

Minutes of The Price City Council Meeting

City Hall: Price, Utah

December 16, 1998 - 5:30 p.m.

Present: Mayor Lou Colosimo

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

Staff: Vern Jones (Community Administrator), Joanne Lessar, (City Recorder), Keith Wight (Human Resource Director), Pat Larsen (Finance Director), Nick Sampinos (City Attorney), Gary Sonntag (PWC Dir/City Eng.), Aleck Shilaos, Chief of Police

Others Present:

Tiffany O'Neil, Stephen Moyes, Pam Moyes, Bill Howell, Nick Tatton, Barry Atwood, Jana Abrams, Richard Oliver, Cindy Oliver, Barbara Jones, Tausha Jones, Chris Pehler, Catherine Knight, Cami Hanson

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

1. INTRODUCTION OF NEW POLICE OFFICE - Manual Escoto

Police Chief Aleck Shilaos introduced Manual Escoto, the new Police Officer. The Mayor and Council welcomed Mr. Escoto to the Police Force.

2. GOVERNORS YOUTH COUNCIL - New Tobacco Laws

Tiffany O'Neil, President of the Governors Youth Council, introduced other members of the Council, Cami Hanson, Catherine Knight, Chris Pehler, and Tausha Jones. The group presented pamphlets to the Council pertaining to new tobacco laws that will become effective January 1, 1999. The Council thanked them for the information.

3. BARRY ATWOOD - Complaint On Building Permit Fees

Barry Atwood, owner of an older home on 3rd East 1st North, complained to the Council regarding the policies on building permit fees. During the process of reshingling his roof, a stop work order was issued by the Price City Building Department. He contacted Bob Bennett and was told that he needed a building permit to perform this work, and because he started his project without a building permit, he would be assessed a double fee. Mr. Atwood stated he was unaware that he needed a building permit. He thinks this is a poor policy. He should have been told that he needed a permit and given the chance to purchase one. The double permit was \$48. Mayor Colosimo suggested that a meeting be held with Mr. Atwood and the Building Department.

4. MINUTES - November 24, 1998

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

5. HOLIDAY INN RESTAURANT - Local Consent For Liquor License

MOTION. Councilmember Nikas moved that local consent be given to the Holiday Inn Restaurant for a liquor license. Motion seconded by Councilmember Denison and carried.

6. FARLIANOS - Special Event Beer Permit

MOTION. Councilmember Nikas moved that a special event beer permit be approved for Farlianos for a function they are catering at the CEU Student Activity Center on December 19th. Motion seconded by Councilmember Wheeler and carried.

7. SOUTHEAST UTAH ASSOCIATION OF LOCAL GOVERNMENTS - Engineering Services Approved

Bill Howell and Tom McCreery, representing the Southeast Utah Association of Local Governments, requested that the City Engineer serve as Engineer of Record for the purposes of reconstructing the parking lot at the Business and Technical Assistance Center located at 375 South Carbon Avenue. The engineering services will be provided at no cost to the Association. **MOTION.** Councilmember Piccolo moved that the request be approved and that Mayor Colosimo be authorized to sign the agreement for these services. Motion seconded by Councilmember Nikas and carried.

8. CASTLE VALLEY VETERINARY CLINIC - Permission To Use Fire Station

MOTION. Councilmember Wheeler moved that the Castle Valley Veterinary Clinic be permitted to use the Fire Station on January 9, 1999, from 9:00 a.m. to 12:00 noon for their annual rabies clinic. Motion seconded by Councilmember Piccolo and carried.

9. LIBRARY DONATIONS - Accepted

Councilmember Wheeler reported that Lois M. Jensen has donated \$500 to the library in memory of her daughter Joane Jensen. The Notre Dame Catholic Church has also donated \$500 to the library. **MOTION.** Councilmember Wheeler moved that the donations be accepted. Motion seconded by Councilmember Piccolo and carried.

10. DIAMOND GLASS - Home Occupied Business Approved

Councilmember Piccolo reported that the Planning and Zoning Commission gave a favorable recommendation to Cory Manning and John Kennedy to operate Diamond Glass (mobile glass service) at 673 North 200 East contingent upon the owner keeping his inventory at another location. **MOTION.** Councilmember Piccolo moved that the business be approved per the above contingency and upon payment of the business license fee. Motion seconded by Councilmember Denison and carried.

11. STATE FARM INSURANCE, ADVANCE INSURANCE, CASA BELLA ENTERPRISES, R. L. KROMPEL, FAB RIGHT - Conditional Use Permits

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

State Farm Insurance (Billie Sampinos) - 190 North Carbon Avenue - Wall mount sign to replace free standing sign.

Advance Insurance (Stephen c. Dansie) - 38 East Main - Business and sign (insurance, investments and income tax preparation).

Casa Bella Enterprises (T.H. Poloni) - Extension of Development Agreement for planned unit development.

R. L. Krompel - Single Lot Subdivision - 1400 East Sagewood Road

Fab Right (Gus T. Marinos and Jeremy Young) - 164 South Carbon Avenue - Business and Sign (welding and fabrication).

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

12. LYLE BAUER, SUDA MERRIMAN, JESSIE ALEXANDER, ERIC HOWARD - Travel Approved

Mayor Colosimo presented the following travel requests:

Lyle Bauer, Suda Merriman, Jessie Alexander, Eric Howard - Utah Green Industries Conference - January 26, 27, West Valley, Utah

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

13. HOLIDAY SEASON - Early Closing For Christmas and New Years Eve

MOTION. Councilmember Nikas moved that City offices close at 12:00 noon on Christmas and New Years Eve. Motion seconded by Councilmember Piccolo and carried.

14. 1999 SCHEDULES - City Council and Planning and Zoning Meetings, Flag Day

MOTION. Councilmember Nikas moved that the following schedules for the City Council meetings, Planning and Zoning meetings and Flag Days be approved. Motion seconded by Councilmember Wheeler and carried.

Planning And Zoning Meetings Council Meetings

January 11	January 13
January 25	January 27
February 8	February 10
February 22	February 24
March 8	March 10
March 22	March 24
April 12	April 14
April 26	April 28
May 10	May 12
May 24	May 26
June 7	June 9
June 21	June 23
July 12	July 14
July 26	July 28
August 9	August 11
August 23	August 25
September 7	September 8
September 20	September 22
October 12	October 13
October 25	October 27
November 8	November 10
November 22	November 23
December 13	December 15

Flag Days

January 4, 1999 - Statehood Day
January 18, 1999 - Martin Luther King Day (Civil Rights)
February 15, 1999 - Washington's Birthday (Observed)
March, 1999 - St. Patricks Day Parade (To Be Announced)
May 15, 1999 - Armed Forces Day
May 31, 1999 - Memorial Day Observed
June 14, 1999 - Flag Day
July 4, 1999 - Independence Day

July 24, 1999 - Pioneer Day
August, 1999 - International Days (To Be Announced)
September 6, 1999 - Labor Day
October 11, 1999 - Columbus Day (Observed)
November 11, 1999 - Veterans Day

15. PRICE RIVER WATER IMPROVEMENT DISTRICT - Tentative Budget For 1999 Approved

MOTION. Councilmember Denison moved that the tentative budget for 1999 submitted by the Price River Water Improvement District be approved and that the Mayor be authorized to sign the approval. Motion seconded by Councilmember Bringhurst and carried.

16. MANUAL ESCOTO, CHAD HALL, TAM GREGERSEN, ERICA KARDELIS - New Hires Approved

Keith Wight presented the following new hires:

Manual Escoto - Police Dept., Police Officer, Perm/FT
Chad Hall - Special Functions, Crossing Guard, Perm/PT
Tam Gregersen, Erica Kardelis IS Dept., Data Processing Technicians, Perm/PT

MOTION. Councilmember Denison moved that the new hires be approved. Motion seconded by Councilmember Nikas and carried.

17. KATHY MARTIN - FMLA and Continued Insurance

Keith Wight reported that Kathy Martin, Engineering Draftsman, is requesting Family Medical Leave for a 12 week period and that her medical insurance continue during that time. **MOTION.** Councilmember Nikas moved that the request be granted. Motion seconded by Councilmember Denison and carried.

18. JOHN HAYWARD, ROY BARNETT - Transfers Approved

Keith Wight presented the following transfers:

John Hayward - From Maintenance Dept. to Streets Dept.
Roy Barnett - From Streets Dept. to Maintenance Dept.

MOTION. Councilmember Nikas moved that the transfers be approved. Motion seconded by Councilmember Piccolo and carried.

19. RECLASSIFICATIONS

ADRIAN MILLER - Reclassification/Promotion Approved
RICHARD PERRY - Reclassification Approved
Keith Wight presented the following reclassifications:
Adrian Miller - Library Program Director, From Perm/PT to Perm/FT
Richard Perry - Cemetery Laborer, From Temp/FT To Perm/FT

MOTION. Councilmember Bringhurst moved that the reclassification/promotion of Adrian Miller and reclassification of Richard Perry be approved effective January 1, 1999. Motion seconded by Councilmember Nikas and carried.

20. KIMBERLY COX, BRIANNA WELCH - Promotions Approved

Keith Wight presented the following promotions:

Kimberly Cox - Swimming Pool, From Lifeguard to Senior Lifeguard
Brianna Welch - Cemetery, From Laborer To Secretary

MOTION. Councilmember Wheeler moved that the promotions be approved and that the effective date for Kimberly Fox be December 16, 1998, and Brianna Welch January 1, 1999. Motion seconded by Councilmember Piccolo and carried.

21. CLAUDETTE MELE - Resignation

MOTION. Councilmember Bringhurst moved that the retirement of Claudette Mele, Cemetery Secretary, be accepted. Motion seconded by Councilmember Denison and carried.

22. JILL JOHNSON - Resignation

MOTION. Councilmember Denison moved that the resignation of Jill Johnson, Library Aide, be accepted. Motion seconded by Councilmember Bringhurst and carried.

23. UTILITY COLLECTOR/METER READER, METER READER II (ELECTRIC) - New Job Descriptions Tabled

24. LIBRARY AIDES - Permission To Advertise For Two Part Time Positions

MOTION. Councilmember Wheeler moved that permission be given to advertise for two part time Library Aides. Motion seconded by Councilmember Bringhurst and carried.

25. RICHARD OLIVER, KEITH WIGHT - Appointment To Safety Committee

MOTION. Councilmember Piccolo moved that Richard Oliver and Keith Wight be appointed to the Safety Committee as Chairman and Administrator respectively. Motion seconded by Councilmember Wheeler and carried.

26. RESOLUTION #98-33 - Policy For Administration of Sexual and Other Forms of Harassment

Keith Wight presented Resolution #98-33, adopting a policy for eligibility and consistent administration of sexual and other forms of harassment in the workplace. **MOTION.** Councilmember Piccolo moved that Resolution #98-33 be adopted and that the Mayor and City Recorder be authorized to sign the resolution. Motion seconded by Councilmember Wheeler and carried.

27. LEASE/PURCHASE OF NEW POLICE CAR, REINSTATEMENT OF LIBRARY BUDGET CUTS - Placed On Hold

The Council discussed the request of the Library Board to reinstate those funds that were cut from the budget for FY1998/99. Also discussed was the request of the Police Department to lease/purchase a new car, which was also cut from the budget. The Council felt they can't spend money that they don't have yet, referring to the sales tax proposition that was passed in the November election. The increase in the sales tax won't be effective until January 1, 1999. **MOTION.** Councilmember Nikas moved that the items that were cut from the budget in all departments would remain at that status until the City can determine what the income will be as a result of the tax increase. Motion seconded by Councilmember Denison and carried.

28. SWIMMING POOL - Change On Gas Billing Rate Approved

Richard Oliver, Swimming/Wave Pool Facilities Specialist, and Pam Moyes, Pool Manager, presented a proposal to switch the pool's gas billing rate to either an F1 or an I2. Switching to an F1 rating would save approximately \$1,500/year. Switching to an I2 rate would save approximately \$15,000/year. The I2 Rate, which is classified as an Interruptible Rate, means that at any given time that gas is needed for an emergency, Questar would give a 2 hour notice that the gas supply would be shut off. This normally would occur during an extremely cold spell where gas would need to be sent to homes. During that interruption, staff is recommending that the pool switch to propane. The only drawback is that a propane tank would need to be located near the building. If the City chose not to store a propane tank on the property, the propane companies have indicated they could have a tank on the premises within 8 to 9 hours. Mr. Oliver stated that if he had to shut the gas down for everything, that the temperature would only decrease by 4 degrees over a 24 hour period.

MOTION. Councilmember Denison moved that the pool be authorized to switch to the I2 Interruptible Rate and that all necessary piping be purchased so that both natural gas and propane can be used. Motion seconded by Councilmember Bringhurst and carried.

29. CLASS "C" ROAD IMPROVEMENTS, CRACK SEALING, #9C-98 - Bonneville

Asphalt - Final Payment

Gary Sonntag presented a request for a final payment in the amount of \$13,789 submitted by Bonneville Asphalt for their contract to provide Crack Sealing on the Class "C" Road Improvements. **MOTION.** Councilmember Denison moved that a final payment be approved. Motion seconded by Councilmember Bringhurst and carried.

30. CLASS "C" ROAD IMPROVEMENTS, PAVING, #9C-98 - Valley Asphalt - Change Order, Final Payment

Gary Sonntag presented a change order to the contract with Valley Asphalt to provide paving for the Class "C" Road Improvement project. The change order increases the contract \$17,655 and was necessary to reflect as-built quantities, which includes additional overlay tonnage, a reduction in selected materials and tests, and additional road preparation. Valley Asphalt also submitted a request for a final payment in the amount of \$37,089.39. Gary recommended approval for the change order and final payment subject to receipt of surety from the bonding company. **MOTION.** Councilmember Denison moved that the change order and final payment be approved per the above contingency. Motion seconded by Councilmember Wheeler and carried.

31. BASSO/ETZEL DEVELOPMENT, STORAGE UNIT PROJECT - Partial Release #1 of Letter of Credit

Gary Sonntag reported that based on recently completed street improvements, the Basso/Etzal Development is eligible for a partial release of their letter of credit in the amount of \$25,570. **MOTION.** Councilmember Wheeler moved that the partial release be approved. Motion seconded by Councilmember Piccolo and carried.

32. VOUK SUBDIVISION (PAT DAVIS) - Partial Release #1 of Cashiers Check

Gary Sonntag reported that the Vouk Subdivision is eligible for a partial release of funds held in escrow. The amount of the release is \$6,627.50 less \$708, for a total of \$5,919.50. The \$708 will be reimbursed to the City for the cost of sewer main materials which the City purchased. **MOTION.** Councilmember Denison moved that the partial release be approved. Motion seconded by Councilmember Nikas and carried.

33. PRICE RIVER DRIVE BUSINESS PARK A & B - Final Release of Letter of Credit

Gary Sonntag reported that the Price River Drive Business Park A & B is eligible for a final release of their Letter of Credit in the amount of \$3,747. The sewer line repairs were completed and inspected. The City will take over ownership and maintenance of the sewer main within the public right-of-way. **MOTION.** Councilmember Bringhurst moved that the final release be approved. Motion seconded by Councilmember Denison and carried.

34. FLORENCE SUBDIVISION, PLAT A - Partial Release #5 of Escrow Bond Agreement

Gary Sonntag reported that the Florence Subdivision is eligible for a partial release of funds from the Escrow Bond Agreement in the amount of \$9,325. **MOTION.** Councilmember Denison moved that the partial release be approved. Motion seconded by Councilmember Bringhurst and carried.

35. CARBON CREDIT UNION DEVELOPMENT - Partial Release #2 of Cashiers Check

Gary Sonntag reported that the Carbon Credit Union project is eligible for a partial release of funds held in escrow in the amount of \$6,400. **MOTION.** Councilmember Wheeler moved that the partial release be approved. Motion seconded by Councilmember Piccolo and carried.

36. CAVE HOLLOW I - Partial Release #2 of Letter of Credit

Gary Sonntag reported that the Cave Hollow I subdivision is eligible for a partial release of funds held in escrow in the amount of \$88,305.10. **MOTION.** Councilmember Bringhurst moved that the partial release be approved. Motion seconded by Councilmember Denison and carried.

37. PINNACLE GATE CONVENIENCE CENTER - Partial Release #2 of Letter of Credit

Gary Sonntag reported that the Pinnacle Gate Convenience Center is eligible for a release of funds held in escrow in the amount of \$7,826. **MOTION.** Councilmember Piccolo moved that the partial release be approved. Motion seconded by Councilmember Wheeler and carried.

38. ELK RIDGE P.U.D. I - Partial Release #1 of Letter of Credit

Gary Sonntag reported that the Elk Ridge Planned Unit Development is eligible for a release of funds in escrow in the amount of \$71,259. **MOTION.** Councilmember Nikas moved that the partial release be approved. Motion seconded by Councilmember Bringhurst and carried.

39. CARBONVILLE SEWER LINE REVISED ESTIMATE - Placed On Unfinished Business

Gary Sonntag reported that at the last Council meeting, an estimate was presented for the Carbonville Sewer Line project in the amount of \$25,000. Not all of the footage for the new sewer line was accounted for. Therefore, the estimate needs to be corrected. The revised estimate is \$45,000, which includes 760 feet of sewer line, 6 manholes and the necessary engineering and surveying. This information was forwarded to the two property owners that will be effected by this project. They both indicated their willingness to participate in this sewer line project. An agreement will be completed wherein these property owners will be assessed a combined 10% of the actual expenditures on this project. Their portion will be divided into five payments to be paid yearly over a 5 year period. Councilmember Denison recommended that before this is approved, that Price River Water Improvement District be given a chance to consider constructing the new sewerline. He recollected that their estimate on the project was near the \$25,000 range. It was recommended that this item be placed on unfinished business and a letter written to PRWID regarding this 2222issue.

40. UTAH STATE TREASURER - Escrow Agreement (Transfer of Funds)

Pat Larsen requested permission to transfer the funds remaining from the 10 million gallon water tank project from First Security Bank to the Utah State Treasurer and to enter into an escrow agreement. **MOTION.** Councilmember Piccolo moved that the request be granted and that the Mayor be authorized to execute the escrow agreement. Motion seconded by Councilmember Wheeler and carried.

As this is Councilmember Bringhurst's last meeting, he expressed his appreciation for being able to be a member of the City Council. It has been a wonderful experience and he has appreciated working with everyone. The Mayor and the remaining Councilmembers expressed their appreciation to Councilmember Bringhurst.

41. PRICE RIVER WATER IMPROVEMENT DISTRICT - Rate Study Update

Councilmember Denison reported that the District has received some of their numbers back on the rate study. They hope to have the final document the first part of January.

Meeting adjourned at 7:15 p.m.