

**Naples City Council  
October 9, 2008  
Minutes**

The regularly scheduled meeting of the Naples City Council was held October 9, 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 Randy Simmons, Rich Buelte, Bret Hunter, Neil Cathey, Emily Sim, Mary Bernard, Jim Harper, 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 Dennis Long.

***OPENING CEREMONY***

Item 5a was added to the agenda for approval of Resolution 08-120 accepting a petition to annex certain real property. Gordon Kitchen **moved** to approve the agenda with that addition. Ken Reynolds **seconded** the motion. The motion passed with all in attendance voting aye.

***AGENDA APPROVED***

Mayor Baker asked if there were any changes to the minutes of September 25, 2008. Ken Reynolds **moved** to approve the minutes as presented. Dennis Long **seconded** the motion. The motion passed with all voting aye. Gordon Kitchen abstained.

***MINUTES APPROVED***

The bills were presented in the amount of \$15,982.96. Dennis Long **moved** to accept the bills in the amount of \$15,982.96. 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	Aye
Dan Olsen	Aye
Kenneth Reynolds	Aye

A business license application was received from **Big Sky**

***APPROVAL OF BUSINESS***

**Drilling** located at 1891 S 500 E. Craig Blunt as not able to meet with the owner and the business is located in a residential zone. Robert Hall **moved** to table the business license approval until Craig could meet with the owner. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

***LICENSE FOR BIG SKY  
DRILLING***

Resolution 08-210 was presented to the Council for their approval. Nikki Kay explained that a petition to annex certain real property was received by her and the Council only has fourteen days to accept or reject the petition. Resolution 08-210 was added to the agenda for them to consider the petition. Dan Olsen **moved** to adopt Resolution 08-210 authorizing the procedure for the annexation process to begin. Ken Reynolds **seconded** the motion. The motion passed with the following roll call vote:

***RESOLUTION 08-210  
PETITION FOR  
ANNEXATION OF  
CERTAIN REAL  
PROPERTY***

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

Dan Rodgerson of the Uintah Recreation District introduced Neil Cathey, the new park superintendent for the District. Mr. Cathey comes to the area from Tennessee and stated he has been here about a month. He told the Council he looks forward to meeting with them and learning about their ideas for the park. Mayor Baker welcomed Mr. Cathey and invited him to attend any of their City Council meetings. Dan Rodgerson updated the Council on the lighting and electrical at the park. Mr. Rodgerson reminded the Council of the recent near fatal accident at one of the parks due to the electrical poles. He told the Council the District hired an electrical consultant to check the lighting at all of the parks. The consulting company made the assessment that many of the poles were not up to code and the potential for a recurrence of what happened was likely. The District then submitted a proposal to receive bids to replace the lighting in those parks where necessary. Mr. Rodgerson stated the Naples Park will be one of the parks to receive new lighting. He said the District may be coming to the Council in the future to discuss relocation of some of the ball fields if it becomes necessary to install the lights and make them work more efficiently. He stated they may also work on fencing and irrigation when the project starts. Mayor Baker thanked

***INTRODUCTION OF NEW  
PARK SUPERINTENDENT  
AND UPDATE ON PARK  
LIGHTING***

Mr. Cathey and Mr. Rodgerson for coming.

Rich Buelte introduced Bret Hunter to the Council and explained that he is the new community and large account representative for Rocky Mtn Power. Rich stated that Mr. Hunter will be based out of American Fork but will be in the area every other week helping out. Mr. Hunter has twenty-three years of bringing energy solutions to communities. Mr. Hunter told the Council that he looked forward to getting to know them and in working with Craig. He said he would like to focus on providing outstanding service to the City. Mr. Buelte updated the Council on what Rocky Mtn Power has been doing to make sure they are getting more efficient in their use of electricity. Mr. Buelte said they have completed a transmission study of the area and it showed there is sufficient supply for the substations here. He said the study showed there is a 65-70% load on the stations and when those loads grow to 85% they will begin to work on plans to complete a new substation. He stated with the current growth rate it could be 2012 before that capacity is reached. Mr. Buelte said they have performed maintenance on the substations to make things work better. Mayor Baker expressed appreciation for Mr. Buelte taking the time to keep them updated on how things are working and for the information shared.

***UPDATE FROM ROCKY  
MTN. POWER***

Council members received the articles of agreement for the fiscal year 2008 Homeland Security Grant Program. Craig explained that the City is currently coordinating with the County to apply for homeland security grants. Craig also reminded the Council that becoming NIMS compliant plays a part in getting the grants. He said all the Council members need to complete the necessary NIMS testing because they become the next in line contact if the Mayor is not available in an emergency. Craig said the grant money being applied for is to set up a communication system that would work among all three counties. Dan Olsen **moved** to have the Mayor execute the agreement. Robert Hall **seconded** the motion. Councilman Long asked Craig if he had any heartache with any of the conditions listed in the agreement. Craig's main concern was with item three of the agreement. Mayor Baker said if the City wants to receive the money they have to sign the agreement and meet their criteria. With no other discussion the motion passed with the following roll call vote:

***FY 2008 HOMELAND  
SECURITY GRAND  
PROGRAM ARTICLES OF  
AGREEMENT***

Robert Hall                      Aye

Gordon Kitchen      Aye  
Dennis Long          Aye  
Dan Olsen             Aye  
Kenneth Reynolds    Aye

Mayor Baker asked Connie Patton to see what it would cost for UBTA-UBET to host the City's web site. The information she received back showed a cost of \$10 per month to have a link from UBTA's web site to the City's web site. Craig said it would only be useful in this County. Robert Hall **moved** to approve the expenditure of \$10 per month to link the City web site through UBTA. 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              Aye  
Kenneth Reynolds    Aye

Robert Hall **moved** to open a public hearing to discuss the issuance of sales tax revenue bonds. Dan Olsen **seconded** the motion. The motion passed with all voting aye. Mayor Baker explained the purpose of the public hearing was to receive input from the public regarding the issuance of approximately \$424,000 sales tax revenue bonds and any potential economic impact the improvements may have on the private sector. He explained this is the second half of a grant/loan received from the Community Impact Board for road improvements. He asked if there were any questions from the public. Ryan Cook asked if it was for a specific road. Craig Blunt stated it would be for 1000 South. With no other comment from the public, Robert Hall **moved** to close the public hearing. Dennis Long **seconded** the motion. The motion passed with all voting aye.

Gordon Kitchen **moved** to open a public hearing to discuss impact fees for parks, public safety, recreation, and roads. Ken Reynolds **seconded** the motion. The motion passed with all voting aye. Emily Sim with Public Sector came to discuss the impact fee analysis she prepared for the City. Ms. Sim explained to the Council and public how impact fees are calculated. Ms. Sim went through each section and explained where the figures for the calculations came from and how they are used to determine the scale for the fees. Councilman Kitchen wanted to know about the Special Service Districts and if the analysis takes those into account.

***USE OF UBTA-UBET TO  
HOST WEB SITE ADDRESS***

***PUBLIC HEARING TO  
DISCUSS ISSUANCE OF  
SALE TAX REVENUE  
BONDS***

***PUBLIC HEARING TO  
DISCUSS IMPACT FEES  
FOR PARKS, PUBLIC  
SAFETY, RECREATION  
AND ROADS***

Ms. Sim says the study does takes those into account and the City can charge those fees even when part of a District as long as the fees go back into structures or improvements in that area. The question was asked as to how the fees are collected. Ms. Sim stated it would be through the building permit process on any new development. Ms. Sim explained that impact fees can't be used to remedy existing deficiencies but can be used to improve existing structures, roads or parks. In going through the study a couple of errors were discovered and a clarification needed to be made on the number of developed acres that are non residential. With no comments from the public, Dan Olsen **moved** to go out of the public hearing. Dennis Long **seconded** the motion. Councilman Long wanted to know how these fees compare to Vernal City. Ms. Sim said Vernal only charges on water and sewer. Councilman Kitchen wanted to know what the cost of a building permit would currently be for an average home. Craig said it would cost approximately \$1,600 for an eighteen hundred square foot home. Councilman Kitchen said if the impact fees were added it could potentially double or triple the cost for the permit. Craig said he could look at it another way in the fact that those who already live here will continue to pay for the impact to roads, parks, etc. for those who are building here now. He said current residents would continue to pay more out of pocket without charging anything to those building new developments. Mayor Baker wanted to know if the charges could be separated and only charged on industrial building permits. Ms. Sim suggested that was a question for the City Attorney. He also asked if the charges could be adjusted up or down at any time. Ms. Sim said they could be adjusted as long as the City did not exceed the amount listed in the study. Councilman Long wanted to know if you could choose to cut the fees for certain individuals. Ms. Sim said the only way to do that would be to offer credits to the individual if they were willing to help in the construction of a road or a park.

After the presentation by Ms. Sim, Craig Blunt recommended adopting the Ordinance for the impact fees and then work on a resolution to set the fees. Councilman Kitchen said he would be very uncomfortable adopting the fees as presented. Craig said the Ordinance would adopt the analysis and the capital projects list and the discussion concerning the fees would come when the Council adopted a resolution to set those fees. Robert Hall **moved** to approve Ordinance 08-111 with the understanding that further discussion will be held on the resolution for each individual fee scale and schedule.

***ADOPTION OF IMPACT  
FEE ORDINANCE 08-111***

Councilman Kitchen said he would like a little more time to study through it. Councilman Hall said the resolution will bring about a lot of discussion and study. Ken Reynolds **seconded** the motion. Councilman Kitchen was not sure he was comfortable passing the ordinance with everything lumped all together. Councilman Hall said in theory the Ordinance could be adopted and sit on the shelf until a decision is made to consider adopting fees. The motion passed with the following vote:

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

Mayor Baker thanked Emily Sim for coming and clarifying much of the information in the study.

Craig Blunt gave Council members information on signing a three-year contract with Utah Local Governments Trust (ULGT) for liability insurance coverage. The three-year contract proposal states that as long as the City's cumulative loss ration does not exceed 50% during the three-year period and the net operating expenses do not increase by more than 10%, the annual premiums will not increase by more than 10%. Ken Reynolds **moved** to accept the liability contract with ULGT. Gordon Kitchen **seconded** the motion. The motion passed with the following roll call:

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

***THREE YEAR CONTRACT  
WITH ULGT FOR  
LIABILITY INSURANCE***

Chief Mark Watkins came before the Council to request approval to hire Adam Ray in the police department. Chief Watkins stated that Adam has ten years experience in law enforcement with the Utah Highway Patrol and lives in the area. He asked for approval to hire Adam at \$21.00 per hour. Dan Olsen **moved** to authorize the hiring of Adam Ray in the police department at \$21.00 per hour. Robert Hall **seconded** the motion. The motion passed with all voting aye.

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

Chief Watkins also asked for approval to hire Stephanie Cox in the police department. He explained that Stephanie is

married to Drew Cox, who currently works for the department. Chief Watkins said he spoke with the City Attorney about any conflicts in hiring Stephanie and was told there should not be a problem as long as Drew does not become her immediate supervisor. Chief Watkins said he has been in contact with Stephanie and explained that she and Drew could not both be off for two weeks at a time for vacation and she would not be able to drive the City vehicle back and forth to Roosevelt like Drew has been doing. Chief Watkins is waiting to hear from Stephanie but wanted Council approval to offer her the position. Robert Hall **moved** to hire Stephanie Cox at \$21.00 per hour. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

Craig Blunt asked the Council for approval to expend funds to purchase a security gate for the shop storage building and to install a concrete approach. (Councilman Olsen needed to leave and was excused at this time) Craig explained that American Fence Company submitted a bid for the security gate with the key pad entry in the amount of \$14,400 and a bid from Eric Hartle for the concrete approach in the amount of \$16,795. Ken Reynolds **moved** to approve funds for the gate and the concrete. Dennis Long **seconded** the motion. The motion passed with the following roll call:

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

Jim Harper asked the Council for approval to purchase new bulbs for the Christmas decorations. The cost for those repairs and replacement bulbs is \$3,500. Robert Hall **moved** to approve the updating of the Christmas lights and flocking. Ken Reynolds **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

Mayor Baker explained that with the resignation of Bruce Lee it became necessary to appoint a new head of the road

***APPROVAL TO EXPEND FUNDS FOR SHOP STORAGE BUILDING***

***APPROVAL FOR PURCHASE OF CHRISTMAS LIGHTS***

***APPLICATIONS FOR ROAD DEPARTMENT***

department. Letters of interests were received from both Ryan Cook and Jim Harper. Councilman Kitchen wanted to know if there was a job description for the position and if it would be possible to meet with Ryan and Jim individually and ask them about the position and what they would like to see happen in the road department. He wanted to be able to interview them, like you would anyone else, for the position. Gordon Kitchen **moved** to set up interviews with Ryan Cook and Jim Harper at 6:30 on October 23, 2008. Dennis Long **seconded** the motion. The motion passed with all voting aye.

***HEAD***

There was nothing to report from any of the Council members concerning the Special Service Districts. Councilman Long did ask if the Council knew of anything they would like to request money for from the Uintah Impact Mitigation SSD. Council members asked him what the criteria is for requesting funds. He said he would find out and bring the information back to them.

***UPDATES FOR THE  
SPECIAL SERVICE  
DISTRICTS***

With no other business before the Council, Dennis Long **moved** to adjourn the meeting at 10:15 p.m. Robert Hall **seconded** the motion. The meeting was adjourned

***MOTION TO ADJOURN***

APPROVED BY COUNCIL ON THE 23<sup>rd</sup> DAY OF OCTOBER 2008

BY: \_\_\_\_\_

ATTEST: \_\_\_\_\_