

**Naples City Council
May 22, 2008
Minutes**

The regularly scheduled meeting of the Naples City Council was held May 22, 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, Dan Olsen, and Kenneth Reynolds.

COUNCIL MEMBERS ATTENDING

Others attending were Bret Stringham, Tyler Stinson, Stephanie Stensgaard, Russ Vernon, Les Bowen, Vern Hill, Travis Richardson, Cliff Grua, Brent Cooper, Shane Mayberry, Bruce Lee, Mark Watkins, Craig Blunt, 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 Ken Reynolds.

OPENING CEREMONY

A request was made to add an update concerning the Storm Water Master Drainage Plan to the agenda. Mayor Baker added the discussion after item seven. He asked if there were any other changes or additions to the agenda. With no other changes or additions to the agenda, Dan Olsen **moved** to approve the agenda with that addition. Robert Hall **seconded** the motion. The motion passed with all voting aye.

AGENDA APPROVED

Mayor Baker asked for approval of the minutes of May 8, 2008. Robert Hall **moved** to approve the minutes of May 8, 2008. Dennis Long **seconded** the motion. The motion passed with all voting aye.

MINUTES APPROVED

Connie Patton presented the bills in the amount of \$55,026.06 and asked for approval to pay them. Councilman Kitchen felt their might be a conflict of interest concerning the bill from Jim's Small Engine Repair and asked Bruce Lee to be careful about this. With no other questions, Dennis Long **moved** to accept the bills in the amount of \$55,026.06. Kenneth Reynolds **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	Aye
Kenneth Reynolds	Aye

R & H Supply, Inc. - 862 S 1500 E. A business license application was received for R & H Supply, Inc. Craig Blunt told the Council the business was in the proper zone and all that is lacking is the final fire safety inspection. Dan Olsen **moved** to approve the business license contingent upon the final inspection by Craig. Robert Hall **seconded** the motion. The motion passed with all voting aye.

BUSINESS LICENSE APPROVALS

R-Rex Casing, Inc. - 1255 E 1000 S. A business license application was received from T-Rex Casing, Inc. Craig Blunt told the Council this business is also in the proper zone and it is also lacking a final fire safety inspection. Dan Olsen **moved** to approve the business license contingent upon the final inspection by Craig. Robert Hall **seconded** the motion. The motion passed with all voting aye.

Wheeler Machinery - 1345 S 1500 E. Craig Blunt explained that Wheeler Machinery made a presentation to the Planning Commission to receive approval to expand their business. Craig stated the Planning Commission gave approval for that expansion. Vern Hill with Utah Commercial Contractors was in attendance at the meeting to answer any questions from the Council. Mr. Hill explained that Wheeler Machinery will be adding fourteen hundred square feet to the east end of their facility with additional service bays, redoing the office area, adding a new facade to the front of the building, landscaping the front, and adding cement pads in the front to display their equipment. Mr. Hill stated they would be adding a fire suppression system to the new addition and updating the system in the old part. Mr. Hill told the Council that Wheeler needs to expand to meet the demand of the work being conducted at this location. It was explained that the expansion meets the zoning requirements for the area and the expansion will be contained on their current piece of property. Mayor Baker wanted to know how soon they would begin and Mr. Hill stated they would like to start as soon as possible. Ken Reynolds **moved** to approve the final plat for the addition to Wheeler Machinery. Dennis Long **seconded** the motion. The motion passed with all voting aye.

***LAND USE MATTERS
FINAL PLAT APPROVAL
FOR WHEELER
MACHINERY***

IFA Commercial Development - 1000 S 1500 E. Craig Blunt told the Council that IFA would like final plat approval for their commercial development. He told the Council that the Planning Commission has dealt with some landscaping issues and addressed the fencing matter along the east property line. Tyler Stinson with IFA was in attendance to answer any questions by the Council. Mr. Stinson pointed out the ingress and egress for entrance to the store has been moved to the south to give a more direct route to the store. He said they are looking at a 50,000 square foot building with truck scales on the north side and an 80 percent privacy fence on the east property line. Mr. Stinson explained there will be a green house on the north side of the building and covered loading bays to the south of the building. He also pointed out the drainage pond for water retention. Councilman Hall asked if the entrances would be landscaped. Mr. Stinson said they would be. Mayor Baker asked about the irrigation that comes across the property. Mr. Stinson reported that they are working on it. He stated that the irrigation is being piped and they are working on final approval with the property owner to the south to deliver the water to the east end of the property. He said there is an existing lateral that drains down through the middle of their property and they are proposing to deliver that water to the properties east of them. They are working with the property owner to the south to get approval to move the line and if they don't they will pipe it for delivery to the middle of the property to the east. Mr. Stinson said while they are working on 1000 South, where the pipeline comes in underneath the highway they will pipe it down until the approval is done on 1000 South then they will take the lateral up and tap into that line. Ken Reynolds said they have worked out all the questions they have with Planning and Zoning so he **moved** to approve the final plat for the IFA Commercial Development. Robert Hall **seconded** the motion. The motion passed with all voting aye.

***IFA COMMERCIAL
DEVELOPMENT***

Craig Blunt explained that Fairway Manor subdivision has been through the Planning Commission and through the public hearings and it was recommended to give final approval for this subdivision. Councilman Reynolds asked Mr. Cooper, the owner of the subdivision, if he took care of his water on the back side of the development. Craig Blunt pointed out the four lots of the subdivision that will stay as agricultural land and stated he feels they will provide enough area for drainage. Craig wanted to make sure the open/common area and the four agricultural lots would be

***FINAL PLAT APPROVAL
FOR FAIRWAY MANOR
SUBDIVISION***

part of the plat when signed. Mr. Cooper said they will remain as perpetual green space. Councilman Olsen wanted to know which direction the lots would face. Mr. Cooper said they will face 1000 South. He also stated he is trying to get two driveways for each lot to provide a turn around so owners are not always backing out of their driveway. He said there will be at least thirty feet between the sidewalk and the front of the garage. Councilman Hall voiced his concern about people parking on the road. Councilman Reynold's only concern was the retention of water. Mayor Baker wanted to make sure the common area and the agricultural lots would be recorded on the plat as perpetual green space so they could never be sold or developed. Mr. Cooper stated those lots would stay as is. Shane Mayberry asked to address the Council about his concerns. He brought several photos of area subdivisions that showed many vehicles parking on the roadway. He stated when lots are small it forces people out onto the road. He pointed out that some single family homes can have as many as four vehicles. Mr. Mayberry stated that homeowner associations are ineffectual and it then falls to the City to enforce the parking restrictions. He felt if a lot is big enough you don't have as much to worry about. Mr. Mayberry asked the Council to consider these issues as they begin to approve these types of development. He said the Council needs to look long term and make decisions to sustain a decent atmosphere for citizens. Shane Mayberry also brought up a concern of Bret Stringham's. He said Mr. Stringham is concerned about where the water from the subdivision will drain and if it would drain down onto his place. Councilman Hall said it was important that Mr. Cooper commits to keeping the four lots free and not come back later and want to change it. Mr. Cooper said he would include that on the recorded plat. He also said he didn't understand if Mr. Stringham's concern was irrigation water or runoff from the subdivision. He stated the irrigation water has been going onto Mr. Stringham's property, under the road and across Mr. Mayberry's place to the Ashley creek gulch for over one hundred years. He pointed out that the irrigation water and the runoff water were two different things. He wanted to know if Mr. Stringham was concerned about the irrigation of the perpetual green space. Mr. Mayberry said he thought the irrigation water was fine but not the runoff water. Stephanie Stensgard wanted to know what the current zone of that area is. She understood that it was single family homes with third of an acre lots. She also asked if there would be twin homes in the development. Councilman Reynolds said the zone has been changed but Mr. Cooper put his application in

before the zone was changed. Mr. Cooper said there would be six townhouses mixed with single family homes. He said the development started out with twin homes and he has changed things to try and make it more palatable for the neighbors. Mayor Baker stated he does have a problem with the town homes. Councilman Hall stated he has the same concerns but understands they can't legally stop this. Councilman Kitchen thought the driveways that Mr. Cooper was proposing might help alleviate some of the problems with parking. Craig Blunt said there would also be an alleyway in the rear that might provide some parking. Mr. Cooper said the homes would all have to be approved before being built. He said the homes would all be required to have high-pitched roofs and a certain percentage of brick or masonry on the home. He stated he wants the homes to look nice in order to maintain the price of lots sold. Ms. Stensgard asked how much time is allowed to lapse and still have a development be grand fathered in. Craig Blunt said that because of the nature of the effect of the building of 1000 South had on Mr. Cooper's development, the Planning Commission agreed to allow him a time extension. Ken Reynolds said that Mr. Cooper has made the necessary concessions and so he **moved** to approve the final for Fairway Manor Subdivision with the inclusion of the open green space on the final recorded plat. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

Mr. Cooper reminded the Council about the conditions for the easement. Mayor Baker said that was already approved and Craig would need to have the easement drawn up.

Halliburton Services Field Camp - 1175 E 2000 S. Craig Blunt told the Council that all of the easements and roads have been worked out with Halliburton and they have met with the Planning Commission and the Commission recommends approving the final for Halliburton Services Field Camp. Russ Vernon was there to answer any questions concerning Halliburton's development. Mr. Vernon said Halliburton would like to begin the 2000 South road as soon as possible. He also stated they have addressed the issues on 1750 South, the utilities on 2000 South have all been signed off, and UDOT has given their approval for highway access. Craig Blunt updated the Council regarding the signal light for 2000 South. He told them UDOT wants to do a traffic study after Halliburton is up and running but they would like the conduit for the signal in place as they build the road. Mr.

***FINAL APPROVAL FOR
HALLIBURTON FIELD
CAMP***

Vernon felt Halliburton was committed to this project and would install the conduit as requested. Mayor Baker stated he would like a letter sent to UDOT requesting that they be involved in the design of the signal light as Halliburton is completing the construction. Councilman Hall asked Craig for the figures regarding the traffic count. Craig said the studies showed one hundred sixty-two trips per day for big trucks and any where from two hundred fifty to four hundred employees. Mayor Baker asked about the maintenance of the road. Mr. Vernon said Halliburton would maintain ownership of the road and would thereby be responsible for maintenance. He also said the City would need to keep in mind the condition of the road when it is deeded to the City and make sure it is in good shape. With no other discussion, Dennis Long **moved** to accept the Halliburton Services Field Camp with all of the additional talk pertaining to the stop light and getting UDOT involved in the design and construction of the road. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

Conceptual for Raptor Industries - 1100 E 2100 S. Craig Blunt updated the Council on a development for Raptor Industries. He said they will be located south of the Halliburton development behind Savon Auto. Raptor has worked out an agreement with Halliburton and will tie into 2000 South. He wanted the Council to know that the extension of 2000 South would not go all the way through but the easement would be there for future expansion.

***CONCEPTUAL FOR
RAPTOR INDUSTRIES***

Cliff Grua came before the Council to revisit the discussion for his revised plat. Mr. Grua said he had not received anything from the City stating they had denied his petition to revise his plat for Ironwood Subdivision. He thought they were still considering the cash in lieu of green space payment. Mr. Grua said he contacted several other cities and found no one requires green space or parks in single family housing developments. Mr. Grua said the wording in the Land Use Ordinance needs to be looked at for clarification on green space. He stated he could see several problems with park requirements such as; the parks should be private with no trespassing, the property tax requirement, and the matter of liability and maintenance. Mr. Grua showed the landscaping design for the revised plat which he stated gives a very nice entrance to the subdivision and is something, he feels, that will make the neighbors happy. He stated the people in the subdivision have purchased extra lots for garages and outbuildings and this has made for larger lots.

***IRONWOOD SUBDIVISION
DISCUSSION***

Mr. Grua stated he was surprised that the Council did not follow the recommendation of the Planning Commission in allowing the revised plat and wanted to know if another public hearing could be held to allow for comments on the proposed change. He also asked the Council to consider a revision of the Ordinance that would allow for 3 percent green space instead of five. Councilman Reynolds noted that even if they did revise the Ordinance it would not affect Mr. Grua's development because it was approved under the conditions of the existing Ordinance. Councilman Kitchen asked Craig Blunt what his thoughts were on the matter. Craig stated that in the beginning the Ordinance was very general to allow for discussion and change. He said the Commission is finding they now have to be more specific and this is an area that needs to be looked at. Councilman Kitchen wondered if the City could have the attorney look at it and see if a different decision could be reached if the requirements were changed. Mayor Baker didn't think anything could be done because Mr. Grua's development would be pre-existing. Council members recommended that the discussion go back to the Planning Commission to revise the Ordinance in regards to green space requirements. Mr. Grua expressed his concern about creating a park that large and leaving it to a home owner's association. Mayor Baker thanked Mr. Grua for coming.

Craig Blunt reported to the Council that notices were sent out to receive bids for bond counsel for the 1000 South road. Craig stated the City is required to obtain bond counsel to put together a loan package when funds are obtained from the Community Impact Board. Craig said the City Attorney recommended to accept the bid from Ballard Spahr in the amount of \$5,000 - \$6,000. Dan Olsen **moved** to accept the recommendation of the City Attorney to go with Ballard Spahr as the bond counsel for 1000 South. Robert Hall **seconded** the motion. The motion passed with all voting aye.

***APPROVAL FOR BOND
COUNSEL FOR 1000
SOUTH***

1500 South 500 East - Ashley Valley Water & Sewer. Craig Blunt explained that an emergency road cut was done by Ashley Valley Water and Sewer at 1500 S 500 E and has already been completed. Dennis Long **moved** to accept the road cut with the stipulation that they finish the paving of the cut. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

ROAD CUTS

1900 East 2500 South - A&D Hacking, Inc. Craig Blunt

told the Council that A&D Hacking will be cutting into the road at 1900 E 2500 S to tap into the sewer and it will be a small cut at the edge of the road. Ken Reynolds **moved** to approve the road cut at 1900 E 2500 S. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

Ryan Taylor with Epic Engineering came before the Council to update them on the Storm Water Drainage Plan being conducted for Naples, Uintah County, and Vernal. He said their company has been working on a flood plan for the three entities. Mr. Taylor said they met at a joint meeting with the County and presented three general ways to solve some of the storm water drainage issues. They could; do nothing, preserve the natural drainages, or divert all the storm water in artificial channels and maximize the development potential. At the meeting it was decided to form a committee to decide what was best for the valley as a whole. The committee met the next week and discussed where the problems were. The consensus at that meeting was to preserve and protect all of the natural drainages they can and where it is viable to do so and in areas where the drainages have already been developed they will divert and protect those areas. Mr. Taylor felt Naples City was in the best position of the three entities because they could still preserve the natural drainages. Mayor Baker thought the two critical areas in the City were Turner's gulch and the Nash gulch. Mr. Taylor said there are a number of areas in Vernal that have been filled in and can't be restored so something will have to be developed to divert those without causing any down stream impacts. Mayor Baker wanted to know where Epic Engineering is in the process. Mr. Taylor said they are in the last stages in making sure everyone concurs with preserving the natural drainages and diverting where necessary. He said they have put a list of projects together and are working on cost estimates for those. The Mayor said it would then be up to each entity to preserve the drainages and set up the proper zones to ensure that happens. Mr. Taylor stated the new reports should help the City determine where the flood plain is for this area. Craig Blunt said the local water ways don't show up as major drainages on their maps but they do run a lot of water and they need to make sure they are preserved. Mr. Taylor said they are working on a new map and model that will include some of those. Mayor Baker thanked Mr. Taylor for coming.

Craig Blunt gave Council members a copy of a report

***S T O R M W A T E R
DRAINAGE PLAN***

REPORT FROM ULGT

received from Utah Local Governments Trust (ULGT) regarding risk management. A representative from ULGT recently came out and examined potential items of risk for the City. The report showed areas that may need corrected and also noted areas where the City has addressed potential risks. Councilman Kitchen wanted to make sure a copy of the report was given to the Fire District and the Recreation District so they could address the issues that concerned them. Craig stated that, according to the representative from ULGT, a copy of the report should have been given to both Districts. Councilman Long wanted to know how this review compared to past ones. Craig said they have been reviewed by three different people in the last three years and feels that each person focuses on a different area and so there is no real comparison.

RISK MANAGEMENT

Craig Blunt gave the Council the results of the surveys taken at each public hearing regarding the downtown master plan. Craig stated the final meeting with Tracy Stocking & Associates should be on June 12. Councilman Kitchen wanted to know if this new plan was taking into consideration those who are already showing an interest in developing certain areas of the downtown and public opinion. Councilman Kitchen wanted to know what happens when the development doesn't meet the concept of the downtown plan. Mayor Baker said these renderings are only concepts and are subject to change.

UPDATE ON DOWNTOWN MASTER PLAN

Bruce Lee came before the Council to answer any questions from the Council regarding on-call hours for the road department. After discussing the matter at the last meeting the Council wanted to wait until Bruce could be in attendance. Bruce said the road department has discussed working a thirty-six-hour week and receiving four hours of pay for being on call over a weekend. Bruce stated he didn't want the City to be held responsible if something serious should happen and no one was around to answer the call. Mayor Baker said he spoke with the City Attorney about the matter. Some of the questions that were raised were how often are employees called out, what types of restrictions are placed on their activities when they are on call, and how quickly would they need to be available to respond. The Attorney felt fairly loose restrictions would need to be placed on an employee or it could be considered compensable time. He also said an employee could be asked to work the weekend instead of having on-call days. Bruce said he didn't want to be the only one on call. Councilman Hall wanted to

DISCUSSION OF ON CALL HOURS FOR ROAD DEPARTMENT

know if the City really needed an on-call policy. Bruce wanted it on the record that if no one is around to answer a call then they won't be responsible. Councilman Long said if the Council says they don't want any coverage on the weekend then they won't be obligated. Bruce wanted to know about snow plowing season. Council members said they would like to wait and discuss that later. Council members wanted to make sure people with the Recreation District were sufficiently trained to handle any problems that may arise in the park and they could be responsible for any issues that arose there. They recommended that Bruce write up some type of policy or schedule for snow plowing and bring it back to the Council.

The Mayor and Council members went through each section of the budget with the department heads to obtain information on the budgets submitted for FY 2008/2009. A few changes were made. Council recommended decreasing the amount for the drug task force, adjusting the amount for dispatch services, decreasing the fire department budget, adding funds for health and wellness, and increasing the fuel budget in the road department. The changes will be made and presented at the public hearing on June 12, 2008.

With no other business before the Council, Robert Hall **moved** to adjourn the meeting at 11:50 p.m. Dan Olsen **seconded** the motion. The meeting was adjourned

BUDGET WORKSHOP

MOTION TO ADJOURN

APPROVED BY COUNCIL ON THE 12th DAY OF JUNE 2008

BY: _____

ATTEST: _____