylor, Brandon Sicilia - Advanced Taser M-Series Non-Lethal Weapons Training, January 29, St. George, Utah

Paul Bedont, Gregory Lowder - Winter Fire School, January 13 - February 1, St. George, Utah

Paula Lewis - Lt. Governor Olene S. Walkers Literacy Summit, January 9, 10, Sandy, Utah

MOTION. Councilmember Tatton moved that the travel be approved. Motion seconded by Councilmember Wheeler and carried.

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22. STREET/MAINTENANCE DEPARTMENTS - Ratification Of Reinstatement To Original Work Hours

MOTION. Councilmember Reaveley moved that the verbal action of the Council to reinstate the original work hours of the Street and Maintenance Departments be ratified. Motion seconded by Councilmember Tatton and carried.

23. CIB PROJECT LIST - Approved For Submission

Nick Tatton presented a list of proposed Capital Improvement Projects to be processed through the Community Impact Board. These items were selected at the Special Council Meeting held Monday, January 6, 2003. Sam White added an item to the list and Gary Sonntag also presented a list of items to be added. **MOTION.** Councilmember Tatton moved that the base list be approved and submitted to Carbon County for placement on their list. Motion seconded by Councilmember Wheeler and carried. The final list is as follows:

Short Term List

General Plan Development and Land Use Development Code Revision/Update
GPS/GIS Mapping - Utilities Asset Management
Volleyball Court at South Park
Compressed Air Foam Fire Fighting System
Storm Drainage from 400 West to Price River
BLM Building Retro-fitting and Remodeling

Long Term List

Public Works Complex Facilities Repair - Leaky Roof Surface
Price River Water Line Crossing at SR10
Storm Drainage from Cliffview Cemetery to Sagewood Road
Meads Wash Flood Detention Basin
Downtown Substation Upgrades
Automated Utility Meter Reading System
Sewer Capacity and Development
Northeast Price Loop Road
New Water Tank
Downtown Street Lighting
Reconstruction of 300 West Price River Bridge
Pavilions for Parks
Elevator for Library
Water Treatment Plant Upgrade

24. DENNIS CHRISTENSEN - Promotion To Sergeant
KEVIN DROLC, WILLIAM BARNES - Salary Adjustment Approved

Police Chief Aleck Shilaos presented a Sergeants Promotional List. At this time, he would like to promote Dennis Christensen to the position of Sergeant, Grade 16. Chief Shilaos presented the names of four other individuals listed by their ranking that he would like to place on the list for a one year period should another position become available. **MOTION.** Councilmember Tatton moved that the Sergeants Promotional List be approved and that the promotion of Dennis Christensen be approved effective January 12, 2003. Further, that Mr. Christensen receive his annual anniversary increase in March. Motion seconded by Councilmember Reaveley and carried.

Police Chief Shilaos explained that there is a salary problem with the promotion of Mr. Christensen. Due to Mr. Christensen's lengthy background in Police work, he was given an unusually high salary when he was hired 19 years ago. In order to be equitable to the other two sergeants (DroLC, Barnes), who have been in their positions for the past 12 years, Police Shilaos recommended that they be given a \$40/month increase. **MOTION.** Councilmember Tatton moved that the increases be approved effective with the next pay period. Motion seconded by Councilmember Wheeler and carried.

25. BRIAN JUDD - New Hire Approved

Police Chief Shilaos recommended that Brian Judd be hired as a new Police Officer. Mr. Judd is not certified and will need to attend the Police Academy. He will be placed on the City's payroll

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effective February 23, 2003 and will report to the academy the following week. In addition, Mr. Judd will sign a contract guaranteeing that he will stay with the City for a two year period, given the fact that the City will pay for P.O.S.T. training. **MOTION.** Councilmember Tatton moved that the new hire be approved at a Grade 13 and that his probationary status begin the day he returns from the Academy. Motion seconded by Councilmember Wheeler and carried.

26. AIRPORT MALL (RICK KROMPEL) - 123 South Highway 55 - Partial Release of Development Agreement

Gary Sonntag recommended the partial release of the Development Agreement for the Airport Mall (Rick Krompel) in the amount of \$4,546. Ten percent of the total project (\$2,591) will be held for one year. **MOTION.** Councilmember Reaveley moved that the release be approved. Motion seconded by Councilmember Tatton and carried.

27. FUND TRANSFERS APPROVED

Pat Larsen presented the following list of fund transfers and requested that they be approved. **MOTION.** Councilmember Tatton moved that the transfers be approved. Motion seconded by Councilmember Wheeler and carried.

From General Fund to Library Fund - \$179,488.00
From Redevelopment Agency To General Fund - \$12,500.00
From Electric Fund to General Fund - \$1,095,813.00
From General Fund to Swimming Pool Fund - \$211,400.00
From General Fund to Drug Task Force Fund - \$31,625.00
From General Fund to IS Fund - \$21,100.00
From Electric Fund to IS Fund - \$26,250.00
From Water Fund to IS Fund - \$15,550.00
From General Fund to Price Community Center Fund - \$9,500.00
From General Fund to Capital Projects Fund - \$70,000.00

28. DENNIS ROGERS, CHARLES WESTBROOK - Emergency Hires Ratified
PERMISSION TO ADVERTISE FOR PERMANENT STREET DEPARTMENT POSITIONS -
Approved

MOTION. Councilmember Wheeler moved that the verbal action of the Council to hire Dennis Rogers and Charles Westbrook as emergency hires for the Street Department, Laborer I, Grade 2, be ratified. Motion seconded by Councilmember Reaveley and carried.

MOTION. Councilmember Wheeler moved that permission be given to advertise for the two permanent/full time positions for the Streets Department. Motion seconded by Councilmember Reaveley and carried.

29. WATER TRANSMISSION LINE - 2002 Series A Bond Closing

MOTION. Councilmember Tatton moved that the Mayor and City Recorder be authorized to execute the documents for the Water Transmission Line 2002 Series A Bond Closing. Motion seconded by Councilmember Kourianos and carried.

MOTION. Councilmember Tatton moved that the meeting adjourn and that a meeting of the Redevelopment Agency convene. Motion seconded by Councilmember Wheeler and carried.

Meeting adjourned at 8:17 p.m.
Reconvened at 8:20 p.m.

Meeting adjourned at 8:50 p.m.

APPROVED:

ATTEST:

Joe L. Piccolo, Mayor

Joanne Lessar, City Recorder