

Naples City Council January 10, 2008 Minutes

The regularly scheduled meeting of the Naples City Council was held January 10, 2008, at 7:30 p.m. at the Naples City Office, 1420 East 2850 South, Naples, Uintah County, Utah.

DATE, TIME & PLACE OF MEETING

Council members attending were Dean Baker, Robert Hall, Dennis Long, Dan Olsen, and Kenneth Reynolds.

COUNCIL MEMBERS ATTENDING

Others attending were Dale Harrison, Logan Harrison, Mechelle Miller, Hazel Olsen, Brenda Olsen, Marleah Jacobson, Greg Platt, Mark Watkins, Chalyce Coomes, Connie Patton, Steve Guibord and Nikki Kay.

OTHERS ATTENDING

Mayor Dean Baker welcomed everyone and called the meeting to order at 7:10 p.m. The meeting began with the swearing in ceremony for Council members Dan Olsen and Kenneth Reynolds. The newest officer for the police department, Chalyce Coomes was also sworn in. Mayor Baker opened Council meeting with the pledge of allegiance followed by Dan Olsen giving the prayer.

OPENING CEREMONY

Mayor Baker asked for a moment of silence in recognition of Councilman Dale Bowden who recently passed away.

MOMENT OF SILENCE

Mayor Baker asked if there were any changes or additions to the agenda. Craig Blunt asked for time under administrative updates to report on the alternative truck route. Councilmen Robert Hall and Dan Olsen asked for time under other matters to discuss the Fire District and parking on Hwy. 40. With those additions, Dennis Long **moved** to approve the agenda. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

AGENDA APPROVED

Robert Hall **moved** to approve the minutes of December 13, 2007 as presented. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

MINUTES APPROVED

Connie Patton presented the bills, to be approved for payment, in the amount of \$26, 101.94. Councilman Long questioned the bill from Uintah County for the elections. Nikki Kay explained that because the vote for school vouchers was placed on the ballot, the County handled the municipal

APPROVAL OF BILLS

election. The City agreed to pay the County the amount budgeted for elections to help cover the cost of the election. Councilman Long also asked about the bill for the road signs. Bruce Lee explained those were costs associated with the school crossing at Naples Elementary. Dan Olsen **moved** to approve the bills for the amount presented. Robert Hall **seconded** the motion. The motion passed with the following vote:

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

Craig Blunt presented the 2007 Homeland Security Grant Articles of Agreement to the Council in behalf of Mechelle Miller who was not able to stay to the meeting. Craig told the Council there was a concern raised after the recent spill on Hwy 40 in Naples. The question was asked as to why there was not a hazmat team present. Craig explained that the paper work has not been completed to form a team and this agreement would help accomplish that. Councilman Hall explained that he recently met with the County Commissioners and with Mechelle Miller and received a commitment from them to form a trained hazmat team. This agreement will allow them to work with other local entities to form that team. Craig explained that training will be offered in this area to become a Technician. The training will require 80 hours. He said the hard part is finding people willing to commit that much time to a volunteer position. Councilman Hall stated the training would be paid for. Dan Olsen **moved** to authorize the Mayor to sign the Articles of Agreement with Homeland Security. Kenneth Reynolds **seconded** the motion. The motion passed with the following roll call vote:

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

Lieutenant Mark Watkins introduced Chalyce Coomes to the Council. Mayor Baker and Council members welcomed Officer Coomes.

Lieutenant Mark Watkins approached the Council about hiring a new officer in the police department. Lt. Watkins also

***2007 HOMELAND
SECURITY GRANT
ARTICLES OF
AGREEMENT.***

***INTRODUCTION OF NEW
POLICE OFFICER***

***APPROVAL TO HIRE IN
POLICE DEPARTMENT***

reported to the Council that he just received notice that Officer Flint Williams would be resigning. Lt. Watkins asked for Council approval to hire Cameron Sisam. Officer Sisam is currently working for the Midvale Court, he is certified as a police officer but has no road experience as of yet. He explained they have tried to hire someone locally because of the high cost of housing in the area. As they were discussing the turn over in the department, Chief Guibord mentioned that Officer Cox, currently with Roosevelt police, would also like to come to work for Naples police. Lieutenant Watkins explained that Officer Cox did apply and would like to come to work for the department. Officer Cox is currently in a position to receive a canine dog and wants to be able to bring the dog with him. Lt. Watkins explained that the original purchase of the dog would be no cost to the City but the general care and feeding of the dog would become the responsibility of the City. Lt. Watkins also asked, if the Council agreed to hire Officer Cox, for approval to pay him while he attended the five weeks of training with the canine. Mark recommended hiring Officer Sisam, with two years experience, at \$17.50 per hour and Officer Cox, with ten years experience, at \$20.50 per hour. He also requested the City pay Officer Cox \$1,200 - \$1,300 per diem to attend the training and wages while he is at training. Part of a verbal agreement reached with Roosevelt City was that twice a month Officer Cox and the dog would work with the drug task force in Roosevelt and that Officer Cox and the dog could attend their City celebration during the summer. Officer Cox would be paid by Roosevelt City while he working for them. Robert Hall **moved** to hire Cameron Sisam at \$17.50 per hour and Andrew Cox at \$20.50 per hour and to accommodate the canine program as discussed. Dan Olsen **seconded** the motion. The motion passed with the following vote:

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

Craig Blunt explained to the Council that the easement agreement with Ron Ufford on 2000 South was in two parts. The easement is for the corner piece in front of Savon Auto. In order to make the radius as a full intersection this piece of property would be needed. Dan Olsen **moved** to accept the easement agreement with Ron Ufford. Dennis Long **seconded** the motion. The motion passed with all voting

***GRANT OF EASEMENT
AGREEMENT WITH RON
UFFORD***

aye. Craig explained that the second issue is the small strip of property still owned by the County and the drainage issue for this road. The County is willing to give that small strip of land over to the City to help with the drainage issues. Halliburton does not want to pay the \$600 dollars to revise the plat. Craig asked if the City was willing to pay the cost to revise the plat. The description on the current survey would be changed to add the small strip of land. Dan Olsen **moved** to go ahead with the cost to revise the plat. Robert Hall **seconded** the motion. The motion passed with the following roll call:

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

Council members received a request from Questar to cut the road at 1516 South 500 East. The cut would be to get natural gas to three new homes on 500 East. The cut would be an 8'x6' cut. Kenneth Reynolds **moved** to grant Questar the road cut at 1516 South 500 East. Dennis Long **seconded** the motion. The motion passed with all voting aye.

***ROAD CUT APPROVALS
FOR QUESTAR***

The second request was for a cut at 2941 South 500 East to get natural gas to the Tuscan town homes. Dan Olsen **moved** to approve the cut road cut based on City Ordinance. Dennis Long **seconded** the motion. The motion passed with all voting aye.

Ordinance 07-105 adopting the .25% road sales and use tax needed the Mayor's signature in order to send a copy to the State Tax Commission. Robert Hall **moved** to adopt Ordinance 07-105. Kenneth Reynolds **seconded** the motion. The motion passed with the following vote:

***ORDINANCE 07-105
ADOPTING THE .25%
ROAD SALES AND USE
TAX***

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

Resolution 08-196, appointing a member to the board of trustees of the Mosquito Abatement District, was given to the Council for their approval. Dan Olsen **moved** to adopt 08-196. Kenneth Reynolds **seconded** the motion. The motion passed with the following vote:

***RESOLUTION 08-196
APPOINTING A MEMBER
TO THE BOARD OF
TRUSTEES OF THE
MOSQUITO ABATEMENT
DISTRICT***

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

Resolution 08-197, appointing Robert Hall to the Airport Board, was given to Council for their approval. Kenneth Reynolds **moved** to approve Resolution 08-197. Dennis Long **seconded** the motion. The motion passed with the following roll call:

***RESOLUTION 08-197
APPOINTING ROBERT
HALL TO THE AIRPORT
BOARD.***

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

Dale Harrison asked for clarification on the meaning of the road use tax. Mayor Baker explained it was a quarter percent increase to the sales tax to be used specifically for the construction or maintenance of city streets.

***QUESTION FROM THE
PUBLIC***

Craig Blunt asked for approval to release payment to Murray Masonry for work completed on the equipment storage building. The balance owed to Murray Masonry is \$68,900. Craig stated the City would hold 10% until all of the paper work is complete. Dennis Long **moved** to release the payment of \$68,900 to Murray Masonry. Dan Olsen **seconded** the motion. The motion passed with a roll call bid:

***REQUEST TO RELEASE
PAYMENT FOR THE
EQUIPMENT STORAGE
BUILDING***

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

Craig Blunt reported that Angus Construction was the only contractor to return a bid on the trusses for the equipment storage building. Craig said the bid is for the decking but not for the sheathing. He stated they would have to hire someone to do the sheathing. Angus Construction would get it ready for the tar paper and asphalt. Councilman Long wanted to know if there was anyone hired to roof it. Councilman Hall questioned whether or not the City would want Angus Construction to complete their portion of the roof if the City does not have anyone to finish it. Craig said he would work on finding a roofer so they could coordinate the two jobs. Dan Olsen **moved** to accept the bid from

Angus Construction. Robert Hall **seconded** the motion. The motion passed with all voting aye.

Council members discussed the letter received from Tri-County Health Department. The Health Department wanted to know how many entities would be interested in stock piling serum in case of a pandemic. Council Long said he spoke with a pharmacist that recommended not doing it. He was told there is no guarantee on the shelf life of the serum and there was no guarantee that whatever strain of flu came here would be the same strain that would respond to the serum. No motion was taken on the matter.

***TRI-COUNTY HEALTH
DEPARTMENT***

Bob Foley gave the audit report to the Council for fiscal year 06/07. He reviewed the report with the Council and discussed with them what is now called "significant deficiencies." Those included the lack of control over the financial reporting process, reconciling the justice court receipts to the monthly court reports, accounting for account and loans receivable, and excess fund balance. Dan Olsen **moved** to accept the financial audit report from Bob Foley as of June 30, 2007 as the final audit report and that the City Council accept the recommendations and responses as our actions. Robert Hall **seconded** the motion. The motion passed with the following roll call vote:

***AUDIT REPORT FROM
BOB FOLEY***

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

Craig Blunt updated the Council on the UTSSD chip seal projects for 2008. The maps provided to the Council by the UTSSD show the drainage corrections and road construction that were completed by the UTSSD for the City. Craig stated there are two areas in the City that have been chip sealed twice but they continue to soften. Craig said if the chip seals this year did not help, then those sections would need an overlay. The two sections were 500 East from 2500 South to 1500 South and the other was 1500 South from 1500 East to 1200 East. Mayor Baker expressed his appreciation for the work completed by the UTSSD and was glad to see the projects included for this year.

***UPDATE ON THE UTSSD
CHIP SEAL PROJECTS***

Craig handed out information on the alternate truck route. He reminded the Council that the next meeting concerning the route will be on January 16, 2008 at 2:00 p.m.

***UPDATE ON MEETING
FOR THE ALTERNATE
TRUCK ROUTE.***

Craig Blunt told the Council that the Fire District has been holding meetings for those interested in the International Fire Code. Craig attended one of the meetings and asked Jeremy Raymond if the Fire District was going to take on the responsibility for fire code inspections in the area. Craig told the Council that through the building permit and inspection process, the City monitors new buildings to insure they meet fire code requirements. Craig wanted to know if someone was going to take on the responsibility of making sure existing businesses were fire code compliant. Councilman Hall told the Council this issue will be addressed at the next Fire District meeting. He said the District would like to hire someone on a per inspection basis to take care of the inspections. Councilman Hall said the fire code is not very clear on annual inspection requirements. He also said the chemical places are a great concern. Craig said places that should require the most attention are those that might pose the most health risks to people like day care facilities, schools, nursing homes, and hazardous material businesses. Councilman Hall wanted to know how enforcement would be handled if a problem were discovered. Craig stated the Council would have to determine how much authority they would want the District to have. Councilman Hall suggested letting the Fire District come up with a proposal and see if it would work for the City. Mayor Baker recommended continuing on as we currently are and wait for the Fire District recommendations.

***UPDATE ON FIRE
DISTRICT TRAINING
MEETINGS***

Dan Olsen asked Council members if they would agree to send a letter to the Corporation of the First Presidency of the LDS church to address the problem of parking at the chapel on Hwy 40. Due to the excessive amount of cars in the parking lot and people parking along Hwy 40, several safety issues have been noted. Councilman Olsen asked that the City send a letter to the First Presidency of the church requesting them to expand and develop the parking lot to the north of the chapel to help alleviate the those safety hazards. He stated the parking lot is on the church's project list but it is a couple of years down the road. Council members requested the letter also be sent to the Stake Presidents and to each Bishop of the three wards.

***PARKING HAZARD ON
HWY 40 AT CHAPEL***

Mayor Baker wanted to add a Resolution for AARP to the next Council agenda. He also reminded the Council that the legislature is about to go back into session and to be aware of what may be up coming.

***FUTURE COUNCIL
MATTERS
AARP RESOLUTION***

Mayor Baker asked that a discussion to fill the vacancy on the Naples City Council be added to the agenda for the first meeting in February.

City Planner Greg Plat gave the Council members a zoning map of the City. On the map he marked an area where it would be possible for a Sexually Oriented Business (SOB) to be located. Greg stated he will be reviewing the map with the Planning Commission and would like to bring it back to the Council for further discussion.

Mayor Baker wanted to address the business license fees at a future meeting. He wanted to discuss raising those fees. He stated he does not want to hit the businesses but he does want to re-look at the fees and those businesses creating the greatest impact to the City. Craig Blunt stated he would look into the matter and get back with the Council.

A date for the annual training on open meetings was discussed. Mayor Baker wanted to wait until after a new Council member was appointed. Council members discussed the 20th of March and wanted to include the Planning Commission in that training. Mayor Baker asked Nikki to contact Dennis Judd about conducting the training.

Dennis Long **moved** to go into Executive Session to discuss the character, professional competence, physical or mental health of an individual. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye. Those present in the Executive Session were Mayor Dean Baker, Robert Hall, Dennis Long, Dan Olsen, Kenneth Reynolds, Craig Blunt, Bruce Lee, and Nikki Kay.

Dennis Long **moved** to go out of Executive Session. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

Dan Olsen **moved** to hire Scott Peterson at the rate of \$15.50 per hour with full benefits and a probation period of one year. Dennis Long **seconded** the motion. The motion passed with a majority vote:

Robert Hall	Abstain
Dennis Long	Aye
Dan Olsen	Aye
Ken Reynolds	Aye

Bruce Lee gave the Council an application from Jim Harper.

COUNCIL VACANCY

FUTURE DISCUSSION OF SOB ORDINANCE

REVIEW BUSINESS LICENSE FEES

ANNUAL TRAINING ON OPEN MEETINGS

MOTION TO MOVE INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS

MOTION TO MOVE OUT OF EXECUTIVE SESSION

APPROVAL TO HIRE IN ROAD DEPARTMENT

Bruce asked for approval to hire Mr. Harper in the road department. Bruce explained that Mr. Harper has a great deal of experience and has a CDL license. Robert Hall **moved** to hire Jim Harper at the rate of \$20.30 per hour with full benefits. Dan Olsen **seconded** the motion. The motion passed with the following roll call vote:

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

With no other business before the Council, Dennis Long **moved** to adjourn the meeting at 10:00 p.m. Kenneth Reynolds **seconded** the motion.

MOTION TO ADJOURN

APPROVED BY COUNCIL ON THE 24th DAY OF JANUARY 2008

BY: _____

ATTEST: _____