

**Naples City Council
October 11, 2007
Minutes**

The regularly scheduled meeting of the Naples City Council was held October 11, 2007, at 7:30 p.m. at the Naples City Office, 1420 East 2850 South, Naples, Uintah County, Utah.

DATE, TIME & PLACE OF MEETING

Mayor Dean Baker welcomed everyone and called the meeting to order at 7:30 p.m. Council members attending were Dale Bowden, Dennis Long, Robert Hall, Dan Olsen, and Kenneth Reynolds.

COUNCIL MEMBERS ATTENDING

Others attending were Craig Blunt, Denise Hacking, Marleah Jacobson, Pat Harrell, Mark Watkins, and Nikki Kay.

OTHERS ATTENDING

The Mayor added the purchase of a new police vehicle under item twelve, a discussion item under '*Other Matters*', and he added an Executive Session. Mayor Baker asked if there were any other changes or additions to the agenda. Robert Hall **moved** to approve the agenda as edited. Dennis Long **seconded** the motion. The motion passed with all voting aye.

AGENDA APPROVED

Dennis Long **moved** to accept the minutes of September 27, 2007 as presented. Ken Reynolds **seconded** the motion. The motion passed with all voting aye.

MINUTES APPROVED

Denise Hacking presented the bills, to be approved for payment, in the amount of \$34, 896.63. Denise also asked for approval to pay invoices in the amount of \$11,448.82 for concrete work completed at the park. Dan Olsen **moved** to approve the bills in the amount of \$46,345.45 as requested. Kenneth Reynolds **seconded** the motion. The motion passed with the following vote:

APPROVAL OF BILLS

Dale Bowden	Aye
Robert Hall	Aye
Dennis Long	Aye
Dan Olsen	Aye
Ken Reynolds	Aye

Lori Olmstead of the Uintah School Foundation came before the Council to thank them for their recent support of the Storytelling Festival. Ms. Olmstead presented the Council with

***PRESENTATION BY THE
UINTAH SCHOOL
FOUNDATION***

a framed print by artist Chirs Miles. Ms. Olmstead stated the festival was a great success and said the Naples park was a perfect place for the afternoon storytelling. Ms. Olmstead also thanked the Council for the City's efforts in placing the advertisement banner across the highway.

Craig Blunt asked the Council for their opinion on issuing a certificate of occupancy to a homeowner in Hunter Hollow Subdivision before all of the infrastructure has been signed off. Craig explained that two developers are building homes in the subdivision but only one developer has control of the completion of the infrastructure. Councilman Bowden wanted to know if it mattered because the City has the quality assurance bond. Craig stated he could see it both ways. The policy is there to make sure the developer gets everything done in a timely manner and if the City allows concessions for one developer you have to allow them for others. Councilman Olsen felt the City should follow policy. After some discussion it was the recommendation of the Council to stick with policy.

***HUNTER HOLLOW
CERTIFICATE OF
OCCUPANCY***

Council members received a road cut permit request from Ashley Valley Water to cut into the road at 1364 S 1100 E. Craig Blunt explained that for part of the project they would bore under the road and then they would have to cut the road where the water line hooks in. Dan Olsen **moved** to issue the road cut permit at 1364 E 1100 E. Robert Hall **seconded** the motion. The motion passed with all voting aye. With winter coming soon, Councilman Bowden recommended following through to make sure the cut is repaired.

***ROAD CUT PERMIT -
ASHLEY VALLEY WATER***

Council members received copies of resolutions recently adopted by Utah League of Cities & Towns (ULCT). The resolutions dealt with Land Use Regulation, Water Regulation, and Justice Court Modifications. The resolutions were recommendations of the league to the legislature. The recommendation of the land use resolution was to oppose any legislation attempting to take away or limit the authority of local elected officials to make land use decisions within their jurisdictions. The recommendation of the water regulation resolution was to support legislation which recognizes that the control of water held for the reasonable future requirements of the public is a beneficial use under Utah Water Rights Law. The resolution on Justice Court modifications recommended that cities and towns continue

***RESOLUTIONS FROM
ULCT REGARDING LAND
USE, WATER
REGULATION AND
JUSTICE COURTS***

to be allowed to select their own judge and the judge will remain a city employee. The resolutions were for the information of the Council, no action was taken.

Tech Foam, Inc. 1955 E 700 S. The approval for this business license was tabled from an earlier meeting in order for Craig to obtain more information. Craig reported that the owner of the business, Kendall Goodwin, will be using his home as an office for this business. Craig stated the owner has agreed that no equipment would be stored at the residence. Craig recommended the approval of the business license with the stipulation that the home occupation permit include the statement that no equipment will be parked or stored at the residence. Dan Olsen **moved** to approve the license with the stipulations given. Dennis Long **seconded** the motion. The motion passed with all voting aye.

***BUSINESS LICENSE
APPROVAL***

Council members were given a copy of the Ashley Valley Water Sewer Management Board new guidelines. The guidelines will be used in the building permit process and Craig will start to incorporate those guidelines. Mayor Baker asked if the responsibility would fall to the City to make sure the guidelines are being followed. Craig stated it would be a lot of the building departments responsibility to make sure those regulations are being adhered to. He felt the expansion by Halliburton would be a good testing ground for the regulations on separation systems. Council Hall wanted to know who would be held accountable if a separation system failed, would it be the City or would the sewer board be responsible. Craig said if a system were to fail it is normally caught by the sewer plant and they trace it back to the problem. He stated Environmental Health would also become involved to help take care of the problem.

***ASHLEY VALLEY WATER
SEWER MANAGEMENT
BOARD***

Craig Blunt reported to the Council about a Public Safety Interoperable Grant that is available. The grant would be an area wide grant and would come from the Federal government to the State. Craig said the Federal Government has given a mandate to the States to have an interoperable communication system. This system would allow emergency service personnel to have communication equipment that could be used anywhere in the State of Utah. FEMA is requiring eight standards for the interoperable communication system. The eastern region would like to meet together and determine what is needed in this area. Emergency personnel from this region will meet and put together a needs list for the grant. Craig recommended the

***PUBLIC SAFETY
INTEROPERABLE GRANT
FUNDING***

Council sign a letter of support to go for the grant funding as an eastern region. Councilman Hall asked if the State was allocating any money. Craig stated it would be an 80/20 match grant and would be cost shared by the Counties and Cities. Dennis Long **moved** to authorize the Mayor to sign a letter of support to seek regional funding for the grant. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

Mark Watkins came before the Council to ask approval to hire Tracy Flint Williams as a new police officer. Lieutenant Watkins reported that Officer Williams has worked five years for Duchesne County and the department would like to bring him in at a mid level experience with a wage of \$18.85 per hour. Lieutenant Watkins stated they looked more closely at individuals from the area because finding affordable housing would not be an issue for them. He stated Mr. Williams is from Bluebell but he has a place to stay when he is here. Dan Olsen **moved** to proceed with hiring Flint Williams at an entry level of mid range. Mayor Baker wanted to make sure the police car did not leave the valley when he was working his shifts. Kenneth Reynolds **seconded** the motion. The motion passed with the following roll call vote:

Dale Bowden	Aye
Robert Hall	Aye
Dennis Long	Aye
Dan Olsen	Aye
Ken Reynolds	Aye

APPROVAL TO HIRE IN POLICE DEPARTMENT

Police Department. Lieutenant Watkins gave the Council pricing information for the purchase of a new police vehicle. He stated the vehicle would be used as an investigators car and would need room for that type of equipment. The Dodge Chargers on state bid were approximately \$25,500 and would have a delivery date of about six weeks. He reported that he could pick up a Dodge Durango in Salt Lake on state bid for \$27,165. Councilman Hall wanted to know if funds were in the budget to purchase the vehicle. Nikki Kay told the Council the budget would need to be opened and money transferred from the police sinking fund. Councilman Hall also asked about the cost to equip the new vehicle. Lieutenant Watkins thought it could be done for around \$1,500. They would need to purchase lights, an inverter, printer, and computer stand. After some discussion, Kenneth Reynolds **moved** to approve \$29,000 for the purchase of the car and equipment. Dan Olsen **seconded** the motion. The motion passed with

PURCHASES

the following roll call:

Dale Bowden	Nay
Robert Hall	Aye
Dennis Long	Aye
Dan Olsen	Aye
Ken Reynolds	Aye

Craig Blunt wanted to update the Council on the cement work at the park. He stated the largest portion of the expenditure for cement was the walkway and steps that tie into the playground equipment. He stated the other expenditure was for the ADA walkway from the east parking lot to the first pavilion. The last portion was for the ADA approach from the splash park to the walk path.

UPDATES - CEMENT WORK AT PARK

Craig Blunt updated the Council on the shop storage building. He reported that when they were doing the prep work for the excavation it was discovered the elevations from one end of the building to the other differed by thirty inches. This will require stepping the building and the modifications will require a little more money for the foundation work.

S H O P S T O R A G E B U I L D I N G

Councilman Hall wanted an update on the fire station. Craig Blunt said he received a list from Chief Reynolds concerning issues that still need to be corrected. The first concern was the insulation that can be seen in the roof line between the two sections of building. Craig stated that fixing it was not part of the original bid. The other items they still need are a drinking fountain and an eye wash bowl. Councilman Hall asked about the fireman pole. Craig said it was never decided on but he will get pricing and bring that back to the Council. Councilman Bowden asked about the siding and stucco. Craig said he has not heard back from the company in Salt Lake that was bidding the project so he will be contacting local contractors to see if they can get the work done. Craig said he will also be getting someone to come in and strap some of the insulation so it does not keep breaking lose. Craig reported he is also checking into the removal of the sway or bracing cables on the new addition. His concern was whether or not the removal of the cables created an instability in the building. He has been working with the designers of the building and with a local engineer firm to make sure the correct bracing is installed in the roof section.

FIRE STATION UPDATE

Craig Blunt wanted to readdress the issue of the certificate of occupancy for a home in Hunter Hollow subdivision. Craig

READDRESS THE ISSUE OF CERTIFICATE OF

stated that he was just made aware that information was not being conveyed from the developer to the realtor selling a home in Hunter Hollow. Pat Harrell is the realtor for the home and was in attendance at the meeting. Ms. Harrell told Craig that the new homeowner is living in a motel room and all of his furniture is being stored and this is getting very costly for them. Ms. Harrell was not aware of any problems until she met with Craig last week. She stated that she has no control over Todd Sinks who is the developer of the subdivision. She believed they purchased developed lots from him. Ms. Harrell stated that they have no control over Mr. Sinks or in hiring someone to finish the items that are keeping the City from issuing a certificate of occupancy on this home. Councilman Bowden wanted to know if the City would be protected in releasing the home for occupation because they still hold Mr. Sinks bond. Councilman Hall said he had no problem issuing one temporary permit for one home. Council members asked Ms. Harrell if she would be selling any of the other homes in the subdivision. She stated that now she is aware of the problem, no other homes will be sold until the release is given on the subdivision. The developer is wanting to get things done but is also being held up because of other sub contractors. The Council was very hesitant to allow occupancy in the subdivision without everything completed. Ms. Harrell stated that Mr. Sinks has a great deal invested in the subdivision and it would be to his benefit to complete those items in a timely manner. After some discussion, Robert Hall **moved** to authorize a temporary occupancy permit for the one home sold in Hunter Hollow. Ken Reynolds **seconded** the motion. The motion passed with all voting aye.

***OCCUPANCY FOR
HUNTER HOLLOW***

Council members set a new date for a public hearing to discuss the CDBG capital improvement list. Dan Olsen **moved** to hold a public hearing on October 25, 2007 at 8:00 p.m. for the purpose of reviewing and adopting the CDBG improvement list. Robert Hall **seconded** the motion. The motion passed with all voting aye.

***CDBG CAPITAL
IMPROVEMENT LIST***

A list of questions for Rocky Mtn Power was given to Council for their review. The questions will be addressed at a joint meeting with Vernal City, Uintah County, Naples City and Rocky Mtn Power. The Mayor wanted to see if the City could have some say in where the power poles are set. He stated the City may have a development going on that Rocky Mtn is not aware of. There were no other items added to the list.

***JOINT MEETING WITH
ROCKY MTN. POWER***

As this matter was being discussed Councilman Olsen raised the question of repairing the road by his home where the power pole was removed. Craig said he would look into it. Councilman Olsen was also concerned about the bubble up drain pipe in the sidewalk of Parkview Subdivision. With the recent rain he noticed that the water is not carrying down the gutters but is going south through the fields toward his house. He is worried that when the snow melts in the Spring all of that water will come towards his house. Craig stated he could get back with the engineers and find out why it is not working like they stated it would. Councilman Olsen said it was apparent after the recent rain storm that the gutter will not pack the water. Councilman Hall said they were told by the engineers of the subdivision that the gutter would easily handle those water flows. Councilman Bowden stated on these new subdivisions the Council might want to take a little more time to study them before approving them.

Council members were notified that a meeting will be held on October 18, 2007 at 3:00 p.m. at the USU law library. Mayor Baker asked for support at the meeting. The City will be asking the Uintah Impact Mitigation SSD to help fund a Downtown Master Plan for the City.

Councilman Hall asked that the interlocal fire agreement be placed on the next agenda.

Councilman Olsen wanted to make sure it would be okay to hold only one meeting in November because the second meeting would be the Thanksgiving holiday. The consensus of the Council was that one meeting should be fine.

Dan Olsen **moved** to go into Executive Session for personnel issues. Dennis Long **seconded** the motion. The motion passed with all voting aye. Mayor Baker, all Council members, and Dennis Judd were present for the closed session. Mayor Baker excused all others present. Mayor Baker signed the closed meeting affidavit.

Ken Reynolds **moved** to go out of Executive Session at 10:10 p.m. Dennis Long **seconded** the motion. The motion passed with all voting aye.

With no other business before the Council, Dennis Long **moved** to adjourn the meeting at 10:10 p.m. Dan Olsen **seconded** the motion. The meeting was adjourned with all voting aye.

***OTHER MATTERS -
E C O N O M I C
DEVELOPMENT MEETING***

***FUTURE COUNCIL
MATTERS***

***MOTION TO MOVE INTO
CLOSED SESSION***

***MOTION TO RECONVENE
TO REGULAR SESSION***

MOTION TO ADJOURN

APPROVED BY COUNCIL ON THE 25th DAY OF OCTOBER 2007

BY: _____

ATTEST: _____