

Naples City Council

August 9, 2012

Minutes

The regularly scheduled meeting of the Naples City Council was held August 9, 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, and Kenneth Reynolds. Dan Olsen was absent.

COUNCIL MEMBERS ATTENDING

Others attending were Bret Reynolds, Cable Murray, Aaron Averett, Delmer Hyde, Jim Harper, Connie Patton, Craig Blunt 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 Robert Hall offered the invocation.

OPENING CEREMONY

Mayor Baker asked for approval of the agenda. Craig Blunt said they could scratch item six because the representative from the National Guard would not be here. Gordon Kitchen **moved** to approve the agenda without item six. Dennis Long **seconded** the motion. The motion passed with all voting aye.

AGENDA APPROVED

Mayor Baker asked for approval of the minutes of July 26, 2012 regular Council meeting. Councilman Long pointed out two places in the minutes that Ken Reynolds needed to be removed from the roll call vote because he was absent. Robert Hall **moved** to approve the minutes as amended. Gordon Kitchen **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. Nothing was brought forward to discuss.

FOLLOWUP ITEMS FROM PREVIOUS MEETING

Connie Patton presented the bills in the amount of \$17,955.04 and asked for approval to pay them. Councilman Hall asked about the annuity billing. Nikki Kay said it is the billing for the two fire fighters that are on a separate annuity. Dennis Long **moved** to accept the amount of \$17,955.04.

APPROVAL OF THE BILLS

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

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

A business license application was received from **Lewis Goetz & Co., Inc.** located at 2359 S 1500 E. Craig Blunt said this is the business going in next to the chapel and stated it was a brand-new building so everything should be fine. Craig said Lewis Goetz is the owner company and EVCO is the distributor for the company. Gordon Kitchen **moved** to approve the business license for Lewis Goetz Co., Inc. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

***BUSINESS LICENSE
APPROVAL***

This matter will be rescheduled as the presenter was not able to attend.

***NATIONAL GUARD
RECOGNITION FOR
COMMUNITY BARBEQUE***

Chris Hoem presented the Council with the conditions discussed by the Planning Commission in regards to Basin Industries new location at 1120 E 1500 S. Councilman Long wanted to know if the owner, Mr. Bingham, was okay with these conditions. Chris said he spoke with Mr. Bingham who said he was okay with the conditions. Councilman Kitchen wanted to know if he would have to renew every six months. Mayor Baker said he read that Mr. Bingham would have six months to be compliant with the conditions on the permit. Chris Hoem said they would like to change the business license ordinance so every business that has a conditional use permit would be double checked to make sure they are complying with all the conditions. Councilman Kitchen said he had problems with the word immediate in the conditions. He thought there should be a time frame listed. Chris said the only time they can enforce this would be at the time their business license is renewed. Chris said if the Council agrees with the conditions then he will sit down with Dennis Judd and write up the recordable version with the legal description of the conditional use area. Mayor Baker had a question about the fence on the east side of the property and wanted to know if Mr. Bingham would be putting up a six-foot fence right now. Chris said he would be putting up a chain link

***CONDITIONAL USE
PERMIT FOR BASIN
INDUSTRIES***

fence on the east side right now. Mayor Baker said it didn't make sense to put up a six-foot fence if he later would have to put up an eight-foot sight obscuring fence. Mayor Baker also wanted to know if Mr. Bingham was going to divide his property in half with part being a salvage yard and half a storage yard. Chris said when they meet with Mr. Bingham to write up the legal description, he will have to tell them which area of his lot will be the conditional use. Chris said it will be either half his lot or the entire lot. Gordon Kitchen **moved** to approve the conditional use permit for Scott Bingham as presented except for the change in number five from "immediate" to three months. Dennis Long **seconded** the motion. The motion passed with all voting aye.

Councilman Kitchen wanted to know about the other scrap yard in the community that is very visible from the highway (Montgomery Recycling) and wants to know the status on their conditional use permit. Craig said that business started out with a requirement for a tree barrier along the highway and then when they met with them again it was determined that they couldn't meet the cost of planting the trees. The owners came in and wanted the City to consider dropping the conditional use and Craig said that it is not possible to drop a conditional use. Councilman Kitchen said he thought the Council should review this conditional use permit also when the business licenses come up for renewal. Craig reported that the City has tried to help with applications through the State and the scenic byways committee. Councilman Kitchen wanted Craig to make Mr. Montgomery aware that the City will be reviewing his conditional use permit in January.

City Manager and City Planner - Craig Blunt and Chris Hoem both submitted travel requests to attend the ULCT Convention in Salt Lake City. Robert Hall **moved** to approve \$1,447 for the two requests. Dennis Long **seconded** the motion. Councilman Kitchen asked about the additional cost for Craig's wife to attend. Craig said he reimburses the City for that extra cost. With no other discussion, the motion passed with the following roll call vote:

TRAVEL APPROVAL

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

Road Department - Jim Harper submitted several requests

to attend classes and workshops put on by Utah LTAP. Jim stated the first one would be Communication Skills for Supervisors and the second was Street Lighting Layout, Construction, & Inspection. Jim said both of these he would travel out and back in one day. Councilman Long wanted to know why Jim hadn't included the \$50 for the cost of the class. Jim apologized for leaving those off. Dennis Long **moved** to approve \$160 for the first two classes Jim would be attending. Kenneth Reynolds **seconded** the motion. The motion passed with the following vote:

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

The next two travel requests Jim submitted were for all of the road crew to attend Roadway Drainage and Roadway Materials classes. Mayor Baker wanted to know why all three of them needed to attend these classes. Jim said it was important because all three of them plow and sweep the roads and this will help them become acquainted with drainage on the roads. Councilman Kitchen wanted to know why he couldn't attend and train his guys when he comes back. Jim said he could do that but this gives them experience and also help them receive their road scholar program. Councilman Hall wanted to know what the benefit of the scholar program is. Jim said it brings the guys up to a level of confidence for their job. Councilman Long wanted to know if that was needed for what the road crew does out here. Jim said it is always good for the road crew to have these type of credentials. Jim said the program is a federally recognized program. Craig said it also helps with the risk management training and helps with the insurance costs. Councilman Long said if it helps on the cost of insurance than he wouldn't have a problem with it. Kenneth Reynolds **moved** to approve the training. Dennis Long **seconded** the motion. The motion passed with a majority vote as follows:

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

Jim submitted one more request that was not handed out in

their packets. The request was to attend an Adaptive Signal Control Technologies class in Salt Lake City. Jim stated the City is getting more signal lights and because of that they receive the complaints. Jim said even though they don't adjust the lights they do communicate with UDOT about them and forward any complaints they receive. He wanted to attend this training to gain a great understanding of how the process works. Jim said there was no charge for the class and he was requesting \$30 for per diem. Dennis Long **moved** to approve the travel. Kenneth Reynolds **seconded** the motion. The motion passed with the following vote:

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

Craig Blunt reviewed the road cut application submitted by Ashley Valley Water & Sewer (AVWS) to do a cut at 1044 East 2500 South. Craig said when the utility lines were being placed on 2500 South the water line and utility line were right next to each other with an elevation conflict. Craig said the water line was a little too high and when the utility company was boring to pull their stuff through they hit the water line with the auger. AVWS will need to pot hole in different areas to see how far the damage extends on their pipe. Craig said they are afraid that the nicks will get worse and they don't want anything to rupture. Craig said they will need to replace the line where the damage was initially discovered. Councilman Kitchen asked about the liability. Craig said he would let the two utility companies work that out, all the City needed to be concerned about was proper repair of the road cut in a timely manner. Robert Hall **moved** to approve the road cut for AVWS. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

***ROAD CUT APPLICATION
FROM ASHLEY VALLEY
WATER & SEWER AT 1044
E 2500 S***

Craig reported the results of bids received for the 2500 South Intersection Design Engineering and Construction. Craig noted that the bids were opened at noon today. Craig stated the project was to engineer the design and construction of 200' of the 2500 South intersection in order to widen for a left-hand turn lane, raise the elevation and tie it in with UDOT's radius in preparation for the new signal light. Craig reported that seven packets were picked up and three were returned. Craig said all three companies that

***REVIEW AND AWARD OF
BID FOR 2500 SOUTH
DESIGN ENGINEERING
AND CONSTRUCTION***

responded were good companies and any one of them would do a good job. Councilman Hall asked for Craig's recommendation. Craig said because all three companies would do a good job he recommended going with the bottom line. Robert Hall **moved** to go with the lowest bid from Epic Engineering. Gordon Kitchen **seconded** the motion. The motion passed with the following roll call:

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

Craig Blunt reported to the Council that five bid packets were picked up for the 2500 South electrical conduit line bore project but none were returned. Craig thought it was the short time frame for completion of the project that kept anyone from bidding. Craig said he recommended rebidding the project and then if no bids are received the City can work the best deal with whoever they can get. Dennis Long **moved** to rebid the project. Robert Hall **seconded** the motion. The motion passed with all in attendance voting aye.

***BID REVIEW AND
APPROVAL FOR
ELECTRICAL CONDUIT
LINE BORE PROJECT***

Delmer Hyde was present at the meeting to discuss the status of the firefighter's annuities but was not on the agenda. Mayor Baker recognized Mr. Hyde and asked if he would update the Council on his meetings with the firefighters. Mr. Hyde explained that only one member of the fire department contacted him after his attendance at a previous Council meeting. Mr. Hyde said he didn't really have anything to report because he wasn't sure which direction the Council or the firefighters want to go. Councilman Hall wanted to know if it would help if he contacted the Fire Chief. Mayor Baker asked Nikki to send a letter to those affected and have them make a choice as to what they want to do regarding the annuities. Mayor Baker thanked Mr. Hyde for coming.

***DISCUSSION REGARDING
THE ANNUITIES***

Craig Blunt reported that the warranty deed for the self-help housing lots is currently with Basin Title for their review. He asked if the Council wanted anything different on the deeds from what was presented. No action was taken.

***WARRANTY DEED FOR
SELF-HELP HOUSING***

Craig said he gave information at the last meeting concerning rules of order and procedure for public meetings but didn't hear back from the Council. Mayor Baker said he got the

***REVIEW RULES OF
ORDER AND PROCEDURE
FOR PUBLIC MEETINGS***

feeling that no one on the Council wanted to take any action on it. Craig recommended that if they didn't adopt any rules of procedure it would be good if they could at least have a hand out for the public that describes the process of the public meeting so they know what to expect. Councilman Hall said it would be a good idea for them to have something to give the public. Mayor Baker thought most of what was required was already covered in State Code. Most of the Council members had not had time to review what was given. Councilman Kitchen **moved** to table the matter and bring it back to the next meeting for discussion. Dennis Long **seconded** the motion. The motion passed with all voting aye.

Chief Watkins submitted a letter asking the Council to consider helping pay for college classes he is currently taking. Mayor Baker said Chief Watkins is working toward his bachelor degree and asked if the City could pay for a portion of his classes. Councilman Kitchen said if this is in the policy manual they need a way to discuss it before the fact and not after the fact. Councilman Kitchen said there should be an application process and funds should be built into the budget. After reading what was in the policy manual, Mayor Baker said the Council could choose to help with the cost of the classes but it would have to be after the classes are completed. Councilman Hall said other places have the employees sign agreements when it comes to higher education that they can't leave for a certain period of time or they would have to reimburse the City. Councilman Kitchen said the policy needs to be a little more clear about the process, when costs would be reimbursed and what grade would be expected. Councilman Kitchen said this would be a good time to look at updating this section of the policy manual and see if they want to change the policy to allow for this type of request. Mayor Baker said the way the policy currently reads they would only be able to reimburse the cost of Chief Watkin's class after completion. Mayor Baker said they currently pay for training of employees for classes that would be eligible for college credit and wondered how that compares to this request. Councilman Long said the classes he is taking are not required by his job but are for his own personal advancement. No action was taken on this matter. Craig Blunt said he would sit down with the staff to review that section of the policy and then send the Council a draft of their recommendations.

Craig Blunt gave the Council the cost for the Country

***APPROVAL TO PAY
EDUCATION AND
TRAINING COSTS***

APPROVAL TO PURCHASE

Explosion banner and asked for approval to purchase it. Craig said it is a double-sided banner that will be placed over the highway at the 500 South intersection. Robert Hall **moved** to approve the purchase of the banner for \$740. Gordon Kitchen **seconded** the motion. The motion passed as follows:

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

Craig Blunt updated the Council on the traffic signal light on 2500 South. Craig said UDOT will be hosting a meeting on September 5, 2012 in Orem to discuss the final plan for the signal light. Craig said there are two items they are still debating, one is the radius on the Maverik corner and the other is placing the longer arm on the east side signal. Craig said there will be a meeting with Rocky Mtn. Power tomorrow at 1:00 on site in reference to the letter the City sent.

Council members received a marked copy of the Unified Animal Control Ordinance with the City Attorney's recommendation for changes. Craig Blunt reported that Mr. Judd feels the Ordinance needs to be simplified and geared more toward a rural area. Councilman Kitchen wanted to know why the City needs a new Ordinance if there is one that already fits us. Mayor Baker asked the Council to look at the Ordinance and give their recommendations to Councilman Olsen or Craig.

Councilman Hall wanted to know if the issue with Jim Richards has been resolved. Chris Hoem said the matter is currently being discussed by Dennis Judd and Mr. Richards.

Councilman Reynolds said he has had some parents wanting to know if they could put some benches around the park for moms to sit and watch their kids at the playground. Mayor Baker also wanted to know if someone from the Recreation District could clean up the walking path with the weeds encroaching onto it. Councilman Kitchen said he would take those matters back to the Board and Neil Cathey.

Craig told the Mayor that Dave with Ashley Valley Water & Sewer will be to the next Council meeting and Dave also told Craig they have been cleaning the siphons on 2000 East.

COUNTRY EXPLOSION BANNERS

UPDATE ON 2500 SOUTH SIGN LIGHT

UPDATE ON UNIFIED ANIMAL CONTROL ORDINANCE

OTHER MATTERS

With no other business before the Council, Kenneth Reynolds **moved** to adjourn the meeting at 9:00 p.m. Dennis Long **seconded** the motion. The meeting was adjourned.

MOTION TO ADJOURN

APPROVED BY COUNCIL ON THE 23rd DAY OF AUGUST 2012

BY: _____

ATTEST: _____