

Present:

Mayor Piccolo

Councilmembers:

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| Wayne Clausing | Bill Barnes, Police Captain |
| Rick Davis | Nick Sampinos, City Attorney |
| Layne Miller | Nick Tatton, Community Director |
| Grady McEvoy | Laurie Tryon, City Recorder |
| Kathy Hanna-Smith | Lisa Richens, Finance Director |
| | John Daniels, Human Resource Director |

Excused Absence: Gary Sonntag-Public Works Director, Kevin Drolc-Police Chief, Bret Cammans-Customer Service Director

Present: Dale and Ann Evans, Nick Kiahtipes, Brianna Welch, Clay and Corry Holbrook, Col. Robert Dunton, B.Paul Weddle, Angelo and Kris Kiahtipes, Dillon Mason Scout Troop#286, Collin Lewis-Boy Scout Troop#299, Skylor Stewart, Bridger Anderson-Boy Scout Troop #299, Kevin Scannell, Ed Howa, Commissioner Mike Milovich, Dalton Adams, Joan and Ron Felice, Commissioner John Jones, Curtis Page, Scott Evans, Jason Evans, Phillip Raich, Renee, Jon and Brooke Banasky

Mayor Piccolo called the meeting to order at 5:30 p.m. and John Banasky, Boy Scout Troop #286 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.

Councilmember Hanna-Smith read aloud a letter from the Chamber of Commerce regarding the space used at the Community Development Complex.

3. PRESENTATION-Colonel Bob Dutton of the Utah National Guard and B. Paul Weddle, Realistic Urban Training Coordinator for the U.S. Special Operations Command regarding training exercise in the Price area.

Colonel Bob Dutton and B. Paul Weddle presented a summary of the training exercises that will take place in the Price area from July 25 to August 7, 2013 for a special A-team battalion company from the Fort Bragg base in Virginia to meet unconventional warfare training objectives. They stated that the local law enforcement and government entities will be notified of the simulated trainings and scenarios that will be taking place. The Mayor and Council conveyed their enthusiasm for this opportunity to welcome the troops to the area and agreed to help in anyway they can when the time comes. Mayor Piccolo asked that they please send a message from our community that we are always thinking about our local troops in Afghanistan and to let the soldiers know they are always in our prayers.

4. PUBLIC HEARING-To receive input regarding the 2012, 5-year Integrated Resource Plan.

Nick Tatton explained that the Western Area Power Administration (WAPA) requires that Price City as a recipient of federally marketed power complete an Integrated Resource Plan and adopt it every five years. He stated that the City has completed this process and update every five years, the prior plan being approved and adopted in 2007 and the plan incorporates supply and demand side matters affecting the City for the plan period. He recommended approval.

MOTION, Councilmember Clausing moved to open the public hearing at 6:07 p.m. Motion seconded by Councilmember Hanna-Smith and carried. No public comment was received.

MOTION, Councilmember Hanna-Smith moved to close the public hearing at 6:08 p.m. Motion seconded by Councilmember McEvoy and carried.

5. PUBLIC HEARING-To receive input regarding the transfer of 2 orphan property parcels at approximately 750 East 100 North from Price City to Carbon County to facilitate development of the proposed new Carbon County Courthouse.

Mayor Piccolo read aloud a letter from Price City to the Carbon County Commissioners regarding the new courthouse property relaying the outcome from the public hearing held at the Price City Planning and Zoning meeting on September 24, 2012. The letter had not yet been sent to Carbon County.

MOTION. Councilmember McEvoy moved to open the public hearing at 6:14 p.m. Motion seconded by Councilmember Hanna-Smith and carried. Mayor Piccolo asked for public comment on the proposed transfer of two orphan property parcels at approximately 750 E. 100 North to facilitate development of the Proposed Carbon County Courthouse.

Several members of the community were in attendance and public comment was received from Nick Kiahtipes, Angelo Kiahtipes, Clay Holbrook, Curtis Page and Renee Banasky. The majority of concerns and comments from the public focused on asking the City to not transfer the parcels because that would support the move of the Carbon County Courthouse to the new location on 100 North. The citizens were concerns about the following issues and whether or not Carbon County had done an independent study or had plans available for the public: 1) impact on downtown businesses, prospective downtown development, tourism and the vitality of Main Street and the appearance after the courthouse has moved; 2) traffic in relation to the new location on 100 North; 3) cost of a new courthouse versus renovating the current building, fiber optics and parking; 4) a recreation center in the future and where money would come from if money is being used for a new courthouse; 5) future plans for the old building and parking lot.

Mayor Piccolo stated that the two orphan properties to be transferred to Carbon County is the reason for the public hearing. He stated that he appreciates all of the comments, opinions and ideas from concerned citizens. He stated that whether or not the parcels are transferred will not deter Carbon County from building the proposed new courthouse and Price City will be able to address other issues when the Conditional Use Permit and building permits are applied for by Carbon County.

Carbon County Commissioner Jones and County Engineer, Curtis Page responded to some of the concerns brought forward by citizens in the audience. They stated that there were public hearing and meetings regarding the new courthouse plans and many of the same questions were answered at those meetings. Commissioner Jones stated that the public can contact the Commissioners at any time to get answers to their questions. Mr. Page stated that there are plans that include engineered plans, utilities, ROW, surveys, soil studies, curb/gutter/sidewalk information and a traffic study. Commissioner Jones stated that future plans for the existing courthouse property includes a library and possible private interest development for office space. Commissioner Jones and Mayor Piccolo agreed that the City, County and the community would benefit from a meeting to discuss the questions brought about from tonight's public hearing.

Nick Tatton stated that a survey of the property proposed for the new courthouse found the two orphan parcels. He stated that the Conditional Use Permit will include mitigations against impacts on land use, traffic, community impacts, fencing, storm water, drainage, landscaping, dumpster location, lighting etc. and the conditions set by the Planning and Zoning Commission can be addressed with consent item 6a on tonight's agenda. **MOTION.** Councilmember Hanna-Smith moved to close the public hearing at 7:26 p.m. Motion seconded by Councilmember Clausing and 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 Permits

a. PROPERTY TRANSFER RECOMMENDATION-2 orphan parcels of property to Carbon County with conditions and approval of Resolution 2012-22 approving the transfer and quit claim deeds-Final with Conditions:

- Series of community meetings between Carbon County officials and staff, Price City officials and staff, concerned community members are completed to receive community input on the proposed project. Price City has agreed to facilitate these meetings and community members in attendance at the public hearing have agreed to participate in the meetings.
- The review of Carbon County's market analysis/social economic impact study detailing the potential local economic and financial impacts (positive or negative) to the public and private sectors based on the new facility and a new location outside of the downtown area.
- The review of Carbon County's study for not choosing the existing property (120 E. Main) and the proposed intended utilization of that property to prevent a large parcel from being dark on Main Street.

Nick Sampinos stated that the Planning and Zoning Commission approved the transfer of the two orphan parcels to Carbon County with three issues that have been addressed in a letter to Carbon County Commissioners. He stated that the City Council can approve the recommendation from the Planning Commission subject to those items being addressed. He stated that it is in the best interest of the City to transfer the parcels to Carbon County. Councilmember McEvoy stated that he believes that the main concern should not be the transfer of the two parcels but the continued improvements on Main Street and maintaining the vitality of the community with a shared solution for the old courthouse building. **MOTION.** Councilmember McEvoy moved to approve the property transfer for Carbon County based on the recommendations of the Planning and Zoning Commission. Motion seconded by Councilmember Miller. Motion carried four votes to one.

Councilmember Hanna-Smith voted Nay.
 Councilmember Clausing voted Yay
 Councilmember Davis voted Yay

Councilmember Miller voted Yay
 Councilmember McEvoy voted Yay

Carbon County Commissioner Milovich stated that studies have been done, plans for the future of building have been discussed and all of the items that have been reviewed in tonight's public hearing have been discussed over the past 4-5 years of planning the new courthouse. He stated that Carbon County is into the project \$750,000 and the project will continue and he stated that he believes it will beautify the corner of 100 North and 700 East and be an asset to the community. Mayor Piccolo thanked the Carbon County Commissioners and the public for attending the meeting and for their comments and ideas to work together on finding a balance for the old and new courthouse buildings.

b. BOYS AND GIRLS CLUB OF CARBON COUNTY-130 N. 200 E. Conditional Use Permit-Final with amended site plan and conditions:

Development and renovation of the property in compliance and consistent with the amended site plan submitted finding that development consistent with submitted and approved site plans mitigates development hardships and promotes long-term, high quality development within the community, site plan elements include the following:

- i. Fencing: 3' sight obscuring fencing for 30' from 200 E and 100 N streets and 6' sight obscuring fencing surrounding remaining perimeter of site. 3' sight obscuring fence and hedge to be maintained for 60' along 100 N and 200 E from corner. Existing legal non-complying fencing may remain until replaced.
 - ii. Area Lighting: lighting to be shaded and angled to mitigate light transference to neighboring residential uses. Lights to be on timers and motion activated.
 - iii. Outdoor Activities: outdoor activities to be within the hours of 7am to 10pm only finding that limiting outdoor activity time mitigates noise and other potential nuisance impacts from neighboring residential uses;
 - iv. Drop-Off & Pick Up Zone: Boys and Girls Club to coordinate paint striping of drop off and pick up zone with Price City Public Works Department to mitigate any vehicle or pedestrian impacts.
 - v. Bike Rack: location in parking strip approved and must be installed and coordinated with the Price City Public Works Department to mitigate any utility, vehicle or pedestrian impacts. Easement necessary: Boys and Girls Club to prepare legal easement and submit to Price City. Additional bike rack to be placed in no parking area near teen entrance.
 - vi. Landscaping: a minimum of 5% of the site must be landscaped and maintained.
 - vii. Off-Street Parking Lot and Surfacing: minimum of 9 off street parking spots completed based on the need of 4 spaces for staff and 5 spaces for visitors. Off street parking lot to be hard surfaced within 24 months of this approval (October 1, 2014). Storm water drainage design from surfaced lot to be reviewed and concurred with by the Price City Engineer.
 - viii. 100 North Ingress and Egress: maximum 30' driveway entrance permitted. Right turn only upon egress from site onto 100 North Street. Right turn only sign to be installed by Boys and Girls Club.
 - ix. Garbage Enclosure: Garbage location to be enclosed in a 6' sight obscuring and gated enclosure. Garbage service to be such that the size and frequency of disposal does not allow accumulations of garbage or rubbish to overflow the garbage cans.
 - x. Razing of Existing Residential Structure on SW Corner of Site: removal of existing structure (rental house) on SW corner of site to be completed under the auspices of a Price City demolition permit and subsequent parking area to be developed in accordance with all Code requirements including storm water management planning.
- b. All phases of development approved to be completed in full on or before September 1, 2014 finding that phased development plans submitted indicate that development will be completed within that time frame, that the location is on a primary community corridor and timely completion of development promotes increased community aesthetic, and the maximum temporary period for development completion authorized within the Code is 24 months, removal of residential structure completed by June 30, 2015;
 - c. All building renovations to be completed under the auspices of a valid Price City Building Permit and safety inspection of structures and property completed by the Price City Building Inspector and Price City Fire Chief prior to final occupancy and compliance with all safety recommendations stemming from said inspections and permitting finding that properly constructed, renovated and inspected structures and property protect the health, safety and welfare of the community;
 - d. Signage to be placed at the site only after final review and approval of site signage plan by the Price City Planning Department finding that complying signage promotes increased consistency and commercial

- operation identification within the community;
- e. Procurement of a Price City business license and submission of non-profit verification along with annual lists of current members of the board of directors for the Boys and Girls Club of Carbon County finding that proper licensing and tracking of commercial activity in Price City is consistent with the Price City General Plan;
- f. Control of site and location entry and security of all club participants from unauthorized persons and background checks by qualified law enforcement personnel for all employees and volunteers working with children at the club finding that safety of minor children is a primary concern in the community;
- g. Completion of all utility connections in compliance with Price City requirements finding that properly connected utility service protects the health, safety and welfare of the community;
- h. Completion of a storm water management plan and concurrence with the storm water management plan by the Price City Engineer finding that properly controlled and managed storm water flows prevent flooding, protect structures and infrastructure and protect the health, safety and welfare of the community;
- i. Completion of a public infrastructure development agreement, if required, with the Price City Public Works Department and submission of any required financial surety associated with the agreement finding that agreed to and financially secure public infrastructure development mitigates potential failures from public expense;
- j. Written notification of all neighboring property owners within three-hundred feet (300') of the subject property regarding the nature and plan for the development finding that formal notification of neighboring land owners of pending development mitigates misunderstandings regarding development and operation;
- k. Application for, completion of, and recording with the Carbon County Recorder of a lot assembly plat or notice of property boundary adjustment document, approved under separate application and approval finding that the clubhouse, parking lot and adjoining property are currently on separate parcels and the Code requires the development be contained on one parcel;
- l. No conditions at the property or structure(s) that place the property or structures in violation of the Price City Property Maintenance Code, including all snow removal loading to be maintained on-site and not placed within 100 North Street or 200 East Street, finding that properly maintained properties and structures protect area property values and promote the goals in the Price City General Plan;

MOTION Councilmember Hanna-Smith moved to approve the Conditional Use Permit with conditions for the Boys and Girls Club. Motion seconded by Councilmember McEvoy and carried.

CONSENT AGENDA-Councilmember Davis moved to approve the Consent Agenda items 7 through 15. Motion seconded by Councilmember Miller and carried.

- 7. MINUTES
 - a. September 11, 2012 City Council Meeting
- 8. LIBRARY- Authorization to approve three new Boardmembers to the Library Board: JoDell Husby, Gary Berensen and Melody Bradford.
- 9. BID OPENING- Project 6E-2012- Modification of 2 Street Department Trucks- Truck 1 will have its current bed removed and a new bed installed. Truck 2 will have a snow plow mounted and a new salt spreader installed. Bids reflect the base bid and options. Purchased by Class "C" Road Funds. Authorization to accept the bid from Legacy Equipment for \$48,165.00 (Truck 1-\$22,711.00 and Truck 2 \$25,454.00).
- 10. RESOLUTION 2012-21-Consideration and possible approval of a Resolution Adopting and Establishing an Updated Five-Year Integrated Resource Plan (plan and attachments).
- 11. PARK PAVILION EXTERIOR UPGRADE—(Project #4C-2012) O’Shea Painting Final Payment. All exterior work is finished on pavilions at Pioneer Park and South Park. Contract Amount: \$16,450.00. Payment #1: \$7,575.00; Final Payment #2: \$8,875.00.
- 12. PRICE RIVER TRAIL PARKING LOT—(Project #1C-2012) Jones & DeMille Change Order and Final Payment. All design work is finished for parking lot. Original contract amount: \$5,500.00. Change Order #1: \$3,137.00. Final payment: \$8,637.00.
- 13. POLICE DEPARTMENT-Consideration and approval to hire one full-time Police Officer and to establish a one year Police Officer hiring roster. The new full-time officer will fill a vacancy created by Officer Walker's departure and will not increase the number of officers in the Police Department.
- 14. FINANCE DEPARTMENT-Authorization to assign general fund balance in the amount of \$15,698.02 on the fiscal year 2012 financial statements. Amount represents unspent funds authorized to purchase fitness equipment during the prior year. Funds were received from PEHP as an insurance premium refund.

15. TRAVEL REQUEST-
Tamara Gray-Aquatic Facility Re-certification-Oct. 10-11, 2012- West Valley City
Brianna Welch-Playground Safety Training & Exam, Utah Recreation & Parks Association, Nov. 7-9, 2012, ULGT Offices, North SLC; est cost \$921.25
Gary Sonntag-Fall Conference, American Public Works Association, Utah Chapter, Sandy, Utah, October 2-3, 2012, Est. cost \$250.00.

16. UNFINISHED BUSINESS

- a. Recycling
- b. Tennis Courts
- c. 100 North Entryway
- d. City Projects: 1) ADA Ramps: Library/Auditorium 2) West/East Price Entrances 3) Peace Garden Stage

The regular City Council meeting adjourned at 8:10 p.m. by Mayor Piccolo pursuant to the motion by Councilmember McEvoy.

APPROVED

ATTEST

Joe L. Piccolo, Mayor

Laurie Tryon, City Recorder