

Present:

Mayor Joe L. Piccolo

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| Councilmembers: | Nick Sampinos, City Attorney |
| Jeff Nielson | Nick Tatton, Community Director |
| Jeanne McEvoy | Pat Larsen, Finance Director |
| Richard Tatton | Kevin Drolc- Police Captain |
| Rick Davis | Gary Sonntag, Public Works Director |
| Kathy Hanna-Smith | Laurie Tryon- City Recorder |
| | Bret Cammans- Customer Service Director |

Others Present: Kevin Scannell, Milinda Hopper, Mary Hopper, Molly Hopper, Doug Hunter, Marilyn Jewkes, Kevin Jewkes and Nikole Stanley

Excused Absence: Police Chief-Aleck Shilaos and John Daniels, Human Resource Director

Mayor Piccolo 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 Mayor and Councilmembers presented an update on the activities and functions in which they have participated.
3. BOYS AND GIRLS CLUB UPDATE-Gina Gagon and Makelle Weber
Gina Gagon and Makelle Weber provided an updated report on the happenings and financial status of the Boys and Girls Club. Mrs. Gagon stated that the club will open the same time as the upcoming school year and be open from 3-6 p.m. Monday through Friday. She stated that the group currently has 30 students signed up and they hope to have 100 students for the school year. She continued to update the Council on the many activities and events that are planned for the school year and those that took place during the summer. Makelle Weber stated that she has been working on grants and memberships for the upcoming school year. She stated that she is using a free office space at USU/CEU and has two VISTA volunteers to use for the next three years. She stated that the group is also using two rooms at MHJH that are dedicated to the club. Councilmember Hanna-Smith suggested that the group show the in kind donations on their report. Mrs. Gagon stated that the group has \$19,000 in the bank, is working on grants for the upcoming year and have many special programs that will be offered to the young members. Ms. Weber stated that some of the programs are: pottery, cooking club, tutoring, recreation programs, photography club, community service projects, financial literacy and career exploration. The Mayor and City Council thanked the group for the update and for being financially responsible with the monies donated by the City.
4. PUBLIC HEARING. Public hearing to receive input regarding termination of the renewal offer and renewal power sales contract associated with the Intermountain Power Agency, post 2027.
MOTION. Councilmember Tatton moved to open the public hearing at 6:02 p.m. Motion seconded by Councilmember McEvoy and carried. Nick Tatton stated that the renewal power sales contract was no longer valid due to legislative changes. No public comment was received. **MOTION.** Councilmember Tatton moved to close the public hearing at 6:04 p.m. Motion seconded by Councilmember McEvoy and carried.
5. HORSE BUTTE PROJECT. Presentation of project, review and possible direction to staff to facilitate participation.
Nick Tatton presented the project and stated that the project pricing has improved and project has changed since the project was introduced to Price City last year. He introduced Mr. Doug Hunter, General Manager of UAMPS to review the project details with the Mayor and City Council. Mayor Piccolo stated that he understands that this project is buying into a project that will improve the Price City power portfolio and potentially buying the power output and this is an opportunity for the City to participate in the project. He stated that we could eventually recall the power or credits if we needed them and take the power to load and not violate our current power resource contract. Mr. Hunter stated that he has been in contact with Rocky Mountain Power regarding this project and they are

fully aware of the details. **MOTION.** Councilmember Tatton moved to direct staff to follow up on the project and to allow Price City to participate in the project up to 600 kwh. Motion seconded by Councilmember McEvoy and carried.

6. 450 East 600 North Alley, Sewer Pipeline Replacement.

Gary Sonntag reviewed the details behind the 450 E. 600 N. alley and recent sewer pipeline replacement and the options to keep the alley open or closed. Mr. Sonntag stated that the alley is a public right of way and always has been but because of an encroachment by property owners, the alley has been closed off for many years. He stated that City staff was asked to research and report on different options for road surface including the following options: grass pavers, plastic grid, asphalt, concrete and gravel/dirt. Mr. Sonntag stated that the alley has been one since 1914 and has been identified on a plat as a public use right of way. He stated that it is very clear that it was meant for public use and needs to be opened for public use, especially for utility access. Mr. Sonntag stated that he delivered the information that he received from Jones and DeMille Engineering on possible options to fix the alley to the adjoining neighbors, the Hoppers' and the Jones'. He stated that the report did not reflect a driveway approach or curbing. He stated that if gravel was selected, a magnesium chloride treatment could be used on a one time basis to cut down on the dust. Mr. Sonntag continued stating that he had received feedback from utility companies of the difficulties with the alley and turning their vehicles around to get out of the alley. Councilmember McEvoy asked whether the wires that are hanging low in the alley would be the responsibility of the City to get them safely raised. Mr. Sonntag stated that the details would be worked out and either the utility company or the City would be responsible for payment when fixing the low hanging wires. Councilmember Tatton stated that he thought the alley should remain an open right of way and any improvements should be approved by the City and at the adjoining property owner's expense. Councilmember Hanna-Smith stated that she thought the alley should be treated with a dust suppressant and the cost could be shared between the City and the owners. Mayor Piccolo stated that if the City were to start paying for alleys to be sprayed with dust suppression materials or adding fences, then all alleys would fall into that category and need to be treated the same. **MOTION.** Councilmember Tatton moved for the alley in question to remain a City alley and that all necessary adjustments be made to the street edge to fit City standards and any additional improvements be made at the homeowner's expense with reasonable accommodation to the City. Motion seconded by Councilmember McEvoy. Discussion. Gary Sonntag stated that because the City and property owners were caught off guard with this situation, the City will do the curb cutting, the power line realignment and City required improvements 50 feet from the back of the sidewalk with gravel or road base treated with a dust suppression product. He stated that the dust product would be done on a one time basis. **MOTION.** Councilmember Tatton moved to amend the motion. Motion seconded by Councilmember McEvoy and carried.

Several property owners attended the meeting. One property owner asked whether grass could be used as a dust suppressor. Another property owner asked if the gravel that the City would place in the alley would have a barrier between the property owners grass so that the gravel did not get in the grass. Gary Sonntag stated that the City's contractor would be in town for the next few weeks and the landowners would be notified when the work would be done. Mayor Piccolo stated that the landowners need to coordinate with the Public Works Director and City Engineer on their plans for landscaping and the City's plans to repair the alley. Another property owner asked that it be on record that they were not in agreement that the alley was a City right of way.

PLANNING AND ZONING COMMISSION-Nick Tatton reported that the Planning and Zoning Commission gave the following recommendations on applications for a Conditional Use Permit:

7. Conditional Use Permit (CUP)

a. MOAB LUXURY COACH-850 S. Carbon Ave. (shuttle service)- Business-Final

MOTION. Councilmember Tatton moved to approve the recommendations by the Planning and Zoning Commission and approve the CUP and Business License for Moab Luxury Coach. Motion seconded by Councilmember Hanna-Smith and carried.

CONSENT AGENDA- **MOTION.** Councilmember Tatton moved to approve the consent agenda items 8 through 20 with items 21 and 22 removed for discussion. Motion seconded by Councilmember Hanna-Smith and carried.

8. MINUTES

a. City Council Meeting- August 11, 2010

b. City Council-(Appeal Board) Executive Session- August 2, 2010

9. BUSINESS LICENSES- Authorization to approve a business license for: Gold & Silver Extravaganza-Temp. Event-Holiday Inn
10. FEE WAIVER- Authorization to waive the rental fee of Washington Park for August 27, 2010 for the 4-H Group
11. POOL- Authorization to have American Roofing replace the existing gutters and down spouts and relocate two existing down spouts.
12. POOL- Authorization to advertise and award bids for new cabinets and countertops at the wave pool.
13. POOL- Authorization to purchase wave generation equipment for the amount of \$15,000.00 from Hydrotech Systems. The company is the sole provider of the equipment. The item is budgeted.
14. RESOLUTION 2010-18 Consideration and possible approval of a resolution regarding termination of IPA renewal offer and renewal power sales contract and consideration and possible approval of the certificate regarding termination of the renewal offer and renewal power sales contract.
15. EASY PROGRAM. Consideration and possible approval of an EASY program project reimbursement for right-of-way improvements at 95 South 100 East.
16. STREET CLOSURE. Consideration and possible approval of closure of Main Street for Spooktacular activities on October 23, 2010.
17. ECONOMIC VITALITY LOAN RECOVERY. Consideration and possible approval of an asset sales agreement between Price City and the Boys and Girls Club.
18. EMMA PARK PCIB-Authorization to request proposals from Ballard & Spahr and from Blaisdell & Church for bond attorney services for the Emma Park PCIB loan.
19. HANSEN, ALLEN & LUCE ENGINEERING- Engineering Services Agreement, for work on the Emma Park Exploratory & Production Well(s) 2010-11. This will cover report and permitting, field review, bid package, drilling operation and data evaluation. Estimated Cost \$63,774.40. The well sites (2) are located and staked. Easements for access and site work are being worked on.
20. TRAVEL REQUEST-
Shari Madrid- ULCT Conference- Sept. 15-17, 2010- SLC
Juanita Richards, Kevin Drolc, Johnny Bowman, Travis Henrie-UNOA Conference-Aug.30-Sept.3,2010- Mesquite, NV.
Gary Sonntag- State Joint Highway Committee, Non Urban Road Sub Committee, Sept. 21-22, 2010, Layton, Utah. Estimated cost \$190.00
21. POLICE DEPARTMENT- Authorization to approve a renewal to the (VOCA) Victim Assistance Grant to have the Victim Advocate a full time position with the grant paying 6 hours of wages and benefits and the City paying 2 hours of wages and benefits.
Councilmember Davis stated that if the grant were to dissolve, the job would return to a part-time position without benefits. Captain Kevin Drolc agreed and stated that he understood the conditions. Mayor Piccolo stated that it will always be the legislative body is position to terminate or keep any position and clarified that this is now a full-time position with benefits until or when the grant terminates. Pat Larsen stated that if the position drops below 40 hours per week, then according to policy, the position would be part time without benefits. **MOTION**, Councilmember Davis moved to approve this position as presented by the Police Department contingent upon receiving grant funding. Motion seconded by Councilmember Tatton and carried.
22. FINANCE DEPARTMENT-Authorization to enter into a lease/purchase agreement with Hasler Company for a postage machine and meter. This agreement is on the State Contract.
Pat Larsen stated that the lease agreement being made needs a few corrections but she would like the Council to approve it contingent upon those corrections. **MOTION**, Councilmember Tatton moved to approve the contract contingent upon corrections being made by Hasler Company and the City

Attorney's approval. Motion seconded by Councilmember McEvoy.

23. PRWID- Councilmember Tatton reported on the results of the last PRWID Board meeting.
24. WATER RESOURCES- Update by Gary Sonntag
 - Selection has been made for both Emma Park Wells.
25. EMERGENCY PLANNING- Update by Councilmember Davis
 - Policy for emergency planning and training
 - Presentation of policy to City Council will be coming soon
26. COMMUNITY PROGRESS-CULTURE CONNECTION-
 - Presentations on Thursday nights at Peace Garden
27. INTERNATIONAL DAYS
 - Final meeting today- recommendations for next year were discussed
28. UNFINISHED BUSINESS
 - a. Recycling
 - b. Community Covenant Program

MOTION. Councilmember Tatton moved to go into the Community Redevelopment and Renewal Meeting at 7:42 p.m. Motion seconded by Councilmember Hanna-Smith and carried.

Returned from the Community Redevelopment and Renewal Meeting at 7:44 p.m.

The regular City Council meeting adjourned at 7:50 p.m. by Mayor Piccolo pursuant to the motion by Councilmember McEvoy.

APPROVED

ATTEST

Joe L. Piccolo, Mayor

Laurie Tryon, City Recorder