

Present:

Mayor Piccolo	John Daniels, Human Resource Director
Councilmembers:	Bret Cammans, Customer Service Director
Rick Davis	Kevin Drolc, Police Chief
Grady McEvoy	Nick Sampinos, City Attorney
Kathy Hanna-Smith	Nick Tatton, Community Director
Wayne Clausing	Laurie Tryon, City Recorder
Layne Miller	

Excused Absence: Lisa Richens, Finance Director and Gary Sonntag, Public Works Director

Present: Roberta Hardy, Nathaniel Woodward, Scottie Kraync, Ann Evans, Kevin Scannell, Jade Powell, Nisheal Watson, Russell and Kendra Seeley, Zena Robinson, Robert Richens, Nick Mahleres and Carole Wright

Mayor Piccolo called the regular meeting to order at 5:30 p.m. and lead the Pledge of Allegiance. Roll was called with the above Councilmembers and staff in attendance.

1. PUBLIC COMMENT-No public comment was received.
2. COUNCILMEMBERS REPORT-The Councilmembers presented an update on the activities and functions in which they have participated.
3. EDUCATIONAL SCHOLARSHIPS-Consideration and possible approval of educational scholarships for Jade Powell, Scottie Kraync, Nisheal Watson and Nathaniel Woodward to attend USU-Eastern.

The Mayor and City Council awarded the following USU-Eastern students with a scholarship from Price City to assist with their education: Jade Powell, Scottie Kraync, Nisheal Watson and Nathaniel Woodward. Each applicant spoke briefly about their educational goals, community service, attendance at USU and their future degrees they hope to obtain.

**MOTION.** Councilmember Clausing moved to approve an educational scholarship to Jade Powell for \$650, Scottie Kraync for \$650, Nisheal Watson for \$650 and Nathaniel Woodward for \$250. Motion seconded by Councilmember McEvoy and carried.

4. CARBON COUNTY TRAVEL BUREAU, BLM AND PREHISTORIC MUSEUM REQUEST-  
Installation of Kiosk-Mike Leschin, BLM  
At the request of Mike Leschin from BLM, this item was removed from the agenda. **MOTION.** Councilmember Hanna-Smith moved to strike this item from the agenda. Motion seconded by Councilmember Clausing and carried.
5. PINNACLE CANYON ACADEMY-Discussion, consideration and possible approval or denial of a request to remove a deed restriction placed on the property by Price City in 1927 requiring the property to be used for religious or educational purposes.

Roberta Hardy stated that Pinnacle Academy is financing its expansion through the USDA which is not willing to finish the underwriting on the lending and provide the funds because of a deed restriction Price City placed on the property in 1927. She stated that although the school already has two loans with the USDA, they claim that the loans are not secure because of the deed restriction. She stated that this same issue has come up twice before with two separate City Councils and the restriction was left in place. Mayor Piccolo stated that the restriction may donation have been tied to a of the property many years ago and should remain to maintain the integrity of the donor's request. Mrs. Hardy stated that she thought everything had been worked out by the attorneys and then she received the letter from the USDA. Nick Tatton stated that based on a phone call with the USDA and legal counsel perhaps a document could be recorded detailing the intent of the deed restriction and authorizing a reasonable time to complete a sale of the property should foreclosure occur. Mrs. Hardy stated that she did not think anyone other than a church or school would ever be interested in the property because of its layout and the two gymnasiums. The Mayor stated that Nick Sampinos could create such a document to be recorded that could reflect the desire of the City to maintain the

restrictions on the deed and provide a reasonable amount of time to find a suitable replacement that could comply with the educational religious use restriction. Councilmember McEvoy suggested contacting a congressman to move the project along with the USDA. Mrs. Hardy stated that she thinks the deed restriction protects the school and feels like the USDA is making unreasonable demands. She stated that the school is not going anywhere and she doesn't foresee anyone other than an educational organization wanting the property. **MOTION.** Councilmember McEvoy moved to deny the request and to maintain the integrity of the original deed restriction, to instruct the City Attorney to draft a document detailing the intent of the deed restriction and its potential invocation and authorizing time to find a suitable buyer for the property with a maximum of not less than 18 months and up to 60 months and have the Mayor sign the letter on behalf of Price City. Motion seconded by Councilmember Hanna-Smith and carried.

6. **COMMUNITY TENNIS COMMITTEE**-Presentation on a tennis court rebuild project and consideration and possible approval of project participation financially by Price City of up to \$200,000, conditional upon reauthorization of ZAP tax at the Nov. 5, 2013 Election.

Nick Mahleres and Bob Richens presented a tennis court rebuild project on behalf of the Tennis Committee and stated they had just left the Carbon County School District meeting. Mr. Richens stated that he had also visited with the Carbon County Recreation and Transportation Special District (CCRTSSD) last week and had spoken to the USU Eastern staff to see if they would like to participate in the project. He stated that the engineering company of Jones and DeMille had produced estimates to reconstruct the existing tennis courts. He stated that the Carbon School District has requested six courts in order to accommodate regional and state tennis meets which would cost just over \$610,000 which is split three ways would be approximately \$200,000 each. Mr. Richens stated that the project, if approved would begin in 2015 which would allow the three entities to add the item to their budgets. He stated that the group will continue to work toward keeping the costs down. Mr. Richens stated that when he approached USU Eastern he was told that they do not offer tennis classes at this time and were not sure about participating with funding. Councilmember McEvoy stated that he would provide contact information for them to approach the college again for funding as they may be able to block course sections out to accommodate tennis classes for students. Nick Tatton stated that the project would be more cost effective to build all at once instead of a few courts a year and the project would be added to the Capital Impact Project list along with the Wave Pool bubble as both projects need to be done with the Zap Tax funds. City Engineer, Russell Seeley stated that if the deal with the other entities fell through and the City were to build the tennis courts on their own, the cost would remain the same and the courts as they are cannot be used so they need to be replaced. Mr. Richens stated that if the project begins in November of 2014 they will be useable in the fall of 2015. Mayor Piccolo asked that the entire area be reviewed for useable space to make sure we are using the park in the best way for the community. Mr. Seeley stated that some of the fencing and posts can be used and the area will be reviewed for all building possibilities. Councilmember Miller stated that he needs to justify the need for six tennis courts for the community and not just because the School District requested six versus three. He stated that he likes the idea of having tennis available to the community and schools and is comfortable with matching the other entities with \$150,000 but there needs to be money available for the swimming pool bubble as well. Councilmember McEvoy stated that he is comfortable with the six courts because of the other entities partnership which makes it do-able. He stated that the City will probably save money in the end by building six and it's a good public facility and will draw people to the area for tennis meets. Councilmember Davis stated that it is a good use of the Zap tax money as long as we have the funding to finish other projects that need to be done and that Price City will be responsible for the maintenance and operation of the courts when they are complete. Councilmember Hanna-Smith stated that she would like to see the college participate as it will continue to be a good focal point and added activity for students and stated that she will contact Castleview Hospital to see if they would also like to contribute. She asked Mr. Richens to find out how much of a return there will be for the City in regards to tennis meets and how the high school could generate tournaments for the area. **MOTION.** Councilmember McEvoy moved to approve the rebuilds of six tennis courts with a stipulation that the City's participation at \$200,000 will come from the Zap Tax funding and subject to Carbon County Special Service District and Carbon School District participating at the same level and seeking the participation of other donors. Motion seconded by Councilmember Hanna-Smith and carried.

7. **PUBLIC HEARING**-To receive input regarding the possible charitable contribution of the proceeds from the International Days Golf Tournament.  
Nick Tatton stated the event was successful and the United Way and Boys and Girls Club both

assisted with the event. **MOTION.** Councilmember Davis moved to open the public hearing at 6:32 p.m. Motion seconded by Councilmember Hanna-Smith and carried. No public input was received. Nick Tatton stated that \$500 would be given to each entity. **MOTION.** Councilmember Hanna-Smith moved to close the public hearing at 6:35 p.m. Motion seconded by Councilmember McEvoy and carried.

8. CHARITABLE CONTRIBUTION OF GOLF TOURNAMENT PROCEEDS-Consideration and possible approval of the charitable contribution of the International Days Golf Tournament proceeds to local charitable organizations.  
Councilmember Clausing disclosed that he serves on the United Way board but that he would not see a personal gain from any proposed contribution. Councilmember Clausing stated that it is so good to see the money disbursed to groups that worked so hard at the event. **MOTION.** Councilmember Hanna-Smith moved to approve a contribution of the golf tournament proceeds to the United Way and the Boys and Girls Club in the amount of \$500 each. Motion seconded by Councilmember Clausing and carried.
9. RESOLUTION 2013-22-Consideration and possible approval of Resolution 2013-22 adopting the Price Municipal Corporation Equal Employment Opportunity Plan 2013-2015.  
The Mayor and Council thanked John Daniels, Human Resource Director for his dedication and hard work on this resolution as it is not something that is currently required but displays the pro-active position of the City. **MOTION.** Councilmember Hanna-Smith moved to approve Resolution 2013-22. Motion seconded by Councilmember McEvoy and carried.
10. JONES & DEMILLE ENGINEERING-Addendum #01-13-Research Drive Road Construction Phase II (8C-2012)-Work includes: Construction Staking, Materials Testing, and General Construction Management. The estimated cost for engineering services is \$48,500-Budgeted (CIB/City).  
  
Russell Seeley, City Engineer described the Research Drive Road project which is the gravel road that extends from Homestead Boulevard to Airport Road. He stated the City received a Community Impact Board (CIB) Grant for 1.1 million dollars for paving, design work by Atlas Engineering, surveying and soil testing. He stated that the project is out for bid and will be presented to the City Council as a bid is chosen. He stated that the project should be done by the end of October, that the curb and gutter have been installed about 200' in from Cedar Hills Drive, that the water and sewer lines would be installed outside of the asphalt and that he would have to ask the CIB whether the grant would allow the extra money to finish the water and sewer lines. Due to stipulations in the grant, that may not be possible. **MOTION.** Councilmember Hanna-Smith moved to approve the Research Drive Road addendum #01-13. Motion seconded by Councilmember Miller and carried.  
  
CONSENT AGENDA-Councilmember Hanna-Smith moved to approve the consent agenda items 11 through 17 with item 18 removed for discussion. Motion seconded by Councilmember Miller and carried.
11. MINUTES
  - a. July 23, 2013 City Council Meeting
12. ELECTRIC UTILITY SERVICES AGREEMENT-Consideration and possible approval of an electric utility services agreement between Rocky Mountain Power and Price City.
13. LOCAL CONSENT BEER PERMIT- Authorization to approve a Single Event Permit for the Notre Dame Church Oktoberfest on October 4-5, 2013 at 185 N. Carbon Ave.
14. UDOT COOPERATIVE AGREEMENT- (with local agency) SR55(100 north); 200 west, south side, road improvements: curb & gutter from the end of the bridge abutment to the corner of 200 West, estimated value of work \$19,000, payment to the City for completed work.
15. PRICE RIVER TRAIL OUTDOOR EXERCISE EQUIPMENT STATION PROJECT-Consideration and possible final approval and funding authorization of the project in the amount of \$37,000 (\$12,000 grant and \$25,000 ZAP Tax).
16. FIRE DEPARTMENT- Authorization to hire two firefighters to fill the two vacant positions.

17. TRAVEL REQUEST:  
Russell Seeley-Utah Chapter American Public Works Association Fall Conference, Sandy, Utah.  
October 1-2, 2013  
Officer Vose and Captain Barnes-Utah Narcotics Officer's Annual Conference-Mesquite, Nev.-Sept.  
9-12, 2013

18. POLICE DEPARTMENT- Authorization to promote Officer Robb Radley to the rank of Sergeant.

Councilmember Clausing asked Chief Drolc to explain the reason behind the promotion of Officer Radley. Chief Drolc stated that the department has been very busy and with one detective, follow up work just isn't getting done as quickly as it needs to. He stated that in an effort to fix the problem he had to reorganize the department and a sergeant is needed to help supervise so that information is exchanged appropriately. He stated that the promotion is in this year's budget and will only affect the budget by approximately \$1400 this year. Councilmember Clausing stated that he would have liked to see this promotion follow the City's open hiring policy with preliminary meetings and selections so that it was open and fair to everyone. John Daniels stated that Councilmember Clausing had some valid points but that Chief Drolc and he had worked diligently through the process with lengthy discussions with other candidates during the promotion of Captain Barnes during this year and there was not any opposition. Chief Drolc stated that he did not think they went off track with the process and used the roster of qualified applicants from the Captain Barnes promotion and stated that he believes it was a straight forward, non-competitive promotion. Councilmember McEvoy stated that he would like to see a policy that has guidelines on open rosters so that it is defined and doesn't happen again in order to maintain integrity of the open hiring process. **MOTION.** Councilmember Clausing moved to approve the promotion of Officer Radley to Sergeant. Motion seconded by Councilmember Miller and carried.

19. WATER RESOURCES-Update by Russell Seeley

- Scofield Reservoir is at 22,339 acre feet or approx. 34% of capacity
- Water Treatment Plant is running at 1400 gpm plus 300 gpm from PRWID
- Plant was shut down for a few hours temporarily due to a muddy river, PRWID received 200 gpm of spring water during this time and normal production is expected to resume.
- Spring is flowing at 1690 gpm (year ago it was at 1622 gpm) and appears to be picking up which is historically observed at this time of year.
- Algae is starting to spike and being dealt with through treatment, filter is running now at about every 18 hours.

20. INTERNATIONAL DAYS

- Councilmember Clausing recommended appropriating more funds to work with for next years events in order to accommodate the costs associated with International Days.

**MOTION.** Councilmember Davis moved to appoint Councilmember Miller as the 2014 International Days Chairperson and for Councilmember Clausing to serve as the 2014 Golf Tournament subcommittee chairperson and to set dates for International Days as July 24-26, 2014. Motion seconded by McEvoy and carried.

21. UNFINISHED BUSINESS

- a. Recycling- Update by Councilmember McEvoy

- The Green Team is currently working on new recycling venture in the local schools with a pilot program at Creekview Elementary.

Two trucks will be purchased to accommodate loads from schools.

- b. Tennis

- c. City Projects: 1) West/East Price Entrances 2) 100 N. Entryway

The regular City Council meeting adjourned at 8:23 p.m. by Mayor Piccolo pursuant to the motion by Councilmember Davis.

APPROVED:

ATTEST:

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Joe L. Piccolo, Mayor

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Laurie Tryon, City Recorder

