

# Naples City Council September 13, 2012 Minutes

The regularly scheduled meeting of the Naples City Council was held September 13, 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 Jim Harper, Marandy Massey, Cable Murray, Denice Stringham, Bret Stringham, 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 Kenneth Reynolds offered the invocation.

## *OPENING CEREMONY*

Mayor Baker asked for approval of the agenda. Gordon Kitchen **moved** to approve the agenda as presented. Dennis Long **seconded** the motion. The motion passed with all voting aye.

## *AGENDA APPROVED*

Mayor Baker asked for approval of the minutes of August 23, 2012 regular Council meeting. Robert Hall **moved** to approve the minutes. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

## *MINUTES APPROVED*

Mayor Baker asked if anyone had anything to discuss or follow up on from the previous meeting. Councilman Kitchen asked about the boring on 2500 South. Mayor Baker said it was complete and they are just waiting on Rocky Mtn Power.

## *FOLLOW UP ITEMS FROM PREVIOUS MEETING*

Nikki Kay presented the bills in the amount of \$77,323.84 and asked for approval to pay them. Councilman Long asked about the two bills from IFA for dog food with the exact same amounts. Mayor Baker said it was most likely two of the officers buying the same thing. With no other questions Dennis Long **moved** to accept the amount of \$77,323.84. Kenneth Reynolds **seconded** the motion. The motion passed with the following roll call vote:

## *APPROVAL OF THE BILLS*

Robert Hall

Aye

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

Ben Smith came to ask the Council to consider putting speed limit signs in the Hunter Hollow subdivision. Mr. Smith stated he is a new resident in Hunter Hollow and said there are four rows of houses as you come into the subdivision with about seventeen children under the age of eight living within that area and no speed limit signs. He asked the Council if it would be possible to get some. Mr. Smith said he has noticed that people exiting the subdivision are usually traveling faster than those coming in. Mr. Smith said they would really like the speed to be 20 mph but 25 mph would be okay. Jim Harper said, when placing signs, the City has to show a need for the sign and the impact or difference it will make by placing the signs. Jim said according to Federal standards there has to be so many vehicles traveling the area and also the signs are placed according to how the road turns. Jim said it would be good to complete a study just so they have that record. Gordon Kitchen **moved** to approve the placement of 20 mph signs in Hunter Hollow subdivision. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

***REQUEST SPEED LIMIT  
SIGNS IN HUNTER  
HOLLOW***

Marandy Massey, representing the Utah National Guard family programs, came before the Council to express appreciation to Naples City for their support of the troops before the deployment. Mrs. Massey said it was very meaningful for those being deployed that they were leaving their families in such a good community. Mrs. Massey presented the Mayor with a plaque of appreciation from the Utah National Guard and she also had one for Chris Hoem and Craig Blunt. Mayor Baker asked if there was anything they could do for them. Mrs. Massey said many of the soldiers wives expressed a desire to take a concealed weapon class and wanted to know if the police department was still offering that. Mayor Baker said he would speak with Chief Watkins and see what they could do. Mayor Baker thanks Mrs. Massey for coming.

***NATIONAL GUARD  
PRESENTATION***

The final invoice for work completed by RB Construction on 1900 South was given to Council for their approval. The amount of the invoice was \$22,021.53. Mayor Baker said the walk through has been done and everything is finished.

***APPROVE FINAL  
PAYMENT TO RB  
CONSTRUCTION***

Robert Hall **moved** to approve the payment. 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

Hube's Construction submitted a draw request in the amount of \$25,215 for the 2500 South boring project. The Mayor said the project is complete and the conduit is in. Dennis Long **moved** to approve \$25,215. 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

***DRAW REQUEST FROM  
HUBE'S CONSTRUCTION***

Cable Murray with Epic Engineering said he met with Craig about the 2500 South intersection project. Cable said they want to schedule the advertisement to bid in the next paper to run for two weeks. Cable said they hope to have bids due by the 9<sup>th</sup> of October and award the bid at Council meeting on the 11<sup>th</sup>. Cable also asked the Council about closing the road in order to complete the project where it is so late in the season. Council members discussed the safety issues with the highway access. Cable thought the project could be completed in four weeks if they could safely close the road.

***A P P R O V E  
ADVERTISEMENT FOR  
2500 SOUTH BID***

Mayor Baker brought up the next item on the agenda for discussion which was the CIB extending the scope of work on 2500 South and allowing the City to use the additional funds from the 2500 South road/drainage project. Mayor Baker said he wanted them to consider boxing the canal at this time while they have the money. Councilman Kitchen said that would add time and concrete when it is cold. Mayor said they could wait until the Spring for the concrete. Councilman Kitchen wanted to wait to discuss that next on the agenda.

Dennis Long **moved** to allow the project out for bid and to consider allowing closure of the road to speed up the process. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

Mayor Baker let the Council know that the CIB agreed to extend the scope of work for 2500 South and to allow the use of those funds to finish off the intersection on the west side of Hwy 40. Mayor Baker wanted the Council to consider boxing in the canal while they have this extra money to work with. Mayor thought they could add it to the Engineer's drawings and think about doing that next Spring. The Council wanted to wait and hear from Craig regarding this. No action was taken.

***UPDATE ON PROPOSAL TO CIB TO EXTEND SCOPE OF WORK ON 2500 SOUTH***

Jim Harper asked for Council approval to complete asphalt work at the City Shop. Jim said he received a bid from Allred Paving to rotomill the asphalt at the shop and to use it to repave the parking lot. He said the water from the parking lot currently drains toward the storage building and has caused the floor to lift. He said they want to slope the asphalt toward the back of the storage building. Jim said they also discovered there is not a subbase around the edge of the parking lot. Jim gave the Council the bid from Allred Paving in the amount of \$26,688. Councilman Hall asked about the budget. Jim said part of the money would come from what was budgeted to slurry seal the parking lot and the other would come from funds budgeted for drainage at the shop. Mayor Baker wanted to know the need for this big paved parking lot. Jim said it would make it much easier to go in and out, it would take out the ruts, and it would move the water away from the storage building which will help the foundation. The Mayor said they could just build an asphalt burm to move the water away from the building. Jim said they will be doing something similar. Kenneth Reynolds **moved** to allow them to go ahead with the project if the money is there. Dan Olsen **seconded** the motion. The motion passed with the following vote:

***APPROVE EXPENSE FOR ASPHALT WORK AT CITY SHOP***

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

Council members received a request to approve an expenditure on 2000 South 2000 East for asphalt repair. Mayor Baker wanted to know what was being dug up again near Councilman Olsen's home. Councilman Olsen said Rocky Mtn Power is taking another line up into the subdivision. Councilman Hall wanted to know if they had a road-cut permit. Jim Harper said he looked at the road cut and at the

***APPROVE EXPENSE FOR ASPHALT REPAIR ON 2000 SOUTH 2000 EAST***

permit application Rocky Mtn Power filled out. He said it looks like they are trying to get power to both ends of the road. Councilman Olsen said they ran a line before but thinks they are trying to run more lines because they are pulling more power than they planned on. Councilman Long wanted to know why the City was paying for an asphalt repair if Rocky Mtn Power did the cut. Councilman Olsen said this request was for repairs made when Mrs. Turner had to have work done in Parkview Subdivision. Mayor Baker said they had the asphalt repairs done while there was equipment already in the area working on driveways. Dennis Long **moved** to approve \$595 for the asphalt repairs. 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

Jim Harper asked the Council to approve expenses incurred in diagnosing and repairing the problems with the sweeper. Jim said they took the sweeper to Honnen Equipment and asked them to look at it to see if they could determine what was wrong with it. He said Honnen Equipment checked everything out and determined the problem was with the electrical system and they could not fix it. Honnen Equipment's bill was \$505. Jim said they transported the sweeper to Intermountain Sweeper in Salt Lake City and they were able to make the electrical repairs for the amount of \$768.87. Jim said Intermountain Sweeper told him the hydraulics were starting to go bad and would need replaced at some point. Dan Olsen **moved** to approve the repairs to the sweeper in the amount of \$1,273.87. Robert Hall **seconded** the motion. The motion passed with a roll call vote as follows:

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

Mayor Baker explained that the self-help housing lots are starting to sell in Pheasant Run Subdivision and it is required that someone from Naples City signs those deeds. Mayor

***APPROVE EXPENSE TO  
REPAIR SWEEPER***

***RESOLUTION 12-250  
AUTHORIZING THE  
MAYOR TO SIGN THE***

Baker said there was some confusion about the amounts written on the deeds but they have cleared that up and adjusted it to the \$28,500. Dan Olsen **moved** to adopt Resolution 12-250 authoring the Mayor to sign the self-help housing deeds. Dennis Long **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

***DEEDS FOR THE SELF-HELP HOUSING LOTS***

There was an error on the agenda listing this discussion as the R-2 Residential Agricultural Zone when it was really to be a discussion on the R-3 Residential Zone. After making that change Mayor Baker read a report left by Chris Hoem giving the Planning Commission's recommendation on adopting the changes to the Land Use Ordinance to provide guidelines for an R-3 zone in Naples City. The R-3 zone will be located in the southern part of the City and is part of the land annexed in the recent past. The Planning Commission recommended adopting this chapter of the Land Use as a good starting point for the R-3 zone. Kenneth Reynolds **moved** to adopt Ordinance 12-144 amending Chapter 02-11 of the Land Use Ordinance Residential Zone R-3. Gordon Kitchen **seconded** the motion. The motion passed with the following roll call vote:

***ORDINANCE 12-144  
AMENDING CHAPTER 02-11  
RESIDENTIAL ZONE R-3 ZONE***

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

Proposed changes to the Airport zone were given to the Council for their review and approval. Mayor Baker read the report left by Chris Hoem explaining the Planning Commission's recommendation. Chris wrote "the basis for the changes is that currently the Airport "Transition" zone only further restricts Naples residents and businesses beyond the underlying zones (RA-1 and I-1). The new version focuses on protecting and opening up vital roadways to ensure the integrity of the Naples transportation network. Currently, airport expansions and uses are not permitted in any zone. The new version of the airport zone further clarifies that and also includes an excerpt from a previous airport site location

***ORDINANCE 12-145  
AMENDING CHAPTER 02-17  
AIRPORT ZONE OF  
LAND USE ORDINANCE***

study that supports the idea of relocating the airport. The new version states clearly that there will be no "buffer" or "transition" area around the airport zone."

Councilman Kitchen said he has no problem with protecting the roads in the City but doesn't think the Council is thinking this through if they think they are going to keep the airport from moving. Councilman Kitchen said the changes to the zone make a political statement and not a zoning statement. Councilman Hall stated that he is not hung up on the idea of the airport moving, because he understands that is not going to happen, but he also doesn't want the City's zoning ordinance to be ignored. Mayor Baker said he understands the airport is not going to move but the City has to put measures in place to protect future development of the airport that would impact development and roadways in Naples City. Kenneth Reynolds **moved** to approve Ordinance 12-145. Robert Hall **seconded** the motion. The motion passed with a majority roll call vote:

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

Mayor Baker read the Planner's report on changes the Planning Commission would like to make to chapter 02-23 of the Land Use Ordinance. Mayor Baker read, "the Planning Commission met to discuss and receive public input on changes to the RA-2 zone. The original proposal was to change the minimum lot frontage requirement from 100 feet wide lots down to 90 foot lots... (based on an original proposal for Fairway Manors Subdivision.) After the public hearing, a motion was made to change the minimum lot frontage requirement from 100 to 90 feet, but there was a tie vote two to two so the motion died. Later, the Commission voted unanimously to recommend the other changes proposed for the RA-2 zone, and to leave the frontage at 100 feet. The recommended changes help bring the RA-2 zone, into the same format and general requirements as the RA-1. This was the recommendation of the Planning Commission."

***ORDINANCE 12-146  
AMENDING CHAPTER 02-  
23 RESIDENTIAL  
AGRICULTURAL ZONE  
RA-2***

Mayor Baker asked Mr. Stringham if he had any concerns with the Ordinance. Mr. Stringham said he just wanted to make sure the frontage stayed at 100'. Mr. Stringham also wanted to know what Mr. Cooper is going to do with his

trailer once this subdivision gets going. Mayor Baker said Mr. Cooper's trailer is a conditional use and should be moved once Mr. Cooper builds a home. Mrs. Stringham asked the Council why they don't require cash up front from a developer when they come in to build a subdivision. Mayor Baker said the City is trying to tighten up their requirements for a development. Mr. Stringham wanted to know about the green space in the subdivisions. Mayor Baker said the bond covers the infrastructure and not the green space. Mayor Baker said they are learning as they go what is needed and sometimes things are learned the hard way. Mrs. Stringham asked about a barrier fence on the back side of Mr. Cooper's subdivision. Councilman Reynolds said they discussed it but he can't remember if it was put in place. Mayor Baker wanted to know if Councilman Reynolds would take that back to the Planning Commission and make sure that was in place in the Land Use Ordinance. The Stringham's just thought it should be a requirement to make sure livestock associated with agriculture is separated from residential. Kenneth Reynolds **moved** to approve Ordinance 12-146 with the changes recommended by the Planning Commission. Dennis Long **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

Council members reviewed the rules of order again for Naples City's meetings. Council members made some changes and took out some of the meeting steps. Kenneth Reynolds **moved** to approve the City's meeting rules of order with the changes discussed. Dennis Long **seconded** the motion. The motion passed with all voting aye.

***REVIEW COPY OF  
NAPLES CITY'S MEETING  
RULES OF ORDER***

Council members received a copy of the City's financial statement for review. Mayor Baker said he would like to see a better break out of the revenue section. No action was taken on this matter.

***REVIEW QUARTERLY  
FINANCIAL STATEMENT***

**Animal Control Special Service District** - Councilman Olsen had nothing to report.

***DEPARTMENT AND  
SPECIAL SERVICE  
DISTRICT***

**Fire Control Special Service District** - Councilman Hall wanted to know about the annuities. Nikki Kay said she spoke with Delmer Hyde and he will be contacting the firemen who are affected by this.

**Health Services Special Service District** - Councilman Hall wanted the others to know they will be expanding the Care Center and will be approaching the CIB for help with that expansion.

**Impact Mitigation Special Service District** - Councilman Long said they were able to tour the Field House and stated the expansion was on schedule and under budget.

**Uintah Recreation District** - Councilman Kitchen reported that the District was completing their Master Plan Update. He listed the priorities for the Naples City Park. Among those were basketball courts, picnic tables, restroom updates, larger entrance sign for east side, lighting, fire pits, and an amphitheater. Mayor Baker wanted to make sure they add the benches along the walk path and playground to the list. Mayor Baker also asked why the Golf Course did not maintain the section of grass located next to 2000 East. Councilman Kitchen said it might be an irrigation issue but he would ask about it.

**Road Department** - Jim Harper said he would like to get some more sand stock piled for the winter and they will be working on getting the last of the weeds sprayed and putting up the needed road signs. Councilman Hall wanted to make sure they sweep the sidewalks talked about. Councilman Long asked about the pictures Jim sent with the road cuts. Jim said those were pictures of the pot holes they drilled to discover the damage to the water lines on 2500 South. He said they will dig the trench to repair the lines and believe this is the only spot with damage.

Councilman Olsen wanted to know if the Council wanted to set a date for the Christmas party. Council members decided to set the date of December 3, 2012 at the fire station.

***OTHER MATTERS AND  
FUTURE COUNCIL  
MATTERS***

Dennis Long **moved** to go into a closed session to discuss pending or reasonable imminent litigation. Robert Hall **seconded** the motion. The motion passed with the following roll call:

***CLOSED SESSION***

Robert Hall                      Aye

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

Those present in closed session were Mayor Baker, Council members Robert Hall, Dan Olsen, Dennis Long, Kenneth Reynolds, and Gordon Kitchen. Nikki Kay was also present.

Gordon Kitchen **moved** to go out of the closed session. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

With no other business before the Council, Robert Hall **moved** to adjourn the meeting at 10:00 p.m. Dan Olsen **seconded** the motion. The meeting was adjourned.

***MOTION TO ADJOURN***

APPROVED BY COUNCIL ON THE 27<sup>th</sup> DAY OF SEPTEMBER 2012

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

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