

# Minutes of The Price City Council Meeting

## City Hall: Price, Utah

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July 22, 1998, 5:30 p.m.

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**Present:**

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

Vernon W. Jones (Adminis. Ass't.), Pat Larsen (Finance Director), Nick Sampinos (City Attorney), Aleck Shilaos (Chief of Police)

**Excused:**

**Mayor** Lou Colosimo, Joanne Lessar (City Recorder), Gary Sonntag (PWC Director/City Engineer)

**Others Present:** Kent Boyack, Robert Potts, Kristine Von Elm

The Pledge of Allegiance was recited. Roll was called with the above members in attendance.

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1. MAYOR PROTEMPORE - Roy A. Nikas

**MOTION.** Councilmember Wheeler moved that due to the absence of Mayor Colosimo that Councilmember Roy A. Nikas be appointed Mayor Protempore. Motion seconded by Councilmember Denison and carried.

2. MINUTES - June 24, 1998

**MOTION.** Councilmember Piccolo moved that the minutes of the June 24, 1998 meeting be approved as written. Motion seconded by Councilmember Wheeler and carried.

3. MINUTES - July 8, 1998

The following corrections were made to the minutes of July 8, 1998:

Item #13 - Change Grade 14 to Grade 16 for Robert Potts

Item #5 - Line 21, change street to reflect 300 West to 500 West.

Item #5 - Line 22, after the figure \$40,000, indicate that this amount will be taken out of Class "C" Road funds.

**MOTION.** Upon the above corrections, Councilmember Denison moved that the minutes be approved. Motion seconded by Councilmember Wheeler and carried.

4. UNITED WAY - Extension of Lease For Office Space At Price Community Center Approved

**MOTION.** Councilmember Wheeler moved that the request of United Way to extend their lease for the rental of office space at the Price Community Center be approved under the same terms and conditions as the last lease. Motion seconded by Councilmember Piccolo and carried.

5. ALEX MARKAKIS (UTAH CENTRAL CREDIT UNION) - Sewer Line Claim -Tabled

Mayor Protem Nikas presented information from the City's insurance adjuster indicating that a claim submitted by Alex Markakis regarding a sewer line backup at Utah Central Credit Union had been denied. The insurance adjuster felt the City was not liable for the backup. Mayor Protem Nikas also presented information from Paul Wheeler, Water/Sewer Department Supervisor pertaining to the sewer backup.

**MOTION.** Councilmember Denison moved that the City adhere to the decision made by the insurance adjuster and that Mr. Sampinos issue a letter to Mr. Markakis stating that the City sees no negligence on their part. Motion seconded by Councilmember Piccolo and carried.

This item was revisited at the time Mr. Markakis came to the meeting. Protem Mayor Nikas reviewed with Mr. Markakis, the information presented to them from the insurance adjuster and the Water/Sewer Department Supervisor. Mr. Markakis stated that the sewer line leading from his building to the road was plugged up. Eph Henrie Construction Co., who he hired to dig up the line, discovered plastic bags in the line. Mr. Markakis displayed the bags that were found in the sewer line. The bags were from a lubricant that is used to seal connections on sewer lines. Eph Henrie Construction has billed him \$1,500 and Roto Rooter \$109. Mr. Markakis felt that the insurance company should pay for the costs to unplug the line. Mayor Protem Nikas stated that the claim was turned over to the insurance company so that they could investigate and determine if the City was negligent. The insurance adjuster reported that the City did not do anything wrong and denied the claim. Mr. Markakis stated that he talked to a contractor who did some recent work on that particular sewer line and the contractor denied placing the bags in the sewer line and stated he did not use that type of lubricant contained in the bags. The contractor did state that the City had done some work on those same lines approximately 4 years ago. Mayor Protem Nikas recommended that the item be tabled and asked Mr. Markakis to leave the bags with the City. They will review the bags with the Water/Sewer Dept. Supervisor and ask the insurance adjuster to review the case again. They will report back to Mr. Markakis.

#### 6. PERMISSION TO PURCHASE NEW VOICE MAIL SYSTEM FOR CITY

HALL - Approved

Bob Potts, Information Systems Director, requested permission to purchase a new voice mail system for City Hall and move the old system to the Public Works Complex. An amount of \$11,000 has been budgeted. Tri Tel has quoted \$11,018 for a new system. He introduced Kristine Von Elm from Tri Tel who presented information on the new system.

**MOTION.** Councilmember Bringhurst moved that the new system be purchased. Motion seconded by Councilmember Denison and carried.

#### 7. LONG DISTANCE TELEPHONE CARRIER - Tel America

Bob Potts reported that effective July 30, it will be necessary to report to the Federal Communications System who our instate long distance telephone carrier is. The rate for Tel America, who is our current carrier, is 13 cents a minute. The State has a contract with AT&T for 8 to 9 cents a minute. Bob indicated that out of courtesy, he called Tel America to tell them he might be changing and they reduced the rate by 5 cents a minute. Because of this reduction, he recommended that the City remain with Tel America. **MOTION.** Councilmember Bringhurst moved that the recommendation be approved. Motion seconded by Councilmember Piccolo and carried.

#### 8. RELOCATION OF INFORMATION SYSTEMS OFFICE - Approved

Bob Potts reported that his present office which is also used for the computers and information systems equipment is getting smaller and smaller with the continual addition of new equipment. He requested permission to either remodel or move to a larger location. Two proposed locations would be either the apartment above the City Hall garage where the Alcoholics Anonymous group meets or the old Chamber of Commerce office on the main floor of City Hall. Councilmember Wheeler stated that she reviewed the apartment and felt that this location would be appropriate and that the AA group could move to an office in the Price Community Center.

**MOTION.** Councilmember Wheeler moved that the request be granted, that the communication center be moved to the apartment above City Hall and that space be offered at the Price Community Center for the Alcoholics Anonymous group with a formal lease agreement. Motion seconded by Councilmember Bringhurst and carried.

#### 9. FALSE FIRE ALARM CALLS AT COLLEGE OF EASTERN UTAH - Direction To Send Letter

Fire Chief Kent Boyack reported that the Fire Department has been getting a large amount of false fire alarm calls. The majority of them have come from the College of Eastern Utah. He feels that the problem is the lack of maintenance at the college. He presented information on a study he conducted comparing other areas that start charging for false alarms after a certain number are received. **MOTION.** Councilmember Bringham moved that Mr. Jones be directed to write a letter to the College of Eastern Utah informing them of this situation and suggest that something be done to provide maintenance to correct this problem or the City might consider charging for the false alarms. Further, that as a suggestion, that the college send Ron Anderson for training on this equipment. Motion seconded by Councilmember Wheeler and carried.

#### 10. KERI RAE LANE NEWBY DAYCARE - Home Occupied Business Approved

Councilmember Piccolo reported that the Planning and Zoning Commission gave a favorable recommendation to Keri Rae Lane Newby to operate a daycare business at her home located at 528 South Carbon Avenue. **MOTION.** Councilmember Piccolo moved that the business be approved contingent upon obtaining a State license and payment of the business license fee. Motion seconded by Councilmember Denison and carried.

#### 11. CASTLE VALLEY LANDSCAPING - Home Occupied Business Tabled

Councilmember Piccolo reported that the Planning and Zoning Commission gave a favorable recommendation to Boyd L. and Trisha Anderson to operate Castle Valley Landscaping at their home located at 1481 East 800 North. Approval was given for 12 months only due to some concerns regarding employee parking at the residence. Mr. Anderson plans to move his business out of the neighborhood in less than 12 months. Police Chief Shilaos expressed his concern regarding the activity that occurs at approximately 8:00 a.m. every morning and the safety of pedestrians. There are at least 4 trailers and people running back and forth getting equipment. **MOTION.** Councilmember Piccolo moved that due to the information provided by Police Chief Shilaos, that the home occupied business be tabled until this can be reviewed. Motion seconded by Councilmember Denison and carried.

#### 12. NEW CONCEPTS INTERNATIONAL, MJ'S AUTO APPEARANCE, SILVIA FASSIO, NORTHWEST SIGN COMPANY, BONA SIGNS, ANTHONY BASSO, HERITAGE INTERMOUNTAIN THEATER - Conditional Use Permits

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

New Concepts International, 150 North Carbonville Road, Jim Ballard-Owner - Business and Sign

MJ's Auto Appearance, 375 South Carbon Avenue #133 (BTAC), Michael Jones-Owner - Business

Silvia Fassio, Physical Therapy, 375 South Carbon Avenue #101 (BTAC) - Business

Northwest Sign Company, Signs For Checker Auto (1268 East Main)

Bona Signs, Signs For Market Express (121 North Carbonville Road)

Anthony Basso, 300 East 100 North - One Lot Subdivision

Heritage Intermountain Theater, A-Frame Signs (Temporary Use Permit)

**MOTION.** Councilmember Piccolo moved that the requests be approved, that Conditional Use Permits be issued, and that business licenses be purchased as necessary. Motion seconded by Councilmember Wheeler and carried.

#### 13. JULIE ORI - Travel Request - Homicide Investigator's School, August 3-7, 1998, Provo

Mayor Protem Nikas presented a travel request from Julie Ori to attend a Homicide Investigator's School August 3rd to the 7th in Provo. **MOTION.** Councilmember Piccolo moved that the travel be approved. Motion seconded by Councilmember Denison and carried.

#### 14. MOLLY PENOVICH, LAWRENCE YOUNG - New Hires

Mayor Protem Nikas presented the following new hires:

Molly Penovich, Lawrence Young - City Hall, Maintenance Workers, Permanent/Part Time, effective July 27, 1998.

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

#### 15. SOUTH PRICE ANNEXATION CERTIFICATION - Approved

Vern Jones presented a notice of Certification from Joanne Lessar, City Recorder, indicating that the petition for the South Price Annexation is proper and meets the requirements of the State Code. **MOTION.** Councilmember Piccolo moved that the Certification be accepted and made a part of this minute record and that staff be directed to inform the affected parties as outlined in the State Code and that the notification process begin. Motion seconded by Councilmember Bringhurst and carried.

#### 16. PRICE RIVER WATER IMPROVEMENT DISTRICT - Update On Rate Study

Councilmember Denison reported that at the Price River Water Improvement District meeting held last night, Hansen, Allen and Luce, the agency conducting the water and sewer rate study, presented information pertaining to the study. They indicated what their intentions were and what they will be doing. A committee was set up to meet with the agency 4 times between now and the end of the study so that the committee could give some input at the beginning of each new phase. The committee is requesting that besides himself, that either a City employee, another member of the Council, or a City resident at large be on that committee. It was recommended that Paul Wheeler, Water/Sewer Department Supervisor be appointed to that committee, and if he is unable to serve on the committee, that Sam Wheeler, an employee of the Water/Sewer Dept. be appointed in his place.

#### 17. HARD COSTS - Civic Auditorium, Park Pavilions, Peace Garden

Councilmember Bringhurst reported that the committee assigned to review hard costs for use of the Civic Auditorium, park pavilions, City Hall rooms, and Peace Garden, are recommending the following:

Civic Auditorium - \$25/hour with a 3 hour minimum totaling \$75 and \$25/hour thereafter.

Peace Garden - Flat rate of \$25.

Park Pavilions - Flat rate of \$25.

Washington Park with kitchen included - \$45

Pioneer Park and South Park kitchens included - \$35

City Hall Rooms 106 and 207 - \$25/hour after 8:00 p.m.

Price Community Center Little Theater - \$25/hour after 8:00 p.m.

The Parks Department can not waive rental fees. They would need to approach the City Council for this. One other thing the committee recommended is to request that the Chamber of Commerce, as it applies to major events, be required to pay a \$100 cleaning deposit for use of Washington Park and another \$100 cleaning deposit for Pioneer Park. If the parks are cleaned up after the events, the deposits will be refunded. **MOTION.** Councilmember Bringhurst moved that the committee's recommendation for the above hard costs and deposits be approved and that staff be directed to prepare a resolution to adopt the above rates. Motion seconded by Councilmember and carried.

#### 18. PRICE RIVER SOIL CONSERVATION DISTRICT - Park Rental Fees Waived, Hard Costs Charged

**MOTION.** Councilmember Bringhurst moved that the request of the Price River Soil Conservation District to waive rental fees for use of the Washington Park pavilion and kitchen be waived, but that hard costs in the amount of \$45 be charged. Motion seconded by Councilmember Piccolo and carried.

Meeting adjourned at 7:15 p.m.