

Naples City Council January 14, 2010 Minutes

The regularly scheduled meeting of the Naples City Council was held January 14, 2010, 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, and Dan Olsen. Kenneth Reynolds was absent.

COUNCIL MEMBERS ATTENDING

Others attending were Tammie Lucero, Jim Harper, Taylor Stewart, Luis Sandoval, 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 Robert Hall offered the invocation.

OPENING CEREMONY

Dennis Long **moved** to approve the agenda. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

AGENDA APPROVED

Mayor Baker asked for approval of the minutes of December 10, 2009. Councilman Long recommended a change to the wording on the expenditure for one of the City vehicles. Robert Hall **moved** to approve the minutes of December 10, 2009 as amended. Dan Olsen **seconded** the motion. The motion passed with all in attendance voting aye.

MINUTES APPROVED

Connie Patton presented the bills in the amount of \$75,045.25 and requested approval for an additional \$1,934.82 to pay for the new telephone module making the total \$76,980.07. Dan Olsen **moved** to approve the bills with that addition. Dennis Long **seconded** the motion. The motion passed with the following roll call vote:

APPROVAL OF THE BILLS

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

***E C O N O M I C
DEVELOPMENT UPDATES
FROM TAMMIE LUCERO***

Tammie Lucero, Economic Development Director, came before the Council to update them on several matters. Ms. Lucero brought the final draft of all documentation submitted for the Enterprise Zone. She stated the Zone was approved and renewed until December 31, 2013. Ms. Lucero said she visited with all of the local CPA's and took them copies of the Enterprise Zone to let them know it was in place in this area. Councilman Kitchen wanted to know how local businesses were being notified of the tax credits available through an Enterprise Zone. Tammie said the information has been in the media but she could see about drafting a letter and sending it out.

Ms. Lucero told the Council that she has been meeting with Troy Meyers and those working with him on the development of the property located at 2500 South and Hwy 40. Ms. Lucero said they will be meeting with the Governor's office of Energy and Natural Resources. The developers want the tenants in the development to "Go Green" and use the areas natural resources. Ms. Lucero said the people she has been speaking with in Salt Lake seem very excited about the development of the project.

One of the other areas Ms. Lucero commented on was the "Seed Uintah Basin." She said they will be holding a kick-off in February to invite investors, entrepreneurs, and local businessmen and provide a forum where they can offer some expertise, allow them to pitch their projects , or get feedback on their business ideas.

Ms. Lucero said she has been working with Chris Hoem and Craig Blunt to gather updated information to place on "Utah's Sure Site," a website that provides economic development and site selection services to the business community.

Craig Blunt asked Ms. Lucero if any developers have show any interest or if they have been promoting the IFA complex for development. She said she has been promoting it but hasn't had anyone show serious interest yet. The Mayor and Council thanked Ms. Lucero for coming and sharing this information with them.

The meeting schedule for 2010 was presented to the Council for their approval. Councilman Kitchen wanted to know if the Park Committee meeting could be changed to the second Thursday of the month at 6:30. With no other changes,

***MEETING SCHEDULE
FOR 2010***

Robert Hall **moved** to approve the meeting schedule for 2010 with the changes discussed. Dan Olsen **seconded** the motion. The motion passed with all in attendance voting aye.

***HOLIDAY SCHEDULE FOR
2010***

The holiday schedule for 2010 was presented to the Council for their approval. Dan Olsen **moved** to approve the schedule as presented. Dennis Long **seconded** the motion. The motion passed with all voting aye.

A business license application was presented to the Council for their approval. The business name is CTR Fishing Charters and is located at 1861 East 2500 South. The business is a home occupation and the owner received and signed a copy of the conditional agreement for a home occupation. Dennis Long **moved** to accept the business license for CTR Fishing Charters. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

***BUSINESS LICENSE
APPROVAL***

Nikki Kay asked the Council for their approval to waive the business license fee for Naples Splash Park. Robert Hall **moved** to approve waiving the fee. Dennis Long **seconded** the motion. The motion passed with all voting in the affirmative.

***WAIVER OF BUSINESS
LICENSE FEE FOR
NAPLES SPLASH PARK***

Craig Blunt asked the Council to consider transferring funds into the bond reserve accounts in order to have at least five payments in the account for the equipment bond and the 1000 South road project bond payments. Dennis Long **moved** to approve the transfer of \$300,000 into the bond reserve account. Robert Hall **seconded** the motion. The motion passed with the following roll call vote:

***APPROVAL TO TRANSFER
FUNDS TO BOND
RESERVE ACCOUNTS***

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

Connie Patton asked the Council for approval to expend funds to purchase a new computer and a new desk. She explained that her computer's hard drive was failing and she needed to replace it. Connie also stated her desk was coming apart due to water damage from water leaking into her office along the outside foundation. She told the Council the cost for the computer would be \$799 and the cost for a new desk would be approximately \$1,400. Dan Olsen **moved** to approve up to \$2,600 for the desk and computer. Gordon

***A P P R O V A L O F
EXPENDITURES***

Kitchen **seconded** the motion. One of the students attending the meeting asked the Council if they would be updating to Widows 7 because Windows XP would no longer be supported. Connie stated her new computer would have the Windows 7 operating system. The motion passed with the following vote:

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

Jim Harper asked the Council for approval to place the order for the new Coverall Building. The cost of the building would be approximately \$37,000. Jim gave the Council information showing where the funds would come from for the building. Councilman Long asked about the purpose of the walls for the building and Jim said it would be to separate the salt and sand. Robert Hall **moved** to approve \$38,162 for the Coverall Building and \$35,000 for the cement work. Gordon Kitchen **seconded** the motion. The motion passed with a vote as follows:

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

Jim Harper asked for approval to purchase new tires for the Bobcat. He presented the Council with three bids for the tires. A discussion was held on buying local or going with the lowest bid. Council members asked Jim to check with Outback Rental and see if they could come closer to the bid from Intermountain Bobcat. Dan Olsen **moved** to approve \$1,576 for the purchase of the tires. Gordon Kitchen **seconded** the motion. The motion passed with the following roll call vote:

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

Jim Harper asked the Council for approval to purchase a new

skid steer loader with a snow blower attachment. He told the Council that, because of the amount of snow coming off the roof at the City office building, they have not been able to keep up with snow removal. Jim explained that the loader is a smaller version of the one the City currently owns. Councilman Kitchen wanted to know about the urgency of the purchase. He wanted to know if they could get a better price later in the season. Councilman Long wanted to know if they really needed two bobcats. Jim said they do. Councilman Hall wanted to know if it was budgeted for. Jim said it was not, the expense would have to come from surplus funds. Councilman Kitchen did not want to purchase the equipment without having the funds in the budget. After some discussion about expending funds that were not budgeted, Robert Hall **moved** to approve the expenditure for the bobcat with funds previously approved for the purchase of cement on the salt shed and to **amend** that motion. Dennis Long **seconded** the motion. The motion passed with a roll call vote as follows:

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

Craig Blunt asked the Council to approve a partial payment to Tracy Stocking Company for work completed so far on the form-based coding. Craig told the Council that he feels comfortable releasing \$7,000 for work completed. Dennis Long **moved** to approve the release of funds. Dan Olsen **seconded** the motion. The motion passed with the following roll call:

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

Chief Watkins asked Council approval to expend funds to purchase tires for two of the police vehicles. Councilman Hall wanted to know how soon the lease program would be in place and if the purchase was urgent. Chief Watkins said he will leave the tires if he can but he isn't expecting the new lease vehicles until April. He asked for approval for the tires because he was not sure he could get through the winter

without replacing some of them. The amount requested was \$1,147.80. Gordon Kitchen **moved** to approve the expenditure. Dennis Long **seconded** the motion. The motion passed with the following roll call:

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

Chief Watkins told the Council he is trying to get in some training hours for his officers and asked for travel approval for Officer Cox and Officer Tatangelo. Chief Watkins asked for approval to send Officer Cox to Child Abuse Training in San Diego, all expenses are covered by the Children’s Justice Center except for per diem, the requested amount was \$210. He also asked for approval to send Officer Tatangelo to three different training for a total request of \$460, part of which was registration fees and part for per diem. Robert Hall **moved** to approve the travel expenses as requested. Dan Olsen **seconded** the motion. The motion passed with the following vote:

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

TRAVEL APPROVAL

The approval for an additional alternate Planning Commission member was tabled because the City Planner was absent from the meeting. Mayor Baker wanted Craig to know that Mark Partridge expressed an interest in serving on the Commission. No action taken.

***A P P R O V A L F O R
A D D I T I O N A L A L T E R N A T E
P L A N N I N G C O M M I S S I O N
M E M B E R***

Craig Blunt updated the Council on the results of the latest CIB hearing for the 2500 South road project. Craig said the City is on the funding list for the project and the next hearing will be on February 4, 2010 in Salt Lake. Craig said two questions were raised at the hearing that will need addressed before the next hearing. The first question was why the engineer cost for the project was 20% instead of the expected 10%. Craig felt it was because of the irrigation and canal. Craig said the other question was capacity of the pipeline. Craig stated the engineers will be putting together

***U P D A T E O N C I B
H E A R I N G F O R 2 5 0 0
S O U T H***

a report to answer those questions. Councilman Kitchen wanted to know how the funding would work. Craig said it would be in the form of a loan and grant. Craig said it would be 60/40 with 2.2 million in grant and 1.7 million in a loan. Craig said the out of pocket expense would be \$350,000 and he included the administration costs associated with the project. Councilman Hall wanted to know how far past the edge of the canal this project would extend into property owners yards. Craig said Allred's and Johnson's fence are about where they should be but as you go down further, the City's easement is barely into the canal. Mayor said the City could work with the property owners and the canal company and move the culvert into the right of way until it goes back in by Hacking's property. Craig said the diversion box will be the most challenging with the Pehacek line. Councilman Kitchen wanted to know how the diversion boxes would affect the people using the canal for stock water. Craig said they make stock water cut outs. He said the box culvert will be the same as what was installed at the Maverick station. Craig also told the Council that the County will be finishing the road from 5th West to 500 East on 2500 South and they are agreeable to tying into the City's engineering with the center turn lane. He said this should take care of the problems experienced by the property owners on the north and on the south side of the road.

Craig Blunt presented the Council with a new encroachment agreement with Vernal City for the 500 South road project. Vernal City wanted an interlocal agreement for use of the pipes in conjunction with the encroachment agreement. Craig said he still has concerns about not knowing what the interlocal agreement will contain and what conditions Vernal City will set for the use of the pipe. Councilman Hall wanted to know if they changed the pond size issue. Craig said they did not. Gordon Kitchen **moved** to enter into the encroachment agreement with Vernal City for the 500 South road project. Dennis Long **seconded** the motion. The motion passed with those in attendance voting aye.

***ENCROACHMENT
AGREEMENT WITH
VERNAL CITY***

Craig told the Council that the Uintah Transportation Special Service District (UTSSD) has put 500 South from 500 East to 1500 East on their reconstruction list. Craig said during the course of the discussion they decided not to go with curb and gutter on the whole project. Craig recommended going back to the UTSSD and working with them on getting curb and gutter from 1000 East to 1500 East to clean up that side of the road. The Mayor said the road would need to be

widened, similar to 2500 with a turn lane in the middle. Craig wanted the Council to approach the UTSSD about putting in curb and gutter while they are doing this project. Craig said the City might offer to cost share in order to get that done. Craig said, in the least, he would like to have the piping tied into the drainage and bring up the catch boxes where the curb and gutter would be so those are there. Craig said the drainage line is on the north side of the sewer line so if drainage boxes ever had to be put in you would have to cut into the road. Mayor Baker wanted to know about the irrigation line, if they are widening the road. Craig said the irrigation would be pushed further to the south. Craig said the City might be able to approach the farmers to see if they would be willing to help. Mayor Baker said he would like to approach the UTSSD to see if they would be willing to help put the curb and gutter in while to project is under construction. Craig said he would see about getting on their agenda to ask about it. No action was taken.

Council members received a waiver request from Bresnan Communications regarding the recent Franchise Agreement they received. Craig explained to the Council that the Franchise Agreement states the company must maintain an office in the City. Bresnan Communications sent a letter requesting a waiver of that requirement. Gordon Kitchen **moved** to enter into the waiver agreement with Bresnan and waive the requirement of an office in the City. Robert Hall **seconded** the motion. The motion passed with all voting aye.

***WAIVER REQUEST FROM
B R E S N A N
COMMUNICATIONS***

Craig Blunt presented the Council with a copy of a new Purchasing Ordinance and asked them to review it and bring back any comments or suggestions they have. Mayor Baker wanted to know why it was being presented as an Ordinance and not a policy. Craig said because it deals with City funds. Craig said he could reduce some of it down to a policy. Mayor Baker said he would prefer that with some type of a flow chart included to show how things should work. Mayor Baker wanted to see it revised before accepting it as a first reading. No action was taken.

***P U R C H A S I N G
ORDINANCE***

Dan Olsen **moved** to go into a closed session to discuss the character, professional competence, physical or mental health of an individual. Dennis Long **seconded** the motion. The motion passed with the following roll call vote:

CLOSED SESSION

Robert Hall Aye

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

Gordon Kitchen **moved** to go out of the closed session. Dennis Long **seconded** the motion. The motion passed with all voting aye.

Councilman Hall requested an item be added to the next City Council agenda for recognition of Naples Police in the under age alcohol checks.

FUTURE COUNCIL MATTERS

A discuss was also held about who would be attending the Local Officials day at the Legislature.

With no other business before the Council, Dan Olsen **moved** to adjourn the meeting at 9:45 p.m.. Gordon Kitchen **seconded** the motion. The meeting was adjourned

MOTION TO ADJOURN

APPROVED BY COUNCIL ON THE 28th DAY OF JANUARY 2010

BY: _____

ATTEST: _____