

Naples City Council January 8, 2009 Minutes

The regularly scheduled meeting of the Naples City Council was held January 8, 2009, 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 Jim Harper, Szeth Simmons, Mark Watkins, Warren Ward, 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

Mayor Baker asked if there were any additions or changes to the agenda. Councilmen Olsen and Hall both asked to add items under 'Other Matters.' Dennis Long **moved** to accept the agenda with changes. Ken Reynolds **seconded** the motion. The motion passed with all voting aye.

AGENDA APPROVED

Mayor Baker asked if there were any changes to the minutes of December 11, 2008. Councilman Kitchen wanted to add the discussion concerning bills being paid for the park and fire department to the minutes of December 11, 2008. Councilman Long wanted to know if Mr. Judd was ready with the alcohol ordinance from the last meeting. Nikki Kay said she had not heard back from Mr. Judd yet. Dan Olsen **moved** to approve the minutes as corrected. Dennis Long **seconded** the motion. The motion passed with all in attendance voting aye.

MINUTES APPROVED

Nikki Kay presented the bills in the amount of \$316,114.53. Nikki explained that the amount presented included the fourth draw request from JB Gordon Construction that was approved at the last meeting. Councilman Kitchen asked Chief Watkins about the expenditure for a radar. Chief Watkins stated the radar was approved for purchase at a previous council meeting. Councilman Kitchen asked how many radars the department currently has. Chief Watkins

APPROVAL OF THE BILLS

said the department has five up-to-date radars. Councilman Kitchen asked how many cars the department has. Chief Watkins said they have seven cars with no radars in the unmarked cars. Councilman Kitchen also questioned the late charge to Intermountain Bobcat. Nikki explained that with only one meeting in November and December it made the payment to Intermountain Bobcat late. Connie Patton called and asked Intermountain Bobcat to reverse the charge but they would not. Councilman Long asked about the expenditure in the police department for public relations. Chief Watkins explained the department purchased some pencils to distribute at the elementary school. Councilman Kitchen asked again about the utilities being paid for out of the park and fire department budgets. Craig Blunt stated he has been working on getting all of those switched over but it has not been an easy process. Dan Olsen **moved** to approve the bills in the amount of \$316,114.53. Robert Hall **seconded** the motion. The motion passed with the following roll call vote:

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

Apply EMR - 822 Joshua Street. A business license application was received for Apply EMR. The business is located in a home and will be a technology consulting business. Craig Blunt stated he would personally take the home occupation agreement to the owner and visit with him about the conditions of the license. Gordon Kitchen **moved** to approve the business license for Apply EMR. Ken Reynolds **seconded** the motion. The motion passed with all voting aye.

***BUSINESS LICENSE
APPROVAL***

Dotter-Lewis Management - 1645 East 1500 South. Nikki Kay explained that this will be a lease management license. Ken Reynolds **moved** to accept the business license for Dotter Lewis Management. Dennis Long **seconded** the motion. The motion passed with all voting aye.

Federal Express Corporation - 1348 South 1500 East. Nikki Kay explained that this will be a package pickup and delivery site. Ken Reynolds **moved** to approve the business license for Federal Express. Gordon Kitchen **seconded** the

motion. The motion passed with all voting aye.

A three-year contract from Utah Local Governments Trust for Workman’s Comp was given to the Council for their consideration. The contract states the annual premium for workman’s comp would not increase more than 10% in each of the remaining years if the cumulative loss ratio does not exceed 50% during the three-year period. Craig Blunt told the Council that the only risk they take is if the economy goes down and the City has fewer employees. Robert Hall **moved** to accept the contract for Utah Local Governments Trust. Dan Olsen **seconded** the motion. The motion passed with the following roll call vote:

***U T A H L O C A L
GOVERNMENTS TRUST
THREE YEAR CONTRACT
FOR WORKMAN’S COMP***

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

Road Department - Jim Harper asked for approval to purchase tires for one of the pickups. Jim explained the truck has the snowplow attached and needed better tires with more aggressive traction. He said while the truck was having the new tires put on he asked them to also check the front end alignment. The expenditure was for \$1,228.70. Dan Olsen **moved** to approve the expenditure. Dennis Long **seconded** the motion. The motion passed with the following vote:

PURCHASES

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

Jim Harper asked for approval to purchase road salt for snow removal. He asked to purchase thirty tons in the amount of \$1,800.30. Ken Reynolds **moved** to approve the expenditure. Gordon Kitchen **seconded** the motion. The motion passed with the following roll call:

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

Jim Harper told the Council that a road repair needed to be made at the corner of 2500 South 500 East. He told the Council that Burdick Paving repaired a spot in the road that was sinking due to the canal. He said the amount to be approved was \$2,445. Mayor Baker wanted to know if they were working toward fixing the problem that caused the hole. Jim said they would take care of that. Dennis Long **moved** to approve the expenditure. Ken Reynolds **seconded** the motion. The motion passed with the following vote:

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

Police Department - Chief Watkins asked for approval to purchase new tires for one of the police vehicles. Dan Olsen **moved** to approve the amount of \$855.80. Robert Hall **seconded** the motion. The motion passed with a roll call vote as follows:

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

Planning Department - Chris Hoem came before the Council to ask for approval to expend funds to purchase Adobe Photoshop software. Chris explained the software would be used in connection with the form-based coding. Chris told the Council that Gary Siever with Tracy Stocking & Associates recommended the City have the program. The software will cost around \$1,399. Dennis Long **moved** to approve the expenditure. Ken Reynolds **seconded** the motion. The motion passed with the following vote:

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

Police Department - Chief Watkins asked for approval to

TRAVEL AND TRAINING

send two of his officers to training classes. Chief Watkins asked for approval to send Lieutenant Escoto to Child Abuse Investigation training. Chief Watkins stated the training and motel expenses are being paid for by the Children's Justice Center, the only cost to the City would be the daily per diem in the amount of \$175 and the cost of fuel. Dennis Long **moved** to approve the travel expense. Gordon Kitchen **seconded** the motion. The motion passed with the following vote:

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

Chief Watkins asked for approval to send Officer Tatangelo to Sandy City for Basic Spanish for LEO's and to Seattle Washington for Street Survival Training. Councilman Kitchen wanted to know why the Spanish class could not be held in-house with Lieutenant Escoto. Chief Watkins said it was mostly due to time constraints. Councilman Kitchen also stated that these classes have been offered by the Applied Technology Center. Chief Watkins said he was presenting the Council with the information and they could decide whether or not to send him. He said no other officers have shown an interest in the Spanish training. Dan Olsen **moved** to approve both training requests in the amount of \$465 and \$815. Ken Reynolds **seconded** the motion. The motion passed with the following vote:

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

Jim Harper introduced Szeth Simmons to the Council as the new employee in the road department. Jim stated he is very pleased with the work being done by Szeth, that he is always ready and willing to work and already has his CDL certification. Mayor and Council members welcomed Szeth to the City.

***INTRODUCTION OF NEW
EMPLOYEE - SZETH
SIMMONS***

Nikki Kay presented the Council with the 2009 Holiday schedule for their acceptance. Dan Olsen **moved** to accept the schedule as presented. Robert Hall **seconded** the

2009 HOLIDAYSCHEDULE

motion. The motion passed with all voting aye.

Craig Blunt presented the Council with a proposal to carry over additional vacation hours. Craig said he met with some of the staff and department heads to discuss annual leave and sick leave. Craig stated they reviewed the policy of Vernal City, Uintah County and the City's own policy and they came up with the annual vacation and sick leave policy they presented to the Council. They discussed how many hours of vacation leave should be allowed to accrue. The hours' presented in the policy were 240 hours. Councilman Kitchen thought 240 hours was a lot to carry and felt they were going from one extreme to the other. Councilman Hall wanted to know what the department heads thought about how this could benefit their department or how it could hurt it. Craig Blunt said the City would need to be careful in finding the vehicle to make sure the money is set aside for the liability caused by the accrued hours. Mayor Baker said one of the draw backs is that hours are accrued at a lower rate of pay than what they are paid out at. Councilman Kitchen was uncomfortable with the 240. Craig said the department heads feel like they need some kind of cushion somewhere. Councilman Kitchen said this would be a very large liability to the City. Councilman Hall said the department heads would have a big responsibility in managing those hours. Craig pointed out that he added a section on post employment health care as part of the sick leave policy. He said employees would have the option of giving another employee their unused sick hours or of converting it to a post employment health saving plan. Councilman Kitchen wanted to know what Craig's recommendation would be. Craig said his recommendation would be three weeks or fifteen days. Councilman Hall wanted to know if Vernal City actually paid out sick leave at 25%. Craig said they do and the policy was made to reward those who have worked a long time and not abused the sick leave policy. Craig said this proposal was given to the Council as a first reading in order to give them time to review it. Craig said the two things to consider would be the extra money paid to employees on the sick leave policy for long term and the other would be the buy out on retirement at 20%. He stated those would be a benefit for anyone staying long term. Mayor Baker wanted to know if the City would pool the money and if it would be put into an account to build up those funds. Craig said the IRS has guidelines for that and the City would work with an insurance company to set up that account. Councilman Hall asked if the adoption of this policy would mean a budget change. Craig

***PROPOSAL TO CARRY
OVER ADDITIONAL
VACATION HOURS***

stated that it would. Craig said he would try and work up some numbers to give them an idea what kind of cost they would be looking at if they went with the sick leave policy. Mayor Baker said this could be an incentive for people to stay longer with the City. No action was taken on this matter and it will be brought back at a future meeting.

Mayor Baker said he met with Chief Watkins regarding people parking on highway 40 in front of the Naples Chapel. Mayor Baker asked the Chief to write a letter explaining the safety issues facing the City from people parking on the highway in a marked red zone. Mayor Baker wanted to do a follow-up letter expressing the concerns of the Council and stating their support of any actions taken by the police department to alleviate the problem. The Council recommended the letter be sent to the bishops of each ward, the stake presidents and Jeff Calder. The bishops could then notify their members that after a certain vehicles parking on the highway will be ticketed. Councilman Hall wanted to know how soon the letters would go out. Mayor Baker said the letters should be able to go out by the weekend. Councilman Hall said after those letters are read to members then action should be taken on any vehicles found in violation. Council members were in support of the police department in issuing citations.

A copy of the budget was given to Council members for their review. It was noted that no major change in sales tax revenue has been noticed yet. Nikki Kay stated she did not think they would notice a difference yet but might in the next couple of months. Council members reviewed the figures and did not have any major concerns with the year to date totals in the budgets. Mayor Baker wanted the department heads to keep a close eye on their budgets if the City starts to experience a drop in revenue. Councilman Hall asked if the City needed to look into adopting a transient room tax for the motels coming in. Craig Blunt said he would check into what will be required there. Councilman Hall questioned Chief Watkins about his budget for overtime hours. Chief Watkins told him some money will be moved back into that budget with adjustments for DUI shifts that have been completed by officers. Chief Watkins said he also felt if they had a major crime he had enough funds in his criminal investigations budget to cover those hours. Councilman Olsen said they would like to be able to review the budget quarterly. Councilman Long asked about the budget in the park department. Craig said some money was budgeted in order

***LETTER FROM POLICE
CHIEF REGARDING
PARKING AT NAPLES
CHAPEL***

***DISCUSSION WITH
DEPARTMENT HEADS
REGARDING BUDGET***

to help complete some of the capital projects in the park. He wanted to be able to show the Recreation District that the City was willing to contribute funds to try and help with expansion projects at the park. Mayor Baker asked Craig to clear out the dead trees at the park and to use some of the funds in the park budget to replace those trees.

Council members received the latest revised copy of the memorandum of understanding regarding the Chamber of Commerce. One of the changes commits the Council to at least two years with the Chamber. Councilman Hall stated the City does not have the revenue that Vernal City and Uintah County have and questioned why the City was being required to commit the same amount. He felt the City should be able to contribute a lesser amount. Mayor Baker wanted to see the City be in the forefront of what is going on and felt this was a way to do that. Councilman Hall felt that what the City gets out of it will be determined by how much effort we put into it. Councilman Long said he understands it is a lot of money but felt it had the potential to pay for itself. Councilman Hall reminded everyone that an increase of area businesses increases service demands on the City in other ways. Councilman Kitchen said he felt this would be the way to try and develop the influence needed to get what is wanted for the City. He said if the City comes into the process now they will be involved in the process of selecting anyone hired for the Chamber. Council members wanted to know if the "at large" Chamber members could include someone from Naples City. Ken Reynolds **moved** to accept the MOU and to commit \$65,000 to the Chamber of Commerce for two years with payments being made quarterly in the amount of \$16,250. Gordon Kitchen **seconded** the motion. The motion passed with the following vote:

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

Mayor Baker wanted the Council to know that Ryan Cook called him on January 7, 2009 to accept the position of the assistant road superintendent with the offered \$1.00 per hour increase.

Mayor Baker asked if anyone would like to attend the Local

MEMORANDUM OF UNDERSTANDING WITH CHAMBER OF COMMERCE

OTHER MATTERS ASSISTANT ROAD SUPERINTENDENT

LOCAL OFFICIALS DAY

Officials Day at the Legislature on January 28. He and Councilman Hall would be attending. Councilman Reynolds said he would like to attend.

AT THE LEGISLATURE

Mayor Baker asked that everyone see if they are up to date on their NIMS training. Craig Blunt said he would try and check to see who still needs training and e-mail that information to each Council member.

NIMS TRAINING

Councilman Olsen gave a handout showing the latest numbers for the animal shelter. The figures showed that 4% of the animals impounded came from Naples City. He feels the residents are not getting the services paid for or they are not calling to report animal control problems. He thought it would help to educate the citizens on what they need to do if they are experiencing a problem. Councilman Olsen also asked the police department to watch for neglected animals. He said the animal control officers are finding a lot of people are abandoning their large animals in outlying areas of the county.

ANIMAL CONTROL

Councilman Hall updated the members on changes in the Fire Control District Board. He reported that Brian Gorum is the newest board member. He also stated the Lapoint fire station is progressing and the Jensen station will soon be started. He told the Council that Chief Reynolds approached him about purchasing a used ladder truck. He said the Fire District will not pay for the truck and Chief Reynolds wanted to know if the City would be interested in buying the truck. Councilman Hall told him to get information on the truck and to bring that back to the Council.

FIRE CONTROL DISTRICT

With no other business before the Council, Gordon Kitchen **moved** to adjourn the meeting at 10:15 p.m. Ken Reynolds **seconded** the motion. The meeting was adjourned

MOTION TO ADJOURN

APPROVED BY COUNCIL ON THE 22nd DAY OF JANUARY 2009

BY: _____

ATTEST: _____