

Present:

Mayor Piccolo	John Daniels, Human Resource Director
Councilmembers:	Nick Sampinos, City Attorney
Kathy Hanna-Smith	Lisa Richens, Finance Director
Rick Davis	Aleck Shilaos, Police Chief
Wayne Clausing	Nick Tatton, Community Director
Layne Miller	Gary Sonntag, Public Works Director
Jeanne McEvoy	Laurie Tryon, City Recorder

Excused Absence: Bret Cammans-Customer Service Director

Others Present: Jon Richens, Kevin Drolc, David Wilkinson, Albert Dicaro, Jeff Richens, Debra Dull, Robb Radley, Will Laursen Troop 296, Brandon Sicilia, Russell Seeley, Dalan Weber and Monica Clausing

Mayor Piccolo called the meeting to order at 5:30 p.m. and Will Laursen, Boy Scout Troop 296 led the Pledge of Allegiance. Roll was called with the above Councilmembers and staff in attendance.

1. PUBLIC COMMENT-

Albert Dicaro stated that he owns a home on 200 East that is vacant. He stated that the electricity is on and the water is on during the summer months. He stated that the City charges him for a garbage tipping fee even though the garbage is not used. Mr. Dicaro stated that he does not want to pay the tipping fee and wants the City to change the rules regarding this matter. Mr. Sampinos stated that by policies established several years ago if a citizen had a utility turned on at a residence then they must pay to have a garbage can. He stated that the City has no idea if someone is living in a residence or not and so the rule was set. Mr. Dicaro stated that he would rather turn off the electricity in the home so he doesn't have to pay the tipping fee. Mayor Piccolo asked Mr. Dicaro to give the City 30 days to review the matter and have it placed on the May 9, 2012 meeting agenda so that the City can determine whether a change in policy is in order. Mr. Dicaro agreed to the review. Mayor Piccolo suggested that he pick up a copy of the policy from the City Recorder so that he can also review it.

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

The Family Support & Children's Justice Center of Carbon County requested that the City allow them to place flags and banners in the Peace Gardens for the month of April as it is Child Abuse Prevention Month. Councilmember McEvoy stated that the item did not make the agenda in time for approval and asked that the item be given a head nod approval and ratified at the next meeting so that the center may begin to place the banners in the Peace Gardens. The Mayor and City Councilmembers all agreed to allow the placement of flags and banners in the Peace Gardens for the month of April.

3. EDUCATIONAL SCHOLARSHIP-Community service and career goal presentation and consideration and possible approval of an educational scholarship, Dalan Weber.

Councilmember Clausing stated that Dalan Weber is his son.

Mr. Weber stated that he planned to attend USU Eastern and study engineering. Mayor Piccolo presented Mr. Weber with an educational scholarship for \$500 to be used at USU Eastern towards Mr. Webers education.

4. BOYSCOUT PROJECT- Will Laursen- Update

Will Laursen, Boy Scout Troop 296 stated that the flag project he is working on should be ready by the end of the week. He stated that a dedication will be set for either April 19<sup>th</sup> or 26, 2012 and he will let the Mayor and Council know so that they may attend. He stated that the electrical portion of the project came to \$100 and he asked the City to set aside \$150 to cover the cost of any extra supplies/materials the project may need. **MOTION.** Councilmember Hanna-Smith moved to increase the budget for this project from \$100 to \$150. Motion seconded by Councilmember McEvoy and carried.

5. TENTATIVE BUDGET-Presentation of Fiscal Year 2012-2013 Tentative Budget-Mayor Piccolo.

Mayor Piccolo stated that copies were distributed to the Councilmembers for review and if there are

questions or concerns to contact the Finance Director, Lisa Richens or the Department Heads for answers. He stated that the tentative budget will be adopted at the May 9<sup>th</sup>, 2012 meeting. **MOTION.** Councilmember McEvoy moved to approve the tentative budget. Motion seconded by Councilmember Hanna-Smith and carried.

6. **OUTSIDE WATER USERS AGREEMENT-** Approval of updated agreement to be used when residents living outside Price City boundaries request culinary water service from Price City. Agreement has been reviewed by City staff and City Attorney.

City Engineer, Russell Seeley stated that the Outside Water Users Agreement needed to be updated to meet current standards and practices concerning maintenance and ownership of outside water line users. He stated that this agreement will affect future outside water users and provides for recordation at the Carbon County Recorders Office. **MOTION.** Councilmember Hanna-Smith moved to approve the changes and updates to the Outside Water Users Agreement. Motion seconded by Councilmember Davis and carried.

7. **OUTSIDE WATER USER REQUEST-**Approval for an outside water connection requested by John Richens for his property development located approximately 2000 feet northwest of the City's limits on the easterly side of Wood Hill Drive.

Mr. Richens has proposed installing a water pipeline to City standards, approximately 2,000 feet of 8 inch water main, fire hydrant and service lateral as part of the connection. The water main, fire hydrant and service lateral in a public right of way will be turned over and owned by the City once installation is complete. An agreement or easement from the County allowing the City to operate and maintain the pipeline in the public right of way is needed. City staff recommends that this pipeline and necessary appurtenances installed be considered comparable to a regular development in the City, with a required guarantee on the pipeline improvements utilizing a development agreement with sufficient surety to support the guarantee. Mr. Richens asked whether the City would reimburse some of the costs if other people move into the area and want to add onto his water connection. Gary Sonntag stated that there has never been an agreement of that type with an outside water connection and once the water line is completed it would be deeded over to the City which would then be maintained by the City so reimbursement would not work in this case. Mayor Piccolo stated that he understands Mr. Richens point and would like time to review the request and communicate with Mr. Richens at a later date after City staff has had time to find a fair and equitable answer for both parties. He stated that the request is separate from the agenda item tonight and the City does not want to delay Mr. Richens plans. Mayor Piccolo stated that a fee needs to be set or a share of reservoir water needs to be provided in lieu of the fee. **MOTION.** Councilmember Hanna-Smith moved to approve the request and set the outside water user fee at \$1600.00. Motion seconded by Councilmember Davis and carried.

**PLANNING AND ZONING COMMISSION-**Nick Tatton reported that the Planning and Zoning Commission gave the following recommendations on the applications for Conditional Use Permits:

8. **Conditional Use Permit**

**Smoke & Spice BBQ Company- 396 S. Carbon Avenue- Final with conditions:**

- a. Establishment of the business in accordance with all necessary and required business licenses, permits, building plans, building permits and approved Code compliance recommendations from the Price City Building Inspector and Price City Fire Chief, including kitchen, cooking, food preparation, dining, drinking establishment, entertainment land use elements finding that existing building renovations for restaurant land uses best protect the health, safety and welfare of the community based upon proper renovation and inspection;
- b. Handling of all storm water runoff as directed by the Price City Engineer finding that control of storm water runoff protects property and life safety;
- c. Registration of the business with the State of Utah and the Southeastern Utah District Health Department, as required, finding that properly registered and licensed businesses promote a healthy business climate and protect the interest of the public;
- d. Lighting at site to illuminate the business and parking lot only and be installed and adjusted to mitigate light transference to neighboring residential uses finding that limiting light transference to neighboring residential land uses mitigates potential conflicts;
- e. Fencing at site to remain as installed finding that existing site fencing provides a separation of land uses and mitigates neighboring land uses from negatively impacting one-another;
- f. Placement of rubbish and garbage dumpster in a gated and enclosed location; situated and serviced such that no smells or blowing debris/rubbish from the dumpster emanate to or impact surrounding properties finding that control of smells and debris mitigate possible negative impact on surrounding property owners;

- g. Connection of all utilities in a manner approved by the Price City Building Inspector, including compliance with all Price City and Price River Water Improvement District (PRWID) and Southeastern Utah District Health Department waste water protection requirements, such as installation of grease traps and sampling manholes, if and as required, finding that properly maintained and protected waste water systems protect the health, safety and welfare of the community and mitigate negative impact to the public sewer system;
  - i. No additional food service to be permitted at the location that may have an impact on the waste water collection system finding that upgrades to the sewer system and grease-traps may be necessary;
  - ii. Installation of an "under sink" type grease trap/interceptor, reviewed and inspected by the Price City Sewer Department and the Price River Water Improvement District (PRWID), if and as required, (applicant to provide evidence of inspection by both entities prior to occupancy) to provide protection of the Price City sewer system finding that protection of the public infrastructure mitigates sizable preventable sewer system maintenance problems in the future;
  - iii. Daily maintenance of the grease interceptor located within the building by Smoke & Spice BBQ Company staff, verifiable by a daily maintenance log and inspectable at any time by Price City or the Price River Water Improvement District (PRWID), or installation of a grease trap and sampling manhole, finding that protection of the waste water system is a primary objective of Price City;
- h. Outdoor cooking and food preparation area maintained in a secure manner to avoid accident or injury to customers, neighborhood children and in compliance with all food safety requirements finding that safety is a primary community concern;
- i. No on street parking by employees, owners of the business and all customer parking to be maintained off street and signed and striped to prevent parking confusion and property damage finding that prevention of parking conflicts is a primary concern of Price City in C-1 zoning districts;
- j. Parking in the parking lot limited to twenty-eight (28) spaces thereby limiting occupancy in the building to ninety-nine (99) occupants finding that parking in excess of twenty-eight (28) and building potential occupancy in excess of ninety-nine (99) occupants may negatively impact public health, safety and welfare as it relates to building and fire safety;
- k. Business signage, both temporary and permanent, to be reviewed and approved by the Price City Planning Department prior to installation and installed under inspection by the Price City Building Inspector finding that signage compliant with the Code promotes increased commercial activity;
- l. Site landscaping to be maintained in a manner meeting or exceeding the 5% minimum landscaping requirement required by the Code finding that the location is situated on a primary roadway and entry roadway within the community;
- m. No conditions at the property or structures that place the property or structures in violation of the Price City Property Maintenance Code finding the properly maintained property and structures protect property values and promote improved commercial activity;

**MOTION.** Councilmember Miller moved to accept the recommendations from the Planning and Zoning Commission and to approve item 8 with listed conditions. Motion seconded by Councilmember Clausing and carried.

CONSENT AGENDA-Councilmember Hanna-Smith moved to approve the Consent Agenda items 9 through 19 with item 20 removed for discussion. Motion seconded by Councilmember Davis and carried.

9. MINUTES

a. March 28, 2012

10. RESOLUTION 2012-04-Authorizing use of tipping/disposal fee savings to enhance recycling and conservation efforts within Price City.

11. INTERNATIONAL DAYS AGREEMENT- Authorization to approve an agreement for the International Days Celebration Audio/Visual Services

12. ELECTRONIC DISPOSAL- Authorization to participate in the E-Waste Collection Day on April 21, 2012 and dispose of old computers and other electronics that are no longer in working condition in all departments.

13. EMPLOYEE PROMOTION-Promote David Wilkinson to Police Officer II in accordance with career ladder guidelines. Ref Memo to Council dated April 4, 2012.

14. PUBLIC WORKS WEEK- Proclamation-May 20-26, 2012. The theme for this year is "Public Works: Creating a Lasting Impression". It is proposed that this week be proclaimed, "Price City Public Works Week 2012".

15. APPRECIATION EVENT-Bob Bennett, Price City Building Inspector, is a Utah Energy Code Ambassador. The Ambassadors have been selected to receive the Utah Building Energy Efficiency

Strategies Energy Champion Award, in appreciation for advancing energy efficiency solutions in Utah. The event will be on April 11, 2012, the event is free, at the State Capitol, in the company of Lt. Governor Bell.

16. ORDINANCE 2012-003- FLOOD HAZARD MITIGATION 2012-Adoption of revised flood plain ordinance. FEMA has recently updated the Flood Insurance Rate Maps for Carbon County. In order to remain in compliance with FEMA, they requested that the City pass an updated Flood Plain Ordinance. The proposed ordinance has been approved by City staff, the City Attorney, the Utah State Floodplain Administrator, and FEMA. The new maps will take effect May 2, 2012.
17. PRICE RIVER TRAIL-Carbon Avenue Parking Lot-Bids were opened April 3, 2012. The results were checked and reviewed with a subsequent recommendation for approval to award Bid Schedules 1 and 3 to Nelco Contractors, Inc. for \$141,647.95 to build the parking lot and lights at 25 West 600 South along the Price River Trail. Bid Schedule 2 will not be awarded. City staff has applied to UDOT for assistance ('Pedestrian Safe Sidewalk' program) installing sidewalk along Carbon Ave. Project costs are within budget (ZAP).
18. PRICE CITY ANNUAL EMPLOYEE PICNIC 2012---Hosted by Public Works Department & Employees: Tuesday, afternoon, July 17, 2012, Activities. BBQ Dinner.
19. TRAVEL REQUEST-  
Officer Judd- POST Instructor Development-April 22-26, 2012- Hurricane, Ut.  
Officer Judd- POST Patrol Rifle Instructor-May 6-11, 2012- Hurricane, Ut.  
Officer Sicilia and Officer Regruto-Domestic Violence Conference-May 15-17, 2012- Midway, Ut.  
Officer Walker- Simunition Training- May 1-3, 2012- SLC, Ut.  
Officer Hyde-Basic Physical Defense- May 2-4, 2012- Provo, Ut.  
Laurie Tryon- UofU UMCA Training Institute- Aug. 1-3, 2012-Sandy, Ut.  
Lisa Richens-Utah State Auditor's Office Annual Government Auditing Update, May 3, and UACPA State & Local Government Conference, May 4, SLC, Ut.  
Bob Bennett-UIAEI Utah Chapter of International Association of Electrical Inspectors. May 6-9, 2012, Wendover, Nev. Training & Code Update. Est. \$539.29, budget.
20. EMPLOYEE PROMOTION-Promote Kevin Drolc to fill the Police Chief position created by the retirement of Aleck Shilaos. Reference Memorandum dated April 3, 2012 and associated form: Recommendation for Non-Competitive Promotion.  
Mayor Piccolo stated that Chief Shilaos is retiring on May 31, 2012 and it has been an honor to have him on the Price City Police Department for so many years. He stated that everyone will truly miss him and wish him a great retirement. He recommended that on June 1, 2012, Captain Kevin Drolc take over the position of Police Chief with a swearing in ceremony with family and friends at 12 noon. **MOTION**. Councilmember Hanna-Smith moved to accept the Mayors appointment of Captain Kevin Drolc to Police Chief. Motion seconded by Councilmember Miller and carried. Captain Drolc thanked everyone for their support of his promotion. He stated that Chief Shilaos has done a great job and he will try to follow in his footsteps and continue with the job Chief Shilaos has done during his tenure as Police Chief.
21. WATER RESOURCES-Update by Gary Sonntag
  - River Commission reports an increased water flow from the reservoir to the river from irrigation demands.
  - Price Wellington Canal is filled with water.
  - Weather is warming up and sprinklers are felt to meet demand.
22. COMMUNITY PROG.-CULTURE CONNECTION-Update by Councilmember Hanna-Smith
  - Ordering plants for outside of museum, 100 north side, wave pool and veterans memorial
  - Pioneer Park improvements
  - Review with Neil Breinholt-Culture Connection and International Days performance details
23. INTERNATIONAL DAYS
  - Changing from float truck to float trailer- need the go ahead to purchase a trailer-budgeted. **MOTION**. Councilmember Davis moved for the International Day Committee to purchase a float trailer up to \$2,000 to be used in all parades. Motion seconded by Councilmember Clausing and

carried.

- Request burnout contact highway patrol- mayor will follow up
- Theme and Grand Marshall being discussed

24. UNFINISHED BUSINESS

a. Recycling- Update by Councilmember McEvoy

- Plastic, cardboard now can be collected. Putting together a plan to collect cardboard instead of just drop off at airport road facility.
- Bill will go to Green Team for EWaste Day. Price City has donated \$500 towards this project. Inviting City departments to donate old computers etc.

b. Tennis Committee-No report

c. Centennial Committee- Update by Mayor Piccolo

- Time Capsule, Cornerstone for City Hall- a date needs to be set for the Centennial Celebration Finale

The regular City Council meeting adjourned at 6:54 p.m. by Mayor Piccolo pursuant to the motion by Councilmember McEvoy.

APPROVED

ATTEST

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Joe Piccolo, Mayor

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Laurie Tryon, City Recorder