

**Naples City Council
March 14, 2013
Minutes**

The regularly scheduled meeting of the Naples City Council was held March 14, 2013, 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 Richard Henderson, Kyle Henderson, Chris Felkins, Brandon Felkins, Jim Harper, Ryan Cook, Mark Watkins, Chris Hoem, 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. Gordon Kitchen **moved** to accept the agenda. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

AGENDA APPROVED

Mayor Baker asked for approval of the minutes of February 28, 2013. Gordon Kitchen made one clarification to the discussion under the business license approval. Dennis Long **moved** to approve the minutes with the correction. 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. Nothing was brought forward.

FOLLOW UP ITEMS FROM PREVIOUS MEETING

Connie Patton presented the bills in the amount of \$63,771.08 and asked for approval to pay them. Councilman Kitchen questioned the payment to the Labor Commission for inspection of the boiler at the shop and wanted to know if that was really who inspected the boiler. Craig said they are the ones who take care of that. Councilman Long wanted to know which project the road bond payment was for. Nikki

APPROVAL OF THE BILLS

Kay said it would be the 1000 South project. With no other questions, Robert Hall **moved** to approve the expenditures. 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

A business license application was received from **All-Points Travel Service** located at 1971 East 1700 South. Craig said this would be a home occupation business but no customers would come to the home, the owner would pick up customers and shuttle them to where they needed to go. Councilman Long asked about the signed home occupation agreement. Craig said he has it, it just was not given to the Council. Dennis Long **moved** to approve the business license contingent upon having the signed home occupation agreement. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

***BUSINESS LICENSE
APPROVAL***

Dennis Long **moved** to table the discussion concerning the request to purchase a pole for the fire station as Jeremy Raymond was not in attendance. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

***REQUEST TO PURCHASE
FIRE STATION POLE***

Council members reviewed the rules or order and procedures again. Craig pointed out the red markings were the suggestions made by the Council at the last meeting and also the recommendations of Dennis Judd. Craig said Dennis Judd wanted to leave in "Moment of Reflection" next to the word prayer, under the order of business. Mayor Baker said he would like to see it left as just 'prayer.' It was discussed to removed the clause 'including the determination that a quorum is present' under Rule II number four, some members thought it was just restating what was included above. With just a couple of other minor grammatical changes, Dan Olsen **moved** to adopt Ordinance 13-152 with the changes made. Dennis Long **seconded** the motion. The motion passed with the following roll call vote:

***APPROVE ORDINANCE 13-
152 RULES OF ORDER
AND PROCEDURES***

Robert Hall	Aye
Dan Olsen	Aye

Dennis Long Aye
Kenneth Reynolds Aye
Gordon Kitchen Aye

Ryan Cook came before the Council to share some ideas on safety awareness for the children of our community. Ryan thanked the Council for giving him some time to get some things off his chest regarding children and safety issues he had some concerns with. Ryan stated he recently attended a weed conference and heard a gentleman speak about having people in government that have no idea how to support rural communities. Ryan said the person who spoke to them told a story about gathering several items together, a pair of pants, gallon of milk, etc., and asked a group of children where they came from, the reply he received was- the store. Ryan said he wanted to propose a few things, including some awareness programs for kids, and to see if the City would like to participate in some of those. Ryan thought they could do some type of contest to help the children become more aware of noxious weeds that are found in this area. He also wanted to take some type of safety program into the schools to help the kids become aware of the dangers of equipment, trench safety, tunnels, etc. He said there is not a lot of farm equipment any more with all of the subdivision being built but the construction of the subdivisions does bring big equipment into local neighborhoods. He said children are also attracted to building tunnels in the sand and there are many deaths each year linked to collapsing tunnels. Ryan also wanted to try and bring awareness to the young people of the sacrifice made by those who have served this country. Ryan presented the idea of trying to honor a local veteran each year and to educate the youth about them and their service to this country. Ryan said he'd like to try and make a difference in the life of the kids here. Mayor Baker thanked Ryan for his thoughts and said it would be good for all of them to think about things they might do to help promote this.

***CITIZEN PROPOSAL ON
SAFETY EDUCATION
AWARENESS***

Dan Olsen **moved** to go back to item number six on the agenda. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

***MOTION TO MOVE BACK
TO DISCUSSION OF FIRE
STATION POLE***

Brett Reynold, Naples Fire Chief, came before the Council to discuss the purchase of a fire pole for the Naples fire station. Craig Blunt told the Council that he checked with different manufactures of fire poles and found the top one is McIntire Brass Works, Inc. Craig said he received a price quote from

McIntire for a brass pole. The quote was \$5,000 which Craig said would include the ceiling and floor brackets and floor mat. The safety kit was an additional \$7,850. Brett told the Council that the Naples Fire Department logged over one thousand community service hours last year. Brett said the department doesn't "need" a fire pole but it is one of the first questions the kids ask when they come to the station. Brett feels like their station has become a community center and their vision has always been to have a pole at the station. The Council discussed what the liability would be and what type of cage they would need. The Council members stated they would prefer a commercial installer to build the platform for the pole and have it done right. After some discussion, Kenneth Reynolds **moved** to approve \$19,750 for the purchase and installation of the pole. Robert Hall **seconded** the motion. The motion passed with the following roll call vote:

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

Brett Reynolds also took a couple of minutes to express his concern over the Adler Hot Oil fire. He said when they responded to the fire they spent more time looking for bodies than fighting the fire. He said they were worried at what they would find with that big of an explosion. Brett said if something like that were to happen in Naples City, they would have been picking up bodies. Brett said he doesn't like to mandate safety measures but he does believe the City needs to think about putting something into the building permit process asking oilfield companies to install gas monitors in their building. Brett said there are twenty-two companies not working because of what happened at one company. Brett said he really isn't one that wants government telling people what to do but because of what is stored in this area, you have to look out for your neighbors. He thought it might be a good time to consider sending out a letter to local companies encouraging the placement of monitors in their buildings.

Police Department - Chief Watkins asked for Council approval to send two officers to the Street Survival Seminar sponsored by ULGT. Chief Watkins said the training was free and he was asking for \$280 per diem for each officer. Dan

***TRAINING AND TRAVEL
REQUESTS***

Olsen **moved** to approve \$560 for the travel. Robert Hall **seconded** the motion. The motion passed with the following vote:

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

Road Department - Jim Harper came before the Council to ask approval for he and Ryan to attend the Road School in St. George. The training is sponsored by Utah League of Cities and Towns. He said he would like the training to be closer but ULCT has chosen to hold the training in St. George the last few years. Jim said they would also be receiving their Utah LTAP awards at this training. Jim said he doesn't have enough left in his training budget to cover this request but he could take some of it from line item 10-60-610 if they would approve that. Jim said he would be willing to travel on his own time and pay for lodging if the Council would pay for the classes and per diem. Councilman Kitchen questioned why he would do that. Jim said it would give them an opportunity to get out of town with their family and have more flexibility and freedom to do what they would like. Mayor Baker said the travel form shows \$284.74 for lodging and wanted to know if that would be one room for the two of them. Jim said it would be. Councilman Kitchen wanted to clarify that Jim was just asking for the per diem of \$240 and the registration of \$370. Jim said they also needed an additional \$100 for a retro-reflectivity for signs class. The total amount requested was \$710. Dennis Long **moved** to approve \$710 for per diem and registration. Robert Hall **seconded** the motion. The motion passed with a roll call vote as follows:

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

City Manager - Craig Blunt asked the Council for approval to attend an electrical update class with Dale Peterson. Craig said this class would give education credit for building inspectors. The cost for both of them to attend would be \$170. Ken Reynolds **moved** to approve Craig and Dale to attend this class. Dennis Long **seconded** the motion. The

motion passed with the following vote:

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

Craig asked the Council for approval to attend NIMS training in Salt Lake City for four days. He said this would be part of the Emergency Response training. The total requested was \$600. Gordon Kitchen **moved** to approve the travel for \$600. Kenneth Reynolds **seconded** the motion. The motion passed as follows:

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

City Recorder - Nikki Kay asked the Council to approve travel in the amount of \$262.97. Nikki wanted to attend the conference sponsored by Utah Retirement Systems and PEHP in Salt Lake City. Robert Hall **moved** to approve \$262.97. Dan Olsen **seconded** the motion. The motion passed with a roll call vote:

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

Craig Blunt reported that the first phase of the 2500 South intersection was completed, getting them to the canal. He said the second phase would be to replace the culvert and that is what the change order is for. Craig said they have about \$135,000 left in the budget and the Council would need to supplement the additional amount using funds from the road tax. Gordon Kitchen **moved** to approve the change order in the amount of \$174,358. Dan Olsen **seconded** the motion. The motion passed with all the following vote:

Gordon Kitchen	Aye
Kenneth Reynolds	Aye
Dennis Long	Aye

***CHANGE ORDER NO. 2
FOR 2500 SOUTH***

Dan Olsen Aye
Robert Hall Aye

Craig Blunt sent the Uintah Basin Association of Governments Disaster Mitigation Plan to each Council member by email. Craig said he had grief with a couple portions of the Plan. He said one thing they should have added to this plan was the Drainage Master Plan. Craig said it includes part of the flooding talked about in the Mitigation Plan, except with FEMA. Craig said FEMA gives no elevations and no flows. Craig's recommendation was to adopt the 2008 Drainage Master Plan along with this in order to have it as a reference. Councilman Kitchen wanted to know if the drainage plan would supercede the information given by FEMA. Craig said FEMA knows this plan exists and asked that the elevation and widths be included in their information. Craig said the drainage plan has more detail and he didn't think FEMA would scream and yell about it. Craig said he would accept the plan but with the stipulation of accepting the 2008 Ashley Valley Storm Water Master Plan as a reference. Kenneth Reynold **moved** to adopt the Disaster Mitigation Plan with the 2008 Ashley Valley Storm Water Master Plan as a reference. 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

Craig Blunt gave the Council an update on the City's application to the Joint Hwy Committee for street lights. Craig said the Joint Hwy Committee awards projects into the future so they have already awarded the projects for 2013, 2014, and 2015. He said the Committee then had to decide which projects to award for 2016, 2017 and 2018. He said the City missed the slot for 2016 but was awarded one of the slots for 2017. Craig said he explained to the Committee that the City broke their project into two parts in case one of their projects had additional funding, they might be able to complete phase I. Craig said the second choice would be to go to the Community Impact Board to see what funding they would provide. Craig said the CIB might consider doing a 50/50 match. Craig explained the break down in funding for the projects. Craig stated he put the contribution from the City at \$161,600 for both phases. He showed the amount to be

***ADOPT DISASTER
MITIGATION PLAN***

***UPDATE ON JOINT HWY
GRANT FOR HWY 40
STREET LIGHT PROJECT***

provided by the Joint Hwy Commission as \$575,050. Craig said the two phases are almost equal in cost. Craig said he didn't know how urgent the City wanted to be to get the lighting in. Councilman Kitchen asked Craig if they wait until 2017 if the funds would be a grant. Craig said they would. Councilman Kitchen said the other way they would have to go into debt again. Mayor Baker said the City could chose to break it into phases and take on the first phase. Councilman Kitchen said the first phase would be \$237,200 and the City has only promised \$161,600 to the total project. Mayor Baker said the City would have to come up with an additional \$160,000 if they were to do this. Craig said they could also try and go before the CIB. Craig said the next funding cycle would not be until June. Councilman Kitchen said if the City could get a grant he would be in favor of it but not if it's a loan. Councilman Kitchen asked Craig what he thought the CIB would go for. Craig thought they would go for the \$500,000 with the City providing the rest. Craig said a lot of it would hinge on getting one of the County Commissioners to help sponsor it. Mayor Baker said the next item on the agenda is a discussion and approval to increase funding for the street light project. Mayor Baker said he would like to see the City move forward with phase I. Councilman Kitchen wanted to know what the Mayor was trying to accomplish with the next item on the agenda. Mayor Baker said he would like to spend money and complete phase I. Mayor Baker said he would like to see at least part of the project completed. He said if you wait for the funding from the Joint Highways it will be 2017, four years, before the project is started. Councilman Kitchen said if they go before the CIB it would only be one year. Councilman Kitchen said he would like to make sure if this is the best use of the money. He wanted to know if there were any competing projects for the funds and which is the most critical. Craig said they have a couple of drainage projects but he was considering making application to the Community Impact Board for those. Mayor Baker said he thought the street lights would be the most critical. Craig said he spoke with a number of business owners along the highway and they all wanted street lighting. Councilman Kitchen wanted to know if the Mayor was only talking about completing the first phase. Mayor Baker said that is all he was trying to do and still wanted to pursue the funding from the Joint Highways. Councilman Kitchen wanted to know if they could move the \$237,000 to start phase I and still use that as the match when applying for the rest of the funds. Craig Blunt discussed other areas they might need to work on, he said there are two spots that are becoming a problem

where the City should put guard rails. He said one is the golf course corner and the other is the 1500 South dugway. Councilman Hall wanted to know if they would need to widen the road in order to do the dugway. Craig said the next step on the dugway should be an engineer study to determine how to best deal with it. Craig said it would cost about \$70,000 for an engineer's study of 1500 South. Mayor Baker wanted to know if guard rails ever come up as surplus. Craig said he's almost had more luck getting the sound barriers like they wanted for Montgomery Recycling than he has with the guard rails.

After receiving the update on Craig's meeting with the Joint Highway Committee, Mayor Baker wanted to open it up for discussion to proceed with phase I of the street light project and to move funds to cover that. Mayor Baker said the City would be looking at expending \$240,000 on top of the \$80,000 the City has already committed. Craig said the funds are in the capital project roads but not as a budget line item for this project. Dennis Long **moved** to approve expending \$320,000 for the street light project and to create a budget line item for the project. Dan Olsen **seconded** the motion. Nikki Kay said she would feel better if the Council would hold a public hearing to open the budget and move the funds before approving expenditure of them. It was agreed to hold a public hearing on March 28, 2013 for the purpose of opening and amending the budget. Craig asked the Council if they wanted him to still approach the CIB for funding. Councilman Long said yes and the Mayor said it can't hurt. The motion was **amended** to hold a public hearing to open and amend the budget to move funds for the street lighting project in order to move forward with it and to approach the CIB for additional funding. The motion passed with all voting aye.

Craig Blunt gave the Council a break down of supplies and purchases he would like to make to update the east wing of the city office building. Craig said he didn't have an exact amount to upgrade the phone system and to run phone lines and computer cables to that side of the building. Craig stated there are funds available for use in the Administrative Secretary budget. Craig told the Council he would also like to secure the outside doors with a magnetic lock system. Craig also discussed additional security cameras and safety glass for the police and court. Robert Hall **moved** to approve the expenditures up to \$20,000 for the items discussed and to transfer the funds in the budget. Dan Olsen **seconded** the

***PURCHASE APPROVAL
FOR UPDATE OF EAST
WING***

motion. The motion passed with the following vote:

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

Jim Harper came before the Council to request approval to purchase a Bah motor for the sweeper. Jim said this motor is located under the broom on the sweeper and has had a fluid leak so they would like to replace it at this time. Dennis Long **moved** to approve up to \$850 for the motor. Kenneth Reynolds **seconded** the motor. The motion passed passed with the following roll call vote:

***PURCHASE APPROVAL
FOR SWEEPER MOTOR***

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

Nikki Kay presented Resolution 13-255 for Council approval. The Resolution showed the changes made to the FY 2012/2013 budgets as approved at a previous meeting. Dan Olsen **moved** to approve Resolution 13-255. Robert Hall **seconded** the motion. The motion passed with the following roll call:

***RESOLUTION 13-255
AMENDMENT TO FY
2012/2013 BUDGET***

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

Road Department - Jim Harper told the Council they have been busy trying to clean the roads. He said they have been getting about five ton of mud a day from the industrial area. Jim shared what he learned about what Logan City does to help alleviate tracking mud onto the roads. Jim said some places are required to install cattle guards on their driveways to help knock the mud off. Councilman Kitchen wanted to know if that would be every business. Craig said it would only be the ones that don't have a hard surface approach. Councilman Kitchen said the trucking industry out here is very different from Logan and he couldn't see doing that. Jim said they will be getting some temporary help to complete

***SPECIAL SERVICE
DISTRICT AND
DEPARTMENT HEAD
UPDATES***

the crack sealing, painting the curbs, tree trimming, and planting the flowers.

City Planner - Chris Hoem said they will be holding a public hearing with the Planning Commission to talk about the Microtel Hotel, the rezone of Pheasant Run, the sign Ordinance and the scenic byway. Chris said they will also be repealing the Planning Commission bylaws. Chris said they will develop a stand alone Ordinance to determine how the members are appointed and how long they are to serve. Chris said they will also be working on the Transportation Plan in the future.

Police Department - Chief Watkins said he would really like to work with Ryan about some of the items he discussed. Chief Watkins said he has noticed how many children there were in the area of the park on their bicycles and thought a little education on safety would be a good thing. Chief Watkins also wanted the Council to know a documentary film company contacted him several months ago and were interested in small police departments that are affected by oilfield companies. Chief Watkins said he hadn't heard back from them until just recently and the producer asked for a group photograph. Chief Watkins said he didn't want to move forward with anything until he spoke with the Council about this. Councilman Kitchen wanted to know what their agenda might be. Chief Watkins said he did look into it and found this group does a lot of law enforcement and crime style documentaries. Chief Watkins said he would make find out what their agenda is before moving forward with anything. Mayor Baker wasn't sure about having giving them a group photo. Chief Watkins said their pictures are on the City web site so he wouldn't be giving out anything that isn't already available.

The other issue Chief Watkins wanted the Council to be aware of is the debate that has come about regarding the responsibility for hospital charges incurred if an officer takes a prisoner to the hospital before taking them to the jail. Chief Watkins said they have resolved some of the issues but he has not received all the answers he wants.

Councilman Long wanted to know if the Chief would please have his officers watch 2500 South, he has noticed as the weather gets warmer the speed seems to increase.

City Manager - Craig Blunt said the ad promotions for the

Easter Egg hunt will begin this week. He said they will set out the candy at 7:15 and the Easter Egg hunt will begin at 9:00 on Saturday March 30th.

Craig also reported on a gas leak that was reported from Interstate Implement on Wednesday. Craig said Questar responded and discovered the leak was not in the building but coming from a hole in the asphalt. Craig said they had to evacuate Airgas Intermountain and Interstate Implement. Craig said they discovered a sewer line running parallel with the buildings, going south toward Superior Lube. Craig said the 4" line was laid right on top of the gas line and the pressure from burying the sewer line made it bow which caused it to put pressure on the gas line and caused the coupling to leak. Craig said it wasn't a big deal but did bring up the fact that there needs to be better documentation and better inspection with contractors laying the lines.

Animal Control SSD - Councilman Olsen said the Animal Control Special Service District will be meeting with all the attorneys from the different entities to discuss the unified animal control ordinance. Councilman Olsen said that should bring the Ordinance back to the Council by the first meeting in April.

Fire Suppression SSD - Councilman Hall said the Naples Fire Department is on the schedule for a remodel but said the money is tight so they will just have to wait and see if it happens.

Health Services SSD - Councilman Hall said he didn't have much on the Health Services SSD, just that they are proceeding with the Care Center addition.

Impact Mitigation SSD - Councilman Long reported that he recently traveled with the Impact Mitigation Board and with the County Commissioners to view the Davis County Convention Center. He said the Convention Center has a motel attached to it. Councilman Long said they are very interested in building something similar in this area. Councilman Long said he mentioned to Commission McKee the City already has something along those lines included on the Downtown Master Plan. Councilman Long asked Craig and Chris if they would take a copy of the City's Downtown plan to the County Commissioners showing the location of a convention center.

Recreation District - Councilman Kitchen said the Recreation District is planning to reface the parking lot at the golf course with a new entrance, they are just trying to figure out the funding. Councilman Reynolds asked about the benches at the park. Councilman Kitchen said it is on the list and will hopefully be completed next year. Councilman Olsen said the old pavilion is in need of repair. Councilman Kitchen said it should be on the list for spring fix up. Mayor Baker brought up the baseball nets by the Middle School. He wanted to know if the Recreation District could do something like that at the park. Councilman Kitchen said the Vernal Baseball league put those there. Councilman Kitchen said he could bring it up with the Board to see what they thought. Councilman Olsen said the block retaining wall in the parking lot at the park was damaged. Councilman Kitchen said he was sure Neil and his crew will be taking care of all those items as the weather gets warmer.

Nothing to discuss.

Gordon Kitchen **moved** to table the open meetings training until the next meeting. Dan Olsen **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 10:10 p.m. Dan Olsen seconded the motion. The meeting was adjourned.

APPROVED BY COUNCIL ON THE 28th DAY OF MARCH 2013

BY: _____

ATTEST: _____

***OTHER MATTERS -
FUTURE COUNCIL
MATTERS***

***A N N U A L O P E N
M E E T I N G S T R A I N I N G***

MOTION TO ADJOURN