

Present:

Mayor Joe L. Piccolo

Councilmembers:	Nick Sampinos, City Attorney
Jeff Nielson	Bret Cammans, Customer Service Director
Jeanne McEvoy	Pat Larsen, Finance Director
Richard Tatton	Kevin Drolc- Police Captain
Rick Davis	Gary Sonntag, Public Works Director
Kathy Hanna-Smith	Laurie Tryon- City Recorder

Others Present: Linda Jensen, Kyle Jensen, Rolland Jensen, Marquee Jensen, Megan Ware, Kaylen Ware, Jean Berensen, Gary Berensen, Mindy Huntington, Richard Huntington, Hailey Mills, Mykail Mills, Debi Simmons, Richard Simmons, Kerry Ware, Elsie Ware, Sharyl Ware, Jady Wadley, Janessa Wadley, Kevin Scannell, Webb Whatcott, Marilou Kundmueller and Jinni Fontana-Lund

Excused Absence: Community Director-Nick Tatton, Human Resource Director-John Daniels and Police Chief-Aleck Shilaos

Mayor Piccolo called the meeting to order at 5:30 p.m. and Boy Scout, Austin Huff from 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 Mayor and Councilmembers presented an update on the activities and functions in which they have participated.
3. AIR SPACE PERMIT. Consideration and possible approval of an Air Space Permit for Santa Claus for delivery of toys to good boys and girls in the Price City area. **MOTION.** Councilmember Tatton moved to approve the air space permit for Santa Claus effective December 24 through December 25, 2010. Motion seconded by Councilmember Hanna-Smith and carried.
4. ESSAY CONTEST WINNERS. Winners of the annual Price City student essay contest presented their essays to the City Council. The Mayor and Council presented an award to fourth grade students: Austin Huff, Marquee Jensen, Hailey Mills and Kaylen Ware from Castle Heights and Creekview Elementary schools for their participation in the essay contest.
5. HELPER ARTS COUNCIL- Request for sponsorship of the Helper Rio Theatre
Marilou Kundmueller and Jinni Fontana-Lund from the Helper Arts Council presented a packet for the Mayor and Council setting forth the financial status of the Helper Rio Theatre which the Helper Arts Council is currently managing. Ms. Kundmueller stated that the group must raise \$42,000 to get through the year and also must produce three plays for the community to fulfill their agreement with Helper City. Mrs. Lund stated that 1/3 of ticket sales are generally set aside to pay the staff and actors but more money is necessary to run the theatre. She stated that they are requesting financial assistance from the community and area businesses. The Council suggested that Helper City should consider adopting a Zaptax ordinance to help fund future projects. **MOTION.** Councilmember Tatton moved to approve a sponsorship to the Helper Rio Theatre in the amount of \$1500.00. Motion seconded by Councilmember Hanna-Smith and carried.
6. PIONEER PARK STATUE REPLICA- Project No. 10C-2010.
Gary Sonntag stated that a request for proposals was advertised. Four proposals from local artists were received and opened on November 5, 2010. An evaluation was conducted consistent with the City's purchasing procedures for proposals on specialized projects. A proposal was selected that was the most advantageous to the City. It is recommended that Original Creations Inc. be awarded the project in the amount of \$14,500 which exceeded the \$10,000 that Price City offered to donate. Mr. Sonntag stated that the Daughters of Utah Pioneers will pay the balance. **MOTION.** Councilmember Hanna-Smith moved to award the project to Original Creations Inc. with \$10,000 to be paid by the City and the balance by the Daughters of Utah Pioneers. Motion seconded by Councilmember Davis and carried.

PLANNING AND ZONING COMMISSION-Nick Tatton reported that the Planning and Zoning Commission gave the following recommendations on applications for a Conditional Use Permit:

7. sidewalk, drainage control, etc. and completion of a valid development agreement with the Price City Public Works Department finding that properly developed and installed ADA access improvements and public infrastructure promote long-term quality development within the community and maintain consistency with the goals of the Price City General Plan.
 - l. Procurement of a valid Price City Building Permit for all renovations and improvements taking place at the project site finding that properly permitted and inspected building improvements promote long-term sustainable development within Price City and support the goals of the Price City General Plan.
 - m. Inspection of the property by the Price City Building Inspector and Price City Fire Chief, prior to occupancy and concurrence with recommendations for safety stemming from those inspections finding that compliance with safety recommendations protects the health, safety and welfare of the community.

Councilmember Nielson stated that he would not be voting on this item.

MOTION. Councilmember Davis moved to accept the recommendations by the Planning and Zoning Commission. Motion seconded by Councilmember Hanna-Smith and carried.

CONSENT AGENDA-**MOTION**. Councilmember Tatton moved to approve the consent agenda items 8 through 16 with items 17 and 18 withheld for discussion Motion seconded by Councilmember Nielson and carried.

8. MINUTES

October 27, 2010- City Council Meeting
November 5, 2010- City Council Workshop

9. BUSINESS LICENSES- Authorization to approve a business license for Southeastern Intetrative Healing Arts Center, LLC. 375 S. Carbon Ave. (BTAC)
10. PROMOTION-John Gurule to Equipment Technician III
11. RESOLUTION 2010-20 Authorization for a Resolution to make changes to Personnel Policies and Procedures Manual, Section I: Definition of Terms
12. RETIREMENT CONTRIBUTION-Consider and approve increasing cash compensation to L. Miller in an amount equal to the reduction in DC retirement contribution from the limitation imposed by Utah retirement legislation-(reference memo dated October 25, 2010)
13. RESOLUTION 2010-21 Authorization for a Resolution to make changes to Personnel Policies and Procedures Manual, Section VII: Employee Code of Conduct (cell phones et. al.)
14. RESTITUTION SETTLEMENT-Authorization to pay Utah State Office of Education \$8,671.00 regarding the restitution settlement for the Paula Lewis embezzlement case and release the \$20,480.00 from restricted fund balance.
15. SEWER CLEANING- Project No. #8C-2010. Report. The project was awarded to the low bid submitted by Twin 'D' Inc. for Schedule 'A' in the amount of \$37,470 (this fiscal year) and Schedule 'B' in the amount of \$21,860 (on or after July 1, 2010).
16. TRAVEL REQUEST-
Chief Bedont-State Fire Chiefs Meetings and Winter Fire School in St. George, Utah on January 12th thru 15th, 2011.
17. AUDITORIUM STAGE EXTENSION- Authorization to solicit bids and award the project to a contractor's proposal that best meets the needs of the facility for an extension of the Price Civic Auditorium stage. The project would be funded from the Building Maintenance Budget. Councilmember Tatton asked if we could use the Zap Tax funds for this project instead of the maintenance budget. Bret Cammans stated that he would like to use the budget that is available and save the Zap Tax funds for the smaller projects. Mayor Piccolo stated that we need to review the money available in the Zap Tax fund and save a percentage for cultural arts and other similar projects that come along. Pat Larsen stated that there is approximately \$750,000 in the fund. **MOTION**. Councilmember Tatton moved to approve the item as presented. Motion seconded by Councilmember Davis and carried. **MOTION**. Councilmember Tatton moved to re-open item 18 for discussion. Motion seconded by Councilmember Davis.

18. WASHINGTON PARK PROJECT- Authorization to dedicate the ZAP TAX funds to the Washington Park Project which will focus on development of the pool facility and reconstruction of three tennis courts and to advertise for RFP's.
Bret Cammans requested permission to hold the remaining funds left in the Zap Tax account in order to move forward with the Washington Park project. He stated that all of the details for the design plans will be gathered and brought to Council for final approval. He stated that he would like to move forward by requesting bids and awarding the design portion of the project now. He requested that the Council withhold distribution of any more of the Zap Tax funds and give him time to get the exact amount needed for the project. Mayor Piccolo stated that they could dedicate a percentage of the Zap Tax funds to other projects when they determine an exact amount needed for the pool project. Councilmember McEvoy stated that allowing 6 months for staff to research the monetary needs for the project before they dedicate the full amount of the Zap Tax fund would be a better idea than just dedicating all of the money now. Pat Larsen stated that it would be better to have the money dedicated to a project than to have it sitting in an account with no purpose. **MOTION.** Councilmember Tatton moved for staff to go forward with the design proposals and bring the item back to Council for final approval within the next six months and to not release any more of the Zap Tax funds until a final amount needed for the pool project has been determined. Motion seconded by Councilmember Nielson and carried.
19. PRWID- Councilmember Tatton reported on the results of the last PRWID Board meeting.
20. WATER RESOURCES- Gary Sonntag
- Working with consultants to identify access, well and property locations-additional survey work needs to be done.
21. UNFINISHED BUSINESS
- a. Recycling
 - b. Community Covenant Program

MOTION. Councilmember McEvoy moved to go into the Community Redevelopment and Renewal Meeting at 7:02 p.m. Motion seconded by Councilmember Tatton and carried.

Returned from the Community Redevelopment and Renewal Meeting at 7:03 p.m.

Nick Sampinos stated that a date, time and Chairperson will need to be selected for an upcoming employee appeal. He stated that the City has 15 days in which to make a decision on the appeal or to extend that deadline with agreement of the grieving employee. The Councilmembers suggested three available dates as possible dates for an appeal hearing: December 6th, 8th or 14th at 5 or 6 p.m. Mr. Sampinos stated that John Daniels will be the contact person if anyone needs information and that both, John Daniels and he will serve as staff to the Appeal Board. **MOTION.** Councilmember McEvoy nominated Richard Tatton to be the Appeal Board Chairperson. Motion seconded by Councilmember Davis and carried.

Councilmember Tatton stated that Pat Larsen would like to get started on the holiday gift cards for employees and volunteer groups. Mayor Piccolo stated that because the item is a budgeted item it did not need formal Council approval.

The regular City Council meeting adjourned at 7:14 p.m. by Mayor Piccolo pursuant to the motion by Councilmember McEvoy.

APPROVED

ATTEST

Joe L. Piccolo, Mayor

Laurie Tryon, City Recorder