

Minutes of The Price City Council Meeting

City Hall: Price, Utah

October 14, 1998, 5:30 p.m.

Present:

Mayor Lou Colosimo

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

Staff: Vernon W. Jones (Adminis. Ass't.), Joanne Lessar (City Recorder), Pat Larsen (Finance Director), Nick Sampinos (City Attorney), Gary Sonntag (PWC Dir/City Engineer), Keith Wight (Human Resource Director) Ed Shook (Police Lieutenant)

Others Present:

Marilyn Vogrinec, Jim Wright, Craig Johansen, Kevin Drolc, Suda Merriman, James Cordova, Tom Alexander, Bill Knott, Nancy Wood, Mary Ghirardelli, Lucy Herrera, Bill Barnes, Amber Trujillo, Kevin Ashby, Brennan Woodward

Boy Scout Troop #281, led the Pledge of Allegiance. Mayor Colosimo called the roll with the above members in attendance.

1. MARILYN VOGRINEC - Unfair Purchasing Practices

Marilyn Vogrinec, owner of The Shoe Store, expressed her concern regarding the unfair purchasing practices of the City. She felt the City was being discriminatory against businesses within the area and presented some examples where employees were told they could not purchase steel toed shoes from her store. However, after making several calls to the City, her store was placed on the list for purchases.

2. MINUTES - September 2, 1998

The following corrections were made to the minutes of September 2, 1998:

Item 2, Paragraph 5, Line 3 - The \$51,000 amount for Class "C" Road Funds was transferred from the Street Department.
Item 2, Paragraph 7, Line 1 - Councilmember Piccolo made the motion instead of Councilmember Nikas.

MOTION. Councilmember Nikas moved that per the above corrections, that the minutes be approved. Motion seconded by Councilmember Wheeler and carried.

3. MINUTES - September 9, 1998 - Struck

4. BID OPENING - Street Light Poles and Street Lights - Committee Appointed

The following bids were received for the purchase of 20 street light poles and 20 street lights:

Stevens Sales Co., Salt Lake City \$ 9,385
Royal Wholesale Electric, Orem \$ 9,854
Codale Electric, Price \$14,025

MOTION. Councilmember Nikas moved that a committee consisting of himself, Councilmember Piccolo, Pat Colosimo, and Gary Sonntag, be appointed to review the bids and given the power to act. Motion seconded by Councilmember Bringhurst and carried.

5. BID OPENING - Wheel Loader - Committee Appointed

The following bids were received for the purchase of a wheel loader:

Century Equipment Co., Salt Lake City 621BXT Loader \$ 95,921.00

Scott Machinery, Salt Lake City TC54H Loader \$112,585.00

Wheeler Machinery Salt Lake City Caterpillar IT28G \$129,733.00

MOTION. Councilmember Nikas moved that a committee comprised of himself, Councilmember Denison, Gary Sonntag, Harold Valdez, Brian Allred, and Pat Larsen, be appointed to review the bids and given the power to act if it is within budget and that it be brought back to Council if it is over budget. Motion seconded by Councilmember Bringhurst and carried.

6. POLICE OFFICER SHANE HENRIE, SERGEANT WILLIAM BARNES - Presentation of Distinguished Service Awards

Lieutenant Ed Shook presented the Distinguished Service Award to Police Officer Shane Henrie and Sergeant William Barnes for their outstanding performance in a life threatening situation which occurred on August 21, 1998. The Council congratulated Officer Henrie and Sgt. Barnes.

7. SUDA MERRIMAN - Utah State Restorative Justice Committee Award

Mayor Colosimo reported that he attended a banquet in Park City on September 25th, where Suda Merriman, Parks Dept. Supervisor, was honored and presented a plaque by the Utah State Restorative Justice Committee for her services in supervising court-appointed youth. Mayor Colosimo congratulated Suda and on behalf of the City, presented her with a \$50 check.

8. YOUTH CITY COUNCIL SWEARING IN

Joanne Lessar conducted the swearing in of the following Youth City Councilmembers:

Jennifer Jewkes, Youth City Council Mayor

Chris Pehler, Youth City Council Mayor Pro-Tem

Cassidy Bringhurst, Youth City Councilmember

9. JAMES WRIGHT - 197 South 400 East - Discontinuance of Sewer, Water, and Garbage Fees

James Wright, 197 South 400 East, requested that the monthly billing of sewer, water, and garbage fees be discontinued for a basement apartment that he is not renting or has plans to rent. He contacted Francis Duzenack, Building Official, and asked him if the meter to the basement apartment could be shut off and if a jumper wire that was already in place could be ran to the other panel box so that there would be just one meter. Mr. Duzenack informed him that he needs to upgrade his electrical service to a 100 amp service. Mr. Wright stated that he intends to do this, but can't afford it right now.

MOTION. Councilmember Piccolo moved that Mr. Wright receive approval not to pay the water, sewer and garbage on the apartment unit at 197 1/2 South 400 East for a temporary six month period in order to allow him time to upgrade his electric service and that the apartment unit be abandoned and not rented. Further, that by giving this apartment up at this time, that Mr. Wright may lose the opportunity to rent this apartment in the future, and that the Council review this temporary approval at the end of the six months for a further decision. Motion seconded by Councilmember Nikas and carried.

10. LAIRD CLARK - Proposal To Provide Services

Laird Clark, Public Affairs Director at the Price 10th Ward of the LDS Church, offered volunteer services to the community of Price. He has several volunteers who can provide services whenever the Council needs them. The Council thanked Mr. Clark.

11. KOAL/KARB RADIO STATION - Proposal For Education Program (Sales Tax Initiative)

Nancy Wood, representing KOAL/KARB Radio station, presented a proposal for an educational campaign to run on KOAL/KARB Radio Stations between October 19th and November 3rd for the sales tax initiative. This would fit the requirements that allow the City to educate while not politicking. Mayor Colosimo stated that the Council will discuss this proposal and report back to her.

12. SMUIN, RICH AND MARSING - Annual Audit Report For FY1997/98

Greg Marsing, Smuin, Rich and Marsing, presented the annual Audit Report for the Fiscal Year July 1, 1997 through June 30, 1998. He reviewed the packet of statements pertaining to expenditures and revenues, Fixed Assets, and the financial statement. It is the opinion of the auditor that the accounting practices and the financial position of Price Municipal Corporation are in accordance with generally accepted accounting principles. The Mayor and Council thanked Mr. Marsing for his report and thanked Pat Larsen and her staff for a job well done.

13. CRAIG JOHANSEN - Price/Wellington Canal Salinity Program

Craig Johansen, Johansen and Tuttle Engineering, presented information pertaining to the piping of the Price/Wellington Canal. Shortly after the Bureau of Reclamation released its environmental impact statement regarding the benefits of salinity control in the Colorado River, which included the Price River, Wellington City and the Wellington Canal Company applied for federal funds to pipe their canals and laterals. They received \$4 million worth of grants from the Federal Government and \$2 million worth of loans from the Water Resource Board. The project will total \$7 1/2 million. The project is now in the design phase with construction starting next spring. The Price Canal, which is the upper portion, applied for federal funds and was awarded a grant for \$6 million. The project estimate on this portion is \$10 1/2 million. He recently received authorization from Dale Mathis, who is the controller of a consortium of canal companies, to apply for a \$3.3 million loan from the Water Resource Board. The farmers in this area figured they could borrow around \$2 million, which would leave a balance of \$1 million. As the project materializes, Mr. Johansen recommended that the Council consider the benefits that Price City will receive from this pipeline and what involvement the City might want to have in connection with water measurement schemes and how to hook on to the pipeline. The City should also consider flood control efforts in the area above the canal. There are several different options that can be done. Some preliminary work has already been done on flood control; some by the NRCS and some by himself. One alternative is to leave the canal as a channel and another is to consider installing a pipe adjacent to the irrigation and let the water discharge into Meads Wash. Councilmember Nikas stated that the City was aware that this project would be coming up. The City may want to consider a walking/jogging trail system where the existing canal is and use it as a combination flood/trail area rather than piping as it is unknown how large the pipe needs to be for flood control to Meads Wash. Mr. Johansen stated that the size of the pipe for the irrigation canal would be 48". If another pipe is installed parallel, it would also be 36" or 48". A trail could go along top of the pipes without any problem. There would probably be a benefit to this with regards to securing a right-of-way. The Mayor and Council thanked Mr. Johansen for his input.

14. CHAMBER OF COMMERCE - Contract Renewal For Price Community Center

Tom Alexander, representing the Chamber of Commerce, requested an extension of their rent contract for use of the office in the Price Community Center. The Chamber is in the midst of transitioning to a new direction and are experiencing a deficit. Until they can get re-established and build up their membership, he would like their contract to continue at the same rate as this past year. **MOTION.** Councilmember Piccolo moved that all three groups (Chamber of Commerce, Carbon County Recreation and the Carbon County Travel Council), be allowed to continue the lease at their current rate beginning from one year when the lease would have been signed. Further, that Price City desires Carbon Future to begin paying their 1/4 rent beginning January 1, 1999. Motion seconded by Councilmember Nikas and carried.

15. DOWNTOWN MERCHANTS ASSOCIATION - Permission To Use Basement of Civic Auditorium For Spook Alley

MOTION. Councilmember Piccolo moved that as long as the insurance carrier has no problem with this and Mr. Sampinos approves said request, that the Downtown Merchants Association be allowed to use the basement of the Civic Auditorium for a spook alley during the last week of October. Motion seconded by Councilmember Bringham and carried.

16. NOTRE DAME SCHOOL CARNIVAL - Special Event Beer Permit

MOTION. Councilmember Bringhurst moved that a special event beer permit be authorized for the Notre Dame School Carnival to be held February 4th, 5th and 6th. Motion seconded by Councilmember Wheeler and carried.

17. CARBON COUNTY HUMANE SOCIETY - Rental Fees Waived For Civic Auditorium

MOTION. Councilmember Piccolo moved that with the exception of hard costs, that rental fees be waived for use of the Civic Auditorium for the Carbon County Humane Society ballet fundraiser scheduled for November 6th. Motion seconded by Councilmember Bringhurst and carried.

18. HELPER PROJECTS COMMITTEE - Float For Electric Light Parade

MOTION. Councilmember Denison moved that the City sponsor a float in the Helper Electric Light Parade scheduled for December 11th and 12th and that the costs not exceed \$500. Motion seconded by Councilmember Piccolo and carried.

19. LUXURY HOMES WATER LINE - Line Turned Over To PRWID

Councilmember Denison reported that the Price River Water Improvement District is able to serve Luxury Homes, located at 4598 North US Highway 6, with a 2" water connection and that the current two 3/4" lines with Price City be disconnected. PRWID will honor Price City's connections. **MOTION.** Councilmember Piccolo moved that PRWID be authorized to take over the water line to Luxury Homes. Motion seconded by Councilmember Denison and carried.

20. WATER SOURCE PROTECTION CONSULTANT - Permission To Procure Contract With Hansen, Allen and Luce

Councilmember Denison reported that Price City needs to put in place a water source protection plan. Hansen, Allen and Luce, Incorporated, is a consulting engineering firm that is doing the regional source protection plan on water for the County and State of Utah. He requested permission to engage their services to conduct Price City's protection plan at a cost of \$4,500. **MOTION.** Councilmember Denison moved that permission be given to proceed with procuring a contract with Hansen, Allen and Luce, Inc., for the water source protection plan. Motion seconded by Councilmember Wheeler and carried.

21. PURCHASE OF CEMETERY PLOTS - Permission To Reserve For Six Months

Councilmember Denison discussed the purchase of cemetery plots. He was approached by a resident regarding the possibility of purchasing cemetery plots and being able to pay for them on an installment basis. **MOTION.** Councilmember Bringhurst moved that the plots requested by the resident be reserved for 6 months and that if they are not paid at the end of the 6 month period, that they be returned to the plot pool. Motion seconded by Councilmember Denison and carried.

22. SALES TAX COMMITTEE - Meeting Scheduled

The Council scheduled a meeting for the sales tax committee on Friday, October 16, at 7:30 a.m. in Room 106.

23. S & K ANNEXATION - Approved By Planning and Zoning Commission

Councilmember Piccolo reported that the Planning and Zoning Commission reviewed and approved the S & K Annexation. Chairman John Angotti signed the annexation plat.

24. ELLIS PIERCE - Permission To Divide Parcel of Property At 1268 East Main

Councilmember Piccolo reported that the Planning and Zoning Commission gave a favorable recommendation to Ellis Pierce to divide a parcel of his property at 1268 East Main for the construction of an auto parts facility. **MOTION.** Councilmember Piccolo moved that the parcel be divided as requested as it meets our current Land Development Code. Motion seconded by Councilmember Denison and carried.

25. CASTLE VALLEY CENTER, NICK BLACK AND TARA JENSEN - Conditional Use Permits

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

Castle Valley Center - Residential Training Home At 662 North Apple Circle

Nick Black and Tara Jensen - Delay Installation of Street Improvements On 700 South 2nd East - Subject to Receipt of Development Improvement Agreement with agreement attached to deed.

MOTION. Councilmember Piccolo moved that the requests be approved with the above stipulations and that Conditional Use Permits be issued. Motion seconded by Councilmember Wheeler and carried.

26. DENNIS AND TERRY WILLIS - Board of Adjustment - Request To Encroach Three Feet Into Side Yard Setback

Councilmember Piccolo reported that Dennis and Terry Willis, 941 Wadleigh Lane, have requested a Board of Adjustment decision on an encroachment of 3' on the side of their yard for construction of a garage.

27. GARY SONNTAG, PAM MOYES, RICHARD OLIVER - Travel Approved

Mayor Colosimo presented the following travel requests:

Gary Sonntag - Utah Floodplain Management Association Workshop, October 28-30, Cedar City, Utah

Pam Moyes - Certified Pool Operator's Course, November 30, December 1, Orem, Utah

Richard Oliver - State Juvenile Community Service Training, September 23, 24, 25, Park City (Retroactive)

MOTION. Councilmember Nikas moved that the travel be approved. Motion seconded by Councilmember Wheeler and carried.

28. PUBLIC HEARINGS SCHEDULED FOR COMMUNITY DEVELOPMENT BLOCK GRANT

Vern Jones reported that two public hearings need to be scheduled for the Community Development Block Grant. The first public hearing is to receive input from the citizens on projects and the second public hearing is to review the selected projects with the public. He requested permission to schedule these public hearings on October 28, 1998 and November 24, 1998. **MOTION.** Councilmember Bringhurst moved that the above dates be approved for the public hearings. Motion seconded by Councilmember Denison and carried.

29. JOB DESCRIPTION FOR COMMUNITY DEVELOPMENT ADMINISTRATOR - Tabled

30. BRIAN CLARK - Resignation

Keith Wight reported that Brian Clark, Computer Technician, has resigned his position as Computer Technician effective October 9, 1998. The Council directed that the resignation be accepted.

31. COMPUTER TECHNICIAN - Permission To Advertise

Keith Wight requested permission to advertise for a replacement Computer Technician. Keith stated he has reviewed the job description and considered elevating the position to a higher classification. The starting salary on this position at its current classification is \$8.00/hour at a Grade 6. He felt it would be appropriate to classify the position to a Grade 11, which would be roughly \$3.00/hour more. He has reviewed this with Bob Potts and Pat Larsen and they agree. **MOTION.** Councilmember Bringhurst moved that the job description and classification be changed as recommended to a Grade 11 and that it be presented to the Council at the next meeting. Further, that permission be given to advertise inhouse for one week and if there are no applicants, that it be advertised outside of the City. Motion seconded by Councilmember Wheeler and carried. The Council directed that a committee be appointed consisting of Councilmember Denison, Bob Potts, Pat Larsen, Keith Wight, Vern Jones and Ed Shook.

32. POLICIES AND PROCEDURES UPDATE

Keith Wight presented an update on Policies and Procedures regarding the Preamble and Disclaimer, Family Medical Leave, Americans With Disabilities, and Equal Employment Opportunity. **MOTION.** Councilmember Nikas moved that the Policies and Procedures be approved as presented and that it be adopted by resolution at the next meeting. Motion seconded by Councilmember Bringhurst and carried.

33. POLICE DEPARTMENT HIRING - Permission To Establish A Hiring List

MOTION. Councilmember Piccolo moved that permission be given to establish a six month hiring list for the Police Department. Motion seconded by Councilmember Wheeler and carried.

34. 1998 LOCAL LAW ENFORCEMENT BLOCK GRANT - Permission To Accept

MOTION. Councilmember Piccolo moved that the 1998 Local Law Enforcement Block Grant in the amount of \$3,000 be accepted and that the Mayor be authorized to execute the document. Motion seconded by Councilmember Bringhurst and carried.

35. COPS SMALL COMMUNITIES GRANT PROGRAM - Permission To Accept Grant

Pat Larsen reported that a few years ago Price City received a COPS Fast Grant. Price City's share of that grant was almost \$14,000. Aleck Shilaos applied for and received a COPS Small Communities Grant Program which will pay the \$14,000 back to the City. However, the stipulation is that this position be maintained on the Police Force. She asked the Council if they wanted to accept this grant, as she needs to send back signed documents to the above agency as soon as possible.

MOTION. Councilmember Piccolo moved that the COPS Small Communities Grant be accepted and that the Mayor be authorized to execute the document. Motion seconded by Councilmember Wheeler and carried. This item was not on the agenda. However, because it is an emergency and the City could lose the grant if it is not sent in as soon as possible, City Attorney Nick Sampinos felt it could be handled under the emergency clause.

36. WAVE POOL CHEMICAL FEED SYSTEM UPGRADE - Permission To Purchase Equipment and Installation

Gary Sonntag reported that the wave pool facility is in need of upgrading the water chemical feed system to improve the efficiency and safety with which the chemicals are stored, handled and delivered. As this is a budgeted item, he requested permission to purchase the system through CEM Sales and Service for \$4,900 and have it installed. **MOTION.** Councilmember Denison moved that the request be granted. Motion seconded by Councilmember Nikas and carried.

37. WAVE POOL BUBBLE - Permission To Investigate New Enclosure

Gary Sonntag reported that the wave pool bubble, which was installed in the fall of 1989, is in need of replacement. When the bubble was prepared for set up this year, multiple areas were identified with significant wear and tear. This is the 9th year of use for the bubble, which had an original 3 year warranty. He requested permission to begin searching for a solution to replace the bubble and enclose the Wave Pool. **MOTION.** Councilmember Bringhurst moved that the request be granted. Motion seconded by Councilmember Wheeler and carried.

38. FALL CLEAN UP - Scheduled October 24th through November 6th.

Gary Sonntag reported that the fall clean up will begin on Saturday, October 24, 1998 and end on Friday, November 6, 1998. City crews will pick up trash set out by the curb.

39. CASTLE GATE 16 INCH WATER TRANSMISSION LINE REPLACEMENT - Permission To Proceed

Gary Sonntag reported that the Castle Gate 16 inch water transmission line needs to be replaced. This involves approximately 900 feet of 16 inch spiral steel water transmission pipeline, which is located in the ash haul road south of the Carbon Power Plant. Estimated cost of replacement is \$75,000. He requested permission to replace the line and to advertise to receive bids. **MOTION.** Councilmember Wheeler moved that the request be granted. Motion seconded by Councilmember Piccolo and carried.

40. CARBONVILLE ROAD SEWER LINE REPLACEMENT - Tabled

Gary Sonntag reported that a representative from the Price River Water Improvement District was at the last meeting to inform the City of a sewer problem located at 160 North Carbonville Road. The sewer lateral appears to be old and is starting to collapse. There are two possibilities where a new sewer line could be built. One is south of the fence line next to the Budget Host Motel and the other is further south along Carbonville Road. He has spoken to the Kiahtipes brothers and they indicated they prefer the longer route as it would not compromise their future plans of expansion. The Kiahtipes brothers will give the City an easement for the line. Costs for the shorter route would be approximately \$13,000 and the longer route would be approximately \$24,000. Gary requested direction whether to pursue this. It is not a budgeted item, but it can be paid through the maintenance budget line item. As this is a private sewer line, the Council discussed whether

the property owners would be willing to assist in the costs to construct a new line. **MOTION.** After further discussion regarding the two options, Councilmember Piccolo moved that the item be tabled for further review. Motion seconded by Councilmember Bringham and carried.

41. PRICE RIVER DRIVE BUSINESS PARK PLATS A & B - Electrical Power Easement

Gary Sonntag presented an electrical power easement submitted by Ray Morley, developer of the Price River Drive Business Park. The easement is for the power system along the north side of the business park. **MOTION.** Councilmember Nikas moved that the easement be accepted and that it be recorded. Motion seconded by Councilmember Denison and carried.

42. CLASS "C" ROAD IMPROVEMENTS 1998 - Valley Asphalt, Inc. - Partial Payment #1

Gary Sonntag presented a request for a partial payment in the amount of \$82,752.35 submitted by Valley Asphalt for their work on the Class "C" Road Improvements 1998. **MOTION.** Councilmember Nikas moved that the partial payment be approved. Motion seconded by Councilmember Denison and carried.

43. KIAHTIPES WATER LINE RELOCATION ON CARBONVILLE ROAD - Final Release On Development Agreement and Letter of Credit

Gary Sonntag reported that it has been over a year since the 10 inch high pressure water line was relocated on Carbonville Road by the Kiahtipes brothers. He recommended that the Development Agreement be released and that a final release of the Letter of Credit be made in the amount of \$3,083.00. **MOTION.** Councilmember Denison moved that the recommendation be approved. Motion seconded by Councilmember Piccolo and carried.

44. SPECIAL INFORMATION MEETING FOR SALES TAX INCREASE

The Council directed that a special information meeting for the sales tax increase be scheduled for Tuesday, October 27th, at 6:30 p.m.

45. PUBLIC LIBRARY DEVELOPMENT GRANT - Permission To Accept

Councilmember Wheeler presented a contract from the State of Utah, Dept. of Community and Economic Development for a Public Library Development Grant in the amount of \$6,426.00. **MOTION.** Councilmember Wheeler moved that the contract be approved and that the Mayor and City Recorder be authorized to execute the documents. Motion seconded by Councilmember Piccolo and carried. This item was not on the agenda, however, because it is an emergency that the grant documents be sent back to the above agency as soon as possible, City Attorney Nick Sampinos felt it could be handled under the emergency clause.

46. RIVERVIEW WATER COMPANY - Request For PRWID To Take Over Line

Councilmember Denison reported that the Riverview Water Company has approached the Price River Water Improvement District to take over their water system. Riverview Water Company is located outside of city limits and currently receive their water from Price City. PRWID recommended that their staff investigate the system to make sure it was up to standards before they agree to take it over. Gary Sonntag stated that one day this area will be in the City limits. He suggested that the City investigate this.

47. JAE POTTER - Electrical Easement Agreement

Nick Sampinos presented an electrical utility easement agreement allowing Jae Potter, 685 North Homestead Blvd., to encroach upon the City's utility easement. Mr. Potter has installed a conduit underneath the concrete to accommodate the utility line. The agreement states that Mr. Potter will maintain the conduit for utility purposes. **MOTION.** Councilmember Bringham moved that the agreement be approved and that it be presented to Mr. & Mrs. Potter for their signature. Further, that the Mayor and City Recorder be authorized to sign the document and that it be recorded. Motion seconded by Councilmember Nikas and carried.

48. TRACY HAMMACK - Update On Covecrest Flooding Problem

Gary Sonntag reported that some progress has been made on the Covecrest flooding problem. Questar Gas indicated to him that they are looking at a possibility of carving some ditches in the hillside to try to divert some of the water. When the bales of straw are removed from 8th North, he plans to take these bales and distribute them along the hillside behind Covecrest. Mr. Hammack has agreed to break the bales apart and distribute them along the hill to help vegetation grow. Gary also stated that he spoke with Owen Harwood, another property owner in the vicinity, and he agreed to assist in the flood control. He also contacted Carbon County, who is another property owner, and they gave him the impression they may be willing to sell their property to the City for \$2,000. Gary felt that if the City purchased this property, it would also help flood control. Councilmember Nikas suggested placing pipes behind the houses in order to drain the water onto the streets. However, this might create a liability if mud and silt get into the street. Nick Sampinos suggested a block wall to divert the water flow from the lots and allow it to flow into pipes.

Meeting adjourned at 8:45 p.m.