

**Naples City Council  
October 14, 2010  
Minutes**

The regularly scheduled meeting of the Naples City Council was held October 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, Dan Olsen and Ken Reynolds.

***COUNCIL MEMBERS ATTENDING***

Others attending were Cheney Oaks, Nolan Batty, Nikki Batty, Brooke Richins, Kaleb Hamann, Kevin Ralphs, Dillon Watts, Michael Rihae, Don Ewell, Jim Harper, Neil Cathey, Dale Harrison, Jennifer Harrison, Amanda Gurr, Malia Bascom, Vance King, Mark Watkins, Chris Hoem, 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. Councilman Robert Hall offered the invocation.

***OPENING CEREMONY***

Mayor Baker added a discussion item under other matters and moved up agenda item eighteen and placed it after item four. With those changes, Gordon Kitchen **moved** to approve the agenda with the revisions. Ken Reynolds **seconded** the motion. The motion passed with all voting aye.

***AGENDA APPROVED***

Mayor Baker asked for approval of the minutes of September 9, 2010. Robert Hall **moved** to approve the minutes of September 9, 2010 as presented. Dennis Long **seconded** the motion. The motion passed with all in attendance voting aye.

***MINUTES APPROVED***

As a followup to the last meeting, Councilman Long wanted to know if the retention ponds near Sav On Auto had been cleaned out. Craig said they have not been cleared out yet.

***FOLLOWUP ITEMS FROM PREVIOUS MEETING***

Nikki Kay presented the bills in the amount of \$152,641.80 and requested approval to pay them. Councilman Long asked about the road bond payment. Nikki said it was the yearly payment for 1000 South. Mayor Baker asked Jim about the parts for the snow blower. Jim said the purchase would allow them to have spare parts on hand for winter.

***APPROVAL OF THE BILLS***

Dan Olsen **moved** to approve the bills as presented. 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

Neil Cathey came before the Council to update them on the practice ball field at Naples Park. Mr. Cathey said construction has started on the field and the contractors are on a thirty-day schedule so work should be completed by November 8. Councilman Hall wanted to know if they were going to sod the field. Mr. Cathey said they will be placing sod. Councilman Kitchen reported that the project was over bid by \$30,000 and the Recreation District had to come up with an additional \$30,000 so the field will not include batting cages. Councilman Kitchen said if the City really wants them, they would need to cover the cost. A discussion was held about putting in team cages and additional seating. Councilman Kitchen said the field was designed as a practice field. The Mayor suggested that the Council wait until the field is complete and determine if team cages and bleachers are needed. Councilman Kitchen said they might also want to discuss putting cement behind the back stop because the District was going to put in cobble rocks. Mr. Cathey suggested, if the City wants to put up any chain link, they should consider having it go up 20' so it wouldn't need to be changed later. Mayor Baker thanked Mr. Cathey for coming.

### ***UPDATE ON THE PRACTICE BALL FIELD***

**Alliance Drilling Tools** - 1377 E 1500 S. A business license application was submitted for Alliance Drilling Tools. Craig Blunt explained that this business was located in the Spidle Sales building and Alliance Drilling would be working in connection with them. He had no problem with approving the license. Dennis Long **moved** to approve the business contingent upon obtaining a sales tax number if needed. Ken Reynolds **seconded** the motion. The motion passed with all voting aye.

### ***BUSINESS LICENSE APPROVALS***

**Crystal Clean** - 2336 S 1500 E. Craig Blunt recommending approving the business license application submitted for Crystal Clean. He said this would be for an individual

receiving requests for home or business cleaning and she would go to their locations. Robert Hall **moved** to approve the business license for Crystal Clean. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

**JP Squared Baked Goods** - 1404 E Hwy 40. A business license application was received for a baked goods business to be located in the portable building in front of Superior Lube. Craig told the Council that everything should be fine with the business as long as they meet the health and building codes. Dennis Long **moved** to approve the license with receipt of a tax ID number. Ken Reynolds **seconded** the motion. The motion passed with all voting affirmatively.

**Mercer Valve Company** - 1188 E Amelia Earhart Dr. Craig recommended approving the business license application for Mercer Valve Company. He said the business is located in the proper zone and should be fine. Gordon Kitchen **moved** to approve the license for Mercer Valve Company. Dennis Long **seconded** the motion. The motion passed with all voting aye.

**Nomad Fabrication** - (Mountainland Welding Bldg.) Craig asked the Council to put a hold on approving the business license request for Nomad Fabrication as he had not been able to contact the applicant. No action was taken.

**Split Mountain Pipe & Supply** - 862 S 1500 E. A business license application was received from Split Mountain Pipe & Supply. Craig told the Council that everything was in order for this business and recommended approving the application. Robert Hall **moved** to approve the business license. Gordon Kitchen **seconded** the motion. The motion passed affirmatively.

Jim Harper asked the Council for an additional \$210 to repair the trailer. Jim said he received Council approval for \$700 to complete the repairs but the invoice came in for \$910. Jim explained that the breakdown of the trailer required removing the trailer bed, which they had not anticipated. Councilman Long wanted to know if the repairs worked. Jim said they worked very well. Gordon Kitchen **moved** to approve the additional \$210 to S & S Welding. Dennis Long **seconded** the motion. The motion passed with a roll call vote as follows:

***PURCHASES FOR ROAD  
DEPARTMENT***

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

Jim Harper asked the Council for an additional \$2,420.20 to pay Interstate Barricades for striping the streets. Councilman Hall wanted to know if all of the streets were complete. Jim said this takes care of all of them. Dennis Long **moved** to approve the additional funds of \$2,420.20. Dan Olsen **seconded** the motion. The motion passed as follows

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

Jim Harper asked for Council approval to expend funds to purchase additional brushes for the bobcat. He stated they use the angle broom for the sidewalks and parking lots and he wants to be ready with brushes for the winter. Jim said he ordered the brushes but the cost of the freight put him over the \$500. Robert Hall **moved** to approve the expenditure for the bobcat brushes. Dan Olsen **seconded** the motion. The motion passed with a roll call vote:

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

Jim Harper gave the Council a cost breakdown for electrical work on the new salt shed and the shop wash bay. Jim said completion of the work being submitted for approval would get the wash bay working and would tie in the electrical to the new salt shed. The electrical for the salt shed includes new motion detection lights. The total requested was \$5,277.35. Robert Hall **moved** to approve the expenditures. Ken Reynolds **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Gordon Kitchen	Aye
Dennis Long	Aye

Dan Olsen                   Aye  
Kenneth Reynolds       Aye

Chief Watkins asked the Council for approval to purchase new vid mic cameras. He explained the older ones are starting to break down and he would like to replace them with an updated model. Chief Watkins said he was going to start phasing out the cameras two at a time but was given a bid of \$750 per camera with a one year warranty if he were to replace all four. He requested approval to expend \$3,200 of his equipment fund budget for the purchase. Dennis Long **moved** to approve the request for the new cameras. Dan Olsen **seconded** the motion. The motion passed as follows:

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

Chris Hoem submitted an estimate to repair the 2002 Impala that he drives. Chris said he has been having trouble with the car shifting and took it to Perry Motor. He received an estimate of \$3,965.44 to repair the car. Council members did not want to spend that kind of money to repair the car. They asked Chris to look at the state bid and other options for a different vehicle and bring that information back to Council. No action taken.

Chris Hoem asked the Council for approval to expend funds for the business of the month. Mayor Baker said the Council already approved the expenditure of \$500 per month and gave him the okay to move forward with it. Chris said the radio station said they would do the advertising spots for a reduced rate and would like to see if they could place their logo on the certificate, if one is given. Mayor Baker said he didn't have a problem with a partnership. Councilman Kitchen said he did, he said this was something the City wanted to do and the radio station is not sponsoring the business of the month.

Craig Blunt gave Council members an estimate of what it would cost to put rain gutters on the City office. Craig said they would also like to try and get some heat tape in the gutters and also up the valleys of the new roof. Councilman Hall wanted to know if they would be able to get electrical to that. Craig said they will be working with an electrician to see

***PURCHASES IN POLICE DEPARTMENT***

***EXPENDITURE FOR REPAIRS TO THE IMPALA***

***BUSINESS OF THE MONTH EXPENDITURE***

***COST TO WINTERIZE THE CITY OFFICE***

if that is possible. Craig also wanted to install something to keep the snow from sliding off the roof onto the walkways. Mayor Baker wanted to know if installation of the heat tape and ice jams would void the warranty for the roof. Craig said he would check on that. Mayor Baker said it might be better to have it professionally done and avoid any problems with the warranty. Councilman Olsen said they should give approval on this because it is getting late in the season and there needs to be time for the work to be completed. Dennis Long **moved** to approve up to three times the amount requested to allow Craig to get a professional to install the heat tape and ice jams and to approve the request for the rain gutters. Dan Olsen **seconded** the motion. The motion passed with the following roll call vote:

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

Craig Blunt asked the Council to approve the release of funds to Eric Hartle for repair work completed in Sunstone Subdivision. Craig said Mr. Hartle completed the sidewalk and asphalt work that was not completed under the bond for Sunstone Subdivision. Robert Hall **moved** to approve the release of \$29,857 to Eric Hartle. Gordon Kitchen **seconded** the motion. The motion passed with a vote as follows:

***APPROVAL TO RELEASE FUNDS TO ERIC HARTLE FOR REPAIR WORK IN SUNSTONE SUBDIVISION***

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

Mayor Baker said he would entertain a motion to open a public hearing for the Community Development Block Grant (CDBG). Ken Reynolds **moved** to open a public hearing to discuss projects for which funding may be applied for under the 2010/2011 CDBG guidelines. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

***PUBLIC HEARING FOR C D B G CAPITAL PROJECTS***

Mayor Baker turned the time over to Craig Blunt to lead the discussion. Craig Blunt explained that the grant money must be spent on projects benefitting primarily low and moderate income persons, the Elderly or persons who are disabled. The Association of Governments (AOG) in which Naples City is a

member, is expecting to receive \$450,000 in this new program year. All eligible activities that can be accomplished under the CDBG program are identified in the CDBG Application Guide and interested persons can review it at any time.

Craig Blunt mentioned several of the eligible activities listed; construction of public works and facilities, fire stations, housing rehab, acquisition of real property, provision of public services such as food banks or homeless shelters, low and moderate housing, rehab housing projects. Loan programs for private businesses which would then hire low income persons are also eligible and the program can also pay for rehab for low income rental units.

Craig Blunt indicated that, in the past, Naples City has received funding for fire trucks, a fire station, park restrooms, housing rehab, fire hydrants, and sidewalks. The City has a capital investment plan as part of the regional "CONSOLIDATED PLAN" This list shows which projects the City has identified as being needed in the community. Craig handed out a copy of the list to those in attendance. Mayor Baker asked those in attendance if they had any comments, questions or concerns.

Dale Harrison wanted to know if the City had a certain area they would be targeting for the fire hydrants. Craig Blunt explained that the hydrants would fill in gaps among the existing hydrants.

Dale Harrison said affordable housing is a crucial need, especially with the college coming to the area.

Nikki Batty agreed that affordable housing is very needed.

Councilman Hall wanted to know how many lots could be purchased with the \$150,000, if the City were to apply for the land acquisition for self help housing. Craig said he was hoping for at least five lots.

Councilman Kitchen wanted to know where Craig thought he could buy lots. Craig said he has talked with the developer of Pheasant Run Subdivision and he is considering allowing some homes there.

Dale Harrison asked Craig how much the City contributed to the Assisted Living Facility for the purchase of land. Craig

said \$20,000 was given from the Redevelopment Agency and \$90,000 was obtained from the CDBG.

Malia Bascom wanted to know if the City would maintain possession of the assisted living lots purchased. Craig stated the land is given over to the developer with the stipulation that the property can only be used for assisted living housing.

Dale Harrison wanted to know if the self-help houses would be stick built homes. Craig said "yes, only stick built homes."

The Mayor stated that copies of the capital investment plan are available if anyone would like a copy. With no other comments from the public, Robert Hall **moved** to close the public hearing. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

Mayor Baker wanted to know what the recommendation of the Council would be for application to the CDBG. Councilman Kitchen said public opinion seemed to favor property acquisition for self-help housing. He also wanted to know if the fire hydrant project should be moved to the five-year plan. Craig said it does not hurt to leave it on the one year list and it is easier to leave it than try and get it back on.

Mayor Baker said property acquisition should be left at the top of the one year list. Mayor Baker suggested taking the comprehensive emergency plan and the east park development off the five-year list. He suggested changing the description of pedestrian lighting to pedestrian lighting for public safety, to do the whole highway but to break it into phases. Councilman Olsen said the mapping and comprehensive plan should be moved below the lighting project. Mayor Baker commented on how unsafe it was to drive on Hwy. 40 at night due to poor lighting and inability to see the lines on the road. Dale Harrison wanted to know if the lighting would be typical street lights or decorative lighting to match the Downtown Plan. Councilman Hall wanted to know if UDOT has a say in the matter. Craig said they do not and if broken up into phases it should work for the application. With no other discussion, Dennis Long **moved** to amend the one year project list and the five-year project list as discussed. Ken Reynolds **seconded** the motion.

Mayor Baker said he would entertain a motion to open a public hearing to discuss the Community Impact Board (CIB) program. Robert Hall **moved** to open a public hearing. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

Mayor Baker stated that this hearing is being called to discuss the storm drainage improvement project the City has picked to make application to the CIB. Mayor Baker turned the time over to Craig Blunt. Craig stated the City held a public hearing on August 26, 2010 to review and update the CIB Consolidated Improvement Lists and handed out copies of that list. Craig Blunt mentioned several of the eligible activities listed; Storm Drainage Improvements, Sewer Upgrades as stated in the Sewer Master Plan, Communication Statewide Interoperable Compliance and the second phase of 2500 South Collector Road. Craig Blunt described the project and the reason for making application for it.

Project Description:

On the one year list we listed the Storm Drainage Improvements. The City with the help of Epic Engineering, who put the Ashley Valley Master Drainage Plan together, reviewed our drainage issues;

The project criteria are tying the existing drainage/storm water systems together to channel the storm water without destroying the environment and future land development.

Three drainage areas floated to the top that we have been working on for the past five years:

1. 1900 South Drainage. The collection areas begin West of 500 East flow onto 2000 South to 1900 South and 2200 South to 1900 South. The Engineer has a hand out of a map showing the collection, flows and costs - \$395,464.00 (hand out provided).

2. 1000 South Drainage (West of HWY 40). The collection areas begin West of the Airport, flow East to 1300 East 1000 South. The Engineer has a hand out of a map showing the collection, flows and costs \$203,404.00 (hand out provided).

3. 1500 South Drainage We will hold off on this project until the Airport gets their drainage plans completed. The Airport drainage plan will affect our plan and costs. Projects one and two coverage area is 1/3 of the City.

The Benefits:

The project benefits are;

1. Existing homes, businesses, government infrastructure and farms will have considerably reduced damage due to a 100/500 year storm event.

2. Reduced life loss to people, live stock, and wild life.

3. Pollutants in storm water discharges continue to remain a significant source of environmental impacts to the quality of waters, having a system in place will reduce these impacts.

Funding Source:

Craig Blunt discussed the funding source for this project: The City has received Grant and Loans from the CIB to complete equipment purchases, 1000 South Road Project East of HWY 40 and the 2500 South Road Project East of HWY 40, without these loans and grants these projects would not have been possible. The City has a loan debt to the CIB in the amount of \$2,266,156.00 which is \$130,000 in loan payments to the CIB, per year, for the next 20 years. The source of revenue to pay off the debt is a ¼ % sales tax that is earmarked for such projects and the B & C Road Fund which is maxed out.

Mayor Baker asked if there were any comments, questions or concerns from the audience.

Chris Home wanted to know about the projects that were included on both lists. Craig said it has to do with a partnership between both agencies in order to get enough funding for a particular project. Chris also wanted to know about the curb and gutter project for High Country. He said the Planning Commission would like to see this project moved up on the list. Craig said they approached the CIB in the past for that project and the City was advised to form a Special Improvement District. Mayor Baker said he did not think the project would ever pass the Board. With no other comments from the public, Robert Hall **moved** to close the public hearing. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

Mayor Baker said the storm drainage will be the top priority on the one year CIB capital improvements list. Mayor Baker wanted to clean up the list and remove some of the projects. He recommended taking the 2500 South road project, east of Hwy 40, off the list along with Spring Creek Subdivision and High Country Subdivision. Craig recommended moving

2500 South to the five-year list instead of dropping it from the list. Councilman Olsen said the 1900 South drainage should be the number one priority. Craig said if the City could get the \$300,000 from Senator Bennett's office, he thought the application would work. Mayor Baker said he did not think that money was still there. Mayor Baker wanted to remove the Communications project from the list, he wanted to leave the sewer upgrades and the pedestrian lighting and move the lighting project up on the list. Mayor Baker also suggested the 1500 South project be amended from Hwy 40 to 2000 E and not 3000 E.

Dale Harrison asked again about the High Country Subdivision. He said there is no longer any drainage in the subdivision because property owners have filled in the ditches. Mayor Baker said the CIB might consider it but would offer it in the form of a loan and the City is carrying quite a bit of debt right now because of road improvements. Mayor Baker said the City could look at creating a special improvement district but that would fall back on the property owners to pay for that through property taxes. Mr. Harrison said it is not possible to even properly repair the roads because of the poor drainage. Vance King said everything works properly in the areas where there is a swell in front of a home because those contain the water. He said the problems started because everyone has started to fill in those areas. Dennis Long **moved** to make the changes discussed to the one and five year capital improvement lists. Ken Reynolds **seconded** the motion.

Chief Watkins wanted to know if the Council was going to act on the counter proposal from Uintah County in regards to moving the Justice Court to the Uintah County Safety Complex. Mayor Baker told the Council that the Commissioners asked for \$100 per month to cover their building maintenance costs as opposed to the \$800 the City offered. Mayor Baker said he did not have a problem with the offer and thought it was fair and asked the Council for their thoughts. Chief Watkins said the Judge would like to start holding court at the complex in January if the Council approves the County's proposal. Gordon Kitchen **moved** to approve the County's proposal of \$100 per month and to move the Justice Court hearings to the new building starting January 1, 2011. Robert Hall **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
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***PROPOSAL FOR JUSTICE COURT***

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

Chief Watkins told the Council that he attended the County's Justice Court in order to review what would be needed in regards to bailiff duties. He also spoke with Judge Petry and found out they are running into a problem with security as people move in and out of the courtroom during court. As court begins the bailiff conducts metal detection searches on anyone entering and then proceeds with his courtroom duties but this allows people to enter and exit the courtroom during court. Judge Petry wanted to close the doors after court started and not allow anyone to enter but was told the County Attorney did not like that suggestion. Chief Watkins recommended having two bailiffs for each court session. Chief Watkins stated this would require an additional \$2,000 per year in the court bailiff budget. Councilman Hall wanted to know if the County was going to the same type of system. Chief Watkins said Judge Petry is working with the Sheriff at this time to try and get some additional help. Councilman Hall said it would be the right thing to do. Mayor Baker wanted to know if the Chief had another person willing to do this as a part time job. Chief Watkins said he does have someone wanting to do the job in order to keep their certification. Dan Olsen **moved** to approve an additional \$2,000 in the bailiff budget to cover the expense of an additional bailiff for court starting in January. Ken Reynolds **seconded** the motion. The motion passed with the following vote:

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

Craig Blunt told the Council that Rocky Mtn Power has submitted a request to install a utility line to hang from Ashley Creek bridge. Craig said when the bridge was constructed, a request like this was anticipated and the bridge was designed to allow utilities to hang from it. Craig said the only thing lacking is the agreement with Rocky Mtn Power to allow the use of the bridge for the utility. Craig asked the Council to approve the request and he would work out the agreement with Dennis Judd. Gordon Kitchen **moved**

***BAILIFF DUTIES FOR JUSTICE COURT***

***REQUEST TO INSTALL UTILITY LINE FROM ASHLEY CREEK BRIDGE***

to approve the request. Robert Hall **seconded** the motion. The motion passed with all voting aye.

Don Ewell with Rocky Mtn Power asked the Council to treat this as part of their franchise with Naples City because the utility would be in the road. Craig said it is understood that this is part of the franchise but the agreement would be for any type of vandalism or anything else occurring to the line.

Craig Blunt explained to the Council that the surety bond for 2000 South (Halliburton's road) is due to be released. He said the road has held up. Craig said the only item he still wants finished is the concrete weir that has not been installed. Council members did not want to release the money until it is complete. Craig said the company will probably want the money released and ask the City to hold enough money to finish this item for them. Council members said not to release the money until the item is complete.

***2000 SOUTH ROAD BOND  
RELEASE***

Resolution 10-229 was given to the Council for their approval. The resolution was to finalize the bond for the purpose of financing the 2500 South road project. Ken Reynolds **moved** to approve Resolution 10-229. Dennis Long **seconded** the motion. The motion passed with the following vote:

***RESOLUTION 10-229***

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

The contracts for the 2500 South road project and irrigation project were completed and ready to be signed. Vance King said the preconstruction meeting for the work will be held October 15. Vance said the Ashley Valley Central Canal Company wanted something from Naples City stating the City would be responsible for maintenance on the box culvert. Craig said he recommends a year agreement for maintenance on the box culvert. Mayor Baker said the City is improving the canal and it would be a benefit to them. Vance said it might need to be worked out before work can begin in the canal. Mayor Baker asked Craig to see what needed to be worked out with them and see if they can come to an agreement. Robert Hall **moved** to approve the Mayor signing the contracts for the 2500 South road and irrigation project. Dan Olsen **seconded** the motion. The motion passed with

***CONTRACTS FOR 2500  
SOUTH ROAD AND  
IRRIGATION PROJECTS***

the following vote:

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

Craig said the bid for the 2500 South projects came in better than anticipated so Rocky Mtn Power was contacted to see about running the power underground for this project. Rocky Mtn Power gave a bid of \$482,000 for underground work and \$175,000 for utility services to run power to the homes. Don Ewell told the Council that he met with the property owners that would be affected by the installation of power boxes on their property. The property owners they contacted all gave their consent. Don said greater easements were needed for the boxes because of the size. The utility services amount was to contract with someone to run the power from the street to the homes. Dan Olsen **moved** to have the Mayor execute the agreements with Rocky Mtn Power for the underground power and any independent contractors used to run power to the homes. Dennis Long **seconded** the motion. The motion passed with the following roll call

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

Craig Blunt updated the Council on a motion made in Redevelopment meeting to approve an additional \$10,000 for the assisted living facility to upgrade the water lines. No action taken.

Craig Blunt gave the Council the bid results for the Hwy 40 safe sidewalk. Craig said the budget for the project was \$88,700 and the low bid was \$87,542 from Brownie's Excavation. Craig said he has the approvals from UDOT to begin the project. Craig said he had to modify the project to meet the budget and that meant excluding all the driveways. Craig said the project will allow for the sidewalk replacement, the retention walls, and the one set of stairs on the west side of the highway. Gordon Kitchen **moved** to accept the bid for the safe sidewalk in the amount of \$87,542. Robert Hall **seconded** the motion. The motion passed with a roll call

***2500 SOUTH UTILITY FOR  
UNDER GROUND POWER***

***RDA UPDATE FOR  
ASSISTED LIVING***

***BID RESULTS FOR SAFE  
SIDEWALK***

vote as follows:

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

Kevin Ralphs with Epic Engineering was at the meeting to answer any questions regarding the engineer's estimate presented for drainage work on 1900 South and 1000 South. Mayor Baker asked Kevin about the size of pipe near the bubble up on 1900 South. Mayor Baker wanted to know if the proposed pipe size could be decreased to save costs. Mr. Ralphs said the calculations for the pipe were based on the amount of water coming from the west side of Hwy 40 and also water collecting from the storms. Mayor Baker said money could be saved in pipe size, trenching, and fill if the pipe were not so large. Mayor Baker said the bubble up currently on the school property could be moved down by the park, they could go with a 2' pipe down to the gulch and whatever water the pipe couldn't hold could bubble up onto the park. Craig said the current 18" pipe would need to be increased to 2' to carry water over to the gulch. Mr. Ralphs said this was an estimate based on what they think is there without going into an in depth design. Councilman Kitchen wanted to know what was needed from the Council. Mayor Baker said they were trying to get the right figures to send to the CIB in the application. Craig Blunt said they could come back with some recommendations. Mayor Baker said they would have a better chance of getting through the CIB if the costs weren't so high. Councilman Kitchen wanted to know if the City needs the more in depth design in order to present this project to the CIB. Mr. Ralphs said it would be better to have the most correct figures, but the City would need to get enough money to the engineers in order to do a complete design on it. Craig said the engineering costs would come out of the City's budget. Councilman Kitchen wanted to know if the Mayor thought the application would be approved easier through the CIB with the lower numbers. Mayor thought the chance of getting more in grant than loan would be better if the numbers were right. Councilman Kitchen wanted to know if the saving with the smaller pipe would be significant enough to worry about presenting it to the CIB. Mayor Baker wanted to know when the application had to be ready to go to the CIB. Craig said it would be submitted in January. Councilman Kitchen asked Mr. Ralphs which of the

***ENGINEER'S ESTIMATE  
FOR DRAINAGE ON 1000  
SOUTH AND 1900 SOUTH***

two scenarios presented would work best for the City. Mr. Ralphs thought the better scenario would be the less expensive one of taking the drainage north across 1900 South to the gulch. Councilman Olsen wanted to know if the scenarios presented would take care of the drainage issues in Parkview Subdivision. Craig said both scenarios show how the water will be moved around the subdivision. Craig said the Council would need to decide which scenario they would like to consider for 1000 South and 1900 South and combine the two into the CIB application. Councilman Olsen wanted to know if the two projects could be applied for separately. Craig said he could try. Dennis Long **moved** to go forward with the 1000 South and 1900 South drainage application to the CIB. Ken Reynolds **seconded** the motion. The motion passed with all voting aye.

Mr. Ralphs asked the Council if they wanted to continue with the design for 1900 South and 1000 South or do they want to hold off until the funding is secure. Mayor Baker thought the CIB would want to make sure the City has the correct figures before agreeing to consider the application. Dennis Long **moved** to accept the contracts from Epic Engineering and authorize Craig to sign the contracts. The Council noted the budget will need to be open and amended to allow for this expenditure. Dan Olsen **seconded** the motion. The motion passed with the following vote:

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

***PROJECT TASK ORDERS  
FOR ENGINEER WORK  
FOR 1900 SOUTH & 1000  
SOUTH DRAINAGE***

Craig Blunt updated the Council on the 500 South road project. Craig said he met with the engineers for the project and surveyed the road. Craig said they agreed that the section of 500, east of Hwy 40, can't just be patched. Craig reported that they will rebuild the section of the road where they put the sewer and drainage lines in and will patch the road from 1800 East to 2000 East. Craig said he doesn't know if it will be a chip seal or overlay. Councilman Hall wanted to make sure they painted the road with turn lanes. Craig said they will try and make sure those are painted according to what was suggested.

***500 SOUTH ROAD  
PROJECT UPDATE***

Craig asked the Council to review the proposed changes to Chapter eight of the municipal code under "Park Use

***DISCUSSION ON  
AMENDMENT TO***

Regulations.” Mayor Baker said he would like to get some signs up in the park stating what the regulations are and needed to make sure the Council had adopted the regulations. Nikki Kay researched when those regulations were discussed and found out they had never been adopted. Craig told the Council he gave the last discussed changes to Dennis Judd and he is reviewing those. Craig wanted to have Mr. Judd’s recommendation back before formally adopting the changes. No action taken.

***CHAPTER EIGHT OF THE  
MUNICIPAL CODE***

Chris Hoem came before the Council with the Planning Commissions recommended changes to Chapters 02-15 (Off Street Parking) and 02-33 (Tree Ordinance) of the Land Use Ordinance. Chris said the Commission recommended correcting off street parking for day cares, preschools, and nursery schools in Chapter 02-15. They also made a change in parking requirements for distribution warehouses and retail warehouses and lowered the number of parking spaces required for a distribution warehouse. Ken Reynolds **moved** to accept the Planning Commissions recommended changes to Chapter 02-15. Dennis Long **seconded** the motion. Craig Blunt recommended that the standard vehicle size should be amended to 10'. He said the standard size vehicle in this area is a truck or an SUV. Council members agreed with that recommendation. The motion passed with the following roll call:

***AMENDMENTS TO LAND  
USE ORDINANCE  
CHAPTERS 02-15 AND 02-  
33***

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

Chris Hoem presented the Council with the Planning Commissions recommended changes to Chapter 02-33 of the Land Use Ordinance. Chris said the title of City Tree Board was omitted from the entire chapter and was replaced with the Planning Commission because the Planning Commission will now regulate the tree ordinance. Chris noted that changes were made to requirements for pruning trees near sidewalks and those that hang above the roadways. Chris said they also took out section nineteen requiring an arborist when planting certain trees in order to release any liability by the City. Mayor Baker wanted to know how an owner is notified of a violation under this chapter. Craig suggested the chapter reference the administrative policy to administer notices. Councilman Hall wanted to know why the penalty

section does not state what type of violation it would be. Mayor Baker asked Chris to rework the enforcement and penalty section and bring it back to Council. Councilman Long wanted to know if this applied to all trees along roadways or sidewalks because he thought many people would be in violation after they widen 2500 South. Chris said when the tree becomes a problem for pedestrian or traffic flow or when someone complains about the tree, then steps would be taken to try and get the property owner to take care of it. Mayor Baker wanted the ordinance to address the safety issues of overhanging trees. Councilman Kitchen wanted clarification that the ordinance is only dealing with trees along roadways or sidewalks. Chris said that is all it is addressing at this time. No action was taken.

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

***MOTION FOR CLOSED SESSION***

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

Those attending the closed session were Mayor Baker, Council members Robert Hall, Dennis Long, Gordon Kitchen, Dan Olsen, Kenneth Reynolds, and Craig Blunt and Nikki Kay.

Gordon Kitchen **moved** to go out of the closed session.

With no other business before the Council, Dennis Long moved to adjourn the meeting at 10:50 p.m. Ken Reynolds seconded the motion. The meeting was adjourned.

***MOTION TO ADJOURN***

APPROVED BY COUNCIL ON THE 28<sup>th</sup> DAY OF OCTOBER 2010

BY: \_\_\_\_\_

ATTEST: \_\_\_\_\_