

**Naples City Council
September 11, 2008
Minutes**

The regularly scheduled meeting of the Naples City Council was held September 11, 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, Gordon Kitchen, Robert Hall, Dan Olsen, and Kenneth Reynolds. Dennis Long was absent.

COUNCIL MEMBERS ATTENDING

Others attending were Don Lilyquist, Dan Paschal, Tammy Lee, Bruce Lee, Jim Harper, Ryan Cook, Connie Patton, 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 Gordon Kitchen.

OPENING CEREMONY

Robert Hall **moved** to approve the agenda. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

AGENDA APPROVED

Mayor Baker asked if there were any changes to the minutes of August 28, 2008. Gordon Kitchen **moved** to approve the minutes as presented. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

MINUTES APPROVED

Connie Patton presented the bills in the amount of \$26,235.58 and asked for approval to pay them. Ken Reynolds **moved** to approve the bills in the amount of \$26,235.58. Dan Olsen **seconded** the motion. The motion passed with the following roll call vote:

APPROVAL OF THE BILLS

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

Reed Hycalog - 1572 S 1625 E. A business license application was received from Reed Hycalog. This application

BUSINESS LICENSE APPROVALS

was presented at the last meeting and was tabled until Craig Blunt could visit the business. Craig Blunt was still not able to visit the business. Councilman Kitchen wanted to know if it was because the people at the business were not available or if it was due to the time constraints of Craig. It was noted that it was due to the time constraints of Craig. Councilman Kitchen did not feel the City could put off approval of the license if the business was not the reason for the delay. Gordon Kitchen **moved** to approve the business license for Reed Hycalog contingent upon them passing all inspections. Ken Reynolds **seconded** the motion. The motion passed with all in attendance voting in the affirmative.

Industrial Horsepower Holdings - 1416 E 1000 S. A business license application was received from Industrial Horsepower Holdings. The business will be renting real property to another company. Dan Olsen **moved** to approve the business license for Industrial Horsepower Holdings. Ken Reynolds **seconded** the motion. The motion passed with all in attendance voting aye.

Final approval was sought for the development of the Studio 6 motel located at 1935 S 1500 E. Councilman Reynolds reported that everything with the development looks good and the owners have tried to do everything they could to make the property owners around them happy. Councilman Reynolds reported that the Planning Commission gave their recommendation to give final approval for Studio 6. Ken Reynolds **moved** to accept the recommendation of the Planning Commission and to grant final approval for Studio 6. Robert Hall **seconded** the motion. The motion passed with all voting aye.

Don Lilyquist came before the Council and reported on their meeting with the Planning Commission for final approval on the Maverick store located at 1500 E 2500 S. Mr. Lilyquist reported that the Planning Commission was fine with everything. He said they have submitted their landscape plan and it was approved. Councilman Hall wanted to know if the store would be similar to the one in Roosevelt. Mr. Lilyquist stated it would. Councilman Reynolds reported that everything with the development was given the okay in the Planning Commission meeting. Mr. Lilyquist stated the canal will be enclosed and buried across their property and will be designed to not freeze in the winter so the water can flow all year long. He also reported that highway access will now be

***LAND USE MATTERS -
STUDIO 6 MOTEL***

MAVERICK STORE

located further to the south and they are waiting for final approval from UDOT on that. Ken Reynolds **moved** to accept the recommendation of the Planning Commission and to grant final approval for the Maverick store at 2500 S 1500 E. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

Cliff Grua submitted a request to modify the plat for phase one of the Farm Subdivision. The plat would add lot 9A and eliminate the retention pond lot. Mr. Grua was not present at the meeting and gave his request to Nikki Kay. Cliff said the retention pond would not be needed because the road has been raised and water will now flow down the curb and gutter to the lower portion of property. The concern was raised that if Mr. Grua fails to obtain an easement from property owners to the east he will need to use lot thirty-four as a retention pond in order to maintain surface and run off water within the subdivision. Council members were also not comfortable with the plat presented that showed incomplete sidewalk, curb and gutter along 2000 East. Gordon Kitchen **moved** to accept a modified plat but it would need to show the sidewalk, curb and gutter (with ADA compliant corners) along 2000 East the entire length of lots one and ten and with the addition of lot 9A. Robert Hall **seconded** the motion. The motion passed with all in attendance voting aye.

The latest impact fee analysis for public safety, parks, recreation and roadways was presented to the Council for their review. Mayor Baker stated it was confusing to try and determine where all the different impacts were. Mayor Baker said the City could now determine which areas and to what extent they could charge impact fees. Councilman Olsen said this should not be considered a first reading of this document because it would still need to come back to the Council in the form of a resolution or ordinance and at that point would be considered as a first reading. Councilman Olsen said this would just be an informational reading of the study. Councilman Kitchen questioned whether or not the City could charge impact fees for parks or fire when they are both now formed under Special Districts. Mayor Baker thought the City could still build a new park and charge impact fees and turn the park over to the District. Councilman Hall also wanted to know if you could collect money for something you are not funding. Councilman Olsen recommended looking to see if Vernal City is collecting impact fees and **moved** to accept the impact fee analysis and to use it for future reference in creating Ordinances and Resolutions for growth in Naples.

***MODIFIED PLAT FOR
THE FARM SUBDIVISION***

***IMPACT FEE ANALYSIS
FOR PUBLIC SAFETY,
PARKS, RECREATION AND
ROADWAYS***

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

Mayor Baker reminded the Council about the request from a Naples City business to sell beer at their restaurant. The current alcohol ordinance did not allow for any more alcohol licenses in the City. City Attorney Dennis Judd reviewed the Ordinance and came back with the draft that was presented to the Council. Councilman Olsen wanted to know the rationale in capping each license at five. The reasoning was unsure except that it allowed the Council to evaluate how things were going and if they wanted to continue allowing alcohol licenses. Councilman Kitchen wanted Dennis Judd to clarify the wording in section ten, item D. He thought the way it is currently written that a sixteen-year-old would not be able to work in a restaurant that served alcohol. Council members discussed eliminating any class "C" licenses. Ken Reynolds **moved** to eliminate any class "C" licenses and to accept Ordinance 08-108 as a first reading. Dan Olsen **seconded** the motion. The motion passed with the following vote:

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

***ORDINANCE 08-108 BEER
AND ALCOHOL CONTROL***

Mayor Baker explained that the law has changed and the City can no longer bond for twenty years for CIB loans for road improvements. Because of that change it became necessary to bond for ten years using the excise road tax and do an additional ten years using the road sales tax revenue for the 1000 South road project. Both forms of bonding require tax revenue bond resolutions. Dan Olsen **moved** to adopt Resolution 08-208 authorizing the issuance and confirming the sale of excise tax road bonds, series 2008, in an aggregate principal amount of \$424,000. Robert Hall **seconded** the motion. The motion passed with the following roll call vote:

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

***CONSIDERATION FOR
ADOPTION OF
RESOLUTION 08-208
AUTHORIZING THE SALE
OF EXCISE TAX ROAD
BONDS. RESOLUTION 08-
209 AUTHORIZING THE
ISSUANCE AND SALE OF
SALES TAX REVENUE
BONDS***

Robert Hall **moved** to approve Resolution 08-209 authorizing the issuance and sale of not more than \$424,000 aggregate principal amount of sales tax revenue bonds, series 2008 and to have the Mayor execute and sign the agreements. Ken Reynolds **seconded** the motion. The motion passed with the following roll call vote:

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

Dan Olsen **moved** to open the public hearing to receive comment on opening and amending the 2008/2009 budgets. Robert Hall **seconded** the motion. The motion passed with all voting aye. Mayor Baker stated the purpose of opening the budget was to make adjustments for some unforeseen expenses. With no comment from the public, Ken Reynolds **moved** to go out of public hearing. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

***PUBLIC HEARING TO
OPEN AND AMEND THE
FY 2008/2009 BUDGET***

Robert Hall **moved** to approve the budget as amended (see attachment to minutes). Ken Reynolds **seconded** the motion. The motion passed with the following vote:

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

Ryan Cook came before the Council to request approval to expend funds to purchase banner brackets for the highway. Ryan stated the brackets they are looking to get are adjustable and they remain on the pole and don't ever have to be removed. Ryan presented the Council with two different bids. Councilman Reynolds asked him which brackets they would prefer. Ryan said the two are fairly similar in what they are offering. Dan Olsen **moved** to approve up to \$4,200 plus shipping for banner brackets. Robert Hall **seconded** the motion. The motion passed with the following vote:

***EXPENDITURES IN ROAD
DEPARTMENT***

Robert Hall	Aye
Gordon Kitchen	Aye

Dennis Long	Absent
Dan Olsen	Aye
Kenneth Reynolds	Aye

The road department was also on the agenda for approval to stripe the roads. Ryan told the Council, after evaluating the condition of the roads, he and Jim Harper determined the striping could wait until Spring.

Ryan Cook asked for the Council's opinion on establishing a policy for the installation of road signs. Ryan wanted to know if a policy was in place to put up road signs and who determines where the signs go. He told the Council that the MUTCD says if a policy is not in place then the City needs to make everything uniform in the area. Ryan said it is important to document what you do so if something happens then the City would be covered. It was discussed having the road department give the police department the intersections they would like surveyed, have the police department determine what type of sign would be warranted, and to have the police department give their recommendation to the Council. Councilman Hall stated he would like to see a copy of another entity's policy. Ken Reynolds **moved** to have the road department advise the police department which roads need to be surveyed and to have the police bring their recommendation to the Council after determining what sign is warranted for those streets. It was recommended that Craig write up a simple policy with the input of the road department. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

***P O L I C Y F O R
INSTALLATION OF ROAD
SIGNS***

A six-month employee evaluation was not available for Brandy Goff. Dan Olsen **moved** to table the employee evaluation for Brandy Goff until the next meeting. Robert Hall **seconded** the motion. The motion passed with all voting aye.

***SIX MONTH EMPLOYEE
EVALUATION FOR
BRANDY GOFF***

Gordon Kitchen **moved** to go into a closed session for the purpose of discussing the character, professional competence or physical or mental health of an individual. Ken Reynolds **seconded** the motion. The motion passed with the following roll call vote:

CLOSED MEETING

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

Kenneth Reynolds Aye

Those present in the closed session were Mayor Baker, Gordon Kitchen, Ken Reynolds, Dan Olsen, Robert Hall, and Nikki Kay. Bruce and Tammy Lee were present for a portion of the closed session.

Dan Olsen **moved** to go out of the closed session at 10:25 p.m. Gordon Kitchen **seconded** the motion. The motion passed with the following vote:

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

***MOTION TO GO OUT OF
CLOSED SESSION***

Robert Hall **moved** to accept the resignation of Bruce Lee. Ken Reynolds **seconded** the motion. The motion passed with all in attendance voting aye.

***RESIGNATION OF BRUCE
LEE***

Mayor Baker invited Mark Watkins into the open meeting at this time. Mayor Baker offered the position of Chief of Police to Lieutenant Watkins at a salary of \$68,849.50 and asked Lieutenant Watkins to have no other jobs while serving as the Chief. Mayor Baker asked Chief Watkins if he would write up a job description for the police chief position and bring it back to the Council. He asked Chief Watkins to work with the other departments in the area and help unify the departments. Chief Watkins thanked the Mayor for the opportunity and stated he would like to move forward with his philosophies and work with the schools and public and help to unify the department and other organizations. Dan Olsen **moved** to hire Mark Watkins as the Police Chief. Robert Hall **seconded** the motion. The motion passed with the following vote:

***APPOINTMENT OF
POLICE CHIEF***

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

Robert Hall **moved** to extend a job offer to Chris Home with a salary of \$45,000, to offer a \$5,000 relocation payment and a \$2,000 annual incentive, on the anniversary date of hire, if he stays with the City. Ken Reynolds **seconded** the motion.

***MOTION TO HIRE CITY
PLANNER***

The motion passed with the following vote:

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

With no other business before the Council, Robert Hall **moved** to adjourn the meeting at 10:35 p.m. Dan Olsen **seconded** the motion. The meeting was adjourned

MOTION TO ADJOURN

APPROVED BY COUNCIL ON THE 25th DAY OF SEPTEMBER 2008

BY: _____

ATTEST: _____