

**Naples City Council
January 9, 2014
Minutes**

The regularly scheduled meeting of the Naples City Council was held January 9, 2014, 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 Jolene Baker, Jim Harper, Chelsie Hall, Dale Harrison, Dennis Judd, Mark Watkins, Chris Hoem, Craig Blunt and Nikki Kay.

OTHERS ATTENDING

Nikki Kay administered the oath of office to the newly elected officials. Dean Baker was sworn in as Mayor. Robert Hall and Dennis Long were sworn in as Council members.

***S W E A R I N G I N
CEREMONY OF NEWLY
ELECTED OFFICIALS***

At 7:30 p.m. Mayor Dean Baker welcomed everyone and called the meeting to order. Mayor Baker opened the meeting with the pledge of allegiance. Councilman Dennis Long offered the invocation.

OPENING CEREMONY

Mayor Baker asked for approval of the agenda. Gordon Kitchen **moved** to approve 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 the December 12, 2013 regular City Council meeting. Mayor Baker asked Nikki to clarify the location of the drainage project on 1300 East the City received CIB funding for. Craig said the location would be 1000 South to 1200 South on 1300 East. Robert Hall **moved** to approve the minutes with that amendment. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

MINUTES APPROVED

Mayor Baker asked if anyone had anything to discuss from the previous meeting. Councilman Long wanted to know about the land survey of the Head Start property. Craig said they will be receiving those bids back by the 13th of January.

***FOLLOWUP ITEMS FROM
PREVIOUS MEETING***

Connie Patton presented the bills in the amount of \$56,837.72 and asked for approval to pay them. Councilman Long asked if the charge for the landfill was the free pass to the landfill for residents. Connie said it was for landfill tickets for the road department. Mayor Baker asked Jim Harper why they were using a seasonal employee in the winter. Jim said they were using one to help rebuild the Christmas decorations. With no other questions, Dan Olsen **moved** to approve payment of the bills as presented. 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

APPROVAL OF THE BILLS

A business license application was received from **Mountain West Valve** located at 1402 East 500 South. Craig Blunt said the business moved into the building formerly occupied by Cudd Pressure Control and said the business is in the proper zone. Dennis Long **moved** to approve the license. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

BUSINESS LICENSE APPROVAL

Nikki Kay said she received a request from Uintah Recreation District to waive the business license fee for the Naples Splash Park. Gordon Kitchen **moved** to approve the request for the waiver. Dennis Long **seconded** the motion. The motion passed with all voting in favor.

REQUEST TO WAIVE BUSINESS LICENSE FEE

Chief Watkins came before the Council to request approval to replace some of the department's tasers and VieVue cameras. Chief Watkins requested \$8,000 of his equipment budget to make these purchases. Chief Watkins said most of the tasers were purchased when Steve Guibord was Chief. Gordon Kitchen **moved** to approve the purchase for the police department. Robert Hall **seconded** the motion. The motion passed with the following roll call vote:

APPROVE PURCHASE IN THE POLICE DEPARTMENT FOR VIEVUE CAMERAS AND TASERS

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

Chief Watkins also asked the Council if they would have any issue with him traveling to Salt Lake City one day a week during the Legislative session as he was appointed to the law enforcement legislative committee. Council members said they had no problem with it.

King Pin Blade - Jim Harper asked the Council for approval to purchase a king pin for the blade on the tractor. He said they were busy with the last snow storm and put their equipment to good use but stated it wears on the equipment. He said as they were scraping ice with the last clean up they hit a valve and broke the king pin and the blade on the tractor. Jim said it would be \$700 to repair the blade. Mayor Baker noted the Council also received information on purchasing a new heavier blade for the tractor. Mayor Baker wanted to know if Jim wanted to repair the old blade and buy a new one. Jim said they did. He said the ice was difficult for them to clean up without a grader and thought it would be good to have a back up blade. Councilman Kitchen commended the road department on how well they were able to clean up the roads after the storm. Jim said the cost to repair the blade and have it shipped was approximately \$700. Dennis Long **moved** to approve up to \$700. Kenneth Reynolds **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

Cutting Edge - Jim asked for approval to purchase a new cutting edge for the loader. Jim presented a bid of \$1,292.22. Councilman Kitchen wanted to know when they last replaced this. Jim said they haven't had to replace this one yet. Councilman Kitchen suggested putting tungsten oil on the blades to help them last longer. Gordon Kitchen **moved** to approve the purchase of the cutting edge for the loader. Robert Hall **seconded** the motion. The motion passed as follows:

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

***APPROVE PURCHASES IN
ROAD DEPARTMENT***

Gordon Kitchen Aye

Cutting Edge U Blade - Jim presented a bid of \$1,559.20 for a U blade. Councilman Hall asked Jim to explain what this was. Jim said they made a blade from the old grader and used the mower board and placed two sides on it to use for cleaning the snow in the residential areas and on the highway. He said the width of it helps them to push the snow better. Mayor Baker said it fits on the loader. Councilman Hall wanted to know if it was in the budget. Jim said the other purchases would use the rest of their snow removal budget and this one would come from the equipment maintenance budget. Robert Hall **moved** to approve the purchase. Dennis Long **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

Rear Tractor Blade - Jim requested a heavy duty rear blade for the tractor. Jim said the bid presented also includes two cutting edges. Councilman Kitchen wanted to know what they were going to do with the blade they are repairing. He wanted to know if it would just sit there because they don't have two tractors. Jim said it would be good to have a spare if something breaks or they could choose to surplus it at a later date. Mayor Baker thought they could use the blade if it's repaired and they could surplus it for more than the cost to fix it. Councilman Long wanted to know how often they use this. Jim said this is the first time they have used it this year but they have used it in the past for clearing the sidewalks and have been using it for about three years. Councilman Reynolds said the problem is 'when you need it you need it.' The bid received was for \$9,815. Dennis Long **moved** to approve the \$9,815. Kenneth Reynolds **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

Portable Message Board - Jim Harper gave the Council

two bids for a portable message board. Mayor Baker said as he looked at the two bids he couldn't determine why the difference in the bids. Jim said the only difference he could see in the two bids was the hydraulic lift. Councilman Long wanted to know how critical the radar package is. Jim said they need it to collect traffic data and said it would be good to have that information to help them take care of the roads. Councilman Kitchen wanted to know what budget they would take this from. Jim said he budgeted for this in 10-60-740 which is asset equipment purchase. Jim said they would be short about \$2,000 but he should have enough in that budget because he also budgeted for truck scales and those were not approved. Councilman Long wanted to know which company Jim would prefer ordering from. Jim said he would prefer Safety Supply because they can service whatever they buy from them. Robert Hall **moved** to approve the lower bid from Safety Supply, as long as it includes delivery, for the price quoted. Dennis Long **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 Blunt presented a change order in behalf of SCI for the Hwy 40 street light project. Craig said SCI has requested an extension of time on their contract. Craig said the snow caught the company off guard and it has taken extra time to remove snow and to thaw the areas of ground where the bases are placed. The request was to extend to the end of January but Craig felt like they would need at least until the middle of February. Craig told the Council they will be energizing the first three metered sections in the next couple of days. He also stated they have quite a few bases still left to pour in the fifth section. Kenneth Reynolds **moved** to extend the contract until the 14th of February. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

***CHANGE ORDER FOR
HWY 40 STREET LIGHT
PROJECT***

Council members received a draft of the Unified Animal Control Ordinance No. 14-159 for their review. Councilman Kitchen said before they get too far into the discussion he wanted the Council members to know that he spoke with Commissioner Raymond and Bert Clark and both said they were not comfortable with this ordinance and Mr. Clark didn't

***REVIEW UNIFIED
ANIMAL CONTROL
ORDINANCE***

think it would pass through their Council. Councilman Kitchen also pointed out that Ballard City would not be a part of the unified ordinance as they contract with Roosevelt City for animal control. Councilman Kitchen wanted to know if they should just let this ride until they see what the County is going to do with it. Councilman Kitchen said the City already has an Animal Control Ordinance in place. Craig said they do but it needs updating. Councilman Olsen stated that this Ordinance has been reviewed by Dennis Judd who is the attorney for both Naples City and Vernal City. He said they have spent many hours as a Special Service District (SSD) going over it and Alan Parker and Sonya Norton both took part in the discussions. Mayor Baker asked Craig how he felt about this. Craig said there a few things that need to be addressed but he felt it would cover the City very well. Mayor Baker said they could let the other entities work through it and see what action they take before deciding what to do. Councilman Kitchen wanted to know if they should go through a public hearing process. Councilman Olsen said the District went through the public hearing process. Councilman Olsen asked if Mr. Judd would share his thoughts on the subject. Dennis Judd gave the Council some background information on the Ordinance. Mr. Judd said the SSD approached Clark Allred about preparing a new animal control ordinance with a goal that it would be the same across all the entities in Uintah County. Mr. Judd said this was to help the animal control people, as they responded to calls, not to have three or four different ordinances to be aware of. Mr. Judd said the first Ordinance prepared was way too wordy and much of it didn't apply to our type of community. Mr. Judd said he spent quite a bit of time going through the Ordinance, made changes, and then met with the County Attorney's office, representatives from Vernal City, Naples, City, and the County. Mr. Judd said what came out of that meeting was the Ordinance they have in front of them. Mr. Judd said he took what came from that meeting and marked some additional changes he thought should be made and those were highlighted in yellow on their copies. Dennis said those changes have also been sent to the County Attorney's office and Vernal city for their review. Mr. Judd's recommendation was for the Council to take a look at it. Mr. Judd said he will be meeting with Christina at the animal shelter to discuss these latest changes. Mr. Judd said, overall, it's a much better ordinance than what the City has now. He said the current Ordinance is very outdated and they have had some problems in court with it. Mr. Judd said he sees wisdom in trying to have a fairly consistent ordinance

across the Basin for the animal control officers. Mr. Judd said this doesn't take away from the Council the responsibility to make ordinances for the City and they don't have to adopt the same thing as everyone else. He said they can still make changes to meet the needs of the City. Mr. Judd said with the corrections that have been made it is a good ordinance and much better than what the City has now. Mr. Judd said the city has adopted an urban livestock ordinance as part of their Land Use Ordinance and he suggested they move that to this ordinance and refer back to it in the Land Use Ordinance. Council Kitchen stated he had issue with an item on page twenty under "selling and disposal" where it refers to business parking lots and shops as public. He felt that was infringing on owner or property rights and didn't think they should designate that as "public." Mr. Judd said that might be a change they want to make and he didn't have an issue with changing that and taking it out of the Naples City's version. Councilman Kitchen referred to page twenty-two and said he had an issue with someone being required to stay with an animal they have accidentally hit until the animal control people show up. Mayor Baker said they need many of the controls under "animal cruelty" but he thought they were walking a fine line with some of the items. Mr. Judd suggested the Council decide what changes they want for Naples and what they would be comfortable with and to get back with him. Mayor Baker commended Mr. Judd for getting the Ordinance to this point. He asked the Council if they would be willing to hold a special workshop meeting to go through the Ordinance and make those changes. Mr. Judd said the Council needs to decide what works for the City and said they can make changes that don't affect the core of what the animal control officer has to do. Mr. Judd said he can change those things in the Ordinance that are clumsy and difficult to read but the Council needs to determine the policy issues. Council members discussed a date to hold an extra meeting to go work through the ordinance. Mayor Baker said the public needs to be invited to the meeting and allow them opportunity to share their suggestions. Council members set the date of March 6, 2014 and wanted to advertise this in the paper. No action was taken on this matter.

Chris Hoem presented the Council with a list of names for the Naples Planning Commission for the year 2014. Council members reviewed the list and Mayor Baker wanted to know if Chris made sure each member was still willing to be reappointed. Chris said that Mark Partridge was still willing to serve. Chris said he was not able to reach Kerry Kinney but

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

thought he would still be willing as he seems very excited about it. Chris said he thought Wally Gale was still willing to serve as he never called back to say he wouldn't. Dale Harrison said he did hear from Mr. Gale and was told that he would like to step down and allow some of the newer members to move up and take their turn at serving. Councilman Kitchen said Chris needed to make sure he contacted each person to ask if they are still willing to serve before those names are presented to the Council. Chris apologized and asked for a minute to step out to phone Kerry Kinney and make sure he was still willing to serve. Mayor Baker noted that with the resignation of Wally Gale, Mark Partridge would then move up as a regular member. Gordon Kitchen **moved** they go forward to item twelve. Kenneth Reynolds **seconded** the motion. The motion passed with all voting in favor.

Mayor Baker wanted to discuss the Special Service District appointments and Council member assignments. He wanted to make sure each member was okay with their current Special Service District appointments or if they wanted to make any changes. Councilman Hall said the only assignment he wanted to discuss was if Councilman Kitchen was interested in serving on the Airport Board. He felt Councilman Kitchen had a more vested interest in the matter. Councilman Kitchen said if he had to give up his assignment with the Recreation District then he would have a problem with it, otherwise he would be willing do that. Mayor Baker said this would be in addition to the Recreation District assignment. Councilman Hall said the Airport Board is an advisory board and not a policy board. Councilman Kitchen said he would be willing to accept that assignment. Nikki Kay said the Mayor reappointed Dan Olsen to the Animal Control Special Service District Board in February of 2013 and Robert Hall to the Health Services Special Service District at the same time. She noted that Dennis Long and Robert Hall were both appointed in 2011 to the Impact Mitigation Board and Fire Control Special Service District, respectively. Mayor Baker said they should be able to change whom they want to sit on those Boards at will. Nikki said the Council would have to repeal the current Resolution and it could be done by vote of the Council. She said the only one that has not been appointed by Resolution is Councilman Kitchen to the Recreation District Board. Councilman Kitchen said the Recreation District bylaws state the elected officials are there until they are changed either by not being reelected or at the will of the Council. None of the Council members wanted to make any

***REVIEW APPOINTMENTS
TO THE SPECIAL
SERVICE DISTRICTS AND
COUNCIL MEMBER
ASSIGNMENTS***

other changes at this time. Mayor Baker said he would like to make the change to the Airport Board by appointing Gordon Kitchen. Dan Olsen **moved** to ratify the appointment. Robert Hall **seconded** the motion. The motion passed with all voting aye.

Robert Hall **moved** to go back to item eleven. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

Chris Hoem told the Council he spoke with Kerry Kinney and Mr. Kinney said he would like to stay on the Planning Commission and he also spoke with Mr. Gale who does want to be removed. Mayor Baker said he would like to appoint the following members to the Naples Planning Commission: Dale Harrison, Cresta Slaugh, Lane Webb, Kerry Kinney, and Mark Partridge as regular members, Bret Stringham, Neil Cathey, Andrew Bentley, and Szeth Simmons as alternate members. Chris Hoem told the Council the Planning Commission held an election and Wally Gale was elected as the Vice-Chairman. He asked the Council if they wanted to move Cresta Slaugh into that position as she received the next highest number of votes. Council members told Chris he should hold another election as they now have another regular member to consider. Robert Hall **moved** to ratify the appointments to the Planning and Zoning as presented by the Mayor. Dennis Long **seconded** the motion. Gordon Kitchen had a **question** on the motion. Councilman Kitchen wanted to know if they weren't just appointing two members to their four year terms, Kerry Kinney and Mark Partridge. Mayor Baker said that was true, he read all the members but was just appointing Kerry Kinney and Mark Partridge and moving Mark up to a regular member. Mayor Baker asked if Councilman Hall was good with that clarification to the motion. Councilman Hall said he was. The motion passed with all voting aye.

Dale Harrison wanted to know if they would consider breaking up the City into Districts for the Planning Commission. He would like to see the whole City with representation on the Planning Board. He said he would like to utilize more people from all areas. Mayor Baker said he could consider that as he makes appointments to the Board and if Dale has any suggestions for people he can bring those names to him.

Councilman Olsen asked Craig about the phases for The

***MOTION TO MOVE BACK
TO PLANNING
COMMISSION
APPOINTMENTS***

OTHER MATTERS

Farm Subdivision and if those were ready to come before the Council. Craig deferred the matter to Chris. Chris said they are not ready and have not submitted any plans. Chris said he has talked with Cliff Grua and they will be meeting with him at their next meeting.

Mayor Baker said he has had some good discussions with Cliff and would like to meet with the Council members to discuss parks in the subdivisions. Mayor said he feels it will come down to the City providing the parks. Councilman Kitchen said the City doesn't have to accept the parks. He said that is why they have a Recreation District. Mayor Baker said they could look at creating a special improvement district to create them. Councilman Kitchen said you would have to look at bonding, financing, etc. if they are thinking about that. He said they would also need to contact the Recreation District if they are wanting them to accept any of these parks. Mayor Baker said if they aren't then they need to discuss if the City is willing to take them on and find another funding source. Councilman Kitchen said the City shouldn't accept them if the Recreation District doesn't want them. Chris said the people from Ironwood want to come to a Council meeting and discuss the idea.

With no other business before the Council, Dennis Long **moved** to adjourn the meeting at 9:15 p.m. Gordon Kitchen **seconded** the motion. The meeting was adjourned.

MOTION TO ADJOURN

APPROVED BY COUNCIL ON THE 23rd DAY OF JANUARY 2014

BY: _____

ATTEST: _____