

City of Green River

460 East Main Street, Green River, Utah

City Council Minutes
Regular Meeting
Tuesday, February 12, 2014

ATTENDING: Mayor Pat Brady, Council Members Kathy Ryan, Michael Silliman, Penney Riches, Philip Engleman and Gary Riches; Employees Conae Black, Bryan Meadows; Citizens Samuel Bassett, Tim Glenn, Maria Sykes, Mary Rothlisberger, Julie Zwahlen, Julie Steuer, Tracey Siaperas, Birdie Acerson, Armando Rios, Randy and Ann Erwin, Luke Shorts, from State of Utah Forestry, Danon Hulet, from Wastewater Compliance Systems Inc. Kraig Johnson

CONDUCTING: Mayor Pat Brady, the meeting began at 7:02 p.m.

ORDER OF BUSINESS:

The Pledge of allegiance is directed by Penney Riches.

1. Discuss/approve/deny consent agenda. **MOTION:** Kathy Ryan moved to approve the consent agenda. Penney Riches seconded the motion. **VOTE:** Michael Silliman, Kathy Ryan, Penney Riches, Philip Engleman and Gary Riches voted aye. The motion carried.

Minutes for January 15, 2013 regular meeting.
December 2013 Recorder's report
January 2014 Treasurer's report
February 2014 Payment Approval report

2. Discuss/approve/deny Resolution No. 04-2014, Municipal Wastewater Planning Program.

Philip Engleman explained that this is a requirement from Water Quality. This is filled out by Public Works Director, Bryan Meadows. **MOTION:** Philip Engleman moved to approve Resolution No. 04-2014. Gary Riches seconded the motion. **VOTE:** Michael Silliman, Kathy Ryan, Penney Riches, Philip Engleman and Gary Riches voted aye. The motion carried.

3. Discuss/approve/deny action to pursue funding for sewer lagoon bio-domes. Kraig Johnson from Wastewater Compliance Systems addressed the Mayor and Council. He has a degree in Civil and Environmental Engineering. He did a study on the sewer lagoons in Logan. He explained the creation of the bio-domes and how they work. In his presentation he gave data and statistics on some bio-domes that are in some sewer systems. Public Works Director Bryan Meadows and Council Member Philip Engleman met earlier with Kraig Johnson to discuss this process. **MOTION:** Philip Engleman moved to approve action to pursue funding for sewer lagoon bio-domes. Kathy Ryan seconded the motion. **VOTE:** Michael Silliman, Kathy Ryan, Penney Riches, Philip Engleman and Gary Riches voted aye. The motion carried.

4. Introduction on Tree City USA. Danon Hulet from the State of Utah Forestry Service addressed the Mayor and Council. He stated that the Tree City USA program is sponsored by the Arbor Day Foundation, USDA Forest Service and State Forest Service. This is a great program to help manage your trees. There are four requirements that need to be met in order to qualify for this program. The first one is to establish a Tree Board. This group can consist of personnel who are in charge of maintaining the trees at the parks; the City Council can take that role or a volunteer group. Members of this board come up with projects and are the ones looking for grant money. Another step is to establish a tree ordinance. Conae Black said that Green River City has one in place. Mr. Hulet said the third requirement is two dollars per Capital budget. That is not saying you have to put in a certain amount of money and put it into a budget it just means you need to show that you are spending that much money on maintaining the trees. That money can include any volunteers, contracts and employee salaries spent on tree maintenance. The fourth requirement is to celebrate Arbor Day. This can be a small or large celebration. In the end you get benefits which are a sign that states you are a Tree City community, a State grant for up to \$1,000 to help with your tree related projects and there are more grants available. There is a

grant for first time communities that will help with your celebration. The Tree City USA application is due at the end of every year. At the end of the year you will be recognized at a banquet dinner. If this is something that Green River City wants to do he is willing to help with that.

5. Discuss/approve/deny bids for sewer project. The bids for CIB sewer lagoon land application project came in as follows: Double E Construction, \$329,996.20, Stapp Construction, \$342,228.00, Vancon, \$399,882.50, Barton Excavating, \$447,872.43, Nelco, \$507,044.50. Johansen and Tuttle Engineering has examined the bid documents and found that the apparent low bidder, Double E Constructions bid is a good bid and would recommend that they be awarded the bid. **MOTION:** Philip Engleman moved to approve the bid from Double E Construction for \$329,996.20. Gary Riches seconded the motion. **VOTE:** Michael Silliman, Kathy Ryan, Penney Riches, Philip Engleman and Gary Riches voted aye. The motion carried.

6. Discuss/approve/deny hiring new Museum Manager. Penney Riches introduced Tim Glenn who has been selected for the position as the JWP Museum Manager and he has accepted the position. Tim Glenn introduced himself and explained his background. Mayor Brady said he came very highly recommended. **MOTION:** Penney Riches moved to approve hiring Tim Glenn as the Museum Manager. Kathy Ryan seconded the motion. **VOTE:** Michael Silliman, Kathy Ryan, Penney Riches, Philip Engleman and Gary Riches voted aye. The motion carried.

7. Discuss/approve/deny changing utility rates for PACT properties. Tracy Siaperas, PACT Board member, addressed the Mayor and Council. She stated that the Thrift Store and the boys and Girls Club are being charged the commercial water and sewer rates. The Boys and Girls club highest usage is 7,000 gallons of water in the summer when they are watering bushes and trees. The Thrift Store only uses about 1,000 gallons of water every six months. She stated that with this low usage she would like the Council to consider allowing the non-profit organization to be charged the residential rate rather than the commercial rate. Conae Black said the commercial water base rate is \$50 and the residential water base rate is \$18. The Post Office has already come before the City Council and asked for a reduced rate and that has been granted. She stated that an Institutional rate is something that she has recommended for some time which would include churches, schools, government buildings and non-profits. Right now the city just has commercial and residential rates. She said that Green River City already pays the water and sewer bill for the Boys and Girls Club so the reduced rate would be a savings to the city. Philip Engleman felt that some guidelines needed to be established before he can make a decision. Penney Riches agreed. Conae Black said that will take a long time to get into place. Mayor Brady and Council disagreed. Mayor Brady said this agenda item is to be tabled until the Council pursues establishing an institutional rate.

8. Discuss/approve/deny allowing PACT to do a fund raiser at the July 4th celebration. Tracy Siaperas, PACT Board member, said the board has been trying to come up with some different fund raisers to try and raise money for the organization. We realize that the July 4th celebration is something that the city puts on and they provide a free BBQ but in tandem to the pie contest PACT would like to hold a homemade ice cream competition. For a \$5.00 donation you get the opportunity to try all competitors' ice cream and vote on who has the best ice cream. PACT would like permission to do this fund raiser at the July 4th celebration. **MOTION:** Kathy Ryan moved to allow PACT to do a fund raiser at the July 4th celebration. Penney Riches seconded the motion. **VOTE:** Michael Silliman, Kathy Ryan, Penney Riches, Philip Engleman and Gary Riches voted aye. The motion carried.

9. Discuss/approve/deny whether to hire or contract city grounds maintenance. Philip Engleman feels it would be beneficial to hire someone for that position rather than enter into a contract. The lawnmower is not in the best condition and may need to be replaced. There was some discussion on whether hiring for this position would be in the best interest for the city. This newly hired person would take care of all of the city grounds including the museum grounds. This employee could be asked to take on any duties assigned to him/her as needed. Bryan Meadows felt that contracting out these duties has not worked out very well in the past. Michael Silliman said if there was an employee hired for these duties then they would do a better job. It was decided that this employee would be a seasonal position with no benefits. Philip Engleman felt

the wage for this position could be \$10.00 an hour. Penney Riches wanted some of the duties to include weed control and beautification. **MOTION:** Michael Silliman moved to hire a 40 hour a week seasonal employee at \$10.00 an hour and advertise for this position immediately so that we can get this position filled by the March City Council meeting. Philip Engleman seconded the motion. **VOTE:** Michael Silliman, Kathy Ryan, Penney Riches, Philip Engleman and Gary Riches voted aye. The motion carried.

10. Discuss/approve/deny entering into a contract for professional services with the Epicenter for facilitating the Trails Committee. Mayor Brady said from the beginning the Epicenter has been involved with facilitating the Trails Committee and submitting in a letter of intent to apply for grant funding to the National Park Service. Samuel Bassett has estimated that in July 2013 he put in 74 hours and has been paid for that. He estimates that within the last two months he has put in 180 to 210 hours of his time and the cost for that would be \$2,731.50 and to be paid for printing and travel expenses. He states that he will be facilitating six community meetings, additionally meet three other times with Marcy DeMillion from the National Park Service, two additional meetings with the Stake Holders, meet two times with the Emery County Trails Committee, meet two times with the new JWP Museum Manager and coordinate with all Stake Holders to find the scope of the trails costs and identify potential funding sources, solicit funds and partnerships to cover some of the costs of planning and once ready implement the plan. Mayor Brady said this cost will go beyond \$2,731.50 because there are a lot of different trails that we would like to develop. Mayor Brady is suggesting that the city enter into a contract for his services on the development of the trails. Penney Riches asked if this contract would be at an hourly rate. Mayor Brady said yes. Conae Black asked where the contract would be paid out of. Mayor Brady said probably Economic Development. Mayor Brady felt the money would be well spent. Penney Riches, who chairs the Trails Committee, said it is a lot of work and Samuel Bassett is doing a good job. Mayor Brady said he started pushing trails. Moab thrives on their trails. If we want more travel and tourism then we need to pursue this more. Samuel Bassett explained the potential grants available that he is aware of. Mayor Brady said he would like to see the first trail in within one year. Penney Riches said something needs to be worked out with Samuel Bassett before entering into a contract. Conae Black suggested that this be tabled until a contract is drawn up. **MOTION:** Penney Riches moved to table this agenda item. Philip Engleman seconded the motion. **VOTE:** Michael Silliman, Kathy Ryan, Penney Riches, Philip Engleman and Gary Riches voted aye. The motion carried.

11. Discuss/approve/deny procedure for licensing businesses that is in non-compliance of city ordinances. Penney Riches asked for this to be put on the agenda. Gary Riches said he and C.J. Vetere have talked about this. Conae Black explained that business licensing has more authority than zoning. A business can be denied a business license if they are in non-compliance with the zoning ordinances. Mayor Brady said but right now we do not have a procedure. Conae Black said she does business licensing but will not deny anyone a business license without Council support. Penney Riches said if we are going to do that a letter needs to be written to those businesses who are in noncompliance asking them to come into compliance or they will be denied a business license. Kathy Ryan said the community does not see any improvements with the hiring of a code enforcement officer. Gary Riches said he is not sure if withholding the business license is the answer however the business segment of Green River is what people see first when they travel here. He said that he applauds whoever owns the Mancos rose Motel. That property is looking good. Mayor Brady said that is the result of C.J. Vetere applying pressure to improve that property. Penney Riches said if the City Council does not get behind the code enforcement officer and support him then we are not going to get any results. Gary Riches asked what leverage can the City Council use. Penney Riches said deny them a business license. Gary Riches said there are some vacant buildings along the business corridor that need to come into compliance with the zoning ordinances and denying them a business license does not pertain to them because they are not in business. Samuel Bassett said from his position as a member of the Planning Commission the issue is not permitted uses in that zone. So someone is using the property in a C-1 zone that is allowed in a C-3 zone. So it puts pressure on changing that zone. No one wants to change the C-1 zone to a C-3 zone. Really if you just enforce the zones then everyone is happy. A system that has been implemented is zoning administrator approval on the new business license application before a license is issued. Penney Riches said one business

owner's business license is in the proper zone but purchased property in the C-1 zone and moved equipment to that property when it is not permitted. The questions were asked on how to correct that problem or keep it from happening in the future. Conae Black said it comes right down to enforcement. Samuel Bassett said another solution is to allow that to happen as long as they get a conditional use permit. One of the conditions that can be set is a sight obscuring fence to hide the equipment. We don't want people from occupying buildings on Main Street nor do we want to discourage business. Mayor Brady said since we don't have a procedure then we really can't approve one. Conae Black said we do have procedures. One is to change the zoning or write the business owner a letter stating that a business license will not be renewed unless they come into compliance with the current zoning regulations. Allowing a conditional use permit would take an amendment to the zoning ordinance. Mayor Brady said he would like to see the zone changed in area behind the Midland Hotel along the railroad to C-3. Bryan Meadows said this is the place where zoning enforcement has always failed. Mayor Brady said we have always been behind the code enforcement officer. Bryan Meadows said when he was over that he was told the same thing and wrote a lot of letters which made people very angry and so nothing was changed. **MOTION:** Penney Riches made a motion to deny a business license to those businesses that are in non-compliance of the city ordinances. Gary Riches seconded the motion. **VOTE:** Michael Silliman, Kathy Ryan, Penney Riches, Philip Engleman and Gary Riches voted aye. The motion carried.

12. Discuss/approve/deny CIB funding for future projects. A copy of the suggested list was provided to the City Council. On that list is a fire house and the estimated cost is \$2,700,000. Conae Black said she based that amount off of two different engineering estimates. This is project was put on the CIB last year for \$1,500,000. Penney Riches asked why there was an increase. Conae Black explained that last year was her guess on how much it would cost and she under estimated. Conae Black said city funding would come from money saved up in the Capital Projects fund and the value of the property which is appraised at \$170,000 once the soil has been cleaned up. After an investigation on the property for clean-up of the soil it will cost \$200,000. The \$2,700,000 would include soil clean-up, engineering and construction of the fire house. With the value of the land and cash match the city's share of that would be \$770,000, grant funding from USDA would be \$100,000 and CIB's share would be \$1,830,000 asking \$1,000,000 grant with an \$830,000 loan with no interest. Michael Silliman said the Special Service District is submitting a grant to CIB for some new fire trucks and there is not any room at the current facility to house the new trucks. Conae Black said the other project is a combination of water, sewer and street improvements. Bryan Meadow was concerned that a combined project like that may take longer because you need to get approvals from the Division of Drinking Water for water projects and Water Quality for sewer projects. She spoke with the engineers and they didn't think it would be a problem to combine the project. This project would be water, sewer and streets on 945 East, sewer at the field between Kings Land and Tamarac and sewer on Cherry Street from Pirate Ave. to Main Street. The cost for this project was taken from the Capital Facilities Plan which is \$428,094 which includes engineering and contingency. The city matching funds for that would be \$150,000 taken from the water and sewer departments. That leaves asking CIB for a \$278,094 grant. CIB grants are submitted on a trimester basis and the dates she suggested is June or October 2014 for the fire house and October 2014 for the water, sewer and street improvement project. **MOTION:** Kathy Ryan moved to approve the CIB as discussed. Gary Riches seconded the motion. **VOTE:** Michael Silliman, Kathy Ryan, Penney Riches, Philip Engleman and Gary Riches voted aye. The motion carried.

13. Department Reports. Gary Riches brought up a retirement social for retired Fire Chief Howard Burnett. He said that the transportation costs to Branson MI are very expensive. He feels it would be best to offer a train ride to Denver CO and back where he can visit the train museum while he is there. The new fire department officers that are in office now seem to be working well together. The fire department has addressed the training for the fire department. They have a full schedule of training lined out. He hasn't heard anything good or bad from C.J Vetere. Melon Days is on track. The committee just had a meeting last night and came up with a theme. The theme is "Home is where the melon is." Philip Engleman has been working with Bryan Meadows and Kraig Johnson on the bio-domes. The water treatment plant is scheduled for an upgrade. Penney Riches asked Bryan Meadows to paint the foyer of the museum and that

was done the day she asked. It looks much cleaner. She is really excited about the new museum manager. He has a lot of great ideas. Conae Black asked if she knew what the status of the museum roof was. Penney Riches said someone from the Architect office came and looked at it and felt it wasn't as bad as it seemed. Tesla has begun the installation of the charging station. Conae Black said Bryan Meadows is willing to move the Melon Slice but he needs to know where to place it. It was decided to put it on the west side of the parking lot at the Highway Patrol building. Bryan Meadows said he will try to figure out a way to move the covering for the Melon Slice. She brought up an idea of information LED sign. Kathy Ryan said she has been invited to attend a meeting for the PacifiCorp Gateway project. That is a new transmission power line. She will start getting more involved as soon as she retires from the State Road job this April. She spoke of street signs and a small sinkhole that is in the street. Michael Silliman will take a look at the lawn mower and the floors in the park restrooms. Samuel Bassett reported that the Planning Commission has approved the changes to the subdivision ordinance. There will be a public hearing on this ordinance at the next City Council meeting. Assuming that there are not too many changes from the meeting then it can be approved by the City Council at their regular meeting. He would like to remind everyone to fill out the survey and return it to the City office. Conae Black had copies of the completed audit and management letter. A copy of that was sent via email to the Mayor and City Council. She had a few hard copies for those that wanted to view it. Mayor Brady said he has assigned Philip Engleman and Kathy Ryan to work together and come up with a pay scale for the employees. She also wanted to remind the Council to start thinking about the budget for the next fiscal year. He would like for the Council to start looking at updating the personnel policy. Conae Black said the current policy was provided by Utah Local Government Trust. It was free the city just had to insert the proper name. She asked the Mayor if he would like her to look into whether they still provide that service. He said yes. He said at a previous meeting Capital Investments presented a plan to purchase, install and maintain automatic read water meters through them. There were several questions asked after that meeting so he has asked Duane Free from Capital Investments to come and answer those questions. The main question was what this would cost the city. Duane Free said the answer to that question is there is no cost to the city. Capital Investments will install the meters for the service fee which will cost a fraction of a penny. That fraction of a penny figures out to be .00072 of a penny. If that is something that is something that the city would like to pursue then we need to prepare a detailed statement of work that tells what Capital Investments will do and what the cities obligation is. Penney Riches said she would like to see a cost comparison on how much it would cost if the city were to seek grant funding and do this project on our own compared to what it would cost over a 15 year period through Capital Investments. Duane Free said it would cost more through Capital Investments than doing this on your own but doing it on your takes time and you have grant requirements that need to be met and other costs. You may put the costs back on the rates or just decide that you are recovering more money by having the meters read accurately. The Council gave Mr. Free permission to seek additional information and go forward with this project.

14. Adjourn. The meeting adjourned at 9:28 p.m.

Pat Brady, Mayor

Conae Black, City Recorder

Approved: _____