

Minutes of the Price City Council Meeting
City Hall: Price, Utah
August 12, 2009 at 5:30 p.m.

Present:

Mayor Joe L. Piccolo	Pat Larsen, Finance Director
Councilmembers:	Aleck Shilaos, Police Chief
Rick Davis	John Daniels, Human Resource Director
Richard Tatton	Laurie Tryon, City Recorder
Kathy Hanna-Smith	Nick Tatton, Community Director
Jeanne McEvoy	Nick Sampinos, City Attorney

Excused Absence: Bret Cammans, Customer Service Director; Gary Sonntag, Public Works Director and City Councilmember, Jeff Nielson

Others Present: Shane Baggs, Lisa Richens, Officer Brandon Sicilia, Officer Bill Barnes, Colin McRann, Heidi Guymon and Beau Stoker

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

1. PUBLIC COMMENT- Richard Tatton
Richard Tatton read a thank you letter from PRWID to Price City Water and Sewer Department employees, thanking them for their assistance when a sewer line that crosses the Price River under Carbon Ave. recently began leaking.
2. COUNCILMEMBERS REPORT- The Mayor and Councilmembers presented an update on the activities and functions in which they have participated.
3. CHIEF'S COMMENDATION- Presented by Police Chief Aleck Shilaos
Chief Aleck Shilaos recognized Price City Attorney, Nick Sampinos for his exceptional, consistent and professional service to all Price City departments.
4. PUBLIC HEARING- Regarding Issuance and Sale of Not More Than (A) \$3,300,000 Aggregate Principal Amount of Water and Sewer Revenue Bonds, Issued in One or More Series of Bonds, (The "Water and Sewer Bonds) and (B) \$350,000 Excise Tax Road Bonds (The "Road Bonds") of Price City, Utah. **MOTION.** Councilmember Tatton moved to open the public hearing at 6:09 p.m. Motion seconded by Councilmember Hanna-Smith and carried. No public comment was received. **MOTION.** Councilmember Tatton moved to close the public hearing at 6:10 p.m. Motion seconded by Councilmember McEvoy and carried.
5. PUBLIC HEARING- To Receive Input on a Possible Financial Donation to the College of Eastern Utah's Automotive Department. **MOTION.** Councilmember Tatton moved to open the public hearing at 6:10 p.m. Motion seconded by Councilmember Hanna-Smith and carried. No public comment was received. Councilmember Hanna-Smith stated that she was not in favor of Price City paying the invoice of \$100 for the use of the Carbon County climbing wall at the College of Eastern Utah Automotive activity that took place in June of 2009. She stated that Mr. Martineau agreed to pay for the climbing wall with the Carbon County Recreation staff. She stated that Price City had already donated many hours of time preparing and serving a meal for the activity along with the donation of a movie screen and movie. Councilmember McEvoy stated that the climbing wall invoice should be worked out by Mr. Martineau with the Carbon County Recreation Department, by Price City. **MOTION.** Councilmember Tatton moved to close the public hearing at 6:21 p.m. Motion seconded by Councilmember McEvoy and carried. **MOTION.** Councilmember Hanna-Smith moved to approve the cost of the movie up to the invoice amount for the CEU Automotive convention. Motion seconded by Councilmember Tatton and carried. **MOTION.** Councilmember Hanna-Smith moved to deny the cost of the climbing wall invoice for the CEU Automotive convention. Motion seconded by Councilmember Davis and carried.
6. MAIN STREET TREE REMOVAL- Gary Grako
Heidi Guymon attended the meeting on behalf of Gary Grako regarding a tree that is in front of the buildings that he owns on Main Street. She stated that the tree blocks the American Car Care Center business sign from customers view, as people are driving from the east side of town which causes Mr. Grako to lose business. She stated that the tree makes a mess on the sidewalk and that the sidewalk

near the tree has been lifted and may be a safety hazard. She stated that Mr. Grako is worried that his competitors are receiving some of his business because of the tree. Ms. Guymon stated that Mr. Grako would like the tree removed. **MOTION.** Councilmember Davis moved for staff and elected officials to review the issue and to place the item on unfinished business. Motion seconded by Councilmember Tatton and carried.

7. **CARBON EMERY TELCOM- Cable TV and IPTV Franchise Agreement**
Beau Stoker of Carbon Emery Telcom asked whether the Mayor and Council had any questions or concerns regarding the proposed Franchise Agreement. As no questions were asked, staff recommended that the Mayor sign the agreement on behalf of Price City. **MOTION.** Councilmember Tatton moved to approve the Franchise Agreement, to authorize the Mayor to initial each page on the duplicate originals and to sign the same along with the City Recorder on behalf of the City and then forward the originals to Carbon Emery Telcom for placement of initials on each page, entry of the authorized agent's signature thereof and to request return of one fully executed original to Price City by Friday, August 14, 2009. Motion seconded by Councilmember Hanna-Smith and carried.
8. **TOURISM LEGISLATION INFORMATION- Councilmember Hanna-Smith**
Councilmember Hanna-Smith stated that she will speak to the Utah State legislative offices regarding more information on the issue of Tourism Legislation and contact the Mayor and Councilmembers as more information is provided.

PLANNING AND ZONING COMMISSION

9. **Conditional Use Permits- Nick Tatton reported that the Planning and Zoning Commission gave the following recommendations on applications for Conditional Use Permits:**
 - a. **Planning Commission Replacement Member- Grady McEvoy and Judy Beacco were recommended by the Planning and Zoning Commission to the Mayor and City Council for final approval.** Councilmember McEvoy stated her relationship to Grady McEvoy and stated that she would refrain from voting. Mayor Piccolo recommended Judy Beacco as the new member of the Planning and Zoning Commission and asked the Council to consider having Grady McEvoy serve as an alternative member on the Commission. The alternate commissioner would be considered an ex-officio member and be compensated for attendance at each training session and meeting. The alternate would automatically be placed in next full time seat on the Planning and Zoning Commission unless there was a conflict at the time. **MOTION.** Councilmember Hanna-Smith moved to accept Judy Beacco on the Planning and Zoning Commission and Grady McEvoy as alternate member. Motion seconded by Councilmember Davis and carried.
Councilmember McEvoy- abstain
 - b. **KUSA-KASL Radio-Tony Basso, Owner-6 E. Main- Business Relocation-Final with conditions:**
 1. No on street parking by owners or employees of the business, all employee and owner parking should be maintained in the public mid-block parking
 2. Procurement of a valid Price City building permit for any building renovations and retrofitting, to include the installation of necessary business hardware and infrastructure, and inspection of all renovations, retrofits, installations by the Price City Building Inspector as may be required finding that properly completed and inspected building renovations protect the health, safety and welfare of the community;
 3. Submission of all business and building signage to the Price City Planning Department with the appropriate review fee prior to installation finding that properly reviewed and approved signage promotes improved commercial activity in the community and is consistent with the goals in the Price City General Plan
 - c. **BEH Communications-Wood Hill Site-Shane Baggs, Owner- New TV Tower-Ratification-Final with conditions:**
 1. Procurement of a valid Price City building permit for erection of the tower finding that properly inspected foundations, guy wires and lighting protect the health, safety and welfare of the community and are consistent with the Price City General Plan;
 2. Perpetual licensing from all regulatory agencies required for placement of antenna, etc. on the erected tower finding that valid licensing protects the health, safety and welfare of the community and is consistent with the goals in the Price City General Plan.
 - d. **Ty's Table Restaurant, LLC- Tony Basso, Owner-Business and Sign-Final with conditions:**
 1. Submission of all business signage, not consistent with a copy change, to the Price City Planning Department for review and possible approval prior to installation finding that properly reviewed and permitted business signage for compliance with the Code promotes improved economic activity within the C-1 zoning district, promotes signage consistency within the community and is consistent with the goals in the Price City General Plan;
 2. Notification of the Price City Police Department regarding open hours and other pertinent business information relative to the sale of alcohol at the business finding that improved understanding of business practices by the Police

- Department improves public safety, promotes the health, safety and welfare of the community and is consistent with the goals within the Price City General Plan;
3. Receipt of a valid Certificate of Occupancy from the Price City Building Department prior to opening of the business to the public finding that properly inspected building renovations protect public safety, promote the health, safety and welfare of the community and is consistent with the goals in the Price City General Plan;
 4. Perpetual maintenance of valid licensure by the State of Utah relative to alcohol licensing and valid local consent relative to alcohol sales finding that proper licensing and permitting protects public safety, promote the health, safety and welfare of the community and is consistent with the goals in the Price City General Plan;
 5. Completion of a PRWID waste water survey and compliance with recommendations stemming from the survey relative to protection of the community waste water collection system, including any recommended installation of grease traps and sampling manholes finding that protection of extensive and expensive public infrastructure is vital to the long term prosperity of the community and is consistent with the goals in the Price City General Plan. Contact Jeff Richens, PRWID Manager, at 637-6350.

e. Pierce Oil- Ellis Pierce, Owner- Ingress and Egress from Price River Drive-Concept Only
MOTION. Councilmember McEvoy moved to approve item 9 b, c and d. Motion seconded by Councilmember Hanna-Smith and carried.

Planning and Zoning Unfinished Business: 180 N. Carbonville Road-Castle Valley Landscaping
 The Planning and Zoning Commission recommended a citation for non-compliance be issued to Castle Valley Landscaping. Mayor Piccolo requested a postponement of the citation until August 20th, 2009 so that he can personally contact the owner and update him on the requirements of a Conditional Use Permit and the recommendation from the Commission. **MOTION.** Councilmember Tatton moved to have a citation issued to Castle Valley Landscaping on August 20, 2009 based on the discussion with Mayor Piccolo and the owner of Castle Valley Landscaping. Motion seconded by Councilmember Hanna-Smith and carried.

CONSENT AGENDA-Councilmember Tatton moved to approve items 10 through 17 with item 11 removed for discussion. Motion seconded by Councilmember Hanna-Smith and carried.

10. MINUTES

- a. July 22, 2009 City Council Meeting
- b. August 7, 2009 City Council Workshop

11. UTAH DEPARTMENT OF HEALTH ANTI-TOBACCO PROGRAM- Authorization to Approve a Program Agreement and Banner with the Utah Department of Health.
 Councilmember McEvoy requested more information on this program and how it would all work within the City. Mayor Piccolo stated that he would like more information before he signed the agreement to place anti-tobacco banners at the City skate park. **MOTION.** Motion by Councilmember McEvoy to approve the program once more information is researched. Motion seconded by Councilmember Hanna-Smith and carried. Council recommended that the \$150.00 incentive payment offered by the program sponsor be paid to the City's Wellness Program for use in the employee cessation smoking program.
12. CLASS C ROADS- Project No.# 10C-2009-Change Order#1- Payment #1 (Final) Authorization for Final Payment of \$132,211.58 to Intermountain Slurry Seal Inc. for the Slurry Work on the Class C Roads. A Change Order for an Increase of \$3,954.20 is Necessary for Added Square Footage.
13. HANSEN, ALLEN & LUCE ENGINEERING- Task Order #230.17.100-Design; Construction Engineering- 2010 Price River 16" Waterline Crossing Replacement-Project# 4S-2009-This project will replace the existing 16" water pipeline that is currently buried in the river bed. An Aerial Crossing will be Constructed. The Estimated Cost for Engineering Services is \$48,700- Budgeted (CIB/City).
14. JONES & DEMILLE ENGINEERING- Addendum #01b-09-Design and Construction Engineering Services for (2009) Culinary Water Transmission Valve Replacement- Project No. 3S-2009- Several of the Water Valves in the Control Vaults are Deteriorating and Need to be Replaced. The Replacement will Include Re-plumbing a Portion of the Vault and Installing Another Improved Type of Control Valve. Engineering Services are Estimated at \$7,968.00- Budgeted- (CIB/City).
15. JONES & DEMILLE ENGINEERING- Addendum #05-09- Design and Construction Engineering Services for (2010) Culinary Water System and Sewer System Improvements- Project #5S-2009-This Project will Include the Replacement of Deteriorating and Undersized Water and Sewer Pipelines. Engineering Services are Estimated at \$70,000 for Design and \$98,000 for Construction Engineering-

Budgeted-(CIB/City).

16. BUSINESS LICENSE- Authorization to Approve a Business License for AJB Financial, LLC. 1355 S. Carbon Ave.
17. TRAVEL REQUEST-
Bret Cammans-Annual Caselle Conference, Las Vegas, October 13-15, 2009
Brandon Sicilia- SWAT Basic Tactical Operator's Course, October 4-10, 2009
Shari Madrid, Nick Tatton, Mayor Piccolo, Richard Tatton, Jeanne McEvoy, Kathy Hanna-Smith, Rick Davis- Utah League of Cities and Towns Conference- September 9-11, 2009- SLC, Utah
Shane Henrie and Kevin Drolc- Utah Narcotics Officer Conference- August 31-Sept. 3, 2009- Mesquite, NV
18. PRWID- Councilmember Tatton reported on the results of the last PRWID Board meeting.
19. COMMUNITY PROGRESS:
 - tree in peace garden
 - culture connection- upcoming concert
20. INTERNATIONAL DAYS:
 - Parade float needs a storage location
21. UNFINISHED BUSINESS
 - a. Curb, Gutter and Sidewalk Improvements on 2nd South
 - b. Basso Dino-Mine Playground
 - c. Demand Side Management Program
 - d. New Library Project
 - e. Siemens Energy Audit Payment
 - f. Recycling-
 - Meetings are on the third Tuesday of the month-City Hall Rm.106 at 2 p.m.
 - g. Auditorium Maintenance
 - h. 400-500 South Rose Ave.-Ditch- Item not resolved- being continually reviewed.

Discussion- The City Council approved a request by Police Chief Shilaosto advertise for a police officer prior to approval to fill a vacant position. This is an exception to established protocol.

City Council meeting adjourned at 7:32 p.m. by Mayor Piccolo pursuant to the motion by Councilmember McEvoy.

APPROVED

ATTEST

Joe L. Piccolo, Mayor

Laurie Tryon, City Recorder