

Minutes of The Price City Council Meeting

City Hall: Price, Utah

January 28, 1998, 5:30 p.m.

Present:

Mayor Lou Colosimo

Councilmembers: Roy A. Nikas, Betty P. Wheeler, Joe L. Piccolo, Steve Bringhurst, Stephen L. Denison

Vernon W. Jones (Adminis. Ass't.), Joanne Lessar (City Recorder), Pat Larsen (Finance Director), Nick Sampinos (City Attorney), Gary Sonntag (PW Dir/City Eng.), Aleck Shilaos (Chief of Police)

Others Present: Roy R. Barnett, Richard Oliver, Kent Jones, Kelly A. Jones, Norma Procarione, Kevin Ashby, John Procarione, Deloris Markakis

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

1. KELLY JONES - Crosswalk On 1st North 1st East

Kelly Jones requested that the Council paint a crosswalk at the intersection of 1st North and 4th East. She crosses this area every day and was almost hit by a car. Councilmember Nikas stated that this must have been an oversight, and that he would have City crews take care of it.

2. MINUTES - November 25, 1997

MOTION. Councilmember Piccolo moved that the minutes of the November 25, 1997 meeting be approved as written. Motion seconded by Councilmember Wheeler and carried.

3. MINUTES - December 3, 1997

MOTION. Councilmember Nikas moved that the minutes of the December 3, 1997 meeting be approved as written. Motion seconded by Councilmember Wheeler and carried.

4. NOTRE DAME SCHOOL CARNIVAL - Special Event Temporary Beer Permit

MOTION. Councilmember Wheeler moved that a special event temporary beer permit be issued for the Notre Dame School Carnival to be held March 5th, 6th, and 7th. Motion seconded by Councilmember Bringhurst and carried.

5. SUN ADVOCATE - Ad For Carbon/Emery County Energy Edition

Joanne Lessar presented a draft of the ad prepared by the Sun Advocate for the Carbon/Emery County Energy Edition.

MOTION. Councilmember Nikas moved that the 1/5 page ad be approved as presented. Motion seconded by Councilmember Wheeler and carried.

6. CEU MUSEUM - Memorandum of Understanding, Dinosaur Diamond Partnership - Tabled

Nick Sampinos reported that he has reviewed the documents of the Memorandum of Understanding, Dinosaur Diamond Partnership. This involves a number of cities and towns in southeastern Utah and the western slope of Colorado. It creates the Dinosaur Diamond Prehistoric highway and it involves all the dinosaur museums in these various cities. It will require

a certain amount of involvement by these cities and there will be some funding requests. He recommended that the Council review the documents before they sign and make a commitment. **MOTION.** Councilmember Piccolo moved that this item be tabled until the Council has an opportunity to review the documents. Motion seconded by Councilmember Wheeler and carried.

7. LIBRARY LSTA GRANT - Permission To Submit Grant Application

MOTION. Councilmember Wheeler moved that permission be given to the Library to submit a grant application for an LSTA Grant. Motion seconded by Councilmember Bringhurst and carried.

8. TINA HERNANDEZ - Request For Leave of Absence Denied

Norma Procarione, Librarian, reported that on January 9th, 1998, she received a resignation from Tina Hernandez, Library Program Director. The Council received this information at their meeting held January 13, 1998 and accepted the resignation. On January 15, 1998, Tina asked that the resignation be rescinded and submitted a request for a leave of absence of 8 weeks. Mayor Colosimo asked if Ms. Hernandez was attempting to find another job at another location? Ms. Procarione stated that the request indicated personal reasons. There is no indication that this is for a family leave. The Council felt that the resignation was accepted at the last meeting and that it should remain. **MOTION.** Councilmember Wheeler moved that the request for a leave of absence be denied. Motion seconded by Councilmember Bringhurst.

9. CEMETERY EXHUMATIONS - Rate Change

Councilmember Bringhurst reported that Lyle Bauer, Cemetery Sexton, informed him that the cemetery has several different rates for exhumation. Child unvaulted \$165 and vaulted \$325; adult unvaulted \$300 and vaulted \$500. He would like to change the rates so they are the same for vaulted and unvaulted, which would be \$500 for adults and \$300 for children. **MOTION.** Councilmember Bringhurst moved that the rates be changed as recommended. Motion seconded by Councilmember Wheeler and carried.

10. WASHINGTON PARK PAVILION RENTAL - Rate Change

Councilmember Bringhurst reported that a rate of \$40 is being charged to rent the pavilions at various parks. As the kitchen in the pavilion at Washington Park has a lot more equipment than the others, it is recommended that the fee be increased from \$40 to \$65. **MOTION.** Councilmember Bringhurst moved that the fee to rent the Washington Park pavilion when it involves the kitchen be increased to \$65. Motion seconded by Councilmember Wheeler and carried.

11. UTAH GREEN CONFERENCE - Report

Gary Sonntag reported that several parks and cemetery employees attended a Utah Green Conference, which is an annual conference to instruct individuals to improve their skills in the landscape area. Each of the employees was asked to submit a report on the conference, and they all reported how worthwhile the conference was. Councilmember Bringhurst thanked Mr. Sonntag for allowing the employees to attend and for their reports on the conference.

12. G & S STEINER, TK'S POLISHING, KEINHOLZ STUCCO DESIGNS, R. JOHNSON COMPANY - Home Occupied Businesses Approved

Councilmember Piccolo reported that the Planning and Zoning Commission reviewed the following requests for home occupied businesses and gave a favorable recommendation.

G & S Steiner, 461 East 400 South, Chris Steiner-Owner, Handyman Business

TK's Polishing, 825 North 100 East, Tommy Kee-Owner, Mobile Detailing Service

Keinholz Stucco Designs, 596 Windsor, Donn and Broc Keinholz-Owners, Design Business, Office Use Only

R. Johnson Company, 575 South 100 East, Ronald E. Johnson-Owner, Mechanical Equipment Repair

MOTION. Councilmember Piccolo moved that the businesses be approved upon payment of the business license fee. Motion seconded by Councilmember Nikas and carried.

13. PRICE MEDICAL CLINIC - Conditional Use Permit

Councilmember Piccolo reported that the Planning and Zoning Commission reviewed the request of the Price Medical Clinic to operate an office at 1307 South 100 East and to construct a sign and gave a favorable recommendation.

MOTION. Councilmember Piccolo moved that the business and sign be approved and that a conditional use permit be issued. Motion seconded by Councilmember Bringhurst and carried.

14. O'BRIEN PLUMBING AND HEATING, INC. - Conditional Use Permit, 145 North Carbon Avenue

Councilmember Piccolo reported that the Planning and Zoning Commission reviewed the request of O'Brien Plumbing and Heating, Inc., to operate a sheet metal shop at 145 North Carbon Avenue and gave a favorable recommendation.

MOTION. Councilmember Piccolo moved that the request be approved and that a conditional use permit be issued. Motion seconded by Councilmember Wheeler and carried.

15. O'BRIEN PLUMBING AND HEATING, INC. - Conditional Use Permit, 30 East 200 North #3

Councilmember Piccolo reported that the Planning and Zoning Commission reviewed the request of O'Brien Plumbing and Heating, Inc., to operate an office at 30 East 200 North #3, and gave a favorable recommendation. **MOTION.**

Councilmember Piccolo moved that the request be approved and that a conditional use permit be issued. Motion seconded by Councilmember Nikas and carried.

16. MARKET EXPRESS/BURGER KING/CAR WASH - Final Approval

Councilmember Piccolo reported that the Planning and Zoning Commission reviewed the request of Market Express/Burger King/Car Wash for a final approval to their project, and gave a favorable recommendation with the contingency that one street light be installed on 1st North in the middle between the east and west street light currently in place, and receipt of a Development Improvement Agreement and Letter of Credit. **MOTION.** Councilmember Piccolo moved that the project be given final approval with the above contingencies. Motion seconded by Councilmember Bringhurst and carried.

17. DIVERSITY - Tabled

18. TRAVIS LEAUTAUD - Second Dwelling Approved, 1723 East 500 South

Councilmember Piccolo reported that the Planning and Zoning Commission reviewed the request of Travis Leautaud to construct a second dwelling at 1723 East 500 South, which is an 8 acre parcel owned by his father. Under the Land Development Code, there is a provision that can permit a second home on this piece of property without subdividing. The Commission gave a favorable recommendation to this request. **MOTION.** Councilmember Piccolo moved that the request be approved and that a conditional use permit be issued. Motion seconded by Councilmember Nikas and carried.

19. WEDGEWOOD VILLA - Discussion

Councilmember Piccolo reported that the City contacted Wedgewood Villa regarding the pile of debris that is on the west side of their property line and the 6th West Street. Marvin Mutz, manager of Wedgewood Villa, was at the meeting and stated that in order for people not to have to stop at the stop sign at 2nd South and 6th West, they cut through the parking lot at Wedgewood Villa, go back across the field and into the K'Mart parking lot. The pile of debris (broken cement pieces) was placed in this area so that vehicles cannot drive through there. Mr. Mutz asked for permission to leave this pile of debris there. The Commission directed that this be reviewed and that some recommendations be made.

In addition to the above, Mr. Mutz informed the Commission of the flooding problem that exists from the government building into the back yard of Wedgewood Villa. There is also a problem created by the headlights of BLM vehicles as they leave the parking area in the early morning hours and return at night. Their lights shine into the windows of the apartments.

20. LAND DEVELOPMENT CODE REVISIONS - Approved

Councilmember Piccolo reviewed the six proposed revisions to the Land Development Code as recommended by the Planning and Zoning Commission. These revisions are:

1. Chapter 3, Page 12 - Section 3.6.12.1 - Change minimum number of lots in Phase Development from 25 to 10.
2. Chapter 4, Page 2 - Section 4.5.2 - Delete Utah Department of Transportation from approving signs as this is a City responsibility.
3. Chapter 4, Page 6 - Item C - Add item #5 "or as permitted by CUP" to allow some latitude for larger business signs.
4. Chapter 4, Page 7 - Delete Utah Department of Transportation regarding signs, which is similar to item #2 above.
5. Chapter 5, Page 1 - Section 5.5 - Change Section 5.3 to 5.2.
6. Chapter 13, Page 1 - Section 13.4.1 - Change requirement of lot size from one acre to 3/4 acre.

MOTION. Councilmember Piccolo moved that the changes be accepted and that the Land Development Code be revised as indicated above. Motion seconded by Councilmember Bringhurst and carried.

21. PAUL WHEELER, SAM WHITE - Travel Approved

Mayor Colosimo reported that Paul Wheeler and Sam White have requested permission to attend the Rural Water Association of Utah Annual Conference in St. George, February 23-25, 1998. **MOTION.** Councilmember Bringhurst moved that the travel be approved. Motion seconded by Councilmember Piccolo and carried.

22. PURCHASE OF INCAR CAMCORDERS - Approved

MOTION. Councilmember Bringhurst moved that the Police Department receive permission to purchase 4 incar camcorders and tapes. Motion seconded by Councilmember Wheeler and carried.

23. RESOLUTION #98-01 - Amending Price City Policies and Procedures (Compensation, Section IX; Termination, Section XVII)

Vern Jones presented Resolution #98-01, amending Price City Policies and Procedures (Compensation, Section IX; Termination, Section XVII). **MOTION.** Councilmember Nikas moved that Resolution #98-01 be approved and that the Mayor and City Recorder be authorized to sign the resolution. Motion seconded by Councilmember Piccolo and carried.

24. CARBON FUTURE CONTRACT - Price Community Center

Mr. Jones presented a contract with Carbon Future for rental of office space in the Price Community Center. **MOTION.** Councilmember Nikas moved that the contract be approved and that the Mayor and City Recorder be authorized to execute the document. Motion seconded by Councilmember Piccolo and carried.

25. COMMUNITY DEVELOPMENT BLOCK GRANT - Grant Received

Vern Jones presented a letter from the Southeastern Utah Association of Local Governments informing the Mayor that the City received a grant in the amount of \$81,771.00 from the Community development Block Grant program. This will be used for pedestrian safety on the east side of town in and around the low to moderate income housing.

26. JERRY L. WRIGHT - Introduction of Engineer Assistant

Gary Sonntag introduced Jerry L. Wright, who was recently hired as the Engineer Assistant.

27. WHITE RIVER WATER RIGHT APPLICATION #91-152 (A17936) - Request To Submit Extension Approved

Gary Sonntag reported that the City was notified by the State Engineer that Water Right Application #91-152 on White River has expired. The City is required to show proof of beneficial use in order for this application to remain valid. He requested permission to apply for an extension of this application based on improvements the City has made on it's water system towards the beneficial use of this water application. **MOTION.** Councilmember Piccolo moved that the request be granted. Motion seconded by Councilmember Wheeler and carried.

28. US WEST EASEMENT APPROVED - 300 West and Fairgrounds Road

Gary Sonntag reported that the City has been contacted by DuBray Land Services, Inc., representing US West Communications, with a request for an easement to install telecommunication cable on City property along the north side of the Price River between Carbon Avenue and 300 West. Staff is recommending approval as it does not appear to conflict with any City facilities. **MOTION.** Councilmember Nikas moved that the easement be approved and that the Mayor and City Recorder be authorized to execute the document. Motion seconded by Councilmember Bringhurst and carried.

29. ROAD SURFACE MANAGEMENT SYSTEM - Utah Technology Transfer Center, T2 - Final Payment

MOTION. Councilmember Nikas moved that a final payment in the amount of \$4,500 be paid to Utah Technology Transfer Center, T2, for their services to develop a data base and program with which to more efficiently evaluate the City's paved roads. Motion seconded by Councilmember Piccolo and carried.

30. 500 EAST EMERGENCY SEWER LINE REPLACEMENT - R. L. Krompel Construction - Change Order, Final Payment

Gary Sonntag presented a change order with Krompel Construction for their contract to replace the sewer line on 500 East between Main Street and 100 South. The change order increases the contract \$3,142.95 to reflect a deduction in the amount of gravel used and an increase in the amount of asphalt pavement used. Mr. Krompel also submitted a request for final payment in the amount of \$27,512.95. **MOTION.** Councilmember Piccolo moved that the change order and final payment be approved. Motion seconded by Councilmember Wheeler and carried.

31. CLASS "C" ROAD IMPROVEMENTS AND BULK MATERIALS 1997-87 - Valley Asphalt, Inc. - Change Order, Partial Payment

Gary Sonntag presented a change order with Valley Asphalt for their contract on the Class "C" Road Improvements and Bulk Materials. The change order increases the contract \$319 to the cold mix line item. Valley Asphalt also submitted a request for a partial payment in the amount of \$9,189.75. **MOTION.** Councilmember Nikas moved that the change order and partial payment be approved. Motion seconded by Councilmember Bringhurst and carried.

32. 800 NORTH STORM DRAINAGE PROJECT - Johansen and Tuttle Engineering - Final Payment

MOTION. Councilmember Piccolo moved that a final payment in the amount of \$1,354.75 be paid to Johansen and Tuttle Engineering for their contract on the 800 North Storm Drainage Project. Motion seconded by Councilmember Nikas and carried.

33. FLORENCE SUBDIVISION PLAT 'A' - Partial Release of Escrow Bond Agreement

Gary Sonntag reported that the developers of the Florence Subdivision Plat A have submitted a request for a partial release of funds for work completed to date. The amount eligible for release is \$45,435. He has reviewed this and recommends approval. **MOTION.** Councilmember Nikas moved that the partial release be approved. Motion seconded by Councilmember Bringhurst and carried.

34. NORTHEAST BASEBALL COMPLEX, UPPER PARKING LOT - Permission To Advertise For Bids

MOTION. Councilmember Bringhurst moved that permission be given to advertise for bids for construction of the upper parking lot in the Northeast Baseball Complex. Motion seconded by Councilmember Nikas and carried. Pat Larsen stated that over the years, money has been accumulating in this fund. She suggested that the whole complex be completed as she has a total of \$306,000 in fund balance. Gary stated it was doubtful that the entire complex could be completed, but he will review it.

35. SURPLUS METAL SALVAGE (OLSEN RESERVOIR STORAGE SITE) - Permission To Advertise For Bids

Gary Sonntag reported that City staff has identified items currently being stored at the old Olsen Reservoir site that no longer have any value to the City. This includes miscellaneous scrap metal, water meters, electrical light fixtures, electrical transformers, swamp cooler, floor polisher, sewer tape, bobtail dump truck and Ford flat bed. He requested permission to declare all of these items surplus and to sell these items, by bid, as a complete lot based on a salvage price

per pound and price per KW for the electrical transformers. **MOTION.** Councilmember Bringhurst moved that the request be granted. Motion seconded by Councilmember Wheeler and carried.

36. PRICE RIVER WATER IMPROVEMENT DISTRICT - Sewer At 250 West Fairgrounds Road - Tabled

Gary Sonntag reported that the City recently approved the first phase of the Elk Ridge Subdivision on Fairgrounds Road. The subdivision will be a private planned unit development. However, the City will retain ownership and operation of the sewer and water pipelines. Since the Price River Water Improvement District owns the sewer mains on Fairgrounds Road, it is proposed that the District take over ownership of the new sewer line being installed in the Elk Ridge project.

MOTION. Councilmember Piccolo moved that the proposal be tabled for further review. Motion seconded by Councilmember Nikas and carried.

37. FUND TRANSFERS APPROVED

Pat Larsen requested permission to transfer funds as indicated on the General Work Sheet - Transfer from the Water Fund, Electric Fund, and General Fund to the IS Fund; transfer from the General Fund to Cops Fast Grant; transfer from General Fund to Drug Task Force; transfer from General Fund to Capital Projects Fund; transfer from General Fund to Swimming Pool Fund; transfer from the Electric Fund to the General Fund; transfer from Redevelopment Fund to General Fund, and transfer from the General Fund to the Library Fund. **MOTION.** Councilmember Piccolo moved that the fund transfers be approved. Motion seconded by Councilmember Wheeler and carried.

38. PRICE COMMUNITY CENTER - Permission To Bill Renters For Utilities

Pat Larsen reported that she talked to the auditor about the utilities in the Price Community Center and the various entities that are renting offices in the building. He told her that she should be charging those entities for electric, water, and sewer, and that it should be considered as rental income. The true expenditures of that building are not being shown. She requested permission to start billing those entities for utilities. **MOTION.** Councilmember Wheeler moved that the request be granted. Motion seconded by Councilmember Piccolo and carried.

39. BUDGET REVISION FY1997/98 - Public Hearing Scheduled

MOTION. Councilmember Nikas moved that a public hearing be scheduled for the February 25th meeting to revise the budget for FY1997/98. Motion seconded by Councilmember Denison and carried.

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

Meeting adjourned at 6:40 p.m.

Reconvened at 6:51 p.m.

Meeting adjourned at 7:15 p.m.