

Minutes of the Price City Council Meeting  
 City Hall: Price, Utah  
 January 28, 2009 at 5:30 p.m.

Present:

|                      |   |
|----------------------|---|
| Mayor Joe L. Piccolo | Gary Sonntag, Public Works Director     |
| Councilmembers:      | Aleck Shilaos, Police Chief             |
| Rick Davis           | Nick Tatton, Community Director         |
| Jeanne McEvoy        | Laurie Tryon, City Recorder             |
| Kathy Hanna-Smith    | John Daniels, Human Resource Director   |
| Richard Tatton       | Nick Sampinos, City Attorney            |
| Jeff Nielson         | Pat Larsen, Finance Director            |
|                      | Bret Cammans, Customer Service Director |

Excused Absence:

Others Present: Anne Mackiewicz, Dawn Colvard, Kent Jones, Megan Motte, Beau Stoker, Pam Cha, Stephanie Cha, Steve Cha, Boy Scout Troop #281: Henning Olsen, Todd Richardson, Tanner Richardson, Travis Richardson, Zac Hathoway, Kellen Trujillo, Travis Mogensen, Colton Baker and Caleb Nelson

Mayor Piccolo led the Pledge of Allegiance. Roll was called with the above Councilmembers and staff in attendance.

1. PUBLIC COMMENT-

Carbon County Youth Commission representatives, Stephanie Cha and Jennifer Henry requested an update from the City Council concerning the CIB funding for the miniature golf course project that they are currently working on. Nick Tatton stated that the application has been prepared and submitted and is in the review process for the next thirty days. He stated that the results will be probably be ready in June of 2009. Mayor Piccolo stated that anyone can attend the CIB meeting with the Mayor and city officials when the results are revealed in June. Stephanie Cha stated that the youth group is also working on finding service projects for the community that they could do as the Youth Commission. Mayor Piccolo suggested contacting Gary Sonntag in the Price City Public Works Department for a list of projects. Councilmember McEvoy suggested that the group be involved in a recycling program that she is working on and the continued support of working at the International Days concessions in July. Councilmember Hanna-Smith suggested checking with the Price City Wellness Committee in the spring for assistance with the community clean up program.

2. COUNCILMEMBERS REPORT-The Mayor and Councilmembers presented an update on the activities and functions in which they have participated.

3. BID OPENING-PUBLIC WORKS RECONSTRUCTION-ROOF-Project #1C-2009

Public Works Complex reconstruction of the roof at 432 W. 600 S. will be reconstructed with a metal clad paneling (shingle) material and method. Approximately 66,000 square feet of curved roof surface over 4 dome shaped buildings, entry covers and breeze-ways will be constructed. The work will include replacing all of the skylights, resurfacing under the entry covers with stucco and paint coatings and putting in a perimeter drain field. The roof surface will have a color and pattern specified by the City. Only those contractors and bidders with experience in this type of specialized roofing material and application will be considered. The existing landscape around all of the dome buildings will be removed. The project will be funded by the Utah State Permanent Community Impact Board (grant/loan). Project Budget (architectural services, surveying and construction) is \$538,000. A bid was received from Stilson and Sons Construction for \$880,960.00 for the Public Works roof project. Gary Sonntag is concerned with the amount of the bid as it is far above the budgeted amount. He suggested that the City Council reject the bid and authorize staff to bid the project again. **MOTION.** Councilmember Tatton moved for staff to reject the bid received and return the item to bid and to send a letter to Stilson and Sons Construction thanking them for their interest. Motion seconded by Councilmember Hanna-Smith and carried.

4. BOYS AND GIRLS CLUB- Liz Ferguson

Megan Mott described how a Boys and Girls Club works and explained to the Council that a new club will be started in the Price City area for all Carbon County youth in the near future. She stated that a building has been donated for this project from local businessman Tony Basso for a two year period. Ms. Mott stated that the hurdle she is facing is replacing the floor in the donated building which is the old Downard Building on 100 West. She stated that the floor is estimated to cost \$20,000 for materials alone and she hopes to have all of the labor donated from local contractors. She requested some financial assistance from Price City as the club is a non-profit organization. She stated that the club will be open before the next school year depending on funding and volunteers. She explained that the club can receive funding from the school board, personal donations and grants and that it is

affiliated with a national organization with national guidelines. Ms. Mott stated that she is in contact with Delynn Fielding of the CDC and will assist with financial issues until the

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group receives their local non-profit status. Mayor Piccolo suggested using the City's fastpass money as a one time only donation to the club. He stated that the problem that the group may run into is having donations come in to fix a private owners building when the lease is only for two years. The Mayor recommended that Ms. Mott speak to Mr. Basso regarding the lease on the building and return to the City Council with more information about a long term commitment from the owner of the building. Nick Tatton recommended waiving the building permit fee using the EASY program to help with costs for the club. **MOTION.** Councilmember Hanna-Smith moved to have Price City support the Boys and Girls Club with the fastpass money pending an update on the long term lease of the donated building and report back to the City Council and to have the building permit waived for the project. Motion seconded by Councilmember McEvoy and carried.

5. VISIONARY SERVICE LEADER AWARD- Spencer Roundy- Mayor Piccolo requested the item be placed on the next City Council agenda as the Roundy's were unable to accept the award.
6. EMERY TELCOM TV FRANCHISE- Consideration of a Cable TV Franchise Ordinance for Emery Telcom-Strike

#### PLANNING AND ZONING COMMISSION

Nick Tatton reported that the Planning and Zoning Commission gave the following recommendation on an application for a Home Occupied Permit:

7. HOME OCCUPIED PERMITS (HOB)
  - a. JT Rooter- 211 S. 700 E.-Jack Withers, Owner- Business-Office Use Only-Tabled

**MOTION.** Councilmember Tatton moved to accept the recommendations set by the Planning and Zoning Commission. Motion seconded by Councilmember McEvoy and carried.

#### 8. CONDITIONAL USE PERMIT (CUP)

Nick Tatton reported that the Planning and Zoning Commission gave the following recommendations on applications for Conditional Use Permits:

- a. Dr. Ada Van Vloten Medical Office- 7 W. Main- Business and Sign-Final with conditions:
  - a. Containment, removal and disposal of any medical or other wastes generated by the business in accordance with approved medical industry standards finding that properly disposed of medical wastes protect the health, safety and welfare of the community.
  - b. Procurement of a valid Price City building permit for any renovations necessary to the building and completion of all building renovations consistent with building codes
  - c. Notification of the Price City Police Department of any controlled substances maintained at the location finding that public safety department knowledge of products located at medical offices mitigates crime in the community.
  - d. Parking by employees and business owners in the public mid-block lots, maintaining Main Street parking for customers of all businesses finding that improved parking availability in the downtown area promotes economic stability and is consistent with the goals in the Price City General Plan.
  - e. Submission of any business signage to the Price City Planning Department for administrative review against the specifications contained in Chapter 4 of the Code and approval prior to placement finding that properly reviewed business signage promotes improved commercial and business activity and provides an element of sign consistency within the community and is consistent with the goals in the Price City General Plan.
  - f. Completion of a PRWID waste water survey and compliance with recommendations resulting from the completed survey
- b. Boys & Girls Club- 30 S. 100 W.-Ted Allen- Development- Concept Only
- c. JB's Restaurant- Tom Niederhauser-Sign Code Change Request- Info. Only
- d. Bill's Home Furniture- 45 S. 300 E.-Mark Jespersion- Amendment-Final with conditions:
  - a. Notification made to the Price City Fire Chief regarding storage of and location of any flammable inventory within the building finding that fire department knowledge of potentially flammable materials mitigates fire danger in the community and protects the health safety and welfare of the community.
  - b. Notification made to the Price City Police Chief regarding storage and location of guns and knives finding that public safety knowledge of potentially dangerous inventory mitigates potential negative impacts to the

community and promotes the health, safety and welfare of the community.

- c. Compliance with any reasonable recommendations regarding inventory storage offered by the Price City Police Chief and Price City Fire Chief finding that recommended safety improvements protect the health, safety and welfare of the community.

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- d. Maintain all appropriate state or federal licensing relative to firearms and knives as required at all times finding that properly licensed business activities promote improved commercial activity and are consistent with the goals in the Price City General Plan.
- e. La Quinta Motel-720 W. Main- Angelo Kiahtipes and Jack Wright-New Development-Final with conditions:
  - a. Recording of the previously approved land subdivision plat with the Carbon County Recorder within ten (10) days finding that properly prepared, reviewed and recorded land and property records mitigate the potential for misunderstandings related to real property, easements and property dedicated to the public for public infrastructure;
  - b. Completion of a public infrastructure development agreement with Price City Public Works Department and submission of the required financial surety associated with development of the public infrastructure required finding that properly developed public infrastructure provides a long-term return to the community and is consistent with the Code and Price City General Plan;
  - c. Development in compliance with all Code terms and conditions and completed as indicated on the approved final site plan finding that development occurring and complying with the Code mitigates short and long-term financial impact on the community resulting from the development, protects the health, safety and welfare of the community and is consistent with the Price City General Plan;
    - i. Installation of a six foot (6') sight obscuring fence on the north boundary of the development running from Main Street to Gopher Blvd., with the first thirty feet (30') of each end of the fence constructed to a height of three feet (3') finding that aesthetic and sight obscuring fencing at the property line will define the property boundary and separate current and future land uses;
    - ii. Installation of a minimum of five percent (5%) of the site in landscaping finding that the development is located at an entry-way to Price City and landscaping will provide an aesthetic improvement to the entry-way and meet minimum Code requirements;
  - d. Maintenance of the storm water collection system and irrigation ditch by private land owners where on private property finding that long-term maintenance is required on storm water collection systems and irrigation systems to maintain a satisfactory level of service and protect the health, safety and welfare of the community;
  - e. Inclusion of a minimum of three (3) fire hydrants for fire suppression and maintenance of minimum water flow for fire safety with one (1) hydrant to be located within one-hundred feet (100') of the fire sprinkler systems fire department connection finding that compliance with fire code requirements protects the health, safety and welfare of the community;
  - f. Procurement of a valid Price City Building Permit and construction in compliance with Price City building department requirements finding that properly reviewed and approved building plans and construction in accordance with approved building plans protect the health, safety and welfare of the community and is consistent with the Price City General Plan.
  - g. Submission of final development signage to the Price City Planning Department for review and approval consistent with the terms, conditions and authority contained within Chapter 4 of the Code finding that properly reviewed and approved signage promotes improved community commercial and economic activity, maintains consistency in signage throughout the community and is consistent with the goals in the Price City General Plan.
  - f. Newhouse Hotel- 11 W. Main- Ben Logue-Development-Preliminary Only

**MOTION.** Councilmember Davis moved to grant final approval on items a, d, e and f only as recommended by the Planning and Zoning Commission. Motion seconded by Councilmember Hanna-Smith and carried.

CONSENT AGENDA – Councilmember Nielson moved to approve items 9 through 19 with items 20 and 21 removed for discussion. Motion seconded by Councilmember Hanna-Smith and carried.

- 9. MINUTES  
January 14, 2009 City Council Minutes
- 10. BUDGET REVISION- Authorization to Set a Public Hearing for February 11, 2009 for the 2008-2009 Budget

## Revision

11. LIBRARY- Authorization to Approve Van Mayes and Deb Dull as Library Board Members
12. APPOINTMENTS- Authorization to Approve the January 2009-2010 Civic and City Official Appointments
13. POOL- Authorization to Purchase a New Fan for the Wave Generation Room from Wave Tek- Emergency Purchase
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14. FUND TRANSFERS- Authorization for Fund Transfers for the Fiscal Year 2008-2009
 

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|--|-----------|-----------|
| Transfer to General Fund from East Price RDA                   | \$10,000  |           |
| Transfer to General Fund from Water Fund                       | \$50,000  |           |
| Transfer to General Fund from Electric Fund                    |           | \$766,613 |
| Transfer to Swim Pool Fund from General Fund                   | \$224,993 |           |
| Transfer to Drug Task Force Fund from General Fund             | \$48,415  |           |
| Transfer to Capital Projects from General Fund                 | \$123,750 |           |
| Transfer Zap Tax to Capital Improvement Fund from G.F. Zap Tax | \$100,000 |           |
15. MAIN STREET PROGRAM- Authorization for Contracted Services Consistent with Previous Program Operations and Approvals. Services for 2009 Include: Participation and Marketing for St. Patrick's Day and Crazy Days in Conjunction with the Black Diamond Rodeo
16. POLICE POLICY AND PROCEDURE MANUAL- Authorization to Approve a Subscription for a New Police Policy and Procedure Manual with Lexipol, LLC of Aliso Viejo
17. CARBON RODEO CLUB- Authorization for Price City to Contribute \$500 to the Carbon Rodeo Club for the Carbon Rodeo Event on April 17 and 18, 2009
18. TRAVEL REQUEST-
  - Police Chief Aleck Shilaos- Utah Chief of Police Annual Conference-March 23-25, 2009-St. George
  - Officer Brandon Sicilia- Affordable Realistic Tactical Training- February 12-13, 2009- SLC
  - Tamara Gray- Utah Recreation and Parks Association Conference- March 15-18, 2009- St. George
  - Bret Cammans-Workflows and Forms Class- March 10-13, 2009- SLC and SIRE System Admin.-May 12-15, 2009-SLC
  - Robert Bennett-Utah Chapter International Code Council Conference, February 17-19, 2009, St. George

Robert Bennett request permission to attend the annual business and education meeting of the Utah Chapter of the International Code Council on February 17-20, 2009 (travel on Feb. 16) in St. George, Utah. Purpose: business, education, updates and training in building inspection methods and codes. Estimated cost: \$931.52. (budgeted; wife will attend, her expenses not included, paid for separately).
19. PRICE CITY 2008 YEARLY WATER REPORT-Authorization to Accept the Price City 2008 yearly Water Report that has been Prepared and Submitted to the Price River Commissioner Robert Davis. The Report was Completed by the Water Department Staff.
20. WATER DEPARTMENT- JOHN DEERE 410 J BACKHOE-Authorization to Accept A Bid from Scott Machinery Company
 

One bid was received for a John Deer 410 J Backhoe in the amount of \$103, 822 from Scott Machinery Company. The backhoe met specifications and the bid price was affordable within the Water Department budget. Pat Larsen stated that she would like a lease purchase agreement option as the best form of financing for the backhoe. She stated that most of the City's vehicles are purchased through the bank as a vehicle loan. **MOTION**. Councilmember Hanna-Smith moved to approve the purchase and for the accounting department to secure the best leasing option for Price City. Motion seconded by Councilmember Tatton and carried.
21. ELECTRICAL UTILITY SERVICES AGREEMENT- Authorization to Approve the Electrical Utility Services Agreement Between Price City and Rocky Mountain Power
 

Mayor Piccolo asked if the Power Board had reviewed this agreement. Councilmember Davis stated that the Board had not reviewed the agreement. Bret Cammans stated that the agreement had not changed from last year except for the management of the substation and maintenance of items such as street lights. He stated that Nick Tatton, Mayor Piccolo and the City Attorney had all reviewed the agreement. **MOTION**. Councilmember Tatton moved to approve the agreement. Motion seconded by Councilmember Davis and carried.

22. PRWID-Councilmember Tatton reported on the happenings of the last PRWID meeting.
23. COMMUNITY PROGRESS
- Adopt a Street Agreements will only be approved by the Mayor if they are new agreements not extensions.
24. POWER BOARD
- The Building Inspector will be asked to attend the next Power Board meeting regarding efficient energy requirements regarding building permits  
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  - February 24, 2009-10 a.m. Siemens Energy Audit presentation
  - February 24, 2009 next meeting -10 a.m.
25. INTERNATIONAL DAYS
- February 24<sup>th</sup>, 2009-12 noon-next meeting
  - Movie nights may be cut down to one movie per night
  - Feb. 5, 2009- 8 a.m.- Parade float cleanup of storage
26. UNFINISHED BUSINESS:
- a. Committee Review for Street Banners-  
Councilmember Nielson stated that the committee has prepared three entryways for installation with the metal frames and are just waiting for better weather to be able to add signs. This item can be removed from unfinished business. Councilmember Hanna-Smith offered to assist with the next step to send a letter of notification of size limits to the community event leaders.
- b. Curb, Gutter and Sidewalk Improvements on 2<sup>nd</sup> South
- c. Basso Dino-Mine Playground
- d. Animal Control- Cove Basin Park  
Councilmember Nielson stated that the appropriate signs are in place for animal control at Cove Basin Park and the item can be removed from unfinished business.
- e. Demand Side Management Program
- f. New Library Project

City Council meeting adjourned at 7:03 p.m. by Mayor Piccolo pursuant to the motion by Councilmember McEvoy.

APPROVED

ATTEST

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Joe L. Piccolo, Mayor

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Laurie Tryon, City Recorder