

Naples City Council
April 24, 2008
Minutes

The regularly scheduled meeting of the Naples City Council was held April 24, 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, Gordon Kitchen, Dennis Long, and Kenneth Reynolds. Dan Olsen was absent.

COUNCIL MEMBERS ATTENDING

Others attending were Les Bowen, John Wood, Trenton Ferris, Karina Bolton, Jim Harper, Ryan Cook, Bruce Lee, Steve Guibord, Greg Platt, and Nikki Kay.

OTHERS ATTENDING

Mayor Dean Baker welcomed everyone and called the meeting to order at 7:30 p.m. Mayor Baker opened the meeting with the pledge of allegiance and the invocation was offered by Robert Hall.

OPENING CEREMONY

Mayor Baker switched the order of the items to be discussed under 'Land Use Matters' and asked if there were any other changes or additions to the agenda. Ken Reynolds said he would like to be added under 'Other Matters' to discuss the Boundary Commission. Gordon Kitchen **moved** to approve the agenda with those changes. Dennis Long **seconded** the motion. The motion passed with all voting aye.

AGENDA APPROVED

Mayor Baker asked for approval of the minutes of April 10, 2008. Dennis Long **moved** to accept the minutes of April 10, 2008. Kenneth Reynolds **seconded** the motion. The motion passed with all in attendance voting aye.

MINUTES APPROVED

Connie Patton presented the bills in the amount of \$44,502.88 and asked for approval to pay them. Kenneth Reynolds **moved** to approve the amount of \$44,502.88. Gordon Kitchen **seconded** the motion. The motion passed with the following roll call vote:

APPROVAL OF THE BILLS

Robert Hall	Aye
Gordon Kitchen	Aye
Dennis Long	Aye
Dan Olsen	Absent
Kenneth Reynolds	Aye

Taco's El Gordo. - 2474 S 1500 E. A business license application was received from Taco's El Gordo and presented to the Council for their approval. Craig Blunt left his recommendation that the Council table the approval until he receives more information from the owners. Kenneth Reynolds **moved** to table the matter. Dennis Long **seconded** the motion. The motion passed with all voting aye.

***BUSINESS LICENSE
APPROVAL***

John Wood came before the Council to answer any questions concerning the plat for B-Line Storage. Mr. Wood explained that the storage units would be located across the street from where the new Halliburton building will be. He said the units will be surrounded by a six-foot privacy fence on three sides and the storm water will be taken care of on-site. Mr. Wood stated the owners will install two new fire hydrants and there will be lights on the buildings that are directional and those will be pointed downward. Mayor Baker asked about the gulch that runs behind the property and wanted to make sure they would not be using it to dump water into. Mr. Wood said there will be a pond at the back of the property to catch runoff or storm water. Greg Platt said the only thing the Planning Commission added was that there are some considerations taken for the area that is dedicated to the City for a road. Greg said they would like some type of weed control between the road and fence. Greg stated that thirty-three feet from the center of the road will be dedicated to the City in case they decide to widen the road in the future. Councilman Kitchen wanted to know if there were any concerns about the back half of the property because of the natural gulch. Mr. Wood said they will leave the area green and fence along the top of the gulch. Kenneth Reynolds **moved** to approve the B-Line Storage plat. Robert Hall **seconded** the motion. The motion passed with all voting aye.

***LAND USE MATTERS
B-LINE STORAGE PLAT
APPROVAL***

Greg Platt explained to the Council why he was bringing a discussion about open green space before the Council again. Greg stated the original discussion about making a change to the Land Use Ordinance regarding open green space should have been addressed by the Planning Commission in a public hearing. He told the Council the Planning Commission held a public hearing at their last meeting and discussed the definition for open green space and he presented their recommendations to the Council (See attachment to minutes). Councilman Kitchen voiced his concern about

***DEFINITION OF GREEN
SPACE***

defining open green space when the City does not have a green space design or plan. Mayor Baker asked the Council if they were comfortable with the definitions provided. Councilman Kitchen thought the last point should exclude the wording 'general rule of thumb.' Dennis Long **moved** to approve the definitions with those changes. Kenneth Reynolds **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Gordon Kitchen	Aye
Dennis Long	Aye
Dan Olsen	Absent
Kenneth Reynolds	Aye

Greg Platt explained to the Council that the change to the I-1 zone was another one of the discussions of the Planning Commission public hearing and the Commission's recommendation was to require a minimum 80' frontage for industrial lots. Kenneth Reynolds **moved** to approve the change to frontage requirements to 80' for industrial lots. Dennis Long **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
Gordon Kitchen	Aye
Dennis Long	Aye
Dan Olsen	Absent
Kenneth Reynolds	Aye

CHANGE TO FRONTAGE REQUIREMENTS IN AN I-1 ZONE

Greg Platt explained that a motion made by Council in the December 13, 2007 meeting to allow residential uses in a commercial zone was also not discussed in a public hearing by the Planning Commission. The Commission held a public hearing on April 22, 2008 to allow public comment on the matter. Greg said after discussing the issue the Planning Commission would like to recommend the City not allow residential uses in the C zone and the C-1 zone. Greg stated the Planning Commission recognizes the area for commercial development in the City is very small and they recommend keeping the zones commercial and to restrict residential uses. Greg explained to those present the events that took place that led to a discussion about whether or not to allow residential uses in a commercial zone. He told the Council whatever decision they made here would define the policy from here on out. Greg stated there needs to be greater clarity so anyone wishing to develop in the future would

RESIDENTIAL USES IN A COMMERCIAL ZONE

know what the guidelines are. Councilman Kitchen was concerned about making such a broad decision to never allow residential in a commercial zone. Robert Hall **moved** to not allow residential uses in the C-zone or the C-1 zone. Kenneth Reynolds **seconded** the motion. The motion passed with a majority roll call vote:

Robert Hall	Aye
Gordon Kitchen	Nay
Dennis Long	Aye
Dan Olsen	Absent
Kenneth Reynolds	Aye

Greg Platt presented the Council with the findings for allowing a change to a plat for Ironwood Subdivision. Cliff Grua approached the Council at a previous meeting asking for approval to revise his plat for Ironwood Subdivision. The change would create another lot and reduce the amount of required green space for the subdivision. The proposal was to make a payment in-lieu-of for the insufficient green space created by adding another lot. Greg Platt showed the Council a formula that would determine what the cost would be to Mr. Grua if he wanted to pay the fee-in-lieu of. The figures showed the total acres of the subdivision, the total green space required, and the amount of green space lacking. This figure was multiplied by \$12,000 to determine how much Mr. Grua would have to pay as a fee-in-lieu of green space. Council members asked Greg if he knew where the amount of \$12,000 came from as the criteria for the fee-in-lieu of. Greg said he obtained that figure from Craig Blunt. Greg cautioned the Council not to set a precedent in allowing developers to provide a portion of green space and pay a fee-in-lieu of for the rest of the required green space. He also cautioned them about allowing a developer to come in a length of time after a subdivision has been approved and a public hearing has been held and allow them to make substantial changes to their original proposal. Council members still wanted to see where the amount of \$12,000 came from. Greg brought out the Land Use Ordinance to determine if the \$12,000 was listed there as the base figure for the fee-in-lieu of. Greg read from the Ordinance that the required green space amount was 5 percent and the cash in lieu of amount is \$8,000 per acre or fair market value. Councilman Kitchen wanted to know who would maintain the green space after it is in place. Greg said the developer could dedicate it to the City or establish a homeowner's association to provide for the cost of maintenance. Dennis Long **moved**

***IRONWOOD SUBDIVISION
REVISED PLAT***

to reject the proposal from Cliff Grua as presented. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

Mayor Baker asked Greg to check with Dennis Judd on dedicating green space to the City and if an agreement needed to be signed before land was dedicated. Greg said he would follow up on it.

Council members received a copy of a letter from the attorneys for Blue Mtn Vista. The letter requested an extension of time for the final approval of their subdivision. Greg Platt explained that he sent a letter to Mr. Chris Balling, the representative for Blue Mtn Vista, outlining the items the City still needed in order to give final approval for the subdivision. The letter also explained to Mr. Balling that the City Council only had sixty days from the time an application for final approval was submitted to them to either accept it or reject it and the sixty-day time frame for their subdivision would expire at the end of April. As a result of that letter, the attorney for Blue Mtn Vista sent a letter to Dennis Judd requesting the City grant them an extension of time. Greg recommended the Council grant the extension of time requested by Blue Mtn Vista, which is 180 days. Gordon Kitchen **moved** to grant the 180-day extension as requested. Robert Hall **seconded** the motion. The motion passed with all in attendance voting aye.

***EXTENSION OF TIME FOR
BLUE MTN VISTA***

Bruce Lee came before the Council to present them with the bid to purchase a flat bed for the 2006 GMC that was damaged when the truck slid off the road. Bruce told the Council that the road department will install the bed on the truck. Mayor Baker told Bruce the expenditure was already approved and to move forward with it. Bruce also asked for approval to purchase air bags to install under the new bed of the truck. Robert Hall **moved** to approve up to \$500 for the air bags on the truck. Dennis Long **seconded** the motion. The motion passed with the following vote:

***PURCHASES IN ROAD
DEPARTMENT***

Robert Hall	Aye
Gordon Kitchen	Aye
Dennis Long	Aye
Dan Olsen	Absent
Kenneth Reynolds	Aye

Bruce also wanted the Council to know he would be expending about \$12 more to purchase banners for the highway then was originally approved. Dennis Long **moved**

to approve the added expenditure. Robert Hall **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
Gordon Kitchen	Aye
Dennis Long	Aye
Dan Olsen	Absent
Kenneth Reynolds	Aye

Bruce Lee asked the Council for approval to trade in the rake attachment to the bobcat and to purchase a sweeper for the sidewalks. After the trade in for the rake the cost of the sweeper would be \$1,847. Robert Hall **moved** to accept the bid and the trade in for the bobcat attachments as presented. Gordon Kitchen **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Gordon Kitchen	Aye
Dennis Long	Aye
Dan Olsen	Absent
Kenneth Reynolds	Aye

Resolution 08-202 was presented to the Council for their approval. The Resolution showed the figures for the recent amendments to the FY 2007/2008 budgets. Robert Hall **moved** to adopt Resolution 08-202. Dennis Long **seconded** the motion. The motion passed with the following roll call:

RESOLUTION 08-202

Robert Hall	Aye
Gordon Kitchen	Aye
Dennis Long	Aye
Dan Olsen	Absent
Kenneth Reynolds	Aye

A travel request was presented to the Council for their approval. The request was for Craig Blunt to travel to Wellsville to attend the Business License Conference. The amount requested was \$230. Robert Hall **moved** to approve the \$230 for Craig Blunt's travel. Dennis Long **seconded** the motion. The motion passed with the following vote:

***TRAVEL APPROVAL FOR
BUSINESS LICENSE
CONFERENCE***

Robert Hall	Aye
Gordon Kitchen	Aye
Dennis Long	Aye
Dan Olsen	Absent
Kenneth Reynolds	Aye

Mayor Baker presented the Council with a letter of resignation from Greg Platt. Greg will be resigning as the City Planner. Mayor Baker wanted Greg to know he appreciated his efforts in behalf of the City. Mayor Baker stated that Greg has taken a job with the City of Cottonwood Heights. Mayor Baker asked the Council to consider giving Greg a letter of appreciation recognizing his accomplishments with the City. Gordon Kitchen **moved** to accept the letter of resignation of Greg Platt and to include a letter of appreciation for his service. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

***L E T T E R O F
RESIGNATION FROM
GREG PLATT***

Councilman Reynolds wanted to update the Council on the assignment he was given to serve on the Boundary Commission. He told them the Commission met recently to give recommendations for three new members. Councilman Reynolds recommended Bruce Cook and they agreed to that. He said they will be meeting next week to draw lots to determine the time frame for each member's term of office. Mayor Baker told the Council he will be meeting with the County to ratify the appointment of Tom Nordstrom as an alternate to the Commission.

***OTHER MATTERS -
BOUNDARY COMMISSION***

With no other business before the Council, Gordon Kitchen **moved** to adjourn the meeting at 9:05 p.m. Dennis Long **seconded** the motion. The meeting was adjourned

MOTION TO ADJOURN

APPROVED BY COUNCIL ON THE 8th DAY OF MAY 2008

BY: _____

ATTEST: _____