

# Minutes of The Price City Council Meeting

## City Hall: Price, Utah

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May 13, 1998, 5:30 p.m.

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**Present:** Mayor Lou Colosimo

**Councilmembers:** Roy 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 (PWC Dir/City Engineer), Aleck Shilaos (Chief of Police)

**Others Present:** Lyle Bauer, Dylan Bauer, Harold Valdez, Robert Potts, Don Hamilton, Rodney Anderson, Nelda Callor, Melanie Callor, Velora Anderson, Tom Alexander

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

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### 1. LYLE BAUER - Street Improvements

Lyle Bauer requested that a culvert be placed in an irrigation ditch located on 4th West between 2nd and 3rd North. The ditch is deep and hazardous to small children. There is a 4 foot drop off from the ditch to the pavement and with no street light, cars sometimes drive into the ditch. One of the residents fell into the ditch and broke her leg a couple of years ago. The ditch collects water coming from the Westridge Middle School, and when there is a heavy rain, it overflows and sends water and mud onto residents' lawns. In addition, the banks are eroding on both sides. The Council assured Mr. Bauer that this problem would be taken care of.

### 2. NICK KIAHTIPES - Permission To Play Bands In Pioneer Park Approved

Mayor Colosimo reported that Nick Kiahtipes has requested permission to play bands in Pioneer Park on May 16, 1998. **MOTION.** As Mr. Kiahtipes was not available for more information, Councilmember Piccolo moved that the request be denied. Motion seconded by Councilmember Wheeler and carried.

As Nick Kiahtipes later appeared at the meeting, the Council revisited this item. Mr. Kiahtipes indicated that he and a few of his friends just wanted some place to play. He doesn't want to disturb residents and would play whatever time the Council sets. He intends to pay rent on the park. **MOTION.** After further discussion, Councilmember Piccolo withdrew his first motion and moved that the request be granted and that the bands be permitted to play from 4:00 p.m. to 8:00 p.m. Motion seconded by Councilmember Wheeler and carried.

### 3. GRADUATION SPECTACULAR - Contribution Approved

**MOTION.** Councilmember Denison moved that \$500 be contributed towards Graduation Spectacular. Motion seconded by Councilmember Nikas and carried.

### 4. NOTRE DAME REGIONAL SCHOOL - Building Permit Fee Waived Gymnasium

**MOTION.** Councilmember Piccolo moved that the building permit fee be waived for Notre Dame Regional School to reroof their gymnasium. Motion seconded by Councilmember Bringhurst and carried.

### 5. HELPER PROJECTS COMMITTEE - Electric Light Parade

Mayor Colosimo presented a letter from the Helper Projects Committee inviting the City to enter a float in the Electric Light Parade.

#### 6. VELORA AND HAL ANDERSON - Parking Availability

Velora Anderson reported on the availability of parking on her street located on Rose Avenue. She has a 40' front yard with a small driveway and her son who lives next door on the corner also has a 40' front yard. When she has visitors, there is no place to park. Two tickets have been issued to family members, one for parking in front of the driveway and another because the car was partially on the sidewalk. Because of the narrowness of the street, cars parking on either side of the street need to have at least one tire on the sidewalk or there is not enough room for a car to pass in between. Councilmembers Piccolo and Denison as well as Police Chief Shilaos will review this and make a recommendation.

#### 7. ASCEU (COLLEGE OF EASTERN UTAH STUDENTS) - Request To Sponsor Dance On Tennis Courts Approved

Mayor Colosimo presented a letter from Crystal Cox, Activities Vice President of the College of Eastern Utah, requesting permission to sponsor a dance on the tennis courts across from the college on May 29th, from 9:00 p.m. to 12:30 a.m.

**MOTION.** Councilmember Bringhurst moved that the request be approved, and that instead of using the tennis courts, that the students be permitted to use the pavilion, restrooms, and sports court at Washington Park. Further, that a \$25 rental fee be charged and that it be scheduled from 8:30 p.m. until 11:30 p.m. Motion seconded by Councilmember Denison and carried.

#### 8. LOS CRUZES RESTAURANT - Local Consent For On-Premise Beer License

**MOTION.** Councilmember Piccolo moved that local consent be given for an on-premise beer license for Los Cruzes Restaurant. Motion seconded by Councilmember Wheeler and carried.

#### 9. LIBRARY - Small Claims Policy

Councilmember Wheeler presented a new Small Claims Policy prepared by the Price City Library Board and staff. This policy actively pursues the return of delinquent library materials. Mr. Sampinos has reviewed the policy and recommends approval. The Council approved the policy.

#### 10. LIBRARY - Inventory Closing

**MOTION.** Councilmember Denison moved that the library receive permission to close from May 23rd through June 7th for inventory purposes. Motion seconded by Councilmember Bringhurst and carried.

#### 11. LIBRARY - Request To Locate Literacy Department In Price Community Center - Tabled

Norma Procarione, Librarian, requested permission to relocate the Library Literacy Department in the Price Community Center. The department is currently located in the basement of the library and it would be much easier for the elderly if it were located on a main floor. The Council recommended that the request be tabled for further review.

#### 12. SUBSTATION TRANSFORMER - Permission To Submit Order To UP&L - Tabled

Councilmember Nikas recommended that the request to submit an order to Utah Power & Light Co. for a substation transformer be tabled. There is a used and refurbished transformer available in this area which costs considerably less than a new one. UP&L has a specialist who will review the transformer and make a recommendation regarding the options of this transformer.

#### 13. LORLA'S CHILDCARE, RED ROCK CONCRETE - Home Occupied Businesses - Approved

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

Lorla's Childcare, 243 East 200 South, Lorla Fossat-Owner Childcare Services

Red Rock Concrete, 530 North Cottonwood Road, Jody Knowlden-Owner - Concrete Replacement (works under a contractor)

**MOTION.** Councilmember Piccolo moved that the above businesses be approved contingent to state licensing for Lorla's Childcare and the purchase of business licenses for both businesses. Motion seconded by Councilmember Wheeler and carried.

14. SEE WORLD PRESCHOOL, DAVIS PHOTOGRAPHY & GALLERY FRAMING, HORIZON LABORATORIES, KITCHEN SECRETS, THE GOLF SHOP, CUSTOM CLOSET CREATIONS, ELK RIDGE PUD, DAVE COON - Conditional Use Permits

Councilmember Piccolo reported that the Planning and Zoning Commission gave a favorable recommendation to the following requests for Conditional Use Permits with the contingencies indicated.

See World Preschool - 126 East 400 North - Change of Use (Dwelling To Preschool) - Subject to inspection by Fire Chief and Zoning Designation.

Davis Photography & Gallery Framing - 79 West Main - Sign and Store Front Alterations

Horizon Laboratories - 140 East 100 South - Business and Sign Mom's Kitchen Secrets - 90 East 100 South - Business and Sign

The Golf Shop - 19 East Main - Business and Sign

Custom Closet Creations - 375 South Carbon Avenue (BTAC)

Elk Ridge PUD - Amendment of original plans to combine Lots #9 and #10

Dave Coon - 580 South Highway 55 - Change of Use (Store To Dwelling) - Subject to receipt of Letter of Credit and Development Agreement

**MOTION.** Councilmember Piccolo moved that the above requests be approved with the above contingencies and that Conditional Use Permits be issued. Motion seconded by Councilmember Bringhurst and carried.

Gary Sonntag reported that Dave Coon presently owns one parcel of property with two structures at 580 South Highway 55. One of the structures has been the antique business, which he now wants to convert to a residential home. The other structure is a residential home. Mr. Coon has requested that he be allowed to combine driveways for both the existing residence and the one he is converting. After considerable discussion, the Council recommended that a separate ingress and egress be made for the converted dwelling, which was part of the original approval for the antique business.

15. RIVER GAS - Right-of-Way Request (Pinnacle Peak) - Tabled

Nick Sampinos reported that River Gas has requested an expansion of their right-of-way that the City granted at Pinnacle Peak. They are in the process of their ongoing gas well development and in order to connect their wells, they would like to construct a buried pipeline and power line on City property on the north side of the Pinnacle Peak Road along a 30' wide corridor running east and west. Don Hamilton, representing River Gas, stated that plans are to construct the well in July. This will also allow access to several other wells. The Council directed that the item be tabled and that they visit the area and review the request with Mr. Sonntag before a decision is made.

16. ADOPTION OF TENTATIVE BUDGET - FY1997/98

Mayor Colosimo presented a draft of the tentative budget for Fiscal Year 1998/99. Pat Larsen stated that the budget includes a property tax increase for \$200,000 for the library and \$100,000 for the General Fund. Because of the property tax increase, it will be necessary to hold a Public Hearing, but does not require an election. **MOTION.** Councilmember Piccolo moved that the tentative budget be approved. Motion seconded by Councilmember Bringhurst and carried.

17. BOB POTTS - Travel Approved

**MOTION.** Councilmember Piccolo moved that Bob Potts be authorized to attend a Mastering Computer Course in Salt Lake on June 9-12 and June 15-19. Motion seconded by Councilmember Denison and carried.

18. RON TWEED - Resignation

**MOTION.** Councilmember Piccolo moved that the resignation of Ron Tweed effective May 15th be accepted. Motion seconded by Councilmember Nikas and carried.

19. CARL MCCORMICK, TRAVIS BYRGE, NICK SALAZAR, HEATHER WICHMANN -New Hires Approved

Joanne Lessar presented the following new hires:

Carl McCormick, Swimming Pool, Lifeguard, Temp/PT, effective May 18, 1998

Travis Byrge, Parks Dept., Laborer, Temporary/FT, effective May 4, 1998

Nick Salazar, Cemetery Dept., Laborer, Temporary/FT, effective May 4, 1998

Heather Wichmann, Utilities Dept., Meter Reader, Temporary/Full Time, effective May 18, 1998

**MOTION.** Councilmember Piccolo moved that the new hires be approved. Motion seconded by Councilmember Denison and carried.

20. FERMIN GUITERREZ - Transfer Approved

**MOTION.** Councilmember Piccolo moved that Fermin Guterrez be authorized to transfer from the Maintenance Department, Laborer I, to City Hall as a Custodian effective May 18, 1998. Motion seconded by Councilmember Wheeler and carried.

21. CITY HALL CUSTODIANS, MAINTENANCE DEPT. LABORER - Permission To Hire

**MOTION.** Councilmember Piccolo moved that permission be given to hire two permanent/part time Custodians for City Hall and one Laborer I, permanent/full time for the Maintenance Department. Motion seconded by Councilmember Wheeler and carried.

22. DENNIS HAYES - Rehire Approved

**MOTION.** Councilmember Nikas moved that the rehire of Dennis Hayes, Streets Dept. Laborer, temporary/full time be approved. Motion seconded by Councilmember Denison and carried.

23. SWIMMING POOL CLERK - Interview Committee Appointed

**MOTION.** Councilmember Denison moved that a committee comprised of himself, Councilmember Wheeler, Gary Sonntag, Pam Moyes and Joanne Lessar, be appointed to interview applicants for the temporary/part time Swimming Pool Clerk and that they be given the power to act. Motion seconded by Councilmember Bringhurst and carried.

24. FLORENCE SUBDIVISION, PHASE I - Partial Release (#2) Letter of Credit

Gary Sonntag reported that the Florence Subdivision, Phase I, has requested a partial release of their Letter of Credit in the amount of \$10,311 for work completed to date, which is primarily for sidewalk. **MOTION.** Councilmember Piccolo moved that a partial release be approved. Motion seconded by Councilmember Wheeler and carried.

25. CLASS "C" ROAD IMPROVEMENTS AND BULK MATERIALS - Valley Asphalt, Inc. - Change Order, Partial Payment #7

Gary Sonntag presented a partial payment request and change order to the contract with Valley Asphalt for the Class "C" Road Improvements. A change order in the amount of \$380.00 is necessary to adjust the amount of gravel purchased. The

partial payment is also for \$380.00. **MOTION.** Councilmember Bringhurst moved that the change order and partial payment be approved. Motion seconded by Councilmember Denison and carried.

#### 26. CLIFFVIEW CEMETERY AND UNDERPASS PARK - Permission To Select Contractor For Hydro Seeding

Gary Sonntag reported that the Cemetery Department has budgeted to hydroseed a section at the Cliffview Cemetery and the Underpass Park (58,900 Sq. Ft.) They received quotations from three contractors and they all submitted the same price of \$2,945.00. He requested permission to select one of the contractors. **MOTION.** Councilmember Bringhurst moved that Mr. Sonntag and himself be authorized to select the contractor by lot. Motion seconded by Councilmember Wheeler and carried.

#### 27. ADELAIDO HERNANDEZ - Development Agreement

Gary Sonntag presented a development agreement with Adelaido Hernandez for street improvements on a housing project in a pre-existing subdivision (Sterling Subdivision). **MOTION.** Councilmember Denison moved that the development agreement be approved and that the Mayor and City Recorder be authorized to execute the documents. Motion seconded by Councilmember Piccolo and carried.

#### 28. TATTON INSURANCE AGENCY - Annual Insurance Premium Approved

**MOTION.** Councilmember Bringhurst moved that the annual insurance premium in the amount of \$96,799.00 be paid to Tatton Insurance Agency. Motion seconded by Councilmember Nikas and carried.

#### 29. CONTRIBUTIONS - Discussion

The Council discussed using funds generated from the transient room tax for contribution requests. **MOTION.** Councilmember Bringhurst moved that \$7,500 be set aside for civic promotions, that the Transient Room Tax be split 50/50 with 50% going to tourism projects. Motion seconded by Councilmember Nikas and carried.

#### 30. UTAH LOCAL GOVERNMENTS TRUST - Renewal of Contract For Employee Medical/Dental Insurance for 1998/99 - Tabled

#### 31. PRICE RIVER WATER IMPROVEMENT DISTRICT - Interviews Scheduled For Boardmember

Councilmember Denison reported that Price River Water Improvement District will interview six applicants to fill the vacant position of boardmember. The interviews are scheduled for Tuesday, May 19th, beginning at 4:00 p.m.

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

Meeting adjourned at 7:45 p.m.

Reconvened at p.m. 7:57 p.m.

#### 32. EXECUTIVE SESSION - Main Street Sidewalk Renovation

Councilmember Bringhurst moved that the meeting adjourn and that an Executive Session convene for the purpose of discussing the Main Street Sidewalk renovation. Motion seconded by Councilmember Denison and carried.

Meeting adjourned at 7:57 p.m.

**MOTION.** Councilmember Denison moved that the Executive Session adjourn and that the Council Meeting reconvene. Motion seconded by Councilmember Bringhurst and carried.

Meeting reconvened at 8:56 p.m.

**MOTION.** Councilmember Bringhurst moved that the Council Meeting adjourn and that the Redevelopment Agency reconvene. Motion seconded by Councilmember Denison and carried.

Meeting adjourned at 9:00 p.m.

Reconvened at 9:10 p.m.

33. BUDGET SESSION (PERSONNEL) - Struck

Meeting adjourned at 9:42 p.m.