

Minutes of the Price City Council Meeting
City Hall
Price, Utah
August 22, 2018, at 5:30 p.m.

Present:

Mayor Kourianos

Councilmembers:

Layne Miller

Amy Knott-Jespersen

Terry Willis

Rick Davis

Nick Tatton, Community Director

Sherrie Gordon, City Recorder

Kevin Drolc, Police Chief

Bill Barnes, Police Captain

Bret Cammans, Customer Service Director

Lisa Richens, Finance Director

1. Mayor Kourianos called the regular meeting to order at 5:30 p.m. Pastor Nick Teny with Gospel Community Church extended a word to open the meeting.
2. Mayor Kourianos led the Pledge of Allegiance.
3. Roll was called with the above Councilmembers and staff in attendance.
4. SAFETY SECONDS - Nick Tatton explained 'Safety Seconds'. He would like the Mayor and City Council to take a few seconds at the beginning of every meeting and present a brief safety message. Councilmembers will rotate left starting with Councilmember Davis at the next scheduled meeting. Mr. Tatton stated that school began on Monday and encouraged everyone to watch out for the children on their way to school and going home after school.
5. PUBLIC COMMENT –Bob (couldn't read/hear last name) expressed concerns about the vacant J C Penney building. He is wondering what is going on with the building. The Mayor and Council encouraged him to continue to be involved in the community and that if they become aware of continued activity at the location they will announce it publically.
6. **FILL MID-TERM VACANCY ON PRICE CITY COUNCIL** - In compliance with Utah Code, Price City will interview and appoint a person from the submitted and qualified applicants to fill the subject vacancy. The appointment will expire on the first Monday of January 2020.
Due to the recent resignation of Councilmember Leif Nelson, the Price City Council sought applicants for appointment to fill the vacancy by placing an advertisement in the local newspapers. The advertisement stated that the appointment will expire on the first Monday of January 2020. The following individuals applied for the City Council position: Jerry B. Anderson, James Campbell, Joe Christman, Boyd Marsing and Andrew G. Urbanik. The Mayor and City Council reviewed the applications submitted by each individual prior to the meeting. Mayor Kourianos explained the process the City Council will use to choose a new Councilmember from the applications that were received.
Current City Councilmembers were provided a selection of questions to ask the applicants. Each applicant introduced themselves and then answered questions asked by the City Councilmembers.
Nick Tatton distributed paper ballots to the City Council. After the City Council marked their ballots, he gathered the ballots. Sherrie Gordon and Nick Tatton tallied the ballots. Mayor Kourianos announced the names of two nominees with the highest number of votes. The two applicants with the highest number of votes were Andrew Urbanik and Boyd Marsing. The other applicants were thanked for their interest and encouraged to stay interested and involved in the community.
Nick Tatton distributed a second round of paper ballots to the City Council. After the City Council marked their ballots, he gathered the ballots. Sherrie Gordon and Nick Tatton tallied the ballots. Mayor Kourianos announced the name of the applicant with the highest number of votes. Boyd Marsing was the candidate selected. The Mayor then asked the City Council to bring a motion to the table to approve the applicant with the highest number of votes, Mr. Boyd Marsing, to fill the vacancy.
MOTION. Councilmember Willis moved to appoint Boyd Marsing to fill the mid-term vacancy created by the resignation of Leif Nelson. Motion seconded by Councilmember Miller and carried. The Council approved the motion and it carried pursuant to the following roll-call vote:
Councilmember Davis – Yea
Councilmember Willis – Yea
Councilmember Knott-Jespersen – Yea
Councilmember Miller – Yea

The City Recorder administered the Oath of Office to Boyd Marsing. Mr. Marsing was seated as a councilmember and participated in the remainder of the City Council meeting.

7. PUBLIC HEARING - A PUBLIC HEARING TO RECEIVE INPUT FROM THE PUBLIC WITH RESPECT TO THE ISSUANCE OF PRICE CITY SALES TAX REVENUE BONDS, SERIES 2018, IN ONE OR MORE SERIES, IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,876,000 FOR FINANCING, IN PART, THE ACQUISITION AND CONSTRUCTION OF THE ISSUER'S BASEBALL COMPLEX AND RELATED IMPROVEMENTS, AND RELATED MATTERS.

Lisa Richens reviewed the information.

Jeanette Johnson with Blaisdell, Church & Johnson, LLC, addressed the Mayor and Council. She reviewed the bond. **MOTION.** Councilmember Miller moved to open the public hearing at 6:18 p.m. Motion seconded by Councilmember Davis and carried.

Tony Martinez with BODEC addressed the Mayor and City Council. He questioned the bid selection and verification process for the project award. BODEC was the low bid for the job. Mr. Martinez acknowledged that BODEC did make some tabulation errors and asked consider allowing clarification of the bid submitted. Their total bid for the project does not change. He asked for BODEC's bid to be re-considered.

MOTION. Councilmember Miller moved to close the public hearing at 6:22 p.m. Motion seconded by Councilmember Marsing and carried.

8. RESOLUTION 2018-15 - A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$1,563,000 SALES TAX REVENUE BONDS, SERIES 2018 (THE "SERIES 2018 BONDS"), FOR THE PURPOSE OF THE ACQUISITION AND CONSTRUCTION OF A BASEBALL COMPLEX, AND RELATED IMPROVEMENTS; AUTHORIZING ALL RELATED DOCUMENTS AND ACTION; AND RELATED MATTERS.

MOTION. Councilmember Knott-Jespersen moved to approve Resolution No. 2018-15. Motion seconded by Councilmember Willis and carried.

PLANNING AND ZONING COMMISSION – Nick Tatton reported that the Planning and Zoning Commission gave favorable recommendations for final approval by the Price City Council on the following applications with the conditions indicated.

9. Conditional Use Permit

a. RETAIL, WHOLESALE, WAREHOUSING, EQUIPMENT, REPAIR LAND USE -

Consideration and possible approval of a conditional use permit for a retail, wholesale, warehousing, equipment, repair land use at 322 S Highway 55, within the Commercial 1 zoning district, Castle County Hydraulic & Supply, Santo Lupo.

- Exterior lighting to be installed to mitigate the potential for accidents occurring within the vicinity of the business operation finding that properly illuminated business exteriors mitigate accidents. All exterior lighting to be high efficiency LED fixtures.
- All outdoor materials, inventory, supplies, equipment, work in progress, to be located within the property boundaries and within a sight obscuring screened/fenced enclosure finding that secured and screened outdoor materials, inventory, supplies, equipment, work in progress serves to improve the community aesthetic and is consistent with the goals in the Price City General Plan.
- Garbage, rubbish debris dumpster to be located in an dumpster enclosure and served with a frequency to prevent accumulations of garbage, rubbish, debris and/or wind scatter of garbage, rubbish, debris finding that controlled garbage, rubbish, debris services serves to improve the community aesthetic and is consistent with the goals in the Price City General Plan.
- No impacts to existing site ingress/egress and off-street parking maintained for employees, customers, visitors finding that ingress/egress control and off-street parking mitigate potential conflicts for pedestrians and vehicle traffic.
- Installation of a minimum of 5% landscaping as required by the Code finding that landscaped businesses, particularly those on main community corridors, serves to improve the community aesthetic and is consistent with the goals in the Price City General Plan.
- Submission of business signage to the Price City Planning Department for Code compliance review prior to installation finding that reviewed and approved signage promotes increased commercial and business activity in the community.
- All building renovations to take place under the auspices of a Price City Building Permit and building inspection finding that properly permitted and inspected commercial renovation protects the health, safety and welfare of the community.
- Procurement of a Price City Business License finding that properly licensed businesses improve the economic condition within Price City and protect the health, safety and welfare of the community.
- No conditions at the property or structure that violation the Price City Property Maintenance Code finding that properly maintained properties and structures protect area property values and is consistent with the Price City General Plan.

MOTION. Councilmember Willis moved to approve a Conditional Use Permit for a retail, wholesale, warehousing, equipment, repair land use at 322 S Highway 55, within the Commercial 1 zoning district, Castle County Hydraulic & Supply. Motion seconded by Councilmember Miller and carried.

b. CONVENIENCE STORE LAND USE - Consideration and possible approval of a convenience store land use at 585 East Main Street, within the Commercial 1 zoning district, Outkastics, Mark Quintana.

- Exterior lighting to be in place during open hours before or after dark finding that properly lit business ingress/egress and parking mitigates the potential for accidents and injuries. All exterior lighting to be high efficiency LED fixtures.
- Maintain garbage services to the site in a manner that does not produce visible garbage, rubbish and debris, does not produce any nuisance odors, and with a service frequency to prevent accumulations or wind scatter of garbage, rubbish or debris finding that properly controlled garbage, rubbish and debris protects the community aesthetic.
- Installation of a minimum of 5% landscaping finding that landscaping is required by the Code and presents a valued community aesthetic and improves the overall commercial activity in the community.
- Maintain a minimum of six (6) off-street parking spaces (including ADA spaces) finding that off-street parking mitigates the potential for vehicle or pedestrian accidents.
- Submission of any business signage to the Price City Planning Department for review and possible approval prior to installation on the building or site finding that properly reviewed business signage promotes consistency in the community and serves to increase commercial activity in the community.
- Procurement of a Price City business license, in good standing, finding that properly licensed businesses protect the health, safety and welfare of the community. Maintain all State of Utah registrations and licensing as applicable.
- No business activity or sales that may subject the land use to an interpretation that the location may be considered a smoke shop subject to Section 11.3.4.49 of the Code and other State of Utah restrictions. No sales of items or materials that may be considered or used as drug paraphernalia.
- No prepared foods on-site finding that proper grease hoods and grease traps are not present in the building.
- Any building renovations/construction to be completed under the auspices of a Price City Building Permit finding that commercial building renovation that is properly permitted and inspected protects the health, safety and welfare of the community.
- No conditions at the property or structure that violation the Price City Property Maintenance Code finding that properly maintained properties and structures protect area property values and is consistent with the Price City General Plan.

MOTION. Councilmember Knott-Jespersen moved to approve a convenience store land use at 585 East Main Street, within the Commercial 1 zoning district. Motion seconded by Councilmember Miller and carried.

CONSENT AGENDA - Councilmember Willis moved to approve consent agenda items 10 through 15 with the exception of Item 13. Motion seconded by Councilmember Marsing and carried.

MOTION. Councilmember Knott-Jespersen requested Item 13 be removed for further discussion. Motion seconded by Councilmember Davis and carried.

10. MINUTES

- a. August 8, 2018 City Council Workshop
- b. August 8, 2018 City Council Meeting

11. 100 NORTH BRIDGE - Consideration and possible approval of installation and maintenance agreement with UDOT for the installation of new street lights on the bridge structure and area lights under the bridge structure.

12. INDOOR POOL ROOFING PROJECT - Consideration and possible approval of award of contract to Hansen Roofing Company for the installation of a new roof on the indoor pool in the amount of \$59,858.00. Bids were received and opened August 14, 2018 with Hansen Roofing Company as the low bid. The award is within budget.

13. COMMUNITY BASEBALL COMPLEX - Consideration and possible approval of award of contract to Nelco Contractors Inc. for the construction of two baseball fields and related work in the amount of \$2,211,355.50. Bids were received and opened August 15, 2018 with Nelco Contractors Inc. as the low bid. The award is within budget.

A discussion was held regarding the bid process and the outcome. Russell Seeley, Price City Engineer, reviewed the bid process, the bid opening process and the award process. All bid openings are open to the public. All rules and procedures are followed explicitly.

Tony Martinez with BODEC again addressed the Mayor and City Council. He noted the errors on the BODEC bid. Errors were made but it did not change the bottom line price.

The Mayor asked if delaying the project two weeks to further analyze the bids received may cause project completion issues or complications with the project schedule. Russell Seeley stated that there would be the possibility of the fields not being ready for play in the spring.

MOTION. Councilmember Miller moved to proceed with staff's recommendation and approve the award of the bid for the project to Nelco Contractors Inc. Motion seconded by Councilmember Marsing and carried.

14. BUSINESS LICENSES - Consideration and possible approval of business licenses for: Dmitrijs Oleniccenko (Solicitor License) and Opa Meats LLC at 727 N 3 East.
15. TRAVEL REQUEST - Consideration and possible approval of travel request for:
Sherrie Gordon, City Recorder - Utah Municipal Clerks Association Annual Conference, September 26-28, 2018, Vernal, UT
Russell Seeley, City Engineer - Utah APWA Fall Conference, October 2-3, 2018, SLC, UT
Miles Nelson, Public Works Director - Joint Highway Committee Meeting, September 20-21, 2018, Daniels Summit, UT
16. UNFINISHED BUSINESS – No unfinished business was discussed.

Mayor Kourianos called for a motion to close the regular City Council meeting.

MOTION. Councilmember Miller moved to close the regular City Council meeting. Motion seconded by Councilmember Willis and carried.

The regular City Council meeting was adjourned at 6:50 p.m.

APPROVED:

Michael Kourianos, Mayor

ATTEST:

Sherrie Gordon, City Recorder