

Present:

Mayor Piccolo

Councilmembers: Gary Sonntag, Public Works Director

Wayne Clausing Kevin Drolc, Police Chief

Rick Davis Nick Sampinos, City Attorney

Layne Miller Nick Tatton, Community Director

Grady McEvoy Laurie Tryon, City Recorder

John Daniels, Human Resource Director

Excused Absence: Councilmember Hanna-Smith, Lisa Richens-Finance Director, Bret Cammans-Customer Service Director

Present: Kevin Scannell, Eric Johnson and Brittany Melova

Grady McEvoy was sworn in as a City Councilmember with the Oath of Office given by the City Recorder at 5:41 p.m.

**MOTION.** Councilmember Hanna-Smith moved to have item 12 on the consent agenda addressed in the regular agenda to meet the time constraint of Nick Kiahtipes from Carbon High School. Motion seconded by Councilmember Clausing and carried.

Nick Kiahtipes, Student Body Officer for Carbon High School, presented a check for \$143.00 to pay for the activity planned at the Price City Wave Pool. **MOTION.** Councilmember Davis moved to approve item 14. Motion seconded by Councilmember Clausing and carried.

Mayor Piccolo called the meeting to order at 5:40 p.m. and led 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.

**MOTION.** Councilmember Clausing moved to attend to item 6 on the agenda and return to the public hearing items at 6 p.m. Motion seconded by Councilmember Miller and carried.

3. PUBLIC HEARING-To receive input on the Price City Capital Improvement Plan including projects and purchases proposed to be funded by the Utah Permanent Community Impact Fund Board.

Nick Tatton stated that Price City submits applications to the Community Impact Board on an annual basis for funding of various projects and purchases and part of that process is to have a public hearing on the projects identified on the City's Capital Improvement Project list. He stated that this public hearing addresses the Fiscal Year projects for 2013-14 and will be relative one year from now so that all requirements are met.

**MOTION.** Councilmember Davis moved to open the public hearing at 6:05 p.m. Motion seconded by Councilmember Clausing and carried. Nick Tatton provided a capital list of projects for FY 2013-14 and reviewed some of them with the Mayor and Council. Councilmember Davis asked if the old generator would be used for the project titled PWC Emergency Generator to see if it would work instead of purchasing a new generator. Gary Sonntag stated that the plan is to bring the generator from the old pump station and relocate it and try to make it work. Mayor Piccolo stated that if we were unable to move the generator we would still have the \$45,000 to purchase and install a new one. Nick Tatton also reviewed the bond payments, upgrades and replacement purchases listed on the project spreadsheet. The spreadsheet is available for public view in the City Recorder's office. No public comment was received. **MOTION.** Councilmember Davis moved to close the public hearing at 6:14 p.m. Motion seconded by Councilmember Clausing and carried.

4. PUBLIC HEARING-TO RECEIVE INPUT FROM THE PUBLIC REGARDING THE ISSUANCE OF TAXABLE EXCISE TAX ROAD BONDS (THE "BONDS") AND THE ECONOMIC IMPACT THAT THE ISSUANCE OF THE BONDS WILL HAVE ON THE PRIVATE SECTOR. THE

BONDS TO BE ISSUED IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT MORE THAN \$300,000 TO BE ISSUED FOR THE PURPOSES OF (i) FINANCING THE ACQUISITION AND CONSTRUCTION OF ROAD IMPROVEMENTS AND RELATED MATTERS; (ii) PAYING COSTS ASSOCIATED WITH THE ISSUANCE OF THE BONDS.

Bond Counsel, Eric Johnson of Blaisdell and Church stated that the public hearing is to announce the bonds to be issued in the amount of not more than \$300,000 for financing the construction of road improvements in Price City and to receive comments from the public. He stated that the City has permission from the Community Impact Board to borrow \$25,000 per year beginning July 1, 2013 for a total of \$225,000 with no interest but he recommends that the City pay off the bond as soon as possible and create a reserve fund within six years to use for the final payment. **MOTION.**

Councilmember Davis moved to open the public hearing at 6:18 p.m. Motion seconded by Councilmember McEvoy and carried. No public comment was received. No staff or public comment was received. **MOTION.** Councilmember Davis moved to close the public hearing at 6:19 p.m. Motion seconded by Councilmember McEvoy and carried.

5. RESOLUTION 2012-19-CONSIDERATION OF THE ADOPTION OF A RESOLUTION AUTHORIZING THE \$225,000 TAXABLE EXCISE TAX ROAD BONDS, SERIES 2012, FOR ROAD AND STREET IMPROVEMENTS AND RELATED MATTERS.

Eric Johnson asked Gary Sonntag how quickly the City would begin the project. Mr. Sonntag stated Spring of 2013. **MOTION.** Councilmember Davis moved to approve Resolution 2012-19 authorizing issuance of the \$225,000 taxable excise tax road bonds, series 2012 for road and street improvements and related matters. Motion seconded by Councilmember Clausing.

Mayor Piccolo asked for a roll call vote:

Councilmember Miller-YEA                      Councilmember Davis-YEA  
Councilmember Clausing-YEA                  Councilmember McEvoy-YEA  
Motion 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:

6. Conditional Use Permit

a. Site Plan Amendment- Circle K Storage-850 S. Carbon Ave. –Final approval with conditions:

- a. Procurement of a valid Price City Building Permit and all building erection and construction under the auspices of said building permit finding that properly permitted and inspected commercial construction protects the health, safety and welfare of the public;
- b. Compliance with all Code requirements relative to storage facilities including hard surfacing of the property within two (2) years, site fencing, fire truck access, lighting, etc. finding that construction and development in compliance with the Code protects community property values and is consistent with the Price City General Plan;
- c. Emergency access gate, to remain locked with the exception of an emergency situation, located in the Fairgrounds Road (west) fence line to accommodate emergency vehicle entrance to the overall site finding that secondary site access for emergency vehicles protects property values and the health, safety and welfare of the community;
- d. Completion of a storm water management plan and concurrence with the storm water management plan by the Price City Engineer and development in accordance with the approved storm water management plan finding that properly planned storm water management mitigates flooding hazards within the community;
- e. No conditions at the property or structure that place the property or structure in violation of the Price City Property Maintenance Code finding that properly maintained properties and structures protect the health, safety and welfare of the community and protect area property values.

**MOTION.** Councilmember Davis moved to approve the site plan amendment for Circle K Storage. Motion seconded by Councilmember McEvoy and carried.

b. Building Occupancy-Bezyack Building-350 N. 400 E.-Professional Medical Services Land Use-Final with conditions:

- a. Procurement of a valid Price City Building Permit and all building renovations under the auspices of said building permit finding that properly permitted and inspected commercial and professional building renovations protect the health, safety and welfare of the community;
- b. No on-street parking by owners, customers or employees on 5<sup>th</sup> Avenue Street or 400 East Street, all parking to be maintained in the off street lot finding that off street parking mitigates congestion in the residential area and further mitigates traffic congestion and safety risks due to the proximity of the Utah State University campus;
- c. Business signage to be reviewed for compliance by the Price City Planning Department prior to installation finding that properly reviewed and approved signage protects commercial encroachment into residential areas and promotes consistency in signage throughout the community;
- d. No conditions at the property or structure that place the property or structure in violation of the Price City

Property Maintenance Code finding that properly maintained properties and structures protect the health, safety and welfare of the community and protect area property values.

**MOTION.** Councilmember Clausing moved to approve the building occupancy for the Bezyack Building. Motion seconded by Councilmember Miller and carried.

**c. Site Plan Amendment-Pinnacle Canyon Academy School-650 E. 300 N.-Final with conditions and possibly no Hold Harmless agreement:**

- a. Install necessary and required water and sewer utility service to the relocated classrooms in compliance with all Price City approved engineering plans and fire safety directives and installation time frames, final installation of secondary fire line of 900 gpm not to exceed two-hundred seventy (270) days from this approval finding that properly connected and installed utility services protect the health, safety and welfare of the community.
- b. Completion of a hold harmless liability waiver, if 2<sup>nd</sup> water line and fire hydrant are not installed, within twenty (20) days as directed by the State Fire Marshall finding that installation of all water and fire lines may not be completed prior to school opening;
- c. Maintain a minimum of ninety-five (95) off-street striped and identified parking spots, calculated as the present average of possible driving students and faculty and five (5) visitor spaces finding that off-street parking mitigates traffic congestion in the neighborhood. Additional off-street parking may be required if the student, faculty, visitor average mix changes with growth of PCA.
- d. Relocation of the crossing guard, if required by Price City Public Safety, from the location at approximately 350 North 600 East to the intersection of 300 North 600 East including necessary safety signage finding that pedestrian safety will be protected and possible pedestrian accidents will be mitigated. Any relocation of the crossing guard to be coordinated with the Price City Police Chief and Price City Street Department Supervisor.
- e. Removal of all striped on-street parking along 300 North Street between 600 East and 700 East and installation/stripping of a left turn lane from east 300 North onto 600 East as recommended by the Price City Public Works Department and finding that traffic and pedestrian safety will be improved. Re-stripping to be coordinated with the Price City Street Department.
- f. No authorized student drop off on 600 East or 300 North Streets, all student drop-off to be completed at the designated drop-off area on the drop-off loop road finding that limited drop-off zones mitigate pedestrian vehicle conflicts and promote safety.
- g. All driveway ingress and egress points on 300 North and 200 North to be a maximum of twenty-five feet (25') in width finding that 25' is the maximum driveway width within the zoning district.
- h. Drop-off loop road to be constructed in accordance with Price City approved engineering design, and installation completed within ninety (90) days finding that properly designed and constructed ingress and egress mitigates vehicular and pedestrian conflicts, provides property emergency vehicle access and protects the health safety and welfare of the community;
- i. Drop-off loop road and other emergency vehicle routes to be constructed such that the road will support up to 77,000 pound emergency vehicles finding that properly built emergency access roads protect the health, safety and welfare of the community.
- j. Drop-off loop road to have a maximum slope not exceeding eight percent (8%) finding that slopes in excess of 8% do not accommodate emergency vehicles and may impose a barrier to life safety.
- k. Drop-off loop road to maintain a minimum forty-three foot (43') turning radius finding that narrower turning radius' do not accommodate emergency vehicles and may impose a barrier to life safety.
- l. Emergency vehicle access to south side of temporary classrooms from loop road to be maintained free from obstruction and minimum turn-around area available finding that emergency vehicle access protects the health, safety and welfare of the community;
- m. All snow loading from all parking lots and private roadways to be maintained on-site and not placed within the public right-of-way finding that restricting snow placement within the public right-of-way mitigates possible traffic accidents.
- n. Installation of a six foot (6') high sight obscuring fence extending from the southwest corner area of the classroom buildings and extending around the south property line at the edge of the parking lot and to a point parallel with the southeast corner of the classroom buildings, minimum, finding that fencing at that location provides a land use separation from the residential uses to the south and limits access through the area by students, faculty and visitors.
- o. All area, security and parking lot lighting in the "upper" lot and vicinity, as well as other areas at the site, to be angled away from surrounding residential uses finding that restricting light transference to neighboring properties may prevent conflicts with neighboring land uses.
- p. Completion of a qualified storm water management plan and construction of any resulting necessary storm water control facilities within ninety (90) days and concurrence with the storm water management plan, construction and installation by the Price City Engineer and all development in compliance with the City Engineer approved storm water management plan and any direction stemming therefrom by the Price City Engineer finding that properly planned and managed storm water runoffs protect people, structures and property from flooding and other storm water related problems.
- q. Completion of a private utility agreement with the Price City Public Works Department and recorded at the County Recorder's Office, if required, finding that private utility agreements serve to protect public infrastructure and ensure maintenance on private utilities connected to the Price City public system thereby protecting the health, safety and welfare of the community.
- r. Completion of a public infrastructure development agreement with the Price City Public Works Department, if required, and submission of the required public infrastructure financial surety, if required, finding that properly agreed to and secured public infrastructure installations protect the financial interest of the overall community.
- s. Copies of all as built construction plans, building plans and all inspection reports to be provided to Price City finding that submission of such is a statutory requirement and aids Price City in resolving any possible future development, conflicts or situations at the site.

- t. Future gymnasium located at the northwest area of the site is hereby authorized as indicated on the site plan and only as indicated and authorization is conditional upon ninety (90) day advance submission of copies of building plans, construction document and inspection reports and authorized utility connections as necessary at the time of development of the gymnasium.
- u. Occupancy of relocated structures only upon final occupancy determination by private building inspector and any conditions of occupancy thereby required by the private building inspector, and installation of 2<sup>nd</sup> water line and fire hydrant or completion and submission of Hold Harmless agreement identified in item "b", submission of final occupancy report by private building inspector to Price City, finding that submission of inspection and occupancy report is required by State statute and fire safety compliance protects life safety;
- v. Upon determination of final structure occupancy by private building inspector, Price City building inspector to be contacted to provide a courtesy walk-through inspection and submission of recommendations, if any, finding that the courtesy walk-through is authorized by State statute.
- w. Completion of an overall site master plan and submission to Price City prior to December 1, 2012 indicating the overall final site permanent build out plan allowing Price City time and opportunity to address development and permitting issues for future site development in advance finding that advance planning mitigates conflicts as development occurs;
- x. No conditions at the property, property frontages or structures that may be a property or structure violation of the Price City Property Maintenance Code finding that properly maintained properties protect community property values.
- y. Completion and submission of a signed development agreement between PCA and Price City detailing and obligating PCA to the conditions of approval finding that properly understood and agreed to development condition promote long-term high quality and safe development within Price City.

**MOTION.** Councilmember Miller moved to approve the items based on staff recommendations and inclusive of all conditions enumerated above. Motion seconded by Councilmember McEvoy and carried.

CONSENT AGENDA-Councilmember Miller moved to approve the Consent Agenda items 7 through 18 with item #12 removed for discussion at the beginning of the meeting. Motion seconded by Councilmember Clausing and carried.

7. MINUTES

a. August 8, 2012 City Council Meeting

- 8. DOMESTIC VIOLENCE AWARENESS-Authorization to post a banner and several crosses at the Peace Gardens for the month of October 2012 for Domestic Violence Awareness and to having the 4th Annual Run/Walk Away Domestic Violence Event beginning at the Peace Gardens and ending at the Carbon Recreation Center on October 6, 2012.
- 9. POOL-Authorization to approve College Student Pass fees for the Price City Wave Pool.
- 10. CLASS C ROADS AND CITY PAVEMENT-Project 9C-2012-It is recommended that Schedule A, Cape Seal be awarded to the low bidder-M & M Asphalt totaling \$80,808.00 and the Schedule C, Paint Striping be awarded to Premier Striping totaling \$23,421.00. Schedule B will not awarded due to the bid being over budget.
- 11. BUSINESS LICENSES-Authorization to approve a business license for Eastern Utah Physical Medicine & Pain Center-Dr. Russell Beecher at 945 W. Hospital Drive, High Desert Orthopedics & Sports Medicine-Dr. Kelly Jensen at 280 N. Hospital Drive and Eastern Utah Family Medicine-Dr. Matthew Brady at 280 N. Hospital Drive
- 12. CARBON HIGH SCHOOL- Ratify. Authorization to match Carbon High School's Wave Pool Reservation fee to use the pool on August 22, 2012 from 7-9 p.m. for a back to school party for all students attending Carbon High School. Price City will donate \$142.50 and Carbon High will be responsible for \$142.50.
- 13. STREET CLOSURE-Consideration and possible approval for the closure of 200 North Street from Carbon Avenue west to 50 West to accommodate Notre Dame Oktoberfest, September 28-29, 2012.
- 14. RESOLUTION 2012-16 Consideration and possible approval of a Resolution adopting the Price City Capital Improvement Plan and associated storm water utility rates.
- 15. RESOLUTION 2012-17 Consideration and possible approval of a Resolution adopting a job description for Lead Worker, Parks and Cemetery Department. Ref Memorandum to Council dated August 15, 2012.

16. RESOLUTION 2012-18 Consideration and possible approval of a Resolution designating the positions of Mayor and City Council member as part-time.
17. EMPLOYEE PROMOTIONS - Consideration and possible approval of career ladder promotions: Jensen and Johnson. Reference Memorandum to City Council dated August 16, 2012.
18. TRAVEL REQUEST-  
Officer Wilkinson-Evasive Driving Training-POST-Sept. 10-12, 2012 SLC  
Debbie Worley-SWAVO Training-Utah Office for Victims of Crime-Sept. 5-7, 2012 St. George
19. INTERNATIONAL DAYS-Update by Councilmember Clausing
  - Added booths for next year and are adding a golf tournament to the activities
20. UNFINISHED BUSINESS U
  - a. Recycling-no report
  - b. Tennis Courts-no report
  - c. City Projects: 1) ADA Ramps: Library/Auditorium. 2) West/East Price Entrances. 3) Peace Garden Stage-no report

The regular City Council meeting adjourned at 6:32 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