

# Minutes of The Price City Council Meeting

City Hall: Price, Utah

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September 9, 1998, 5:30 p.m.

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**Present:**

Mayor Lou Colosimo

**Councilmembers:** Roy A. Nikas, Betty P. Wheeler, Steve Bringham, Stephen L. Denison, Joe L. Piccolo

**Staff:** Joanne Lessar (City Recorder), Pat Larsen (Finance Director), Nick Sampinos (City Attorney), Gary Sonntag (PWC Dir/City Eng), Vernon W. Jones, (Adminis. Ass't.), Aleck Shilaos (Chief of Police)

**Others Present:** Emily Thayn, Jim Thompson, Robert Potts, Norma Procarione, Chris Pehler, Frank Pugliese

Mayor Colosimo led the Pledge of Allegiance. Roll was called with the above members in attendance.

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1. MINUTES - August 12, 1998

**MOTION.** Councilmember Denison moved that the minutes of the August 12, 1998 meeting be approved as written. Motion seconded by Councilmember Wheeler and carried.

2. KIMBALL YOUNG - Consultant For Sales Tax Increase

The Council discussed the need for a consultant to help with the issue of the sales tax increase. The Council directed Pat Larsen to schedule a meeting with Kimball Young during the Utah League of Cities and Towns Convention in Salt Lake.

3. ORDINANCE #98-004 - Imposing A Sales and Use Tax of A Quarter Percent For The Construction and Maintenance of Highways Within Price City

**MOTION.** Councilmember Piccolo moved that Ordinance #98-004, imposing a sales and use tax of a 1/4% for the construction and maintenance of highways within Price City and calling an election to obtain voter approval of the taxes provided by law, be adopted, that the Mayor and City Recorder be authorized to sign the ordinance, and that it become effective upon publication. Motion seconded by Councilmember Denison and carried.

4. LARAE PUGLIESE - Credit For Overbilling For Water

Frank Pugliese, representing his sister-in-law Larae Pugliese, reported that for several years, there has been an overbilling of water at the residence of his late brother Gene and sister-in-law. Per his investigation with City employees, it was found that the way the water meter was installed and branches off, that his sister-in-law has been paying for her water usage, plus water being served to the Gene Motte home. Mr. Motte has also been paying for his own usage. This has resulted in the City being paid twice for Mr. Motte's water usage. The Utilities Department has agreed to give Mrs. Pugliese a refund for a two year period (approximately \$800). However, he feels that credit should be given for a longer period of time.

**MOTION.** Councilmember Piccolo moved that a refund for three years be made in an amount calculated by the Utilities Department. Motion seconded by Councilmember Denison and carried. It was noted that since this situation was brought to the City's attention, the City provided a correct water meter installation for the above properties at no cost to the property owner in compensation for this matter.

5. DOMESTIC VIOLENCE COALITION - Fees Waived To Hang Banner

**MOTION.** Councilmember Bringhurst moved that fees be waived for the Domestic Violence Coalition to hang a banner across Main Street and to hang a clothes line on 1st North as part of Domestic Violence month. Motion seconded by Councilmember Wheeler and carried.

#### 6. INFORMATION SERVICES - Bidding Procedures Waived For Wireless Bridge

Robert Potts requested permission to waive bidding procedures for the purchase of a Wireless Bridge for the communication system (computers) which will connect the pool, cemetery, PWC, and City Hall. He would like to purchase this equipment through In-Tell Communications and have them install it. In-Tell has submitted two proposals, one below the budget of \$15,000 budget and one over. Mr. Potts explained the procedure in installing a tower at the indoor swimming pool and the networking costs that would be involved to connect the above offices.

**MOTION.** Councilmember Bringhurst moved that the bidding procedures be waived for the wireless bridge, that the connection to the cemetery office be eliminated at this time, and that the item be purchased within the scope of the budget. Motion seconded by Councilmember Wheeler and carried.

#### 7. CITY OWNED TRAFFIC SIGNALS - Upgrade Denied

Robert Potts reported that he was recently contacted by the State of Utah regarding the upgrading of City-owned traffic signals. This would be for the one on 1st West and the one on 1st East. It is his understanding that it is very expensive. Vern Jones stated that the cost to the State to install 6 intersection lights elsewhere in the City cost over a million dollars. The Council felt that the City-owned signals would remain as is until such time that the State requires changes.

#### 8. KIWANIS CLUB - Contribution For July 4th Fireworks Display

**MOTION.** Councilmember Piccolo moved that \$500 be contributed to the Kiwanis Club for the 4th of July fireworks display. Motion seconded by Councilmember Denison and carried.

#### 9. LIBRARY BOARD - Discussion On Public Hearing

Councilmember Wheeler introduced Jim Thompson, Chairman of the Library Board, and Librarian Norma Procarione. Mr. Thompson discussed the opposition received at the public hearing regarding the library. He presented a booklet explaining the history of the library as well as circulation statistics. The booklet contains a breakdown pertaining to the books that are purchased and the patron use per community, which is everything from Wellington in Carbon County to Lawrence in Emery County. He expressed concern whether the Council supported the library. Councilmember Piccolo stated that the Council has always had a high commitment to the library. The library's best interests have always been at hand. He explained the amount of funding that the City provides to operate the library. Councilmember Nikas discussed whether this should be a County-wide library rather than just being supported by the City. Perhaps the City should request participation from other entities in order to maintain the level of service that the library provides. Councilmember Bringhurst felt that maybe the Library Board may have some solutions or suggestions that might help the City with the budget on the library. Councilmember Nikas stated that the Council would not have taken all those hits during the public hearing for the \$200,000 property tax increase if they didn't feel good about having a library. Mr. Thompson thanked the Council for their support and stated that the Library Board will support the tax initiative and do whatever they can to help. Councilmember Wheeler thanked Mr. Thompson and Ms. Procarione.

#### 10. STREET SWEEPER - Permission To Purchase

Councilmember Denison referred to the Council's discussion at a previous meeting regarding the street sweeper. He asked if the Council, as a body, wanted to look at private enterprise to sweep the streets? If the majority of the Council does not, then that is fine. However, we need to move in some direction for the sweeper. Councilmember Nikas stated that when street sweeping is privatized, the Street Department's maintenance of the streets will be limited. It will be limited to the schedule and requirements of the contractor. Whenever a sweeper is needed for a particular project, it will be necessary to call the contractor and have the sweeper brought to the project. This will be added costs. Having their own sweeper will also allow the Streets Dept. to chip seal instead of plant mixed seal coat. After further discussion regarding the pros and cons of purchasing as opposed to bidding it out, Councilmember Denison asked if any of the Council wants to bid this out? As no one responded, Councilmember Denison stated that this is fine, and that if someone wants to make a motion to buy it at this point, it is on the agenda to do so.

**MOTION.** Councilmember Piccolo moved that the street sweeper be purchased as recommended by the committee in the amount of \$105,000 less the respected trade in as long as the bids are still valid. Motion seconded by Councilmember Nikas. The motion passed per the following vote:

Councilmember Piccolo - Aye

Councilmember Nikas - Aye

Councilmember Denison - Aye

Councilmember Wheeler - Aye

Councilmember Bringhurst - Naye

11. FIREPLACES UNLIMITED, INC. - Home Occupied Business

Councilmember Piccolo reported that the Planning and Zoning Commission gave a favorable recommendation to Brad Barber to operate Fireplaces Unlimited, Inc., out of his home located at 275 South 1600 East, Apt. #1. This is a handyman business for office use only. **MOTION.** Councilmember Piccolo moved that the business be approved upon payment of the business license fee. Motion seconded by Councilmember Nikas and carried.

12. THE CLEANERS - Conditional Use Permits - Tabled

13. CASTLE VALLEY CENTER, CEDAR HILLS STORAGE - Conditional Use Permits Approved

Councilmember Piccolo reported that the Planning and Zoning Commission gave a favorable recommendation to the following requests for Conditional Use Permits.

Castle Valley Center - 1314 Parkway, Michael E. Keller-Director - Independent Living Home

Cedar Hills Storage - 350 North Cedar Hills Drive, Robert Etzel/Tony Basso-owners - Fencing and Gate Construction (fence to be set back 10 feet).

**MOTION.** Councilmember Piccolo reported that the requests be approved and that Conditional Use Permits be issued. Motion seconded by Councilmember Bringhurst and carried.

14. LAUREL MARINOS - Planning and Zoning Boardmember

DEBRA ANDERSON, MACHELE HALL - New Hires

Mayor Colosimo recommended that Laurel Marinos be appointed as a Planning and Zoning Commission Boardmember, and that Debra Anderson and Machele Hall be approved as Substitute Crossing Guards.

**MOTION.** Councilmember Nikas moved that the appointment of Laurel Marinos as Planning and Zoning Boardmember be ratified and that the new hires be approved. Motion seconded by Councilmember Piccolo and carried.

15. VERN JONES, ALECK SHILAOS, KATHRYN BURNHAM, PAT COLOSIMO, GARY SONNTAG, KEITH WIGHT - Travel Approved

Mayor Colosimo presented the following travel requests:

Vern Jones - Joint Highway Committee Meeting, September 24th and 25th, Ogden, Utah

Aleck Shilaos, Vern Jones, Kathryn Burnham, Pat Colosimo,

Gary Sonntag, Keith Wight - Utah League of Cities and Towns Convention, September 16th through September 18th, Salt Lake City

**MOTION.** Councilmember Bringhurst moved that the travel be approved. Motion seconded by Councilmember Denison and carried.

16. S & K (South Price) ANNEXATION - Public Hearing Scheduled

Vern Jones reported that no official protests were received regarding the S & K (South Price) Annexation. He recommended that a public hearing be scheduled to review the annexation.

**MOTION.** Councilmember Piccolo moved that if sufficient time is available to advertise a public hearing for the next meeting, that it be scheduled and that Mr. Sampinos be directed to prepare an ordinance for the S& K Annexation. Motion seconded by Councilmember Bringhurst and carried.

17. BULLET PROOF SAFETY VESTS - Permission To Purchase

**MOTION.** Councilmember Denison moved that permission be given to purchase bullet proof safety vests at a cost of \$2,600. Motion seconded by Councilmember Piccolo and carried.

18. BASSO/ETZEL DEVELOPMENT (STORAGE UNITS) - Letter of Credit

Gary Sonntag reported that Tony Basso and Robert Etzel have filed a Letter of Credit in the amount of \$28,611 to replace a cashiers check in the same amount for the Basso-Etzel Storage Units. He recommended that the cashiers check in the amount of \$28,611 be released.

**MOTION.** Councilmember Nikas moved that the recommendation be approved. Motion seconded by Councilmember Bringhurst and carried.

19. HOGI YOGI RESTAURANT - Final Release of Letter of Credit

Gary Sonntag reported that the Hogi Yogi Restaurant has completed all of the work required on their development and everything is in order. He recommended a final release on their Development Agreement and Letter of Credit in the amount of \$12,452.

**MOTION.** Councilmember Piccolo moved that the recommendation be approved. Motion seconded by Councilmember Wheeler and carried. Councilmember Piccolo recommended that a note be sent to Hogi Yogi commenting on how well their project was maintained.

20. 800 NORTH STORM DRAINAGE PROJECT - Flynn Construction Co. -

Final Payment

Gary Sonntag reported that Flynn Construction has completed all of their work on the 800 North Storm Drainage Project, which includes repairs to the pavement patching. He recommended that a final payment be made in the amount of \$15,860.41.

**MOTION.** Councilmember Bringhurst moved that the final payment be made. Motion seconded by Councilmember Piccolo and carried.

21. VANDALISM AND THEFT OF TRAFFIC CONTROL DEVICES - Public

Notice

Gary Sonntag reported that the theft and vandalism of traffic control devices, such as cones, lights and barricades from the City and contractors working in the area has become a burden and a real safety concern. The removal of traffic control at a construction site threatens the safety of workers and the public. In an effort to overcome this, he is recommending that all traffic control be labeled with Price City's name and encourage the contractors to do the same. Also that an education program be initiated by sending notices, discussing the theft and vandalism of traffic control, to all of the schools in Carbon and Emery Counties. The Council agreed with the recommendation.

22. PRICE RIVER WATER IMPROVEMENT DISTRICT - Update On Rate Study

Councilmember Denison reported that a meeting was recently held by the committee appointed by Price River Water Improvement District to study rates and overall services. The study is progressing very well, and there should be a draft of the results by the end of October.

23. INSTALLATION OF CURB, GUTTER AND SIDEWALK - Letter To Residents On 4th South Between 5th and 6th East

Gary Sonntag reported that approximately two months ago, he wrote a letter to the residents on 4th South between 5th and 6th East regarding the installation of curb, gutter and sidewalk. The letter explained how the City would be able to help them and what the necessary procedures were. To date he has not heard back from them.

**MOTION.** Councilmember Nikas moved that the meeting adjourn and that a meeting of the Redevelopment Agency convene. Motion seconded by Councilmember Bringhurst and carried.

Meeting adjourned at 7:48 p.m.