

Naples City Council September 26, 2013 Minutes

The regularly scheduled meeting of the Naples City Council was held September 26, 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 Robert Hall, Gordon Kitchen, Dennis Long, Dan Olsen and Kenneth Reynolds. Mayor Dean Baker was absent.

COUNCIL MEMBERS ATTENDING

Others attending were Jim Harper, Szeth Simmons, Shauna Jo Eves, Mark Watkins, Chris Hoem, Connie Patton, and Craig Blunt.

OTHERS ATTENDING

At 7:30 p.m. Mayor Pro Tem Dan Olsen welcomed everyone and called the meeting to order. He asked that the Mayor be excused and stated he would be Mayor Pro Tem. Dan Olsen opened the meeting with the pledge of allegiance. Councilman Kenneth Reynolds offered the invocation.

OPENING CEREMONY

Mayor Olsen asked for approval of the agenda. Craig Blunt asked to include another travel request to the agenda. Gordon Kitchen **moved** to approve the agenda. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

AGENDA APPROVED

Acting Mayor Dan Olsen asked for approval of the minutes of the September 12, 2013 regular City Council meeting. Robert Hall **moved** to accept the minutes. Dennis Long **seconded** the motion. The motion passed with all voting aye.

MINUTES APPROVED

Nothing was brought forward for discussion from the meeting of September 12, 2013.

FOLLOW UP ITEMS FROM PREVIOUS MEETING

Connie Patton presented the bills in the amount of \$51,327.73 and asked for approval to pay them. Dennis Long **moved** to approve payment of the bills in the amount of \$51,327.73. Kenneth Reynolds **seconded** the motion. The motion passed with the following vote:

APPROVAL OF THE BILLS

Robert Hall	Aye
Dan Olsen	Aye

Dennis Long Aye
Kenneth Reynolds Aye
Gordon Kitchen Aye

A business license request for **Woodall's Auto** located at 1748 South 1500 East was received by the Council for their approval. Craig Blunt stated the business was located in the proper zone and building for the type of work they will be doing. Craig said he will go back and do a final inspection after they move in. Gordon Kitchen **moved** to approve the license. Dennis Long **seconded** the motion. The motion passed with all voting aye.

BUSINESS LICENSE APPROVAL

A donation request for the annual Mayor's Halloween walk was on the agenda for discussion. Shauna Jo Eves with the Uintah Recreation District was not yet present at the meeting. Councilman Olsen said Mayor Baker thought the donation made by the City last year was \$1,500 but didn't know if that amount was built into the budget for this year. Connie Patton thought the City donated \$1,200 last year. Councilman Kitchen wanted to know if there was anything built into the budget this year. Connie thought there should be money there. Councilman Kitchen wanted to know if they postponed this discuss until next meeting if they would still have enough time to let the District know. Gordon Kitchen **moved** to table this discussion until next meeting. Dennis Long **seconded** the motion. The motion passed with all voting aye.

DONATION REQUEST FOR ANNUAL MAYOR'S HALLOWEEN WALK

Nikki Kay submitted a travel request to attend the Utah Business Licence conference in Midway. The request was for \$490.50. Gordon Kitchen **moved** to approve the request. Kenneth Reynolds **seconded** the motion. The motion passed with the following roll call vote:

TRAVEL APPROVAL FOR CITY RECORDER

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

Craig Blunt told the Council he just received noticed that the CIB hearing for the City's street light project request will be held October 3, 2013 in Salt Lake City. Craig requested one day per diem to attend the hearing. Kenneth Reynolds **moved** to approve the request. Councilman Kitchen asked

TRAVEL APPROVAL FOR CITY MANAGER

Craig if he wanted to travel out the day before. Craig said he will leave about 4:00 in the morning. Dennis Long **seconded** the motion. The motion passed with all voting aye on roll call:

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

Jim Harper submitted a request to attend the ULGT Fall Conference. Jim said the travel was approved previously but the Trust changed the date of the training and moved it to October. The amount requested was \$165.14. Kenneth Reynolds **moved** to approve the request. Gordon Kitchen **seconded** the motion. The motion passed with the following vote:

TRAVEL APPROVAL FOR ROAD DEPARTMENT

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

Shauna Jo Eves arrived at this time and Councilman Kitchen explained they tabled the discussion for the donation request until next meeting so they could discuss the availability of funds in the budget. Councilman Olsen wanted to know how much the City donated last time. Ms. Eves handed out a paper showing the City's donation of \$1,200 last year. The Council asked Ms. Eves to come back on October 10th.

Jim Harper asked the Council for approval to purchase some crack sealant while he was in Salt Lake attending the Storm Water Expo. Jim gave them an estimate of \$6856.25. Councilman Reynolds asked Jim if this was in his budget. Jim stated it was. Dennis Long **moved** to approve the purchase. Kenneth Reynolds **seconded** the motion. The motion passed with the following roll call vote:

APPROVE EXPENDITURE FOR CRACK SEALANT

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

Council members received information and bids on an addition to the City shop. Jim said this would be an addition onto the north side of the shop. He said it would be a shelter extending 80' lengthwise. Jim told the Council they want the shelter in order to get some of their equipment out of the weather. He thought this would help the equipment last longer and the money was included in his budget. Jim said the shelters are like stretchers that attach to the building. Councilman Kitchen wanted to know if the bids were for similar structures because the bids were certainly not the same. Jim said it took him a while but the bids should be for the same thing. Councilman Kitchen said he wanted to make sure they were bidding the same thing because the bids were so different. Jim pointed out the correct amount from Angus Construction because he bid two different sizes but said all three companies bid the same size building. Council members said they only had information from two companies. Jim stated he also received a bid from Jody Smith Construction. Craig Blunt had the amount of \$47,440 from Jody Smith. Councilman Kitchen said that would make him the low bidder and **moved** to approve the low bid from Jody Smith Construction. Robert Hall **seconded** the bid. Craig Blunt stated they will do a background check on their licenses before they award the bid. Council Kitchen **amended** his motion to include awarding the bid contingent upon a clear check on his license. Councilman Hall agreed to the amended motion. The motion passed with the following vote:

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

Chief Mark Watkins came before the Council to discuss the CCJJ (Commission on Criminal & Juvenile Justice) grant the department would be receiving to purchase some new equipment. Chief Watkins said he would like to purchase equipment to replace some of the older equipment the officers carry in their vehicles. The items he wanted to purchase were: radars, flashlights, binoculars, and printers. Chief Watkins said the equipment purchase comes up to a little more than \$7,500. Chief Watkins said the City would pay for the items up front and be reimbursed through the grant. Dennis Long **moved** to approve the grant and the purchases. Robert Hall **seconded** the motion. The motion passed with the following roll call vote:

***REVIEW AND APPROVE
BIDS FOR SHOP
ADDITION***

***ACCEPT CCJJ GRANT AND
APPROVE PURCHASE OF
EQUIPMENT***

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

Craig Blunt gave Council members information on the bid results for the Hwy 40 street light project. Craig said they had four bid packets picked up and three came to the mandatory site visit. Craig said they wanted the bidders to visit the site because of the trenching that is noted by the Engineer in the bid documents. Craig said the trenching was not going to work. Craig said he created a budget with an increase in the length they would be required to bore. Craig said they also had to increase the budget due to the decorative base they would be using. Craig said they also needed to increase it due to Rocky Mtn Power's requirements. Craig said this increased the budget by \$126,195. Craig said if they look at the two bids they can see where they came in \$6,354 over budget. Craig said they can accept the bids and try to come up with the additional funds or they can try to rebid. Councilman Kitchen wanted to know if they would be over budget with whichever bid they accepted. Craig said that was correct. Councilman Kitchen wanted to know if they could eliminate anything on the bids. Councilman Olsen wanted to know where they could come up with the money. Craig thought they could take it out of the highway tax the City receives. Councilman Kitchen said it seems they keep committing funds out of there. Craig said they have been and said they average about \$40,000 per month in revenue. Councilman Olsen said they need to get it done. Councilman Kitchen still felt as if the City were constantly committing money from those taxes and he wanted to make sure the funds would be available. Councilman Long wanted to know if the expenditures for the completion of 2500 South are also allocated from the road tax. Craig said they still had a little bit left over from the first half of the project but they will need to open the budget for the remaining amount. Councilman Kitchen questioned why there was a difference of \$70,000 between the two bids, he worried that they might not be bidding the same thing. Craig said one big difference was the mobilization charge for the two companies. Councilman Kitchen wanted to know if they have any contingency for change orders and wanted to know if Craig could foresee any area where they might come back and ask for one. Craig said he was hoping what was included in the bid documents would prevent or make it difficult for

***BID OPENING FOR HWY
40 STREET LIGHT
PROJECT***

them to come back and ask for anything. Councilman Kitchen just wanted to make sure because of the difference in bids. Craig said if you look at the bids and compare them, Hidden Peak Electric was higher in almost every area plus the mobilization charge was quite different. Councilman Long wanted to know if Craig had worked with either company before. Craig said he had not, they are both from the Wasatch Front area. Councilman Kitchen said he was still concerned about either of them coming back with change orders. Craig said he would get with Dennis Judd to help with the contract. Gordon Kitchen **moved** to accept the low bid and to open the budget to allow for the additional funds. 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

Councilman Olsen wanted to know how soon the construction would begin. Craig Blunt said he would have a preconstruction meeting next week and he would know at that time when the company would be able to begin.

Craig Blunt gave Council information on the drainage in the industrial parks. Craig said they would like to work on the drainage issue on 1300 East. Craig said he would like approval to submit the packet to the Community Impact Board and stated he divided the project into a 50/50 match grant. Dan Olsen **moved** to execute the contract and submit it to the CIB. Robert Hall **seconded** the motion. The motion passed with all voting aye.

***CIB APPLICATION FOR
1300 EAST DRAINAGE
PROJECT***

Craig Blunt updated the Council on the 2500 South canal project. Craig submitted a change order from Ashley Valley Water and Sewer on the 2500 South canal project. Craig said he would like an opportunity to negotiate with AVW&S on this change order. Craig said there is a big difference in the labor and equipment compared to the parts. Craig said, at the time, in order to proceed with the project they had to lower the water because it would have been eight inches into the box culvert. Craig said they were aware of the sewer on the north side and they knew about the gas line and the only line they had to lower was the communication line. Craig said he approved the change order so it wouldn't stop the project.

***UPDATE ON 2500 SOUTH
CANAL PROJECT***

Councilman Olsen wanted to know if they just needed to ratify it. Craig said yes but he still wants to go back to AVW&S and see if they would lower the amount. Councilman Kitchen wanted to know if they could approve the full amount and have Craig go back and negotiate. Craig said that would work. Gordon Kitchen **moved** to approve \$6,263 for the change order and have Craig go back and negotiate it down. 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

Craig referred the Council to a picture he gave them showing how the engineer's tried to line up the vault with the inlet and it didn't line up or continue far enough to the end. Craig said they would have to spend an additional \$10,000 to form additional wing walls to extend it and line it up. Councilman Long wanted to know how this would attach. Craig said they would be welded on. Councilman Kitchen wanted to know who would be responsible for the liability of this because it would be a favor to the canal company if the City does it. Councilman Kitchen wanted to know if the City would be taking on the liability. Craig said they would release this back to the canal company. Craig said the reality is when the water encroaches or digs away the bank it isn't the canal company that fixes it. He said they plead poverty so the City comes up with various ways to safeguard the edge of the roads like lining the banks with concrete slabs. Councilman Kitchen said they are making a decision without the canal companies input. Craig said if they don't want to do it they can rifferaff it. Councilman Olsen said they would end up maintaining it. Dennis Long **moved** to approve \$18,045 to have it done right. 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

Council members again reviewed changes to the Land Use Ordinance chapters 02-02, 02-14, 02-19, 02-24, and 02-31.

***APPROVE CHANGES TO
LAND USE ORDINANCE***

Councilman Kitchen asked Chris for a clarification on urban livestock, he said they mention RA zones and he wanted to know why an agricultural zone is included with the urban livestock. Councilman Kitchen said he understands using it with R-1 and R-2 but not the RA-1 and RA-2. Chris said the agricultural zones have their own set of animals. Councilman Kitchen wanted to know why they reference the RA-1 and RA-2 zones when talking about urban livestock. Chris said they can remove the RA-1 and RA-2 if that is what they want. Chris said he can make that change. Councilman Long asked about the zone on 2500 South. Chris said it is RA-1. Councilman Reynolds said it is only the subdivisions that are R-1 or R-2. With no other questions or comments, Dennis Long **moved** to accept Ordinance 13-157 making the proposed changes to the presented chapters of the Land Use Ordinance. 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

City Planner - Chris Hoem asked the Council if they had any questions for him about the travel and training schedule he submitted at the last meeting. Council members said they didn't really have any questions, they just might not approve all the requests. Councilman Kitchen said he would like to see the department heads take a look at keeping a balance in their training. He wanted them to look at those that were the most important. He said there is money budgeted but his concern was the amount of time out of the office when employees go to these training.

Chris reported on the trip he took with the other area Planners and Economic Development Director. He said they met with EDC Utah (Economic Development Corporation), Mark Bingham, the Gardiner Group, and the Governor's Office of Economic Development. He said the two things he learned from the meetings were if they join with EDC Utah that would help with economic development networking through the State. Chris said they could point a business in the City's direction that would meet with our demographics. Chris said to join would be \$1,500 and is their minimum based on population. Chris said the second thing was the meeting they had with Rob Moore who is the main person in

***CHAPTERS 02-02
DEFINITIONS, 02-14
SUPPLEMENTARY
REGULATIONS, 02-19
ZONES, 02-24
RESIDENTIAL R-1 ZONE,
02-31 SUBDIVISIONS
ORDINANCE 13-157***

***DEPARTMENT HEADS
AND SPECIAL SERVICE
DISTRICT UPDATES***

Utah that helps locate grocery stores. Mr. Moore told Chris it would help if Naples would conduct a study showing the need of this area. Councilman Kitchen wanted to know if the studies conducted for the General Plan would cover this type of requirement. Craig said they did but they could be updated. Chris said those studies were conducted six years ago and might be obsolete. Chris said he felt they need a focus study for a grocery store since that is what their target is.

Road Department - Councilman Olsen expressed his appreciation to the road department for the help they gave in cleaning up the downed branches across the street from him. He said the owner of the property also wanted them to know he appreciated their efforts. Jim said he would let his guys know. Jim wanted the Council to know some of the things they have been working on. He said they put forth a great effort this last summer in weed control and they are preparing for the snow season by getting their equipment ready. Jim said they will be working on tree trimming, striping the office parking lot, and marking the pressured irrigation pipe if they can find it. Councilman Kitchen wanted to know how they were going to do that. Jim said after they get the survey equipment they will try and locate them according to what they see and what the farmers know, he said they can mark the vents and valves. Councilman Kitchen wanted to know to what extent they were going to do that because it could be labor intensive. Councilman Kitchen wanted to know if they contacted Andrea Merrell. Craig said he had but didn't feel like the information he saw was up to date. Councilman Kitchen felt it shouldn't be a very high priority because it would be a guessing game. Jim said he thinks they need to try and do some because they are going to have to deal with it on the Hwy 40 street light project. Councilman Olsen asked about the exterior lights on the office because they are both out again. Jim said they are going to have to get an electrician because the motion detector is affecting them.

Police Department - Chief Watkins invited the Council members to walk through their new evidence room and see how it works. Chief Watkins reported that Officer Simper is through his first week of academy and that Officer Fishler is finishing his FTO training. He also told the Council one of their patrol vehicles was damaged in the recent hail storm and the damage was estimated at about \$6,500. Councilman Kitchen thanked Chief Watkins for their presence at the

school. Councilman Olsen praised Officer Tatangelo for his help with the recent downed power lines near his home.

Uintah Recreation District - Councilman Kitchen asked about the musical instruments. Craig said he is still waiting to meet with Neil. Councilman Kitchen said the District is putting in new back stops and new fencing at the ball diamonds. Councilman Reynolds asked about the benches. Councilman Kitchen said those will be put in next year.

Uintah Impact Mitigation SSD - Councilman Long said the Impact Mitigation Board just budgeted money for another ozone study this next year. Craig asked if they were four year studies. Councilman Long said it might be, he knew they did three but he wasn't sure about the fourth. Councilman Long said they also went through an audit and everything with it was fine. Councilman Long said they are also discussing a new plan for the conference center to make it larger.

Uintah Fire Suppression SSD - Councilman Hall asked if Craig met with Jeremy Raymond concerning the fire station remodel. Craig said he did meet with him. Councilman Hall said they are also talking about getting a new brush truck. Councilman Hall said they are trying to get the projects completed before the possibility of losing some of their funding. Councilman Hall also reported how many fire inspections were completed in Naples, how many passed and how many are still pending.

Uintah Health Services SSD - Councilman Hall reported on the Care Center, he said they lose money every year but they are moving forward with the addition and it should be completed in about six months.

Uintah Animal Control SSD - Councilman Olsen said the District is running about ten incidents a month for animals with a majority of the incidents related to animal bites. Councilman Olsen said they need to support Judge Petry and let her know the City is behind controlling animal bites and animal issues in the City. Councilman Olsen said the animal control ordinance is finally out of the hands of the attorney's. He said they have finished their work on it and given it back to the County for review. Councilman Olsen said after that it should come to the different cities. Councilman Olsen said it will still be a few months before it comes back to the City. Chief Watkins wanted to know why the animal control citations were going to Vernal City court. Councilman Olsen

said he would follow up on that and let him know.

Council members received a letter from Logan Monsen requesting additional money to clean the City office due to the additional offices and bathroom. Craig wondered if they needed to rebid for the services because this would raise it to \$700 per month. Councilman Kitchen said they've changed what is required to be cleaned and there is now more to do. Councilman Kitchen said he didn't know how often they wanted to bid it out but for what the City is getting he didn't think it was too high.

OTHER MATTERS

Connie wanted to know if there was any way they could get somebody to come in and clean out the heating ducts. Connie wasn't sure it has ever been done in the building. Craig said that would probably take someone with specialized equipment. This was on the agenda as a future council item to increase the budget. No action was taken.

With no other business before the Council, Dan Olsen **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 10th DAY OF OCTOBER 2013

BY: _____

ATTEST: _____