

Naples City Council December 13, 2012 Minutes

The regularly scheduled meeting of the Naples City Council was held December 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, Robert Foley, Garrett Whatcott, Jennifer Logan, Mark Watkins, Marlene Watkins, Andrew Cox, Adam Ray, Chris Hoem, Craig Blunt, Connie Patton, 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 Dan Olsen offered the invocation.

OPENING CEREMONY

Mayor Baker said he would like to add a closed session at the end of the meeting to discuss potential litigation and asked if there were any other changes to the agenda. Councilman Olsen said he had one item to discuss under other matters and Craig Blunt said he also had one item. Dennis Long **moved** to approve the agenda with those changes. Robert Hall **seconded** the motion. The motion passed with all in attendance voting aye.

AGENDA APPROVED

Chief Mark Watkins presented Garrett Whatcott as the new officer for Naples City Police Department. Nikki Kay administered the oath of office to Officer Whatcott and Jennifer Logan presented his badge.

OATH OF OFFICE AND BADGE CEREMONY FOR NEW OFFICER

At this time Chief Watkins turned the time over to Officer Whatcott who added a surprise for everyone when he proposed to his girl friend, Jennifer Logan. The Mayor and Council all congratulated Garrett and Jennifer. Mayor Baker said that was a first for the Council. Councilman Kitchen wanted to know if they needed a motion to approve that. Councilman Olsen seconded it.

Mayor Baker asked for approval of the minutes of November

MINUTES APPROVED

8, 2012. Dan Olsen **moved** to approve the minutes as presented. Gordon Kitchen **seconded** the motion. The motion passed with all in attendance voting aye.

Mayor Baker asked if anyone had anything to discuss or follow up on from the previous meeting and then he asked Jim if they repaired the skid steer. Jim said they did have it repaired and they have been using it with no problems. Nothing else was brought forward.

***FOLLOW UP ITEMS FROM
PREVIOUS MEETING***

Connie Patton presented the bills in the amount of \$145,573.30 and asked for approval to pay them. Dennis Long **moved** to approve payment of the bills in the amount of \$145,573.30. Kenneth Reynolds **seconded** the motion. The Mayor questioned the bill for the repair of siding to a house at 2970 South. Jim Harper said that was to repair a hole made to the vinyl siding of a home that was damaged when the weed mower hit a brick and flung it into the siding. Mayor Baker also questioned the electrical repair to the pavilion at the park. Craig said there was some vandalism at the pavilion and they attempted to replace the receptacles to correct the problem but it didn't work so they had to call an electrician to fix it. Mayor Baker wondered if a surveillance camera at the pavilion might help with some of the problems. Council Kitchen wanted to know if there was enough of a problem to justify that type of expense. Mayor Baker said maybe there wasn't enough of a problem to justify it. With no other questions, 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

Craig Blunt explained that Dennis Judd recommended the Council adopt the insurance premium payment plan (cafeteria plan) as a Resolution. Gordon Kitchen **moved** to accept Resolution 12-252. Robert Hall **seconded** the motion. The motion passed with the following roll call vote:

***A P P R O V A L O F
I N S U R A N C E P R E M I U M
P A Y M E N T P L A N -
R E S O L U T I O N 1 2 - 2 5 2***

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

Gordon Kitchen Aye

A business associate agreement and producer compensation disclosure from Mayberry Insurance were given to the Council for their review and approval. Robert Hall **moved** to approve both agreements. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

APPROVAL OF BUSINESS ASSOCIATE AGREEMENT AND PRODUCER COMPENSATION DISCLOSURE WITH MAYBERRY INSURANCE

Council members received copies of the 2013 meeting and holiday schedules for their approval. Dan Olsen **moved** to approve the meeting schedules and holiday schedules for 2013. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

APPROVAL OF 2013 MEETING AND 2013 HOLIDAY SCHEDULES

Nikki Kay presented the Council with a list of business license fees she was requesting approval to write off because the business has either moved or closed. Dennis Long **moved** to approve writing off the fees as presented. Kenneth Reynolds **seconded** the motion. The motion passed with the following roll call:

APPROVAL TO WRITE OFF BUSINESS LICENSE FEES

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

The Recreation District requested approval to waive the business license fee for Naples Splash Park. Robert Hall **moved** to approve that request and waive the business license fee. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

APPROVAL TO WAIVE BUSINESS LICENSE FEE FOR NAPLES SPLASH PARK

Craig Blunt explained to the Council that the City made application to the Joint Highway Commission last year to help fund the Hwy 40 street light project. Craig said the City did not receive any money but he was told to apply again this year. Craig stated that UDOT has agreed to contribute \$100,000 to the project and so he would like to make application again this year to the Joint Highway Commission for \$484,500 to take care of the lighting system construction. Craig said the City's share would be approximately \$37,000 and he would like to put down \$60,000 to show the City wants to do this project. Craig said this would complete the first phase of the project from 500 South to 1900 South. Craig said he thought about making application for both

APPROVE JOINT HWY APPLICATION FOR HWY 40 STREET LIGHTS

phases to see if they would take it all on. Councilman Olsen said to go for the whole project. Councilman Kitchen wondered if they applied for the whole thing if they would discount the whole project because it was too much. Craig said he would still put it in phases so they don't throw the application out. Craig said the lighting would be only on the east side of the highway with 34' poles. Dennis Long **moved** to proceed with the application for the full amount but to put it in phases. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

Craig Blunt gave the Council members a list of CDBG projects to consider applying for in 2013. Mayor Baker said he doesn't think much has changed in the emphasis and scoring for the projects. He said it is mostly low income housing. Craig said it would be nice to finish up the fire hydrants for the City, he said he understands how it will probably go but still thought it was a good project. Mayor Baker wondered if it would be worth the time and effort because he didn't think the request would go well either. Councilman Kitchen wanted to know if there were any single family houses in the City that could use rehab money. Craig said there are some but they would have to know before hand if the homeowners were willing to participate. Councilman Kitchen wanted to know if the staff could do some foot work prior to the application to find out the need and then decide if the City wants to proceed with the application. Craig said the public hearing would be in January because the applications are due in February. Councilman Olsen wanted to know if mobile homes qualify for the funds. Craig said they can but the income level determines if it fits in the low income. Gordon Kitchen **moved** to set a public hearing to come up with ideas for CDBG projects for January 24, 2013 at 8:00 p.m. Dennis Long **seconded** the motion. The motion passed with all voting aye.

Craig Blunt gave the Council a summary of the County's Emergency Operations Plan and stated it was for their review. Craig said he likes the format of the plan but he would like to see some of the responsibilities clarified. Mayor said he would like to see the Council adopt the plan and then have Craig get back with the County to discuss the changes he would like to see made. Robert Hall **moved** to approve the County Emergency Operations Plan. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

***DISCUSS CDBG PROJECTS
AND SET PUBLIC
HEARING DATE***

***DISCUSS COUNTY
EMERGENCY
OPERATIONS PLAN***

Craig Blunt reported on the UDOT Region Three project meeting he attended. He said it was a very good meeting with a lot of projects discussed. Craig said the widening of Hwy 40 is always on the project list for discussion. Craig made note of the ones that would be of most interest to the City. He said the signal light on 2500 South was on the list and he asked if a battery back-up might be included on the light as a safety measure when the power goes out. Craig said one of the other projects was the street lights for Hwy 40 and he felt they would continue to back the City for that project. Craig stated that UDOT would also be looking at the turning radius for big trucks on the 1500 South intersection. Craig recommended a followup letter to UDOT for the projects the City would most like to see happen. No action was taken on this matter.

***REGION THREE
PROJECTS DISCUSSION***

Chris Hoem requested approval to attend an Economic Development Conference in January in Salt Lake City. Chris said he would be attending the conference with the other planner's from the area. Gordon Kitchen **moved** to approve the travel to the conference for \$220. Robert Hall **seconded** the motion. The motion passed with the following vote:

***TRAVEL REQUEST AND
PRE APPROVAL FOR
ECONOMIC
DEVELOPMENT
CONFERENCE***

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

Chris asked the Council if they wanted him to continue attending the ICSC conference in Las Vegas. He said they have an early bird registration that would save money if it is sent in now. Chris said the early registration is \$490 and he wanted to know if they wanted him to continue to attend. Dennis Long **moved** to approve the travel and proceed with the registration. Kenneth Reynolds **seconded** the motion. The motion passed with the following vote:

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

Chris Hoem stated he was thinking of purchasing some traffic count devices and was looking into the price. He thought the counters would be useful for UDOT road projects and for

***COUNCIL
RECOMMENDATIONS
FOR STREET TRAFFIC***

classifying City streets. Chris said as he talked with the Planner's from Uintah County and Vernal City they said he could borrow their traffic counters. Chris said UDOT is wanting the City to have their roads classified and sent to them by the end of the month. Chris gave the Council a list of the roads he thought should be counted first and wanted to know if they agreed with it or wanted to make changes. Chris told the Council that every ten years the Federal Highway Administration asks the State to give them classifications for their roads. UDOT then asks the cities to help with those classifications. Chris said UDOT sends out what they think the road should be classified as and it would be up to the City to prove if they think it should be classified differently and that would be done through the traffic counts. Chris said the classifications help the City get funding through agencies like the CIB. Councilman Kitchen told Chris to proceed with this and to use his best judgement as he determines which ones to complete first.

COUNTS

Mayor Baker asked the Council and Chris Hoem if they thought it would be of benefit to join the Utah Alliance for Economic Development. Mayor Baker said they hold four meetings a year and thought if they held some of those meetings nearby it might be a good thing for Chris to become a member and attend. The cost for membership is \$100 and \$40 for each meeting. Dennis Long **moved** to approve the membership. Kenneth Reynolds **seconded** the motion. The motion passed as follows:

**DISCUSSION TO APPROVE
UTAH ALLIANCE FOR
E C O N O M I C
D E V E L O P M E N T
MEMBERSHIP**

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

Police Department - Chief Watkins asked for approval to purchase a new desk for the front receiving area. He said the desk being used by the police secretary is not in very good shape. The amount requested was \$1,099. Robert Hall **moved** to approve the purchase. Dan Olsen **seconded** the motion. The motion passed with a roll call vote:

**A P P R O V E
EXPENDITURES**

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

Road Department - Jim Harper asked for approval to replace the tires on the older dump truck. He requested \$1,780.56 for four new tires. Gordon Kitchen **moved** to accept the amount and to put new tires on the truck. Robert Hall **seconded** the motion. The motion passed with the following vote:

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

Jim Harper asked approval to purchase a new light bar for the dump truck. Jim stated they have been having problems with the old light bar for about two years and it only works sporadically. Jim said they would like to replace it with an LED light bar, they work better and require less maintenance. Jim had a bid from Safety Supply for \$850. Dennis Long **moved** to approve the purchase. Kenneth Reynolds **seconded** the motion. The motion passed as follows:

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

Jim Harper asked for approval to expend \$688.10 to purchase new sign posts. He said the road department is going throughout the City and raising the signs to seven feet and they need to replace some. Kenneth Reynolds **moved** to approve the \$688.10. 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

Jim Harper submitted two bids for a mini pickup the road department would like to purchase. Jim had bids from a company in Colorado and Interstate Mini trucks in Utah. The bid from Colorado was \$14,478 and had 52,000 miles on it. Councilman Kitchen said before they got too much into the price of the trucks he wanted to know why the road

department thought they needed one. Jim said the major thing reason would be to spray weeds. He said the way they do it now requires two people to spray, one to drive the pickup and one to spray the weeds. Jim said if they could go to this system it would only take one person which would save them in man power. Jim said they could also use it to do small road patches and they could haul gravel to the edges of the road for repairs. Ryan Cook told the Council that the major reason for the request is for weed spraying. He said they are getting more homes in the City and they can't just turn the weed sprayer on full blast. Ryan said it would also help to have a small truck in the summer time to send their part time people out on small repair jobs. Councilman Kitchen said he sees where they have a snowplow and salt spreader listed and he thought they were using the bobcats for those things. Jim said when they use the bobcats it is for sidewalks and the small truck would be for things like parking lots. Councilman Reynolds said those small trucks are not built for that. Mayor Baker asked about the Ranger the City purchased for this type of work. Jim said the Ranger they had was basically a "lemon" and never worked well. Mayor Baker wanted to know if they could buy a small truck like a Ford Ranger or S-10 that is equipped for right drive. Jim said he could check into it. Gordon Kitchen **moved** to table this item for now and see what Jim could find out. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

Jim Harper asked the Council to approve repairs recently completed on the loader. Jim said they took the loader to Honnen Equipment and asked them check it over. It was determined that the fuel filter had a loose cap that was letting air into the system. They replaced the filters, pump and battery. The parts and labor came to a total of \$1,096.67. Robert Hall **moved** to approve this payment. Gordon Kitchen **seconded** the motion. The motion passed with the following vote:

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

Building Inspector - Craig Blunt asked the Council to approve the purchase of the 2012 Building Code Manuals. Craig said he would like to purchase the ICC books this year

in the amount of \$1,468. Dennis Long **moved** to accept the \$1,468. 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

City Planner - Chris Hoem asked for approval to pay Engineering Services Inc. for reviewing the plans for phase II of the Farm Subdivision. Gordon Kitchen **moved** to approve payment to ESI for \$855. Robert Hall **seconded** the motion. The motion passed with the following roll call vote:

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

Robert Foley with Caldwell, Coombs, & Foley came before the Council to report on the 2011-2012 fiscal year audit. Mr. Foley reviewed his findings with the Council. He noted that some of the findings were the same as last year with the budgeted amount for the property tax not agreeing with the amount on the TC-693 form. One of the other findings was the deficit in the special assessment district fund. Mr. Foley said a transfer has still not been completed to close out that fund. Mr. Foley also noted that any amounts retained from contractor payments and held for completion or acceptance of projects have to be deposited into a separate interest-bearing account and that has not been occurring. Council members discussed making a motion that included the transfer of retained funds into an interest-bearing account when they make a motion to approve the contractor's payment. After the completion of the report, Gordon Kitchen **moved** to accept the 2011/2012 audit. Robert Hall **seconded** the motion. The motion passed with all voting aye.

2011-2012 AUDIT REPORT

Council members discussed employee Christmas bonuses. Councilman Olsen said in the past the Council has agreed to \$300 and he did not have a problem with that. Dan Olsen **moved** to approve \$300 as an employee Christmas gift. Robert Hall **seconded** the motion. The motion passed with

EMPLOYEE CHRISTMAS BONUSES

the following vote:

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

Craig Blunt gave the Council the projections showing the population growth based on new building permits issued. Craig showed the 2011 population counts and said if you add in the building permits issued for 2012 it shows a 12% increase. Mayor Baker said he would like to see the statistics put in the paper or on the web site showing the growth the City is experiencing.

***2012 BUILDING PERMIT
P O P U L A T I O N
P R O J E C T I O N S***

Craig Blunt wanted to update the Council on the sewer rings on 500 South from the highway to 2000 East. Craig said the rings were not staying in place and they were concerned about hitting them with the plows. Craig said they brought that to Vernal City's attention and Vernal City went out and cemented the rings. Craig said they owe a thank you to Vernal City for getting that done. Mayor Baker said if Craig wanted to write a little thank you letter to the Mayor and Vernal City he would sign it.

OTHER MATTERS

Councilman Olsen handed out a sheet showing the MSD specs for the fly ash the road department has been getting from the power plant to put on the roads. Councilman Olsen said the specs show there are no harmful effects from the fly ash and it is safe for the roads. Jim Harper said the use of the ash saves the City quite a bit of money as they can combine it with the sand to put on the roads during the winter.

Dennis Long **moved** to go into and come out of a closed session for the purpose of discussing imminent litigation. Robert Hall **seconded** the motion. The motion passed with the following vote:

CLOSED SESSION

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

Craig Blunt and Nikki Kay along with all the Council members

were present in the closed session.

With no other business before the Council, Kenneth Reynolds moved to adjourn the meeting at 10:15 p.m. Robert Hall seconded the motion. The meeting was adjourned.

MOTION TO ADJOURN

APPROVED BY COUNCIL ON THE 10th DAY OF JANUARY 2013

BY: _____

ATTEST: _____