

Present:

Mayor Piccolo
Councilmembers:
Leif Nelson Kevin Drolc-Police Chief
Rick Davis Nick Sampinos-City Attorney
Layne Miller Nick Tatton-Community Director
Kathy Hanna-Smith Miles Nelson-Public Works Director
Terry Willis Lisa Richens-Finance Director

Excused Absence: John Daniels-Human Resources Director, Bret Cammans-Customer Service Director and Sherrie Gordon-City Recorder

Present: Norma Procarione, Lori Brassaw, Richard Hansen, Bobbie Jo Hall, Carolyn Yazzie, Kayli, Hansen, Chase Hansen, Alida Farlaine, Scott Niblack, Vink Tolich, JoAnn Tolich, Mike Tolich, Jaimee Tolich, Tracy Hoyt, Jon Carpenter, Connie Hamilton Tami Ursenbach, Shelley Wright, Kendra Seeley, Gary Straquadine, and Rick Sherman

1. Mayor Piccolo called the regular meeting to order at 5:30 p.m. He led the Pledge of Allegiance.
2. Roll was called with the above Councilmembers and staff in attendance.
3. PUBLIC COMMENT – Alida Farlaine addressed the Mayor and Council regarding the parking spaces in front of her business, toughER gym located at 77 East Main Street. It has been brought to her attention that this area is not currently marked/lined for parking. She requested this area be marked/lined for parking. The Mayor asked Miles Nelson if this is something that he could review and report back to Ms. Farlaine, the Mayor and Council. Mr. Nelson will review the request and report back to Ms. Farlaine, the Mayor and Council as requested.
4. COUNCILMEMBERS REPORT – The Councilmembers presented an update on the activities and functions in which they have participated in support of Price City since the last Council meeting.
5. OATH OF OFFICE - Administration of oath of office to Officer Jared Hansen by Judge Jon Carpenter.
Chief Drolc introduced Officer Jared Hansen who had been recently hired. Carbon County Justice Court Judge Jon Carpenter administered the oath of office. Officer Hansen was welcomed by the Mayor, Council and staff.
6. VISIONARY SERVICE LEADER AWARD PRESENTATION - Presentation of the Visionary Service Leader Award to Jamie Tolich for her dedication to, and support of the community. Jaimee Tolich was presented with the Visionary Service Leader Award. The Mayor and Council thanked her for her hard work, dedication and support of Price City.
7. REQUEST FOR SPONSORSHIP - Carbon/Emery Children's Justice Center is requesting sponsorship for the Castle Country Christmas Tree Regalia.
Connie Hamilton, CJC Board Chairperson, addressed the Mayor and Council. She explained the Castle Country Christmas Tree Regalia scheduled for November 29 through December 1, 2017 from 3:00 - 9:00 P.M. at the Carbon County Special Event Center and requested sponsorship from Price City.
MOTION. Councilmember Hanna-Smith moved to approve a \$500 sponsorship for the Castle Country Christmas Tree Regalia. Motion seconded by Councilmember Willis and carried.
8. AGREEMENT BETWEEN PRICE CITY AND UTAH STATE UNIVERSITY EASTERN -
Consideration and possible approval of an Agreement between Utah State University Eastern Library and Learning Commons and the Price City Library for exchange of library materials.
Norma Procarione, Price City Librarian and Lori Brassaw, Utah State University Eastern Library Director, presented and reviewed the terms of the agreement.

MOTION. Councilmember Davis moved to approve the Agreement between Utah State University Eastern Library and Learning Commons and Price City. Motion seconded by Councilmember Nelson and carried.

9. **MEMORANDUM OF UNDERSTANDING - Consideration and possible approval of a MOU with Carbon County - Exit 240 Beautification Project.**
 The Mayor and Council discussed the Memorandum of Understanding. Councilmembers Davis and Hanna-Smith raised questions regarding which existing budgets may be cut to provide this funding for the project. It was determined that funding will come out of the legislative budget and from the Parks and Recreation Department budget.
MOTION. Councilmember Hanna-Smith moved to approve the Memorandum of Understanding with Carbon County – Exit 240 Beautification Project noting the budgetary funding sources. Up to \$700 per year will be paid for weed spraying for a 10-year period beginning 2018 through 2028. Each invoice is subject to approval prior to payment and annual budget approval by Price City. Motion seconded by Councilmember Davis and carried.
 Tami Ursenbach, Carbon County Economic Development, thanked everyone involved with this project.
10. **RESOLUTION NO. 2017-13 - A RESOLUTION AUTHORIZING NOT MORE THAN \$450,000 STORM WATER UTILITY REVENUE BONDS, TO FINANCE STORM WATER UTILITY SYSTEM IMPROVEMENTS; PROVIDING FOR THE PUBLICATION OF A NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED; FIXING THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT, MATURITY, INTEREST RATE AND DISCOUNT OF THE BONDS; PROVIDING FOR THE RUNNING OF A CONTEST PERIOD; AND RELATED MATTERS.**
MOTION. Councilmember Willis moved to approve Resolution No. 2017-13. Motion seconded by Councilmember Nelson and carried.

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

Nick Tatton acknowledged Chief Drolc for his Public Safety Matters presentation at the Planning & Zoning Commission Training Workshop held September 25, 2017.

11. **CONDITIONAL USE PERMITS -**
- a. **HOBBY SHOP, PAWNSHOP, ARCADE, CARRY-OUT PIZZA -** Consideration and possible approval of a hobby, pawn, arcade, carry out pizza land use at 838 East Main Street within the Commercial 1 zoning district, Marty Robbins.
 Mr. Tatton reviewed the change from a carry-out pizza to a laundromat. Mr. Robbins was working with a pizza franchise but could not finalize the plans to offer carry-out pizza. Instead, he would like to open a laundromat along with the hobby shop, pawn shop and arcade and amend his application and approval to accommodate the laundromat land use.
- Maintain a minimum of eight (8) off-street parking spaces dedicated to the business in the shared lot to the west of the building finding that dedicated off-street parking mitigates the potential for vehicle and pedestrian accidents.
 - 10,668 sq. ft. bldg. X .5 net usable = 5,334 sq. ft. / 300 feet per parking space = 18 spaces.
 - Maintain garbage and rubbish dumpster off-street in a secured and/or enclosed manner with an appropriate service frequency finding that properly sized and serviced garage dumpsters prevent accumulations of garbage and rubbish and wind scatter of garbage and rubbish.
 - Completion of a Price River Water Improvement District (PRWID) waste water survey and compliance with all waste water system protection requirements stemming from the survey finding that waste water system protection mitigates impact to the system. No on-site grease disposal or food disposal into the waste water system. Installation of a grease trap and sampling manhole for sewer system protection based on the laundromat land use.
 - Installation of business signage only upon review and approval by the Price City Planning Department finding that properly reviewed and approved business signage promotes commercial activity and is consistent with the Price City General Plan.
 - Review of all firearms and ammunition storage and security by the Price City Police Chief and compliance with all safety recommendations stemming from the review finding that properly reviewed, stored and maintained firearms mitigate the potential for theft or other crimes.
 - Maintain valid registration with the State of Utah/Federal as a firearms dealer, if applicable.
 - Inspection of the building for safety by the Price City Building Inspector and Price City Fire Chief and compliance with all safety recommendation stemming from the inspection finding that reviewed, inspected and updated buildings protect the health, safety and welfare of the community.
 - Any building renovations to be completed under the auspices of a Price City Building Permit and inspection.
 - Maintain all business registrations and licensing, as applicable, finding that properly registered and licensed businesses improved commercial and economic activity.
 - Price City Business License.

- State of Utah Sales Tax Registration and Submission.
- No loitering in the vicinity of the building finding that restricted loitering mitigates the potential for negative impact to surrounding structures and property.
- No smoking compliance with the Utah Indoor Clean Air Act finding that restricted smoking mitigates the potential for negative health impacts to persons conducting business at the location.
- No conditions at the property or structure that violate the Price City Property Maintenance Code finding that properly maintained properties and structures mitigates impacts to property values and is consistent with the Price City General Plan.

MOTION. Councilmember Nelson moved to provide final approval of a Conditional Use Permit of a hobby, pawn, arcade, and laundromat land use at 838 East Main Street within the Commercial 1 zoning district. Motion seconded by Councilmember Miller and carried.

b. RESTAURANT WITHOUT ALCOHOL SALES - Consideration and possible approval of a conditional use permit for a restaurant without alcohol sales to be reestablished at 40 W Main St. within the Commercial 1 zoning district, Tony Siaperas.

- Complete any and all Southeast Utah District Health Department (Department) physical facility inspection requirements prior to commencement of business and certification of all employees and staff with the Department food handler safety program finding that properly inspected facilities and certified staff mitigates the potential for food related sickness and protects the health, safety and welfare of the community.
- Procurement of a Price City business license for operation of the business at the location finding that properly licensed and permitted businesses protect the health, safety and welfare of the community.
- No sales or service of alcohol at the location finding that no local application has been submitted for consideration of alcohol sales, no local consent has been applied for or provided for alcohol sales and Price City has not received a copy of any State of Utah alcohol permit or application.
- No on site disposal of oils, greases or other chemicals or items that may negatively impact the environment or the waste water system finding that restricted disposal of certain items protects the health, safety and welfare of the community.
 - Completion of a Price River Water Improvement District (PRWID) waste water survey, if necessary and compliance with all waste water system protection requirements stemming from the survey including grease trap requirements.
 - Service frequency and capacity of grease trap to mitigate waste water system impacts for restaurant operation.
- Inspection of the structure by the Price City Building Inspector and Price City Fire Chief prior to occupancy and compliance with all safety recommendation stemming from the inspection finding that compliance with safety recommendations protects the health, safety and welfare of the community.
 - Completion and verification of all building safety matters as directed by the Price City Building Inspector and Price City Fire Chief. Engineering documents may be required.
 - Occupant load limits at restaurant no to exceed the safe limit set by the Price City Building Inspector and Price City Fire Chief.
- All building renovation to be completed under the auspices of a Price City Building Permit finding that properly permitted and inspected commercial building improvements and renovations protect the health, safety and welfare of the community.
- Business signage plan submitted to the Price City Planning Department prior to installation for review and potential approval finding that properly reviewed and authorized commercial signage promotes increased commercial activity and is consistent with the Price City General Plan.
- All employee and owner parking to be off-street in the mid-block lot to the north of the building finding that increased on-street parking in the downtown area promotes commercial activity and is consistent with the Price City General Plan.
- Business garbage and rubbish collection to be maintained in a screened enclosure and conducted with a service frequency to prevent accumulations of garbage or rubbish in the community finding that controlled garbage and rubbish disposal prevents negative aesthetic conditions and wind scatter of garbage and rubbish.
- No conditions at the property or structure that violate the Price City Property Maintenance Code finding that properly maintained properties and structures mitigates impacts to area property values and is consistent with the Price City General Plan.

MOTION. Councilmember Davis moved to provide final approval of a Conditional Use Permit for a restaurant without alcohol sales to be reestablished at 40 W Main St. within the Commercial 1 zoning district. Motion seconded by Councilmember Willis and carried.

12. CONTINUED COMPLIANCE REVIEW - Conditional Use Permit final compliance review consideration and possible approval of a recommendation to revoke the Conditional Use Permit, Castle Country Fencing, 337 N 5th Ave., Steve Manzanares.
- Mr. Tatton informed the Mayor and Council that a final compliance review was conducted by the Planning and Zoning Commission at the September 25, 2017 meeting. This was a follow-up to several previous compliance reviews conducted with Mr. Manzanares regarding his business location. The Planning Commission visited the site and spent a considerable amount of time reviewing all conditions present. They reviewed all reports and pictures from 2007 until present. The Commissioners held a detailed discussion and reviewed each requirement of the Conditional Use Permit:

- Space used for storage of “on hand” materials or 168 square feet of space not to exceed 21’ x 8’.
- Storage of items is only permitted to be on the back edge of the property up against the fence line.

- Storage items will only be stored on pallets.
- Storage items will be covered at all times and remain presentable.
- A sight obscuring fence will be installed at the sides and rear of the storage area.
- Fittings, top rail, gates, fence fabric and fence posts are the only listed items to be stored.
- Items are to remain minimal to only what will be used on a daily basis.
- Vehicles used for the business are not allowed to park at the home, this includes trucks and trailers.
- The home is to be Office Use Only.
- Customers and employees are not to come to the home for business.
- Inoperable or damaged vehicles are to be removed from the property within 60-days of this meeting.
- Vehicles are not to be parked on the City sidewalks or designated paths.

The Planning and Zoning Commission recommended that the City Council revoke the Conditional Use Permit and Business License, finding that the condition on the property remains in a non-compliant condition with the approved Conditional Use Permit.

Mr. Tatton noted that Mr. Manzanares was not present at this City Council meeting and that he was not present at the Planning and Zoning Commission meeting on September 27, 2017. Mr. Manzanares had been made aware of these meetings and the process.

Mr. Tatton stated, if permit and license revocation is approved by Council, a Cease and Desist-Business Activity letter would be served on Mr. Manzanares.

MOTION. Councilmember Hanna-Smith made a motion, effective November 1, 2017, to revoke the Conditional Use Permit and Business License, finding that the condition on the property remains in a non-compliant condition with the approved Conditional Use Permit. Motion seconded by Councilmember Nelson and carried unanimously.

CONSENT AGENDA – Councilmember Davis moved to approve consent agenda items 13 through 20. Motion seconded by Councilmember Willis and carried.

13. MINUTES

- a. September 13, 2017 City Council Meeting

14. COMMUNITY REVITALIZATION PLAN - Consideration and possible approval of a community revitalization plan in regard to public housing renovation, Scott Niblack, Cordes and Associates.
15. FLOOD MITIGATION & REPAIRS PROJECT CONTRACT AMENDMENT - Consideration and possible approval of a State of Utah Contract Amendment #1, Contract #17-1349, Flood Mitigation & Repairs Project.
16. WESTWOOD BOULEVARD CANAL STRUCTURE—Consideration and possible approval of agreement with Jones and DeMille Engineering for design and construction engineering services for a structure to prevent flooding on Westwood Boulevard. Cost of services is \$23,900 (Budgeted Storm Drain Utility Fund)
17. UTV PURCHASE-PARKS DEPARTMENT- Consideration and possible approval of the purchase of one (1) UTV, Kubota Model #RTV-X900WL-H on State Contract #MA315 from Bonneville Equipment Co. Purchase Price = \$14,575.89
18. BUSINESS LICENSES - Consideration and possible approval of business licenses for: Zen Body and Bath at 881 N 500 E, Silver Dollar-Restaurant at 40 W Main Street, Style Studio at 90 W 100 N., The Vault at the Tuscan at 23 E 100 N, The Vault at the Tuscan-Beer License at 23 E 100 North, The Tuscan Restaurant at 23 E 100 N, and The Tuscan Restaurant-Beer License at 23 E 100 N.
19. TRAVEL REQUESTS - Consideration and possible approval of travel for: Nick Tatton, Community Director - UAMPS, October 17-18, 2017 and November 14-15, 2017 PMC and Board Meetings, Salt Lake City, UT
20. COMMITTEES – Updates presented.
- a. COMMUNITY PROGRESS
- b. CULTURE CONNECTION
- c. EMERGENCY PLANNING
- d. INTERNATIONAL DAYS
- e. WATER RESOURCES
21. UNFINISHED BUSINESS
- a. Recycling – No new business to report.

The regular City Council meeting was adjourned at 6:55 p.m. by Mayor Piccolo pursuant to a motion by Councilmember Willis.

APPROVED:

ATTEST:

Joe L. Piccolo, Mayor

Sherrie Gordon, City Recorder