

City of Green River

460 East Main Street, Green River, Utah

City Council Minutes

Regular Meeting

Wednesday, January 13, 2016

ATTENDING: Mayor Pat Brady, Council Members Kathy Ryan, Michael Silliman, Penney Riches, Philip Engleman and Travis Bacon; Employees Conae Black, Bryan Meadows; Citizens Sandi Silliman, Steph Crabtree, Armando Rios, Samuel Bassett, Mary Rothlisberger, Chris Lezama, Corbin Lamont, Ryann Savino, Bryan Brooks, Kim McFarlane, Justin Queen, Amber Furrer, Randy Erwin, Ann Eliot, Eduard Korycan, Joshua Rowley, Maria Sykes, from Johansen and Tuttle Engineering Jonathan Johansen

CONDUCTING: Mayor Pat Brady, the meeting began at 7:00 p.m.

ORDER OF BUSINESS:

The Pledge of allegiance is directed by Penney Riches.

1. Public Hearing. Mayor Brady stated one of the reasons for opening the budget is to purchase a new city vehicle. Bryan Meadows said the newest truck used by Public Works is 2002 and they are getting to where they need quite a bit of maintenance. The price for a new 1 ton extended cab truck with all of the tools and features needed is \$32,808. Mayor Brady said the city would like to transfer the excess funds back to the Green River Canal Company which is almost \$11,000. Mayor Brady asked for any comments. There were not any comments. The public hearing closed at 7:05 p.m.

2. Discuss/approve/deny budget amendments. **MOTION:** Philip Engleman made a motion to budget \$32,809 to purchase a new city vehicle and transfer the excess funds for the Diversion Dam feasibility study to the Green River Canal Company. Kathy Ryan seconded the motion. **VOTE:** Michael Silliman, Kathy Ryan, Penney Riches, Philip Engleman and Travis Bacon voted aye. The motion carried.

3. Discuss/approve/deny bids for Capital Facility improvements project. Jonathan Johansen from Johansen and Tuttle Engineering stated that they would like to recommend JCI as the contractor for the facilities improvements construction project. The bids came in as follows: JCI, \$492,032.45 – Renegade, \$591,516.90 – Terry Brotherson, \$593,630.90 – Vancon, \$606,472.30 – Double E, \$616,101.50 – Nielson Construction, \$627,105.50 – Nelco, \$664,593.50 – Harward & Rees, \$674,790.00 – Harrison Oil Field, \$675,396.89 – Cody Ekker, \$845,815.00 – Stapp, \$855,576.62 and the Engineers estimate was \$549,347.00. Mayor Brady asked if Double E Construction as a local contractor was within 10% of the lowest bid but they did not meet that. **MOTION:** Philip Engleman made a motion to approve JCI's bid of \$492,032.45 for the Capital Facility improvements project. Kathy Ryan seconded the bid. **VOTE:** Michael Silliman, Kathy Ryan, Penney Riches, Philip Engleman and Travis Bacon voted aye. The motion carried.

4. Discuss/approve/deny contract for current Capital improvement project. There was not any discussion or action on this agenda item.

5. Discuss/approve/deny allowing Johansen and Tuttle Engineering to draw up a CIB proposal to do a study on easements for a natural gas line. Jonathan Johansen from Johansen and Tuttle Engineering stated Mike McCandless sent over an email and has a good handle on what needs to be done. Mayor Brady read from Mike McCandless' email. He said "the scope of the CIB study would be an economic analysis of the Feasibility of Municipal Gas in Green River. This should include the costs to develop the distribution system in town, the costs to develop a "virtual

pipeline” and the costs to develop a traditional pipeline. We would look at operational expense, structure and maintenance. Then we would establish our rates, factoring in the wholesale cost of gas from Northwest Pipeline, brokerage costs from Summit energy, the transport costs through Pacific Energy and the debt service costs. Then we would do an economic and tax study, probably including Susan Becker with Zions Bank, to determine the viability of utilizing property taxes or other sources as the basis for the core debt structure. We would also be including the costs of development for the municipal Gas Corporation. The costs of right of way, survey, engineering and construction are all important parts of the study.” Mayor Brady said basically what we want them to do is a study on what it will take to bring natural gas to town. If not then Grey Canyon Energy will bring it to their site. The City and Grey Canyon Energy are not on the same page as to the best way and path to get natural gas to the town. BLM would rather have the city more involved on getting the easements. Conae Black said CIB will not help fund an engineered design for a natural gas line to an oil refinery. Mike McCandless is suggesting we do more than just engineering we need to do a full economic analysis and feasibility study. Jonathan Johansen said CIB promotes these studies and will do a 50% match of funds for the study. The reason CIB is eager to fund these studies is because they get too many projects that are not properly planned for. If you follow that plan then they are more likely to help fund the project. Mayor Brady stated that we have set a goal to submit a CIB application for this study by February 1st. Conae Black said she wasn’t sure we would be able to do that because it is not on the CIB list and we would not be able to advertise and hold a public hearing before then but she called Michael Bryant with the South Eastern Association of Local Governments who explained that we could submit an incomplete application and begin amending the CIB list with notifications to CIB that all missing components are pending and will be submitted before March 1st. Mayor Brady said if we make it by February 1st that would be great but if we don’t then we will get it in by the next quarter. What he needs tonight is approval to let Johansen and Tuttle Engineering to begin drawing up that proposal so that we can continue to progress as a city. Philip Engleman asked if we knew how much this study will cost. Conae Black said \$40,000. Jonathan Johansen said the price still hasn’t been completely developed yet but \$40,000 to \$45,000 is in the ballpark. Conae Black said Michael Bryant told her that CIB will allow us to amend the costs if necessary as long as we submit in a good estimate. **MOTION:** Travis Bacon made a motion to allow Johansen and Tuttle Engineering to draw up a CIB proposal to do a study on easements for a natural gas line. Penney Riches seconded the motion. **VOTE:** Michael Silliman, Kathy Ryan, Penney Riches, Philip Engleman and Travis Bacon voted aye. The motion carried.

6. Discuss/approve/deny an amendment to the 2015/2016 CIB list. Mayor Brady said this amendment is to add the economic and feasibility study for a natural gas line in Green River. The estimated costs for this will be about \$45,000. The City of Green River will pay 50% and apply for a 50% grant from CIB. **MOTION:** Penney Riches made a motion to amend the 2015/2016 CIB list to allow for a study for natural gas services. Travis Bacon seconded the motion. **VOTE:** Michael Silliman, Kathy Ryan, Penney Riches, Philip Engleman and Travis Bacon voted aye. The motion carried.

7. Discussion on 2016/2017 CIB list. Conae Black said she and Bryan Meadows would like to complete the recommended sewer projects on the Capital Facility Plan. Bryan Meadows explained that some of the sewer lift stations need some repairs causing water to infiltrate into the sewer system. There is some other infiltration coming from an unknown source. He is not sure how to do those repairs. He would like to add the lift station repairs to the CIB project. He brought up that the field where the city land applies sewage still needs some attention. Conae Black said we should address the sewer lagoon improvements in 2 years after we have paid down some of the debt. Conae Black said we may not want to add the infrastructure improvements to the industrial parks later as we know more. Another project that Philip Engleman wanted to add to the list is a new city shop on Main Street. Approximate cost for construction is about \$50 to \$55 a square foot. This does not include engineering fees. Jonathan Johansen said if the city could decide on the size of building they needed they would be able to get some pricing.

8. Discuss/approve/deny using economic development funds for branding or advertising. Josh Rowley and Bryan Brooks show cased the brochure created by Bryan Brooks which was paid for by the businesses. Utah Office of Tourism is looking at ways to increase tourism in Emery County. One of the things that have come from that is the Branding Committee. The brochure highlights that Green River is centrally located to three out of the five National Parks in Utah. The Utah Office of Tourism and Emery County is paying for a professional consultant to give recommendations on how Green River can increase tourism. One way to market Green River is through a website and the Pot Luck Business Group is looking at two different agencies to help them with that and with branding. They will need money to do that and will be getting some money this year from the Utah Office of Tourism, some from Emery County and some from the local businesses but are asking the City for some of the funds set aside for economic development to go towards funding this program. The Pot Luck Branding Committee is not sure of the cost and they know it will be a multi-year process to build this up. They want to build up the website and social media. They will begin small and then expand. Travis Bacon asked Josh Rowley if this was matching funds. Josh Rowley said yes. Bryan Brooks, who is part of the Branding Committee, said they are paying the creative agency to first come up with an identity that would be compel someone to come and visit Green River and then for a website and designing billboards and bumper stickers and creating things that go along with the brand. The first thing is coming up with that big concept. Mayor Brady said the small billboard on the west side of town has been offered to the city to use for free and the big one next to it is available and he would like to see them jump on securing them as soon as possible. Penney Riches said what the Branding Committee needs to know is how much seed money the City will put in for matching funds so they can go to the State, County and businesses. Josh Rowley said Emery County's available funds have doubled since last year. Mayor Brady asked Josh Rowley and Bryan Brooks how much money they needed. Bryan Brooks said their next step is asking the five potential creative agencies how much money it will cost but once they know how much money they have then they will be able to negotiate the costs. Mayor Brady said the City has \$15,000 in advertising and \$22,000 in economic development. Penney Riches asked if any of that money was for the development of trails. Mayor Brady said no. Josh Rowley said the Utah Office of Tourism will be able to match that amount. Mayor Brady said he is hoping it will not cost that much money. Josh Rowley said the State has a website called Utah.com that is highly visited and Emery County has put in about \$30,000 towards that website. The website has several different pages promoting Green River. **MOTION:** Penney Riches made a motion to approve using economic development funds for branding or advertising. Travis Bacon seconded the motion. **VOTE:** Michael Silliman, Kathy Ryan, Penney Riches, Philip Engleman and Travis Bacon voted aye. The motion carried.

9. Discuss/approve/deny job description for Code Enforcement Officer and advertise for the position. Travis Bacon said we all know that we need code enforcement as soon as possible but he would like the opportunity to reach out to some smaller communities that may have some part time code enforcement officers that Green River City may use. Perhaps we could have a Memorandum of Understanding between us for code enforcement. He feels that would be a huge savings to the city and still accomplish our needs. That is the direction he would like to go at this point and would like to table this agenda item. Penney Riches and Kathy Ryan thought it was a good idea. Travis Bacon said he will get moving on that as soon as possible. **MOTION:** Kathy Ryan made a motion to table this agenda item and give Travis Bacon a chance to investigate his proposal. Penney Riches seconded the motion. **VOTE:** Michael Silliman, Kathy Ryan, Penney Riches, Philip Engleman and Travis Bacon voted aye. The motion carried.

10. Discuss/approve/deny Main Street lighting project. Mayor Brady said he and Kathy Ryan have been working on this project with UDOT and Rocky Mountain Power for some time now. He said if they understand Rocky Mountain Powers last offer that may be the best way to go. Rocky Mountain said they could change the 24 street lights on Main Street to LED lights at a cost of about \$25,000. Also when a street light goes out Rocky Mountain Power will replace it with LED lighting at the city's cost for the bulb. This is a change from what had been discussed at the beginning. Samuel Bassett felt that LED lights were too bright and inhumane. He thinks they are

a sterile light and does not appreciate them at all. He said they are too bright. Kathy Ryan said we need to brighten up Main Street somehow. Penney Riches said she wants those people driving on I-70 to see the bright lights and wonder what is at Green River. Samuel Bassett said there is some LED lighting that is not too bad but he still feels that sodium lighting gives off a much softer feeling. Mayor Brady said LED lights cost less, last longer and shine out much further than sodium lighting. He said the wattage and height of the street light will determine how far the light will shine. Samuel Bassett said there should also be a diffuser on the top of the light so that it is not hurting people's eyes and disturbing the Milky Way which is a huge thing. He had never seen the Milky Way until he moved to Green River. **MOTION:** Kathy Ryan made a motion to table this agenda item until we get a response back from Rocky Mountain Power. **VOTE:** Michael Silliman, Kathy Ryan, Penney Riches, Philip Engleman and Travis Bacon voted aye. The motion carried.

11. Discuss/approve/deny allowing PACT to use a piece of city owned property for a community garden this spring. Amber Furrer, who is a VISTA employee for PACT, addressed the Mayor and City Council. One of her responsibilities is to develop more community outreach programs pertaining to food. They would like to develop a community garden and are asking to use a portion of city owned property east of the fire house next to the canal. One area would be used for the community who lack the space and resources for a garden another area would be for PACT's use to plant and grow a garden to give back to the community. Another area would be for a youth garden to teach the youth how to grow a garden and some cooking classes to see the full process from seed to plate. They have received a grant that would cover costs for the garden structure but lack the space at the community center to plant the gardens. They are asking for approximately 2500 square feet of land. They would like this to be a sustainable program and as long as the program works would like the use of the land for a long period of time. If the program is successful then they would also like to expand. The goal is to increase the amount and variety of fresh produce to the community. It provides a platform for workshops for both youth and adults and in the end it beautifies the space that is currently sitting empty. They have had discussion with GRIT (the Beautification Committee), USU Extension and a group from the University of New Mexico to teach workshops, give advice on growing the produce and to utilize the space to its potential and possibly have flowers and maybe even a park. Mayor Brady asked what the grant money will be used for. Amber Furrer said the grant money will be used to put in the irrigation system and the garden beds. Mayor Brady asked if they will need permission from the Green River Canal Company to use the water. Kathy Ryan said yes, even though the city owns shares permission will still need to be granted. Randy Erwin, Board President of the Green River Canal Company, said as long as the City has canal shares then it shouldn't be a problem. Kathy Ryan said she liked the idea because it will clean up that area, it will teach people how to grow and utilize a garden and potentially it could become a park. **MOTION:** Kathy Ryan made a motion to allow PACT to use a piece of city owned property for a community garden. Travis Bacon seconded the motion. **VOTE:** Michael Silliman, Kathy Ryan, Penney Riches, Philip Engleman and Travis Bacon voted aye. The motion carried.

12. Discuss/approve/deny transferring balance of excess funds for diversion dam to the Green River Water Users Coop. There was no further discussion or action on this agenda item.

13. Discuss/approve/deny the city attorney's advice on the Green River Canal Company's budget request. Kathy Ryan read the letter from Jeremy Cook who is the City's attorney. It said "this letter is in response to your letter dated November 9, 2015 regarding the proposal by Green River Canal Company for Green River City to directly participate in the repayment of 25 year loan for the replacement of the diversion dam. Based on the information provided to him the proposal is that Green River City would share in the repayment of the loan based on the city's 220 cfs of potential diversion under water right 91-39. The estimated yearly cost to the city would be approximately \$11,400 a year. Water right 91-39 was certified in 1923 for purposes of power generation. In 1969 Green River City filed a water user's claim for water right 91-39 that indicated that the nature of the use for the water was power. As we discussed the city is not currently diverting water under water right 91-39 and the city does not have plans to utilize water

from the proposed diversion dam for power generation in the near future. Accordingly there does not appear to be a viable reason for the city to agree to any portion of the loan payment for the diversion dam based on the city's ownership of water right 91-39. The city will likely still pay for a portion of the diversion dam through its ownership of shares in the Green River Canal Company but the payment should only be proportionate to the number of shares the city owns in the Green River Canal Company and the amount that Green River Canal diverts in comparison to other users. Finally with respect to what the city should do with water right 91-39 the water right is likely currently limited by its nature of use and the potential agreement that the water cannot be used for any consumptive purpose. Thus the city would need to determine a use for the water and then the city could attempt to change the point of diversion and nature of use if necessary in order to beneficially use the water." Randy Erwin said the cheapest power we could bring to our community is to generate our own power. There is other water out there that people are willing to put into this generation. Penney Riches asked Randy Erwin if he had an idea on how much a study would cost to see about our own power generation. Randy Erwin did not know the cost of a study. Jonathan Johansen said their engineering firm has talked to the Green River Canal Company about it. Penney Riches said if the city could have been on board with the canal company sooner they would have looked into our own power generation. Randy Erwin said they are going to try and stop this too late stuff and realize that is not the way things should go. He asked if the city would be willing to readdress helping out with the loan payment. Mayor Brady said yes. **MOTION:** Kathy Ryan made a motion to listen to the advice from the City Attorney. Penney Riches seconded the motion. **VOTE:** Michael Silliman, Kathy Ryan, Penney Riches, Philip Engleman and Travis Bacon voted aye. The motion carried.

14. Discuss/approve/deny Rocky Mountain Power easement at the Shooting Sports Park. Kathy Ryan said the power will be going across Green River Companies land, land owned by the State of Utah and the City. Conae Black said according to Mike Keener who has been managing this project he was told that Rocky Mountain Power required an approval of the easement in a formal City Council meeting for a power easement on the city property. Kathy Ryan said there will be five poles and three of them will be on city owned property. Rocky Mountain Power will get the easements from the State. This will be an easement to install and maintain the power poles. Penney Riches asked if the poles were going in at the location approved by the Shooting Sports Park Inc. Kathy Ryan said yes. **MOTION:** Michael Silliman moved to approve the Rocky Mountain Power easement at the Shooting Sports Park. Kathy Ryan seconded the motion. **VOTE:** Michael Silliman, Kathy Ryan, Penney Riches, Philip Engleman and Travis Bacon voted aye. The motion carried.

15. Review General Plan. Kathy Ryan asked if a separate special City Council meeting could be set aside to review the General Plan to allow more time than at this meeting. It was decided to hold a special meeting on January 26, 2016 at 7:00 p.m.

16. Discuss/approve/deny consent agenda. There were some corrections to the minutes. **MOTION:** Penney Riches moved to approve the consent agenda with the corrections to the minutes. Kathy Ryan seconded the motion. **VOTE:** Michael Silliman, Kathy Ryan, Penney Riches, Philip Engleman and Travis Bacon voted aye. The motion carried.

- Minutes for November 30, 2015 special meeting
- Minutes for December 8, 2015 regular meeting
- November 2015 Recorder's financial report
- December 2015 Treasurer's report
- January 2016 Payment Approval report

17. Department and employee reports. Bryan Meadows reported on a sewer lift station pump that is not working correctly and recommended that it be replaced. He has been working with the four property owners where the sewer line replacement will be to address their concerns. They are still watching the Elberta Street hole and still do not know what they are going to do there. They put the cover for the Melon Slice back up. He needs to replace some pressure reducing valves that need to be replaced and he will need some instructions on how to do that. They are

discharging the full sewer lagoons to the river. Michael Silliman parks are pretty slow this time of the year but they are looking at doing some tree trimming. Kathy Ryan said she is working with the Canal Company to keep up with the progression of the diversion dam. GRIT is working on the Tree City USA renewal application. The Planning Commission is working on amending the Commercial Zoning ordinance. Steph Crabtree updated the Mayor and Council on the progression of the trails. Penney Riches said the museum is putting in a new point of sales system which will track items and sales much better. They are in the process of writing a collections policy. Philip Engleman said the fire department will be getting some new equipment. Christmas tree will be coming down this weekend but will leaving the lights up for a little longer. They will be doing some Hazmat training. Travis Bacon thanked the city crew and Bridget Meadows for a great job on the Christmas lights. Ben and Doreen Lehnhoff have been doing a good job with animal control. Mayor Brady met last week with the State Energy department and CIB just to let them know what Green River City's plans are for the future. EMS training has begun and there are four students signed up for the class. Chris Lezama reported on the City Christmas event. Amber Furrer invited all to attend the dodgeball event to raise toiletry items for those in need.

18. Adjourn. The meeting adjourned at 8:51 p.m.

Pat Brady, Mayor

Conae Black, City Recorder

Approved: February 9, 2016