

Naples City Council February 25, 2010 Minutes

The regularly scheduled meeting of the Naples City Council was held February 25, 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, Dennis Long, Dan Olsen and Kenneth Reynolds. Gordon Kitchen was absent.

COUNCIL MEMBERS ATTENDING

Others attending were Jim Harper, Connie Patton, Ryan Cook, Mark Watkins, Makayla Hardinger, Neko Knibbe, Adam Allen, Chillon Neal, Ethan Hopla, Micaela DeTavis, Sara Sanchez, Hayden Manwaring, Jordan M., Haley Foos, Stormie Trevizo, Bryan, Elise Sandau, Daron A., Ashley Brown, Talyah Lund, Jerica Curtis, Braedon Talbot, KR Batty, Hanna Picard, Dave Smuin, Lesha Labrum, Zach Blackham, Whitney Johnson, Adam Thomas, Casey Crowther, S. Trunnell, Amanda Morris, Bart Angus, Hannah Peterson, 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 Kenneth Reynolds offered the invocation.

OPENING CEREMONY

Mayor Baker asked if there were any additions or changes to the agenda. Robert Hall and Craig Blunt both wanted to add discussion items under "Other Matters." Mayor Baker asked to add a closed session to the end of the meeting for the purpose of discussing the character, professional competence, physical or mental health of an individual. Robert Hall **moved** to approve the agenda as amended. Dan Olsen **seconded** the motion. The motion passed with all in attendance voting aye.

AGENDA APPROVED

Mayor Baker asked for approval of the minutes of February 11, 2010. Dennis Long **moved** to accept the minutes of February 11, 2010. Kenneth Reynolds **seconded** the motion. The motion passed with all in attendance voting aye.

MINUTES APPROVED

There were no questions regarding the meeting of February 11, 2010.

FOLLOW UP ITEMS FROM PREVIOUS MEETING

Connie Patton presented the bills in the amount of \$30,369.90 and requested approval to pay them. Dennis Long **moved** to accept the amount of \$30,369.90. Robert Hall **seconded** the motion. The motion passed with the following roll call vote:

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

APPROVAL OF THE BILLS

A business license application was received from Halliburton Energy Services, Inc. located at 1175 East 2000 South. Craig Blunt told the Council the Halliburton facility is top notch and ready to go. Ken Reynolds **moved** to approve the business license application for Halliburton Energy Services. Dennis Long **seconded** the motion. The motion passed with all voting affirmatively.

APPROVAL OF BUSINESS LICENSE

Craig Blunt told the Council that he is ready to sit down with the title company and finish the purchase of the two lots for the assisted living housing. Craig said the Redevelopment Agency agreed to fund \$10,000 for the acquisition and an additional \$10,000 to prepare the lots for construction. Craig said the Community Development Block Grant (CDBG) funding of \$60,000 is in place and the second portion of the funding has been agreed to but has not been all the way through the channels to have the funds available. The CDBG staff stated, if the City is willing to fund the land purchase, the reimbursement will come later. Craig asked for approval to meet with the title company and complete the purchase of the property. Mayor Baker wanted to know if the Redevelopment Agency could lend the City the money for the purchase of the property and then have the City pay it back when all the funds become available. Craig said he did not see a problem with that. Robert Hall **moved** to approve the purchase of the land. Dennis Long **seconded** the motion. The motion passed with the following roll call vote:

CDBG LAND PURCHASE FOR ASSISTED LIVING

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

Chris Hoem wanted to review chapter 02-16 of the land use ordinance (sign regulations) with the Council. Chris wanted to present changes to the sign ordinance, he felt these changes would give the City more control regarding the placement of signs if the City ever chooses to segment portions of the highway to allow for the movement of billboards. Many changes were made to the ordinance, beginning with section 003 (Clearance). Chris said he made changes here to allow for safe traffic flow. Chris also made changes to section 005 (Location of Signs). The changes made in this section were to regulate the possible movement of billboard signs. After reviewing the changes to the Ordinance, Council members wanted to remove "home occupation" from section 010 (Permits Required). They did not want any business signs located on property in residential areas. Chris told the Council that the Planning Commission has not accepted all of the changes made and he will need to bring their recommendations back to the Council at a future meeting. Chris told the Council, as far as segmenting is concerned, the Council could choose to segment portions of the highway, segment the entire highway, ask for a grant from the scenic by way committee and then segment, or not do anything at this time. Councilman Long questioned the e-mail received from Linda Hull of UDOT and wanted to know if her opinion about segmenting could be relied on if the City chose to segment. Craig said he would like to continue the meetings with the Scenic By Way Committee and see what comes of the Legislative discussions. Council members thanked Chris for the information presented. No action was taken on this matter.

***UPDATE OF SCENIC
BYWAY AND REVIEW OF
LAND USE SIGN
ORDINANCE CHAPTER 02-
16***

Chris Hoem gave Council members the latest changes to the Planning Commission by laws, specifically those dealing with board members and alternate members. Chris said he received some suggestions from the Mayor about quorum members and alternate members being voting members of the Planning Commission. The Planning Commission discussed the Mayor's suggestions and brought back the following changes:

***PLANNING COMMISSION
BY LAWS***

1. Three regular members and zero alternate members.
2. Two regular members and one alternate member.
3. Three regular members and two alternate members.
4. Four regular members and one alternate member.

5. Five regular members and zero alternate members.

The following was also added:

"No more than five (5) members of the Planning Commission may vote on a decision. An alternate member(s) may vote only if there are fewer than five (5) regular members present, but there is still a maximum limit of five (5) votes. The Chairman and Vice-chairman of the Planning Commission count as regular members.

Chris wanted to know if the Council disagreed with any of them. Mayor Baker disagreed with number two (2). Chris said these changes would indicate there would always be a majority of regular members and they would never be outvoted by alternates and there is always an odd number of people voting. Councilman Hall wanted to know, if they have regular members that attended like they should, is there any reason to break from that. Chris said they don't always come. Councilman Hall wanted to know how many alternate members there are and if they always attend. Chris said there are three alternate members and they usually always come. Councilman Hall asked if some of the regular members needed to be replaced. Chris said all of the regular members usually have at least 75% attendance. Councilman Hall wanted to know how often they have not had a quorum with five members. Chris said under the current system they always have a quorum. Councilman Reynolds wanted to know if they wanted to go back to a seven-member board. Chris said in the past, with a seven-member board, members relied on others to show up. Council members didn't want the alternate Planning Commission members to feel like they were coming for no reason. Craig Blunt said the seven member board has not always worked well in the past. Mayor Baker's concern was with the alternate members not feeling like they could do anything on the Board. Chris felt like the current system was working well. Mayor Baker didn't like option two because it didn't really manifest a full board. Chris said he will take the change back to the Planning Commission and see what they have to say. Dennis Long **moved** to accept the bylaws with the elimination of the second option under section two. Dan Olsen **seconded** the motion. The motion passed with all in attendance voting aye

Chief Watkins came before the Council to ask for approval to adopt the police department policy manual. Chief Watkins said the policy was purchased from Lexipol and then he

***APPROVAL OF POLICE
DEPARTMENT POLICY
MANUAL***

spent time working on it and revising it to fit the department. When he was finished he met with Attorney Dennis Judd to review it. The policy was then sent back to Lexipol for their final review. Mayor Baker wanted to know if he was comfortable with it. Chief Watkins said he is very comfortable with it. Councilman Hall wanted to know how detailed it is. Chief Watkins stated , with 400 pages, it is very detailed. Chief Watkins said it is a living document and daily training bulletins are posted for each office as they log on for duty. The policy is accessed through the internet. Dan Olsen **moved** to approve the police department policy manual. Robert Hall **seconded** the motion. The motion passed with all voting in the affirmative.

Craig Blunt told the Council the Community Impact Fund Board (CIB) contracts for the 2500 South road projects are ready to be signed. Craig explained to the students how the funds would be obtained to make improvements to 2500 South. Craig said the improvements would also be correcting some hazards along the road. One of the students wanted to know how the hazards would be corrected. Craig said a concrete culvert box would be installed to cover the ditch along the road. Craig gave the Council the estimated costs for the design engineering of the road. Craig asked Council to approve the scope of work for the design engineering with the cost of engineering in the amount of \$224,550 from CIVCO Engineering. Dan Olsen **moved** to proceed with the design engineering and approve \$224,550 for the project. Robert Hall **seconded** the motion. The motion passed with the following vote:

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

Craig pointed out the cost breakdown for the project in the CIB contract. The estimated cost for the project is \$4,143,110. The break down is a \$1,418,000 loan, \$2,209,500 grant, \$372,200 cash from the City, and \$143,410 in kind contribution from the City. Dennis Long **moved** to have the Mayor execute the CIB loan authorization contract. Dan Olsen **seconded** the motion. The motion passed with all voting affirmatively as follows:

Robert Hall	Aye
-------------	-----

***CIB CONTRACTS FOR
2500 SOUTH ROAD
PROJECT***

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

Craig Blunt asked for approval to use Ballard Spahr as the bond council for the loan. Craig said this is the company the City has used for the last two bonds. Kenneth Reynolds **moved** to approve using Ballard Spahr to execute the bond. Robert Hall **seconded** the motion. The motion passed as follows:

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

Craig Blunt reminded the Council that the County will be working to reconstruct 2500 South west of 500 East. Burdick Paving was awarded the contract and they want to use 2500 South and possibly 500 East as part of their routes as they work on the road. This would require a non-truck route permit from the City. Craig said if the City approves this, they will walk the road with Burdick Paving and mark any deficiencies, so when the construction is complete they can go back and see if any damage was added from the heavy truck use. Councilman Reynolds wanted to know if they would be empty when using 500 East. Craig said the City could make that a requirement. Dennis Long **moved** to approve the non-truck route permit so it could be in force when they begin construction. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

2500 SOUTH NON-TRUCK ROUTE PERMIT

Craig told the Council that eight bid packets were given out for the salt shed footing and foundation project. He said seven were returned. Craig said the low bid was from Brownie Excavation at \$44,875. Craig told the Council that the engineers estimate was \$35,000. Craig said any of the contractors that submitted bids would do a good job. Robert Hall **moved** to award the bid to Brownie Excavation. Dennis Long **seconded** the motion. The motion passed as follows:

SHED FOOT AND FOUNDATION BID

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

Gordon Kitchen Absent

Mayor Baker wanted to know if the salt shed could be off set from the property line. Craig said they could set it back 5' from the property line. Mayor Baker thought it would be wise to do that. Councilman Olsen was excused at this time.

Robert Hall **moved** to go into a public hearing to receive input on amending the 2009/2010 budget. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

***PUBLIC HEARING TO
OPEN AND AMEND FY
2009/2010 BUDGET***

One of the students wanted to know why the Council was amending the budget. Mayor Baker said the Council would be making changes to add funds to the budgets that were received and to budget excess funds from the last fiscal year. With no other comments from the public, Kenneth Reynolds **moved** to go out of the public hearing. Dennis Long **seconded** the motion. The motion passed with all those in attendance voting aye.

Nikki Kay explained that grant funds received by the police department would need to be added to the budget and also the off setting expenditures. Other adjustments recommended were all movements within the same departments to help correct over expenditures. The transfer in the debt service fund was to budget for the build up of the reserve account to help make the bond payments. Council members discussed the department head "wish lists" that were presented to them. Each department head was asked to submit a list of items they would like the Council to consider adding to the budget as a possible means of using surplus funds. Mayor Baker wanted the Council to consider transferring five years of payments for each of the outstanding bonds to debt service. Council members reviewed each of the lists submitted and agreed to budget those items for each department and the five year reserve for each of the bond payment. After the discussion, Robert Hall **moved** to approve the budget as amended. Dennis Long **seconded** the motion. The motion passed with the following roll call vote:

***DISCUSSION ON
AMENDMENTS TO THE
BUDGET***

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

Jim Harper asked for approval to purchase glass beads for road striping. The cost for one ton of reflective beads is \$900. Robert Hall **moved** to approve the request. Dennis Long **seconded** the motion. The motion passed with the following vote:

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

With the installation of the rock signs at the City office and Naples Park finally complete, an invoice for payment was submitted for approval. The final cost was \$10,679.49. Robert Hall **moved** to approve \$10,679.49 for the rock signs. Kenneth Reynolds **seconded** the motion. The motion passed with the following roll call:

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

Jim Harper asked for permission for him and Ryan Cook to attend two workshops in Tooele for weed management and gravel road maintenance. The requested travel amount was \$359. Dennis Long **moved** to approve the travel request. Kenneth Reynolds **seconded** the motion. The motion passed with a roll call vote:

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

Cindy Snyder submitted a letter to the Council asking for an additional thirty (30) days to resolve the problem with her past due health insurance premium payment. Dennis Long **moved** to approve until March 22, 2010 to resolve the problem. Kenneth Reynolds **seconded** the motion. The motion passed with all in attendance voting aye.

Jim Harper presented the Council with pictures of several items at the shop they would like to dispose of. After some

ROAD DEPARTMENT EXPENDITURE

EXPENDITURE FOR ROCK SIGNS

TRAVEL APPROVAL

EXTENSION OF TIME FOR HEALTH INSURANCE PAYMENT

DISPOSAL OF SURPLUS PROPERTY

discussion, Kenneth Reynolds **moved** to have the road crew salvage what they could and take the rest to the dump. Robert Hall **seconded** the motion. The motion passed with all voting aye.

Mayor Baker wanted to include a short presentation by Dave Cook to the next City Council agenda. Mayor Baker said Mr. Cook has a software program that puts together employee evaluations. Council members agreed to give him about ten minutes at the next meeting.

OTHER MATTERS

Councilman Hall wanted update the Council on a couple of matters concerning the airport. Councilman Hall said they having been tracking enplanement at the airport because if they can reach a certain number the airport could qualify for additional funding. He explained they are not any where close to reaching that number partly due to the economy but mostly due to the service provided by Great Lakes Air. Councilman Hall also reported the plan is still to proceed with the expansion plans for the airport.

Mayor Baker wanted the Council to know the City is now being included with Uintah County and Vernal City for the joint meeting held monthly.

Craig Blunt wanted the Council's help on prioritizing the road projects list that will be presented to the UTSSD. Craig said the projects he and Jim would like to present are 1500 South, 2000 East, 2500 South, and 1000 East. Craig said these are the ones they anticipate needing attention in the near future. Craig said they would like 1500 South at the top of the list. Craig reminded the Council that the priority list has to be approved by the County Commission in order to be presented to the UTSSD.

Kenneth Reynolds **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:

CLOSED SESSION

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

Dennis Long **moved** to go out of closed session. Kenneth

Reynolds **seconded** the motion. The motion passed with the following vote:

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

Council members discussed the letter to be sent to Cindy Rose of the Vernal Area Chamber of Commerce with copies to Commissioner McKee and Mayor Showalter stating the City's wish to terminate their participation in the joint Vernal Area Chamber of Commerce as stated in the interlocal agreement.

***MOTION TO TERMINATE
I N T E R L O C A L
A G R E E M E N T W I T H
V E R N A L A R E A C H A M B E R
O F C O M M E R C E***

With no other business before the Council, Ken Reynolds **moved** to adjourn the meeting at 10:45 p.m. Dennis Long **seconded** the motion. The meeting was adjourned

MOTION TO ADJOURN

APPROVED BY COUNCIL ON THE 11th DAY OF MARCH 2010

BY: _____

ATTEST: _____