

# Minutes of The Price City Council Meeting

City Hall: Price, Utah

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September 23, 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:** Aurelia M. Cooley, Bud Bonnett, Robert Potts, Norma Procarione, Kent Boyack, Jeff Richens, Jae Potter, Grady McEvoy, Jeanne McEvoy, Kevin Ashby

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

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1. MINUTES - August 24, 1998

**MOTION.** Councilmember Wheeler moved that the minutes of the August 24, 1998 meeting be approved as written. Motion seconded by Councilmember Bringham and carried.

2. MINUTES - August 26, 1998

**MOTION.** Councilmember Denison moved that the minutes of the August 26, 1998 meeting be approved as written. Motion seconded by Councilmember Wheeler and carried.

3. RESOLUTION #98-25 - Adoption of Budget For FY1998/99

Mayor Colosimo opened the Public Hearing at 5:32 p.m. to receive comments on the proposed budget for FY1998/99.

**MOTION.** There being no comments, Councilmember Denison moved that the hearing close. Motion seconded by Councilmember Nikas and carried. Public Hearing closed at 5:33 pm.

**MOTION.** Councilmember Denison moved that Resolution #98-25, adopting the budget for FY1998/99 be approved and that the Mayor and City Recorder be authorized to sign the resolution. Motion seconded by Councilmember Nikas and carried.

4. ORDINANCE #98-005 - S & K Annexation

Mayor Colosimo opened the Public Hearing at 5:34 p.m. to receive comments on the proposed S & K Annexation.

**MOTION.** There being no comments, Councilmember Denison moved that the hearing close. Motion seconded by Councilmember Nikas and carried. Public Hearing closed at 5:35 p.m.

**MOTION.** Councilmember Nikas moved that Ordinance #98-005, adopting the S & K Annexation 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.

5. BID OPENING - Power Transformer - Committee Formed

The following bids were received for the purchase of a Power Transformer:

General Electric International, Inc., Salt Lake \$307,500 With Nine (9) add ons Royal Utility Supply, Draper \$349,800 With Nine (9) add ons

**MOTION.** Councilmember Nikas moved that a committee comprised of himself, Councilmember Piccolo, Gary Sonntag, Vern Jones, Pat Larsen, and Ken Harney, be appointed to review the bids and that they be brought back to the Council before the bid is awarded. Motion seconded by Councilmember Denison and carried. Vern Jones informed the Council that the bid notice indicated that bids were due on Wednesday, September 24th instead of Wednesday, September 23rd. It is anticipated that another bid may show up tomorrow, September 24th. He recommended that the bid be accepted and remained sealed until the next Council Meeting. Mr. Sampinos felt this would be acceptable. However, if there are any inconsistencies or problems, it may have to be rebid.

#### 6. YOUTH COUNCILMEMBERS SWEARING IN - Struck

#### 7. JEANNE MCEVOY - Tree Removal

Jeanne McEvoy, 191 North 100 West, approached the Council regarding a Poplar tree located in the parkway in front of her residence. She is at the meeting as a follow-up to a letter issued to the City on August 18, 1998. The City contracted with DMP to cut off the top of the tree with their bucket truck. City crews would then finish the job by extracting the tree trunk. However, several months have passed and this has not been done. She asked if this project couldn't be completed so that a new tree can be planted before winter. Mayor Colosimo apologized that the letter was not placed in the correct Councilman's box and this delayed the process. The Council assured Mrs. McEvoy that the tree would be removed.

#### 8. KIMBALL YOUNG - Consultant Services For Sales Tax Increase

Joanne Lessar presented a contract from Kimball Young to provide consultant services for the proposed 1/4% sales tax increase.

**MOTION.** Councilmember Piccolo moved that the contract be approved and that the Mayor and City Recorder be authorized to execute the documents. Motion seconded by Councilmember Wheeler and carried.

#### 9. JAE POTTER - 685 North Homestead Blvd. - Elimination of Utility Easement

Prior to Jae Potter speaking, Councilmember Denison informed the Council that Mr. Potter is his brother-in-law. Mr. Potter requested a variance on a 5' utility easement located on the north side of his home at 685 North Homestead Blvd. All of the utilities for this street are in the front and back of his property. He would like to build a carport and garage on the north end which would encroach on the utility easement. Mr. Potter presented letters from both Questar and U.S. West indicating they had no intention of using the easement. Mr. Sampinos stated that in view of the above letters and if the City has determined there is no need for the easement, he sees no problem in granting the variance. In a similar request, it was recommended to install a piece of conduit under the project. Councilmember Denison stated that he discussed this with Francis Duzenack, Building Official, and he felt that Price City has no need for the easement.

**MOTION.** Councilmember Piccolo moved that approval be given to allow the easement to be encroached upon and that in the interest of clearing Mr. Potter's property title, that a quit-claim deed be issued from the City to Mr. Potter disclaiming any interest in this particular easement. Motion seconded by Councilmember Wheeler and carried.

#### 10. PRICE RIVER WATER IMPROVEMENT DISTRICT - Carbonville Road Sewerline - Committee Appointed

Jeff Richens, representing Price River Water Improvement District, reported that Jerry Chavez and Steve's Western Transmission, both located within Price City limits near the Carbonville Road, contacted PRWID to assist them in reconstructing their sewerline. PRWID felt that since these people reside within City limits, that Price City should handle this. The 6" sewerline goes under the Carbonville Road and winds around the Budget Host Motel & RV Park and goes through their driveway. The driving of large RV's, motorhomes, etc., through the driveway has crushed the cleanouts plus caused damage to the sewerline. Mr. Richens indicated he spoke to the Kiahtipes brothers, who own property on the south, and they are willing to grant an easement through their property. There is a possibility of a short route and a long route. The Kiahtipes brothers would prefer that the line be placed through the longer route instead of through the middle of their

property in the event of future development. Mr. Richens stated that a rough estimate for the short route would be \$4,500 and the longer route would be \$8,500.

**MOTION.** Councilmember Denison moved that a committee consisting of himself, Councilmember Denison, Gary Sonntag, and Paul Wheeler, be appointed to review the sewerline. Motion seconded by Councilmember Piccolo.

#### 11. OWNERSHIP OF 500 WEST SEWER LINE - 300 North to 400 North

Gary Sonntag reported that the sewer pipeline along 500 West between 300 North to 400 North has recently been evaluated. There is an existing 4 inch clay tile sewer pipeline in this street. Although smaller than today's standards of an 8 inch sewer, this 4 inch line is operating as a sewer main. In speaking with long time residents living in the area, the sewer line was installed in the 1930's and was later accepted by the City. We have no record of the City taking over this line, although the explanations we received seemed credible. The City has continued to allow connections to the line. Pat Vouk Davis recently subdivided her property, adjacent to 500 West, into 3 lots. It was a requirement that Ms. Davis upgrade the sewer main if necessary. As the existing 4 inch sewer line has been operating without any problems, Ms. Davis was allowed to connect onto the line. In an effort to overcome any future sewer main problems, Ms. Davis was asked to help in an upgrade of the sewer line by purchasing one sewer manhole and up to 100 feet of 8 inch sewer pipe. The City would install the manhole and pipeline. Ms. Davis was agreeable to this providing the City would guarantee in writing a sewer connection to the remaining undeveloped lot. Mr. Sonntag recommended that the City take over ownership of the 4 inch sewer line in 500 West between 300 North to 400 North, purchase the manhole and pipe materials and bill Ms. Davis for the cost, complete the installation, and allow Ms. Davis a sewer connection to the vacant lot.

**MOTION.** Councilmember Piccolo moved that the recommendations as presented above be approved. Motion seconded by Councilmember Wheeler and carried.

Aurelia Cooley, whose residence is at 355 North 500 West, stated that she has no problem with the sewer line. At some future time, she stated that she may want to sell a portion of her property and connect to the sewer line. She expressed concern with a drainage problem, as there is no drainage on either side of the street. At the present time, water coming from school hill runs into the vacant field. However, with the subdivision of Ms. Davis's property and the requirement to construct curb, gutter, and sidewalk, she questioned where the water will go. Councilmember Piccolo stated that some reconstruction in the area of 600 West 300 North has been planned in this year's budget, which should help the drainage problem. Gary Sonntag agreed that something needs to be done to catch the drainage. Some work is presently being done on school hill by installing ditches and redirecting a pipe that used to spill out onto the road. The pipe has been rerouted to a ditch where it will be contained. However, more work still needs to be done. Gary also stated that there should be no problem for Mrs. Cooley to eventually connect to the sewer line if she decides to develop her lots. However, it should be noted that this line should not be extended any further than 400 North because it is too small to accept any more sewage. Another larger size line would need to be extended up the street and beyond in order to make it a viable system.

#### 12. INFORMATION SERVICES - Year 2000 Progress Report

Bob Potts reported that he recently attended a computer workshop regarding the Year 2000. He presented the Council with a written plan for their review. He will place the "plan" on the agenda for approval at a later date. A Year 2000 committee needs to be formed to follow through with the changes. A letter also needs to be issued from our legal department explaining the steps that Price City is taking to become Year 2000 compliant. He has set a target date of October, 1999 to be in compliance.

**MOTION.** Councilmember Denison moved that a Year 2000 Committee be appointed consisting of himself, Mayor Colosimo, Councilmember Piccolo, Bob Potts and all department supervisors. Motion seconded by Councilmember Bringhurst and carried. Councilmember Denison will be the chairman.

#### 13. INFORMATION SERVICES WIRELESS BRIDGE - Permission To Purchase and Transfer Funds Within Department

Bob Potts reported that Cellular One has agreed to allow the City usage of their tower on Wood Hill for the Wireless Bridge program. They also donated a cellular phone to the Fire Department. By letting the City use areas on this tower, he was able to reduce the costs for the Wireless Bridge program by \$9,000. The only stipulation Cellular One has is that anytime they change what they are doing and re-evaluate, they may want to charge a use or rental fee. However, they foresee nothing at this time in their 10-year picture. Bob reported that he received a new quotation from In-Tell Com for \$15,474. With the above savings on the tower, he will be able to connect all departments, including the cemetery. At the

last meeting, the cemetery was deleted because of the cost. As this last proposal is \$474 over budget, he requested permission to transfer funds within the line items in his department to allow for this purchase.

**MOTION.** Councilmember Piccolo moved that the City accept the above offers from Cellular One, that Mr. Potts be authorized to transfer money within his department, and that the Wireless Bridge Program be purchased that will include the Cemetery Dept. as long as it falls in line with budget to comply with the motion at the last meeting. Further, that at some time in the future, the City may have to pay a rental fee for the tower on Wood Hill. Motion seconded by Councilmember Denison and carried.

#### 14. INFORMATION SYSTEMS - Permission To Purchase File Servers for the Police Department and Library

Bob Potts requested permission to purchase File Servers for the Police Department and Library. The cost for the Police Department is \$3,000, which is a budgeted item. The funds for the server for the library is coming from a grant. Bob stated that these proposals are from Computer Discount Warehouse, which is under government contract. Local proposals were much higher and did not have the same ability as those from Computer Discount Warehouse.

**MOTION.** Councilmember Bringhurst moved that the purchase of the File Servers be approved as outlined in the proposal information. Motion seconded by Councilmember Wheeler and carried.

#### 15. KIWANIS CLUB OF PRICE - Request To Waive Fees For Washington

Park Pavilion For "Kids Day".

**MOTION.** Councilmember Bringhurst moved that all fees (including hard costs) be waived for the use of Washington Park for the Kiwanis Club "Kids Day". Motion seconded by Councilmember Piccolo and carried. It was recommended that the Kiwanis Club be charged a deposit and that the deposit be returned upon satisfactory cleaning.

#### 16. CARBON/EMERY COUNTY BUSINESS REVIEW - Ad Approved

**MOTION.** Councilmember Nikas moved that an ad for the Carbon/Emery Business Review be approved in an amount of \$50. Motion seconded by Councilmember Piccolo and carried.

#### 17. SPONSOR FOR 4H PAGE (SUN ADVOCATE) - Denied

**MOTION.** Councilmember Bringhurst moved that the request from the Sun Advocate to sponsor a 4H page be denied. Motion seconded by Councilmember Piccolo and carried.

#### 18. PURCHASE OF STREET LIGHT POLES AND STREET LIGHTS - Permission To Advertise For Bids

**MOTION.** Councilmember Nikas moved that permission be given to advertise for bids for the purchase of street light poles and street lights. Motion seconded by Councilmember Piccolo and carried.

#### 19. ADVANCED TECHNOLOGY SERVICES - Home Occupied Business Approved

Councilmember Piccolo reported that the Planning and Zoning Commission gave a favorable recommendation to Ross Sacco to operate an electronics maintenance and repair business at his home located at 521 North Eastridge Road.

**MOTION.** Councilmember Piccolo moved that the business be approved upon payment of the business license fee. Motion seconded by Councilmember Denison and carried.

#### 20. THE SILVER COYOTE, FIREPLACES UNLIMITED, SOUTHWEST PLUMBING, THE CLEANERS DROP OFF CENTER - Conditional Use Permits

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

The Silver Coyote - 82 North 100 West - Facia Mounted Sign

Fireplaces Unlimited - 150 South 700 East #1 - Business and Sign - For use as a storage and display.

Southwest Plumbing - 190 South 100 West - Street Improvements - Requires submission of final plans and a Development Agreement

The Cleaners Drop Off Center - 150 South 700 East - Business and Sign - An existing sign will be broken down into 4 parts - each part advertising the 4 businesses at that location. A temporary banner was recommended for 60 days.

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

21. COMMUNITY DEVELOPMENT DIRECTOR JOB DESCRIPTION - Tabled

22. VERN JONES, BOB POTTS, SHARI MADRID, WILMA BARNETT - Travel Approved

Mayor Colosimo presented the following travel requests:

Vern Jones - Utah Local Governments trust Certified Citizen

Planner Seminar, October 23, 24, Cedar City, Utah

Bob Potts, Shari Madrid, Wilma Barnett, Linda Allred - Casselle Computer Training, October 13 & 14, Mesquite, Nevada

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

23. RICHARD OLIVER - Volunteer Fireman - Inhouse Advertisement Approved

Kent Boyack requested permission for City employee Richard Oliver to join the Volunteer Fire Department. Since Mr. Oliver is an employee, the cost to the City will be minimal. The Council expressed concern that an application process was not followed and questioned if other City employees might be interested in joining the Fire Department. The need for another Fireman was discussed.

**MOTION.** After further discussion, Councilmember Piccolo reported that in all fairness that an inhouse advertisement be approved, and after it is determined what employees would be interested, that this be brought back to the Council for a further decision whether to add more Firemen now or in the future depending on the fiscal condition of the City. Motion seconded by Councilmember Bringhurst and carried.

24. BILL'S HOME FURNISHINGS - Electrical Easement

Gary Sonntag presented an electrical easement from Bill and Kathleen Knott of Bill's Home Furnishings. The easement will provide access from 100 South to overhead electrical lines and poles. He recommended that this easement be accepted and recorded.

**MOTION.** Councilmember Piccolo moved that the easement be accepted and recorded. Motion seconded by Councilmember Denison and carried.

25. SUN ADVOCATE - Final Release On Development Agreement and

Cashiers Check

Gary Sonntag reported that the Sun Advocate Newspaper has completed their work on the required public improvements. It has been one year since substantial completion and there have not been any problems. He recommended that the Development Agreement and remaining funds held from the cashiers check be released in the amount of \$689.00.

**MOTION.** Councilmember Bringhurst moved that the final release on the Development Agreement and cashiers check be approved. Motion seconded by Councilmember Piccolo and carried.

## 26. DRAINAGE PROJECTS - Permission To Start Planning Process

Gary Sonntag reported that in an effort to continue to plan for, control and mitigate the impact of flooding within the City, he proposed that a City-wide master plan be initiated to prioritize needed projects. In particular, the harder hit areas of the City which include the Coves, 800 North (west), the Price Canal, 600 West dead end, south Price and other selected streets. He requested permission to start the process of identifying projects, design requirements, construction efforts and funding sources.

**MOTION.** Councilmember Nikas moved that the request be granted. Motion seconded by Councilmember Piccolo and carried.

## 27. PRICE RIVER DRIVE BUSINESS PARK, PLATS A& B - Irrigation and Water Easement

Gary Sonntag presented two completed easements from Ray Morley, developer of the Price River Drive Business Park, for the irrigation system and the water line route through the business park. He recommended that these two easements be accepted and recorded.

**MOTION.** Councilmember Piccolo moved that the easements be accepted and recorded. Motion seconded by Councilmember Nikas and carried.

## 28. STREET SWEEPER - Permission To Pick Up Equipment and Attend Training - Denied

Gary Sonntag reported that the City has purchased a Tymco 600 BAH street sweeper from Intermountain Sweeper Co. of Salt Lake City, Utah. The sweeper will be shipped to Price on a transport from their plant in Waco, Texas. A representative from the company will be in Price to provide a one day on-site training. In lieu of having the sweeper transported, the City has the option of sending two employees, at Intermountain Sweeper's expense, to the plant in Texas for training and then drive the sweeper back to Price. The drive back to Price will enable the diesel engine to have a full break-in, forcing any malfunctions to the surface sooner, if any. Once the sweeper is here, they will still fulfill the contract requirement of completing on-site training. The Council discussed the pros and cons of this option pertaining to the lost time for two employees, the cost of the return trip, and the possibility of an accident while enroute.

**MOTION.** After further discussion, Councilmember Nikas moved that the sweeper be transported. Motion seconded by Councilmember Bringham and carried.

## 29. SURPLUS PROPERTY - Permission To Sell

Gary Sonntag presented a list of items that are no longer needed or of surplus to the City. He requested permission to declare these items surplus and sell them through the same auctioneer as we had last year.

**MOTION.** Councilmember Nikas moved that the items be declared surplus and that Mr. Sonntag be authorized to dispose of them through the auctioneer. Motion seconded by Councilmember Bringham and carried.

## 30. ALEX MARKAKIS - Sewer Line Claim - Update

The Council discussed the sewer line claim submitted by Alex Markakis and the plastic bags that Mr. Markakis brought to the Council indicating that they were removed from his sewer line. The bags were a type that previously contained O Rings. It is unknown how the plastic bags got in the sewer line. The insurance company found that the City was not responsible. Councilmember Piccolo stated that in his discussion with Paul Wheeler, Water Department Superintendent, the City does not use O-Rings. Councilmember Denison stated he would review this further with Paul Wheeler.

## 31. STEPHEN JOHANSON - Elimination of Existing Easement

Vern Jones reported that in an earlier meeting, Stephen Johanson, requested permission to eliminate or build over an existing easement at his home located at 506 Cottonwood Road. Vern indicated that he found a street light wire that was going parallel to that easement on another piece of property. He investigated to see if the City had an easement but could not locate anything. Mr. Johanson indicated to him that he was planning to build a storage shed and will use a concrete slab on grade. Mr. Johanson agreed to place conduit under the concrete slab so that the easement could be used in the

future if needed. Mr. Jones recommended that an agreement be prepared to that effect and allow Mr. Johanson to place the shed on the easement without abandoning the easement.

**MOTION.** Councilmember Piccolo moved that the recommendation of Mr. Jones be approved, that Mr. Sampinos be directed to prepare the agreement and that the Mayor and City Recorder be authorized to execute the documents. Motion seconded by Councilmember Bringhurst and carried.

### 32. IMPACT FEES - Committee Appointed

**MOTION.** Councilmember Nikas moved that a committee comprised of himself, Councilmember Denison, Nick Sampinos, Gary Sonntag, and Vern Jones, be appointed to review impact fees. Motion seconded by Councilmember Bringhurst and carried.

### 33. TRACY HAMMACK - Covecrest Flooding Problem - Update

Gary Sonntag reported that he has been working on the Covecrest flooding problem involving Tracy Hammack. He has contacted other property owners in the vicinity, Henry Smith, who owns property to the north, and Carbon County. He also spoke with Questar Pipeline. He is making some progress as far as a plan to overcome the drainage issues. The Hammack's basement was flooded again a couple weeks ago during a freak storm. The City took 50 sand bags to them to help with future problems. He has been unable to contact the property owner located directly behind the Hammack home. At this time, it is doubtful that he may be able to contact this person.

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

Meeting adjourned at 8:00 p.m.

Reconvened at 8:04 p.m.

Meeting adjourned at 8:15 p.m.

APPROVED: