

Naples City Council
May 27, 2010
Minutes

The regularly scheduled meeting of the Naples City Council was held May 27, 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, Dan Olsen and Kenneth Reynolds.

COUNCIL MEMBERS ATTENDING

Others attending were Connie Patton, Mark Watkins, Chris Hoem, and Craig Blunt.

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 Dennis Long offered the invocation.

OPENING CEREMONY

Mayor Baker asked if there were any changes or additions to the agenda. Craig Blunt wanted to add a bid opening to the agenda. Ken Reynolds **moved** to approve the agenda with the addition. Robert Hall **seconded** the motion. The motion passed with all voting aye.

AGENDA APPROVED

Mayor Baker asked for approval of the minutes of May 13, 2010. Ken Reynolds **moved** to accept the minutes with a minor spelling correction. Dennis Long **seconded** the motion. The motion passed with all voting aye.

MINUTES APPROVED

Councilman Kitchen wanted to know about the status of the bill for Tracy Stocking. Chris Hoem said he would discuss the matter later in the meeting.

FOLLOW UP ITEMS FROM PREVIOUS MEETING

Councilman Olsen commented on the trees around the fire station and said they look much better.

Connie Patton presented the bills in the amount of \$53,255.18 and requested approval to pay them. Mayor Baker asked about the bill to Tracy Stocking & Associates. Connie said she discussed the matter with Chris Hoem and said they would like to submit the bill for approval and hold the check until Chris has time to review the information sent. Councilman Kitchen wanted to know if the company has

APPROVAL OF THE BILLS

provided the information promised. Chris said he has received most of it. Councilman Kitchen was not in favor of approving the bill for payment until all of the information is submitted. Councilman Long wanted to know about the speed limit signs. Jim Harper said they have many that are damaged and they are working to get them replaced. Dennis Long **moved** to approve payment of the bills, excluding the payment to Tracy Stocking & Associates, for a total of \$30,755.18. Dan Olsen **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	Aye

Craig Blunt told the Council that the City has been negotiating with the health insurance company to bring the proposed health insurance rate increase down from 27% to 15%. Craig said he recommended accepting the proposal from Altius with the 15% increase. Craig said the smaller size of the City makes it harder to negotiate. Robert Hall **moved** to accept the health insurance proposal. Dan Olsen **seconded** the motion. The motion passed with the following vote:

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

Council members received information regarding a new computer hard drive for the Justice Court. Judge Petry approved the transfer of funds within the court budget for the purchase. Ken Reynolds **moved** to approve \$623.86 for the purchase of a new computer hard drive. 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	Aye
Gordon Kitchen	Aye

***ACCEPTANCE OF
RENEWAL FOR HEALTH
INSURANCE***

***APPROVAL TO TRANSFER
FUNDS AND APPROVAL
TO PURCHASE NEW
HARD DRIVE.***

Chief Watkins asked for approval for Kim Kay to attend property management training in Salt Lake City. Ken Reynolds **moved** to approve \$622 for Kim to attend training. Dennis Long **seconded** the motion. The motion passed with all voting aye on roll call:

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

TRAVEL APPROVAL

Jim Harper came before the Council to talk with them about road side banners. Jim didn't have all the information needed and told the Council that Ryan Cook has been handling most of this. Jim said there are thirty-three poles with large banner brackets and thirteen poles with small banner brackets. Jim stated that Ryan was proposing thirty-six large banners and thirty small banners, with banners on each side of the poles on the small ones. Jim said Ryan wanted to purchase seventy-two large banners at a cost of \$11,232 and sixty small banners at \$6,720 for a total of \$17,952. Jim said the Council approved \$10,000 in Redevelopment for the purchase of banners and he would like to use the flags and banners budget for the \$8,000 required to finish up the purchase. Councilman Olsen wanted to know why Redevelopment couldn't purchase all of them. Craig Blunt said only a portion of the light poles fall within the Redevelopment area. Mayor Baker wanted to know why they were purchasing seventy-two banners when they have thirty-three poles. Jim said they are trying to order fall banners and summer banners. Councilman Reynolds said he didn't have a problem with it if they have it in their budget. Dennis Long **moved** to approve the \$17,952 for the purchase of banners with \$10,000 being paid for by Redevelopment. 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	Aye

SELECTION OF ROAD BANNERS AND APPROVAL OF EXPENDITURE

Council members looked at the pictures of the banners Ryan was considering. They also discussed the wording on them.

Councilman Olsen said he does not see the dark colors in the banners when they are up and recommended staying away from the darker colors. He also said those without a lot of detail would be better. Mayor Baker said they should have "Naples" on them to distinguish our area. Council members liked the flowers and bees for summer and the yellow banner with leaves for fall. Council members also said they would like "City of Naples" on them.

Jim Harper said he would like to update the signs in the City with new posts and retro-reflective. Jim obtained two bids for the signs. Councilman Kitchen questioned the number requested for dead end signs. Jim said he would like to have extra on hand. Craig Blunt asked Jim if he priced signs with the graffiti film over the top. Jim said they did not. Craig recommended getting a bid from Zumar Signs because they have the reflective graffiti film. Craig said he would not purchase a sign without that film. Mayor Baker recommended they table the discussion until Jim could get more information. Gordon Kitchen **moved** to table the matter. Ken Reynolds **seconded** the motion. The motion passed with all voting aye.

One bid was received from Josh Roop for the three arcade units the City had in surplus. The bid was \$200 for all three. Dan Olsen **moved** to accept the bid of \$200. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

Craig Blunt handed out a different draft of Nuisance Ordinance 10-119 than the copy submitted with the Council packets. Craig thought it would be best to include a hearing officer to hear any appeals for violation of the Ordinance. Craig said it would be best to have someone else hear the appeal besides the Council. Craig said he also updated the definitions on abandoned vehicles, inoperable vehicles and junk vehicles. Mayor Baker said this would allow action to be taken if someone gave a written complaint to the City. Craig said one of the issues he has been confronted with are subdivisions which are built in phases and the later developed phases are not completed and are then over run with weeds. Craig said Tuscan Condos also prompted the need for the Ordinance. Mayor Baker wanted to know if the Council could decide what types of nuisances need to be included in the Ordinance. Craig said this the Council's ordinance and they would decide what to include or leave off. Council Long wanted to know about fire or smoke

***APPROVAL TO PURCHASE
ROAD SIGNS***

***BIDS FOR ARCADE
GAMES***

***NUISANCE ORDINANCE
NO. 10-119***

complaints. Craig said they might need to include something about an allowed burn, but each permit to burn should expire at the end of each day. Mayor Baker wanted time to look at the changes made to the Ordinance. Dennis Long **moved** to approve the latest revision of Ordinance 10-119 as a first reading. 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	Aye

Chris Hoem came before the Council to discuss changes made to different chapters of the Land Use Ordinance. Chris said changes in Chapter 02-13 (home occupation) included deleting employees that did not live in the home. The change states that two employees are allowed to work there but all parking has to be off street. Councilman Hall wanted to know about the signs. Chris said there is a reference to the sign ordinance in the home occupation section of the ordinance. Councilman Hall referred to Chapter 02-16-001 and wanted to know about signs for a home occupation. Chris said if the home occupation is within 50' of a street or right-of-way the sign has to be attached to the home and is limited to four square feet in sign area. Chris said if the home is more than 50' from the road, the sign ordinance allows for a four-foot square sign as a conditional use as approved by the Planning Commission. Craig wanted to know why the advertisement couldn't be placed on their mailbox. Chris said the Planning Commission felt people should be able to have a business in their home but it shouldn't affect any of their neighbors. Council members were worried about business advertising signs changing the nature of "residential." Councilman Kitchen said a home occupation has to be approved by the Council before they can begin business, so he felt the Council still has control. Craig said he thought the businesses that were located more than 50' from the street could use their mailbox for advertisement. Councilman Kitchen wanted to know why the Council thought they needed to be so restrictive. Chris told the Council that one of the changes made to the home occupation ordinance stated the area of the home dedicated to the home occupation couldn't be more than 25% of the total area of the house and garage.

***LAND USE MATTERS -
AMENDMENTS TO
CHAPTER 02-13***

Councilman Reynolds said he did not have a problem with the changes made to these chapters. Mayor Baker wanted to know if the Council could regulate the color and content of the sign. Chris said if the sign is not attached to the house it has to be approved by the Planning Commission. Ken Reynolds **moved** to approve the changes presented in Chapters 02-13 and 02-16. Gordon Kitchen **seconded** the motion. The motion passed with the following vote:

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

Chris Hoem discussed changes made to Chapter 02-29 (Infill Development) of the Land Use Ordinance. Chris said it was recommended by the Planning Commission to change the required paving of the driveway or street access from 100' to 30'. Mayor Baker wanted to know if this was changing the frontage requirements. Chris said this is only changing the access road or driveway to a flag lot. Mayor Baker wanted to know about the width of the road. Chris said the road width would depend on the current fire code. Chris said they also added a clause about the penalties of tracking mud onto the street. Craig's recommendation was to include somewhere in this chapter that infill lots need to be marked for easy location by emergency vehicles. Chris said he would add a sentence that states an address sign needs to be added to the property and be clearly visible at night. Mayor Baker said he doesn't want to turn the infill development into a subdivision and he thought the 30' of pavement should be completed before occupancy is allowed. Gordon Kitchen **moved** to approve the changes as a first reading and to allow Chris time to make the changes discussed. Dan Olsen **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	Aye

Chris Hoem presented the final revisions of Chapter 02-36 (Commission Bylaws). Chris told the Council that he presented the Council's recommended changes to this

chapter of the Land Use Ordinance to the Planning Commission and they did not have any problems with it. He was asking Council approval for Chapter 02-36. Dennis Long **moved** to accept Chapter 02-36 of the Land Use Ordinance as presented. Ken Reynolds **seconded** the motion. The motion passed with the following vote:

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

Chris Hoem presented the information received to date from Tracy Stocking Company on the form-based coding. Chris said he has reviewed the information and most of it is there but has not been given in the form of a final draft.

OTHER MATTERS

Chris asked the Council members to give him feedback on the web site and what they would like to see included.

Mayor Baker reminded the Council of the budget workshop for June 3, 2010 at 7:00 p.m.

With no other business before the Council, Dennis Long **moved** to adjourn the meeting. Ken Reynolds **seconded** the motion. The meeting was adjourned.

MOTION TO ADJOURN

APPROVED BY COUNCIL ON THE 10th DAY OF JUNE 2010

BY: _____

ATTEST: _____