

Naples City Council
April 12, 2012
Minutes

The regularly scheduled meeting of the Naples City Council was held April 12, 2012, 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 Kiley Gross, Shay Anne Gillman, Arlene Murray, Duel Hacking, Kathey Hacking, Ryan Cook, Mark Watkins, Connie Patton, Craig Blunt, Chris Hoem, and Nikki Kay.

OTHERS ATTENDING

At 7:30 p.m. Mayor Baker welcomed everyone and called the meeting to order. Mayor Baker opened the meeting with the pledge of allegiance. Councilman Dennis Long offered the invocation.

OPENING CEREMONY

Mayor Baker stated he wanted to add an item to discuss under other matters, Councilman Olsen recommended moving that discussion forward on the agenda and placing it after item six and to also include the matter that Arlene Murray was there to discuss. Dennis Long **moved** to approve the agenda with those changes. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

AGENDA APPROVED

Mayor Baker asked for approval of the minutes of March 22, 2012. Dan Olsen **moved** to approve the minutes. Robert Hall **seconded** the motion. The motion passed with all in attendance voting aye.

MINUTES APPROVED

Mayor Baker asked if anyone had anything to discuss or follow up on from the previous meeting. Councilman Kitchen wanted to know about the traffic light study for 2500 South. Craig Blunt said the Engineer the City hired to complete the study is finished and has given his recommendations back to the UDOT Engineers. It was recommended that UDOT come back out and do a count during the Highway's heaviest traffic flow. Craig said things are currently back in UDOT's hands.

FOLLOW UP ITEMS FROM PREVIOUS MEETING

Connie Patton presented the bills in the amount of

APPROVAL OF THE BILLS

\$51,129.91 and asked for approval to pay them. Dennis Long **moved** to accept the amount of \$51,129.91. Kenneth Reynolds **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

Basin Energy fka Maverick Coil Tubing. - A business license application was received from Basic Energy, a company that bought out Maverick Coil Tubing. Craig Blunt said the business is located in the proper zone and everything with the building is fine. Mayor Baker wanted to know if they could require them to gravel the yard to keep some of the dust down. Craig said the landscaping in front was never completed because Maverick Coil Tubing was not here long enough. Craig said he would work with the current owners to see if he could get them to complete that.

BUSINESS LICENSE APPROVALS

Kathey Hacking wanted to know if something could be done about all of the dust coming from the Pheasant Run Subdivision. Ms. Hacking said no one keeps the ground watered and all of the vegetation is dead so there is nothing to prevent the dust from blowing. Craig Blunt said part of the problem comes from young people riding their four wheel vehicles in the undeveloped phases of the subdivision, breaking up the dirt and keeping the vegetation from growing. Ms. Hacking also commented on the prairie dog problem. Craig said, in the past, they have always asked the property owners to deal with any prairie dog issues on their own property.

With no other discussion, Dan Olsen **moved** to approve the business license for Basic Energy contingent upon them following through with the stipulations Maverick Coil Tubing agreed to. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

Arlene Murray wanted to address the Council about the speed limit sign on 2500 South going east from Highway 40. Ms. Murray said the speed limit was reduced in the past due to a petition signed by home owners along 2500 South. Ms. Murray wanted to know if the Council would consider doing

OTHER MATTERS

another study along that road to make the speed limit uniform all the way down, which is 35 mph. Mayor Baker said the matter was not on the agenda so they couldn't take any action on it but they would put it on the next Council agenda and in the mean time Chief Watkins could complete a traffic study and have it available for that meeting.

Mayor Baker said he attended the joint meeting with Uintah County and Vernal City in which the upcoming Country Explosion was discussed. The Country Explosion is a three-day outdoor country music event to be held east of the City just off of Highway 40. Mayor Baker said, at the meeting, he agreed the City would try and put up an advertising banner along the highway and maybe donate \$1,000. Mayor Baker stated he felt the event could support some of the local businesses and would be a good idea. Mayor Baker said he would like to put this matter on the next agenda for discussion.

Craig Blunt said he met with Dennis Judd to review the proposals received from two local attorney's for the position of public defender. Craig said Mr. Judd said the two applicants were equally qualified and capable of doing the work. Councilman Kitchen said their qualifications looked comparable and he thought it would be best to go with the local attorney. Dennis Long **moved** to go with the proposal from Greg Lamb. Robert Hall **seconded** the motion. The motion passed with all voting aye.

***REVIEW PUBLIC
DEFENDER PROPOSALS***

Dan Olsen **moved** to have the City execute the agreement for a public defender with Greg Lamb. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

***FINALIZE AGREEMENT
FOR PUBLIC DEFENDER***

Chris Hoem presented the final site plan in behalf of Shannon Karren for a building lot development at 1295 East 1750 South. Chris said Mr. Karren has complied with everything the Planning Commission asked him to do. Chris said there is no sewer line on 1750 South so they will be putting in a septic tank but will include a stub out for sewer. Chris said the lot and building will be used for a pipe inspection yard and there is an existing business in Naples that will move there as soon as the building and yard are complete. Chris said the Planning Commission recommended approval of this final site plan. Dennis Long **moved** to approve the site plan. Robert Hall **seconded** the motion. The motion passed with all voting aye.

***FINAL SITE PLAN
APPROVAL FOR
SHANNON KARREN***

Chris Hoem gave Council members a list of the 2012 Planning Commission members for approval. Chris said they have some great volunteers and haven't had to cancel any meetings for lack of a quorum. Mayor Baker said before he approves the list he wanted to make sure the Commission members know they need to recuse themselves if there is ever any issue discussed that the members may have a possible conflict of interest on. Chris said he tries to make sure the members received the public meetings training each year and he said he would be sure to remind them in their meetings. Mayor Baker asked about the Planning Commission elections. Chris said no positions changed with the election. Robert Hall **moved** to have the Mayor reappoint the Planning Commission members as presented. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

***APPROVAL OF 2012
PLANNING COMMISSION
MEMBERS***

Chief Watkins asked for approval to send Officer Adam Ray to training in Salt Lake City for one day. The amount presented was \$195.43 and Chief Watkins stated the funds are in his budget. Dennis Long **moved** to approve the travel request. Robert Hall **seconded** the motion. The motion passed with the following roll call vote:

TRAVEL APPROVAL

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

Connie Patton told the Council that she would appreciate the opportunity to attend the Treasurer's Conference in St. George. The amount requested for her travel and cost of registration was \$711.51. Dennis Long **moved** to approve the request. Kenneth Reynolds **seconded** the motion. The motion passed with the following roll call:

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

Ryan Cook came before the Council to request approval to order road salt. Ryan stated there is money in the budget for the purchase and they would like to try and stock pile some salt to be prepared for next year. The amount requested for the road salt was \$3,335.60.

***PURCHASE APPROVALS
IN ROAD DEPARTMENT***

Ryan also requested approval to purchase material to build shelving for their sign rack. He received two bids and the lowest was from Metal Mart in the amount of \$1,193.74.

The last request was to purchase herbicide for this year's weed spray. Ryan submitted a list of the product to be ordered and the amount of \$1,060.35. A question was raised regarding the amount listed for one gallon of Frequency. Ryan said the gallon of Frequency is concentrated and six ounces will do an acre of coverage. The amount requested for the herbicide was \$1,060.35. Gordon Kitchen **moved** to approve the amounts presented for the salt, shelves and herbicide. Dan Olsen **seconded** the motion. The motion passed as follows:

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

Chris Hoem said his laptop is outdated and not working very well. Chris said he has a lot of software upgrades on his computer that he uses for the web site and mapping. Chris said it would save quite a bit of time if his computer was faster. He presented two quotes to the Council but said the deals he found don't always last very long and he asked for a certain price range and then he would shop for a good deal with the amount approved. Dennis Long **moved** to approve up to \$1,600 for a new computer. Kenneth Reynolds **seconded** the motion. The motion passed with a roll call vote:

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

Chief Watkins told the Council he has two desk-top computers that are more than five years old and also a media computer that stores all of the files. Chief Watkins stated he has \$6,000 in his computer budget and was asking for approval to spend up to \$4,000 to take care of the desk top computers and the media storage computers for the viewe and in-car cameras. Dan Olsen **moved** to approve

***PURCHASE APPROVAL
CITY PLANNER***

***PURCHASE APPROVAL
POLICE DEPARTMENT***

the expenditure. Gordon Kitchen **seconded** the motion. The motion passed as follows:

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

Chief Watkins told the Council they deal with a lot of chemicals in the police department as they test any drugs that are seized as part of an arrest. Chief Watkins said they have insufficient ventilation in the testing room and would like to purchase an air purifier that takes the fumes into a purifying unit. Chief Watkins said the purifier Craig found costs \$3,600 and is a moveable unit if they ever decided they wanted to switch it to a different room. Robert Hall **moved** to approve the expenditure for the air purifier. Dennis Long **seconded** the motion. The motion passed as follows:

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

Dennis Long **moved** to table the closed session that was scheduled at this time. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

CLOSED SESSION

Craig Blunt said the Council discussed the vacation and sick leave policy in the personnel policy and procedure manual but some of the items were left undecided. Councilman Kitchen wanted to know if anything had changed from the last time this was brought before the Council. Nikki Kay said nothing had changed, she believed the discussion stopped at the conversion of sick leave to a health savings plan. Councilman Kitchen wanted to know if they were two separate polices. Nikki said they are two separate ones, they are both just covered under employment leave. Councilman Kitchen also wanted to know if an extended sick leave of an employee would be handled under FMLA. Councilman Olsen said he didn't think the City had enough employees to qualify under FMLA. Councilman Kitchen wanted to know if they wanted to include anything in the policy to cover those who might have to take an extended leave of absence due to

FINALIZE VACATION AND SICK LEAVE POLICY IN THE PERSONNEL POLICY & PROCEDURE MANUAL

sickness. He wanted to know if they wanted to include something that would offer job protection for those situations. Mayor Baker wanted to know if something like that came up if they could just handle it on a case by case basis. A clarification was made between termination and retirement regarding conversion of sick leave. It was noted that if an employee terminates all accumulated sick leave is forfeited but if an employee works more than ten years for the City, they have the opportunity, at retirement, to convert some of those sick leave hours to a post retirement health care plan. Councilman Kitchen said he thought this would mean obligating future city funds. He felt sick leave was a benefit and he didn't know of any other place that offered this type of benefit. Councilman Olsen said the intent was to keep the employees long term and to give them an incentive to stay with the city. Councilman Hall said it used to be a fairly common thing but it has dropped off. Councilman Kitchen said he didn't think this was necessary. Mayor Baker said they could change the percentages to make it not quite as much and he was concerned about the unknown of all of this. Councilman Olsen said he thought it was a good thing and didn't see it as that big of an issue to offer it as part of a benefit package. Mayor Baker wanted to know if the City was accruing any of these funds yet. Councilman Hall said the Council would have to start building in those funds now. Dennis Long **moved** to approve the policies as presented with the conversion of sick leave not to begin until July 1, 2012. Robert Hall **seconded** the motion. The motion passed with a majority vote. Councilman Kitchen voted nay.

Chris Hoem reported on a meeting he attended with Uintah County and Vernal City. He told the Council that a battalion from the area would be leaving for Afghanistan some time in June. He said there has been a discussion about giving these servicemen and women a big send off. It was discussed to have a large community BBQ at the Colton Pavilion and to contact different businesses in the area to ask for help. He said they also wanted to get the local scouts involved with a flag ceremony. Councilman Hall recommended getting the fire truck to bring the ladder truck to display their flag. Councilman Hall wanted to know what the City's financial contribution would be. Craig said the City's responsibility would be mostly man hours. Chris said it was also discussed to have the Community Covenant signing for each of the different entities at this BBQ and to have a covenant for members of the community to sign. Mayor Baker wanted to know if the City wanted to join with Vernal City and Uintah

***DISCUSSION ON
COMMUNITY COVENANT***

County in this effort. Kenneth Reynolds **moved** to join with Vernal City and Uintah County in supporting our military troops in this community barbeque. Dennis Long **seconded** the motion. The motion passed with all voting aye.

Robert Hall **moved** to go back to item fourteen and to move 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:

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

Mayor Baker, Councilmen Robert Hall, Gordon Kitchen, Dennis Long, Dan Olsen, and Kenneth Reynolds were present in the closed session. Tamara Lee, Craig Blunt, and Nikki Kay were also in attendance in the closed session.

Dan Olsen **moved** to reconvene back into regular council meeting. Dennis Long **seconded** the motion. The motion passed with all voting aye.

Nikki Kay asked if the Council would set a public hearing date to open and amend the budget for fiscal year 2011/2012. Dennis Long **moved** to set a public hearing for April 26, 2012 at 8:00 p.m. 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 9:15 p.m. Gordon Kitchen **seconded** the motion. The meeting was adjourned.

APPROVED BY COUNCIL ON THE 26th DAY OF APRIL 2012

BY: _____

ATTEST: _____

CLOSED SESSION

SET DATE FOR PUBLIC HEARING

MOTION TO ADJOURN