

Naples City Council February 12, 2009 Minutes

The regularly scheduled meeting of the Naples City Council was held February 12, 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 Ryan Cook, Mark Watkins, Chris Hoem, Connie Patton, Christopher Clark, Vic Condie, Neil Cathey, Aaron Sorenson, JD Herbert, Cindy Snyder, Caren, Melancon, Cody Evans, Ron Wells, Mitch Montgomery, Adam Harrison, John Prion, Brett Reynolds, 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 Dan Olsen.

OPENING CEREMONY

Mayor Baker stated he would like to strike item thirteen from the agenda and add an Executive Session to discuss possible litigation. Dan Olsen **moved** to accept the agenda with those changes. Robert Hall **seconded** the motion. The motion passed with all voting aye.

AGENDA APPROVED

Fire Chief Brett Reynolds came before the Council to introduce members of the department and to recognize their efforts in becoming certified. Chief Reynolds told the Council that twenty-five years ago he remembers jumping on his bike and riding to the fire station to see the City's new fire truck. He said he was with David Olsen on that day, who is now a captain for the fire department. He asked the Council if they ever envisioned what their future fire department might be, but he hoped they were proud of what that department has become twenty-five years later. Chief Reynolds said he was very proud to be a Naples fireman and they couldn't have achieved what they have without the support of the Council. Chief Reynolds then introduced members of the fire department as the Mayor and Council presented their badges. After the presentation, Mayor Baker commended

RECOGNITION OF FIRE DEPARTMENT MEMBERS

the department and thanked them for all they do for the City.

Mayor Baker asked if there were any changes to the minutes of January 22, 2009. Dan Olsen **moved** to approve the minutes of January 22, 2009. Gordon Kitchen **seconded** the motion. The motion passed with all in attendance voting aye.

MINUTES APPROVED

Connie Patton presented the bills in the amount of \$36,608.97. Councilman Long questioned the bill for the seasonal worker and wanted to know if this was a bill for Szeth Simmons. It was explained that it is for a new worker that has been helping them. Dennis Long **moved** to accept the bills in the amount of \$36,608.97. Kenneth Reynolds **seconded** the motion. The motion passed with the following roll call vote:

APPROVAL OF THE BILLS

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

B & L Rental - 1422 S 1500 E. A business license application was received from B & L Rental. The application was for rental of the building and property they own at 1422 S 1500 E. Ken Reynolds **moved** to approve the license for B & L Rental with the stipulation that a check is made to see if a sales tax number is required. Dennis Long **seconded** the motion. The motion passed with all voting aye.

BUSINESS LICENSE APPLICATION

Chief Brett Reynolds approached the Council about buying a used ladder truck for the fire department. He reported that several of the new industrial buildings in the City are two stories high with tall overhead doors. He said three of their recent calls were to those buildings and they realized they would need to use either a tall extension ladder, placed in the back of a truck, to access the roof or they would need to call Vernal's department and have them bring down their new ladder truck. He said after struggling to get on the roof at one of their last calls they decided to do some research to see what would be available for them to use. Ron Wells located a used ladder truck in Salt Lake City. Chief Reynolds said the pump on the truck is certified but the truck itself was not, due to corrosion underneath. He said the truck, as is, would be \$10,000. To fix any deficiencies in the truck and

REQUEST TO PURCHASE LADDER TRUCK

make it certifiable would cost \$123,000. Chief Reynolds said they do have access to Vernal's ladder truck if they have a big fire but they would like to have the equipment needed to take care of the needs of new businesses. Chief Reynolds stated that if the fire department ever comes back under the jurisdiction of the City, they would lose their ISO rating if they did not have a ladder truck. Brett explained that the people who gave the bid to repair the truck actually saw the truck before giving the bid. Council members asked how long it would take to have the truck ready to use. Brett said it could take as long as six months. Councilman Long wanted to know how many miles the truck had on it. Chief Reynolds was not sure about that. Robert Hall **moved** to authorize the purchase of the ladder truck with the repairs up to \$123,187. Dan Olsen **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

Resolution 09-211 was presented to Council for their approval. The resolution was to authorize the issuance and confirming the sale of sales tax revenue bonds, series 2009, in an aggregate principal amount of \$424,000. Dan Olsen **moved** to adopt R09-211. Gordon Kitchen **seconded** the motion. The motion passed with the following vote:

***RESOLUTION 09-211
SALES TAX REVENUE
BONDS***

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

Road Department - Ryan Cook told the Council that the bid for sidewalk repair was first presented to the Council for approval in the amount of \$8,000. The actual cost for the repairs came to \$8,897. Dennis Long **moved** to approve the additional \$897 for the sidewalk repair. Gordon Kitchen **seconded** the motion. The motion passed with the following vote:

***EXPENDITURE FOR
SIDEWALK REPAIR***

Gordon Kitchen	Aye
Ken Reynolds	Aye
Dennis Long	Aye

Dan Olsen Aye
Robert Hall Aye

Ryan Cook reported the trouble they are having with the tractor and how much it would cost to repair it. Ryan said the tractor has some serious mechanical problems with the hydraulics, the brakes and dash need replaced, and the shuttle shift is also broken. Councilman Kitchen wanted to know if anyone had checked with State Surplus to see if anything is available there. Ryan said they have not. Ryan said it is not safe to use the tractor for what they have been using it for and that more time and work are required because it is not the right equipment. Council members gave Ryan several options to check and see what might be available. They discussed state surplus, leased equipment that has been turned back to equipment companies, or rental equipment. Councilman Hall told him to come back to the Council with ideas about the tractor. No action was taken on this matter.

***COSTS TO REPAIR
TRACTOR***

Ryan Cook told the Council that the pickup bed on the 2001 GMC was damaged last year and never repaired. He said the cost to repair the bed would be \$3,000 to \$4,000 or they could purchase a pickup bed from Save On Auto for \$800. Dennis Long **moved** to approve up to \$1,000 for the purchase and installation of the bed. Ken Reynolds **seconded** the motion. The motion passed with the following vote:

***EXPENDITURE TO
REPLACE PICKUP BED***

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

Ryan Cook explained that they have no way to store the Christmas decorations at the shop. He asked the Council for approval to purchase some metal in order to build storage racks for the decorations. Ryan distributed pictures of the racks they would like to construct. He received two bids for the metal and said the employees would build them. The bids were \$1,933.57 from Simper Supply and \$1,174.13 from Metalmart, Inc. Robert Hall **moved** to accept the bid from Metalmart, Inc. and to approve up to \$1,400 for the construction of the racks. Dan Olsen **seconded** the motion. The motion passed with the following roll call vote:

***C H R I S T M A S
DECORATION HOLDERS***

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

Ryan Cook updated the Council on improvements to the road side park. Ryan said he asked Allred Landscaping to give him a rough estimate for a sprinkling system and improvements to the road side park. The estimate showed \$2,500 for a new water meter, \$10,100 for the sprinkling system, \$21,000 for soil removal and sod replacement, \$1,575 for decorative curbing, and \$7,400 for removal and replacement of decorative rock. The total was \$42,575. Council members asked Ryan to advertise the job for bid and to have those back to the Council by March 12th with a completion date of sixty days from the award of the bid.

***ESTIMATES FOR ROAD
SIDE PARK
IMPROVEMENTS***

Chief Mark Watkins asked the Council for approval to pay the bill for electrical work completed on the Magnum. He told the Council the car had a master switch that failed and the cost for repairs was \$568.04. Robert Hall **moved** to approve the amount stated. Dan Olsen **seconded** the motion. The motion passed with the following vote:

***EXPENDITURE FOR
ELECTRICAL REPAIRS TO
POLICE VEHICLE***

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

Chief Watkins asked for approval to purchase new computers for the police department. He asked for approval to purchase two but stated he might be able to get by with just one. He said the computer in the officer's room is getting old and he is afraid of a hard drive failure. Councilman Kitchen wanted to know how old the computer was. Nikki said it was more than five years old and was bought at the same time as the others they have recently had trouble with. Ken Reynolds **moved** to approve up to \$1,600 for the computers. Gordon Kitchen **seconded** the motion. The motion passed with the following roll call vote:

***PURCHASE OF
COMPUTERS FOR POLICE
DEPARTMENT AND
TASER CARTRIDGES***

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

Robert Hall Aye

Chief Watkins also asked for approval to purchase new taser cartridges. He said the cartridges come in a box of fifty and he would like to purchase two boxes at a total price of \$2,140. Dan Olsen **moved** to approve the expenditure. Robert Hall **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 presented three travel requests for approval. Chief Watkins requested \$625 to attend the Utah Chief's convention in St. George for five days. Dan Olsen **moved** to approve the expenditure for Mark to attend the conference in St. George. Ken Reynolds **seconded** the motion. The motion passed with the roll call vote as follows:

***TRAVEL APPROVAL IN
THE POLICE
DEPARTMENT***

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

Chief Watkins asked for approval to send Valeen Horrocks to California for K-9 re-certification training. The cost for the travel and training is \$1,200. The training will be for three days with travel of four days. Dennis Long **moved** to approve the \$1,200 for travel to California. 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

The third travel request Chief Watkins made was for Adam Ray to travel to Texas to attend truck inspector training. Chief Watkins said this would certify Officer Ray and allow him to do inspections on big trucks and issue a citation for any violations. He felt this would be beneficial to the City

because of the amount of truck traffic in the City. Chief Watkins said the cost for training is free and the amount requested would be for travel expenses. Councilman Kitchen wanted to know if this was the role of the City and could they ask someone to come out more often. Chief Watkins said the other agencies don't have the budget to send someone here that often. He said public safety is the responsibility of the City and his department and if there are trucks traveling through the City unsafely then it is our role to try and prevent that. Mayor Baker asked if big trucks had to pass inspections annually like cars do. Chief Watkins said they do. He also thought if word gets out that someone in the City is certified to do these inspections drivers might be more cautious. Councilman Long wanted to know if other agencies would then use Officer Ray if he became certified. Chief Watkins thought that might be a possibility but he saw it in a positive light as one department helping another. Dan Olsen **moved** to approve \$2,570 for the travel. 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

Council members reviewed the sick leave and annual leave policy again. Councilman Hall wanted to know if the permanent part-time employee could be taken out of the document or clarified because there are no more permanent part-time employees. Councilman Hall also wanted to know about the rate for accruing annual leave and wanted to know if it should be per pay period instead of per month. Craig stated he would change that to pay period. It was also discussed to include, from the current policy, that employees only accrue vacation leave at half-time while on their six-month probation. It would also need to include that an employee accruing vacation during their probation would only be allowed to use what has been accrued. Council members agreed to set the maximum annual leave at 180 hours and anything above that shall be forfeited on the last pay period of the year. After a discussion it was decided to eliminate the section on contributing vacation to fellow employees. On the sick leave portion of the policy, Council members wanted it to also read per pay period and not per month. Council members wanted to take out the section dealing with illness

***REVIEW OF SICK LEAVE
AND ANNUAL LEAVE
POLICY***

in the immediate family. They also discussed eliminating the ability to cash out on sick leave, but agreed to allow an employee with more than five hundred hours of unused sick leave to convert 75% of that to a post employment health care plan. Council members discussed contributing sick leave to fellow employees. After a discussion of donating the hours to a pool verses individual employees, council members decided to leave it as presented. They also eliminated the section on conversion of sick leave at employment termination.

Craig Blunt prepared a comparison of kennel ordinances from Naples City, Vernal City, and Uintah County. Councilman Olsen wanted the fee schedule for the City to either eliminate the fees regarding animal control or state that the City will adhere to or support what is charged by the Animal Control District. Councilman Olsen said the animal control officers need to be able to charge the same amount for any animal picked up in the area. Councilman Olsen said he will bring back the kennel restrictions after they have been worked out by the District.

***COMPARISON OF
KENNEL ORDINANCES***

Council members reviewed Ordinance 08-108 discussing alcohol control. Craig Blunt wanted to make sure it stated that no alcohol was allowed in the parks or on any property owned by the City. Craig also wanted to know if Mr. Judd was confident that this ordinance would prevent the City from having another Cowboy Corral. Nikki said Mr. Judd thought the City should be able to control that through their zoning ordinances. Dennis Long **moved** to approve Ordinance 08-108 as a second reading. Dan Olsen **seconded** the motion. The motion passed with the following vote:

***ORDINANCE 08-108
ALCOHOL CONTROL***

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

Chief Watkins asked for approval to hire an administrative assistant in the police department. He would like to hire someone that could provide both administrative assistance and oversee all evidence collected. He requested a starting salary of \$15.50 per hour with benefits. Chief Watkins thought he could trim back his budget for next year to cover the salary and was asking for an extra \$13,425 in this fiscal year budget to cover the salary from April to June. Ken

***ADMINISTRATIVE
ASSISTANT FOR POLICE
DEPARTMENT***

Reynolds **moved** to allow Chief Watkins to proceed in the hiring process. Dan Olsen **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

Craig Blunt told the Council that one of the low income housing loans the City is holding has become delinquent. Craig told the Council that it was up to their discretion on how they wanted to handle it. He said their options would be to redo the loan with a lower interest rate, a lower payment amount, or change it to a no interest loan. Councilman Kitchen told Craig to meet with the loan holders and find out what could be done to get the loan repaid. After some discussion, Dennis Long **moved** to allow changing the payment to \$120 per month with zero interest, to review the loan annually, to waive any late interest and to make sure the insurance for the home is being maintained. Gordon Kitchen **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

Chris Hoem gave Council members the updated list for the Planning Commission. Chris said the Commission voted for Dale Harrison as the Chairman with Jim Garner as the Vice-Chairman. The members presented were, Dale Harrison, Jim Garner, Jim Richards, Walter Gale, Stanley Johnson with alternate members Lane Webb and Cresta Slaugh. Dan Olsen **moved** to approve the list as presented. Robert Hall **seconded** the motion. The motion passed with all voting aye.

Craig Blunt wanted the Council to consider the cost of replacing the lights for the ball diamonds at the Naples Park as opposed to repairing them. Neil Cathey with the Recreation District was present at the meeting and gave the cost of replacing the lights and poles compared to repairing them. He stated the cost for replacement would be

***REVOLVING LOAN
POLICY***

***MEMBERSHIP LIST FOR
PLANNING AND ZONING***

***BALL DIAMOND
LIGHTING REPAIRS OR
REPLACEMENT***

approximately \$260,000 and the cost to properly ground them and put in lights would be \$30,000. Mr. Cathey said the District does not have the money for replacement of the lights and poles. Craig said the poles were not installed properly the first time and the District is now paying four times more for power than they should be. Mr. Cathey said the District is trying to get the fields ready for play and make them as safe as possible without spending excessive money. Craig wanted to know what the City's priority would be if the funds allotted to the park are not spent on lighting. Council members wanted to see another ball diamond built and would make that their recommendation to the District. A discussion was also held about replacing the dying trees on the west side of the park and making sure the walk path is sprayed for weeds, patched and sealed. Mr. Cathey said the District would look at what funds were available for that. It was noted that the City had \$5,000 they could commit to the replacement of the trees. Craig wanted to make sure Mr. Cathey would consult with the park committee about the trees. No action was taken on the matter.

Mayor Baker recognized Chris Clark from Uintah Engineering and thanked him for attending the meeting. Mr. Clark told the Council that an information packet was given to each Council member to show the qualifications of Uintah Engineering. He stated the Uintah Transportation Special Service District requires that of anyone bidding on their projects. He wanted the Council to know they have expanded their engineering department and have people qualified to do work with local infrastructure and they would like the opportunity to work with the City on any projects they have. Mayor Baker thanked him for coming to the meeting and for the information.

***RECOGNITION OF
REPRESENTATIVE FROM
UINTAH ENGINEERING***

Craig Blunt told the Council that he and Chris Hoem attended a meeting on secondary water systems. He asked the Council what direction they would like to take in considering secondary water systems. He said the group they met with discussed the possibility of putting together a secondary water system but they would need the support of county and city governments. Craig said most of the entities were in favor of it. Craig wanted to know if the Council would be in favor of it also. He said it would mean a change to their ordinances requiring certain things of new developments. Mayor Baker said he would like to see Craig continue to attend the meetings but wasn't sure the City was willing to commit to the changes required.

***SECONDARY WATER
SYSTEMS***

No updates were given from the Special Service Districts.

UPDATES FROM SPECIAL SERVICE DISTRICTS

Nikki Kay said she would like to hold a public hearing to open and amend the budget at the next meeting.

OTHER MATTERS

Councilman Kitchen asked Craig if he would look into the matter of a transient room tax and see what would be required by the City.

Dan Olsen **moved** to go into Executive Session to discuss possible or pending litigation. Dennis Long **seconded** the motion. The motion passed with all voting aye. Those present in Executive Session were Mayor Baker, Council members Gordon Kitchen, Ken Reynolds, Dennis Long, Dan Olsen and Robert Hall. Mark Watkins, Craig Blunt, and Nikki Kay were also present.

EXECUTIVE SESSION

Ken Reynolds **moved** to go out of Executive Session. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

With no other business before the Council, Dennis Long **moved** to adjourn the meeting at 11:00 p.m. Ken Reynolds **seconded** the motion. The meeting was adjourned

MOTION TO ADJOURN

APPROVED BY COUNCIL ON THE 26th DAY OF FEBRUARY 2009

BY: _____

ATTEST: _____