

Naples City Council February 27, 2014 Minutes

The regularly scheduled meeting of the Naples City Council was held February 27, 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, Gordon Kitchen, Dennis Long, Dan Olsen and Kenneth Reynolds. Robert Hall was absent.

COUNCIL MEMBERS ATTENDING

Others attending were Szeth Simmons, Ryan Cook, Wade Olsen, Ronda Olsen, Jolene Baker, Wade Montgomery, Liberty Best, Jim Harper, Chris Hoem, Mark Watkins, Connie Patton, Craig Blunt and Nikki Kay.

OTHERS ATTENDING

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 Gordon Kitchen offered the invocation.

OPENING CEREMONY

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

AGENDA APPROVED

Mayor Baker asked for approval of the minutes of the February 13, 2014 regular City Council meeting. Dennis Long **moved** to accept the minutes. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

MINUTES APPROVED

Mayor Baker asked if anyone had anything from the previous meeting to follow up on. Nothing was brought forward.

FOLLOW UP ITEMS FROM PREVIOUS MEETING

Connie Patton presented the bills for payment approval. The amount presented was \$28,016.83. Dan Olsen **moved** to the payment of the bills in the amount of \$28,016.83. Gordon Kitchen **seconded** the motion. The motion passed with the following vote:

APPROVAL OF THE BILLS

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

Gordon Kitchen Aye

A business license application was received from **Titan Truck Service** located at 1382 East 1300 South. Craig said the business is in the proper zone and he recommended it for approval. Gordon Kitchen **moved** to approve the business license for Titan Truck Service. Dennis Long **seconded** the motion. The motion passed with all voting aye.

***BUSINESS LICENSE
APPROVAL***

Jolene Baker requested time to address the Council concerning conditions at the park and street lights on 1900 South. Ms. Baker thanked the Council for letting her address them. Ms. Baker started out by saying she doesn't enjoy going to Remember the Main park. She stated that whenever she has been there it is always dirty and there are always flies and trash all over. Ms. Baker stated her surprise and disappointed in the condition of the Naples park when she reserved it for a family reunion last summer. She said it had not been cleaned and there was trash all over. Ms. Baker said she thought about taking her complaint to the Recreation District but felt it should come to Naples City because that is who she reserved the park through. Ms. Baker felt the pavilion area needed to be kept clean and the trash emptied every day. She thought it should be power washed at least once a week. Ms. Baker also commented on the amount of people that are allowed to let their dogs poop in the park and on the walking path. Ms. Baker stated if the City isn't going to say that the owners need to clean up after their animals then the park workers should take care of it.

***RESIDENT REQUEST TO
DISCUSS CONDITION OF
NAPLES PARK AND
STREET LIGHTING ON
1900 SOUTH***

Ms. Baker also wanted to address the matter of street lighting down 1900 South. Ms. Baker remembers when 1900 South didn't exist and the privacy they had. She felt like they no longer had that privacy and so they put up a partial privacy fence. Ms. Baker acknowledged the need for street lights at intersections but did not feel the need for street lights down 1900 South to give everyone a view of their backyard every time they go somewhere. She feels like that is an invasion of privacy and doesn't make for the rural neighborhood they moved into. Ms. Baker said she enjoys the street lights on the highway and they are very noninvasive. Ms. Baker said she can see the lights from the industrial buildings on 1700 South and wondered how those businesses were able to have those glaring lights on their buildings. Ms. Baker said she wanted to keep the feeling of a rural community. Ms. Baker thought the people along 1900

South would be opposed to street lights shining in their windows at night.

Councilman Kitchen told Ms. Baker that he kept notes of the comments she made and would provide those to Neil Cathey who is the park superintendent. Councilman Kitchen said it would be wise if Mr. Cathey provided a checklist to the park workers stating when things are cleaned and what has been taken care of. Councilman Kitchen said he didn't want Ms. Baker to think her concerns are going on deaf ears and he will take it back to them. Ms. Baker doesn't think it's unreasonable to have the garbage emptied and pavilions cleaned seven days a week. Councilman Kitchen addressed her concerns about the dog issue. He stated there are regulations in place at the park about cleaning up after one's animal but the park workers don't have any authority to enforce that, he said it would have to come from the police or animal control. Councilman Kitchen said he would take her concerns back to the Recreation District.

Councilman Olsen asked Councilman Kitchen if he would also ask if the Recreation District could clear off the piles of debris along the north side of the park before the Relay for Life. It was suggested that maybe the Fire Department could burn those.

Councilman Kitchen stated he has been in contact with City Attorney Dennis Judd about the motion made in the January 23, 2014 council meeting regarding the lot in Ironwood Subdivision. Councilman Kitchen said he would like to offer a substitute motion. Gordon Kitchen referred to the motion made on January 23, 2014 regarding the lot in Ironwood Subdivision and stated he would like to **rescind** that motion. Kenneth Reynolds **seconded** the motion. The motion passed with all in attendance voting aye. Gordon Kitchen **moved** that the lot referred to as Ironwood Park of the Ironwood Subdivision, that has been recorded on the County plat in Naples City's name as a dedicated property, be conveyed to the homeowners and lot owners that live within the current CC&R on a pro rata basis. Dennis Long **seconded** the motion. The motion passed with the following roll call:

***RESCIND MOTION OF
JANUARY 23, 2014
REGARDING GRANTING
OF LOT IN IRONWOOD
SUBDIVISION***

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

Someone asked who will take care of this and what is the process. Councilman Kitchen recommended that Craig Blunt follow through with Dennis Judd to determine the process and what needs to be done to take care of this.

At this point the discussion moved back to a discussion regarding the lights along 1900 South. Wade Olsen asked for a point of information. He stated he and his wife were at the meeting to discuss the condition of the park and he had not heard of the street light project for 1900 South. He asked what the proposal was for the street lighting and wondered if the residents would have any say about lighting on 1900 South and on 2000 South toward the Beehive Home. Mr. Olsen said the Beehive Home residents could really use additional lighting because some of them love to get out and walk during the morning and evening hours. He stated he would love to see as much lighting in that area to make it a safe community. Mr. Olsen said they have so many people using the park any light would be helpful. He said people park along the roadway as a parking lot when they play baseball all summer long. Mr. Olsen said Naples Elementary turns their lights off and you have a very dark space along there. He said they have a lot of people coming from the motel to use the park and it would be good to wrap the block with lights. Mr. Olsen felt it was a safety issue for those using the park. Craig Blunt said the City has been looking at something called "night sky" lighting. He said it would be similar to lighting on the highway. Craig said they have had two recommendations. One was to light up the park at the same time you light up the road and the other was from the residents who feels the lighting would interfere with their quality of life. Craig said they may need to go with the subdued lighting similar to the lights on the highway. Councilman Kitchen said they could do one over the road and one over the sidewalk area. Wade Olsen said there is definitely not enough lighting down in their area. Mr. Olsen said they do have residents of the Beehive Home that get out at night and just walk up and down the road. He said he would love to see more lighting on 2000 South. Ms. Baker said she drove around looking at some of the other parks and none of the parks have lights. Ms. Baker thought lights at the park would just be inviting people to be there late at night. Mr. Olsen said additional lighting would help drivers to be able to see deer that run out or children that dart out into the road, especially as they use that road as a parking lot. Ms. Baker thought they were finished discussing this. Szeth

***DISCUSSION REGARDING
THE PARK***

Simmons said as they plow snow they see quite a few people out on the road walking. Mayor Baker thought it would be wise to contact the residents that live along there and get their feelings on this. Councilman Olsen said the Council took action on this back in January and voted on it. Mayor Baker said they did and Craig brought the papers to him to sign to go to the CIB Board and he wouldn't sign them. The Mayor said the Council could appoint Councilman Olsen as Mayor Pro Tem and he could sign the papers but he would not let the lights come down onto his property so they would stop at the edge of the park. Councilman Olsen said this would solve a big problem at the park and the school. Mayor Baker said when the lights are on at the park for ball games it is like day light around there. Mayor Baker said he has had people tell him that if they have lights on at the park they will have people there all night playing. Ms. Baker said she didn't feel like it was fair for the Council to make a decision that is invasive to people's property without having their input on it. Councilman Olsen said the Council held public hearings. He said a hearing was held back in December but they have had several hearings all along on this and the Council took action back in January. Mayor Baker said the hearings were for CIB projects and not necessarily actually notifying people on the lights. Mayor Baker thought those who would be affected by it should get a chance to speak on it. Craig said the next funding cycle is in June so they would have time if that is what they want to do. Councilman Olsen said they will have baseball going on and he said they all know the safety issue of people darting in and out across the road. Mayor Baker said lights won't solve that. He said one of the residents that lives in Park View told him they go the back way to their home when people are parked there because they are so worried about the kids darting back and forth. He said it didn't have anything to do with lighting it had to do with too much traffic. Councilman Kitchen thought they needed to bring this discussion to an end but thought if the Council was going to hold a public hearing about lights on 1900 South the hearing needed to be for the whole City, everybody that uses the park. Gordon said this affects the City as a whole not just the neighborhood. Councilman Kitchen said there are certain things they do that are for safety issues. Councilman Kitchen also told Ms. Baker that the Recreation District is looking at putting lights in all of the parks and that is a decision that has already been made.

Craig Blunt gave Council members a printout of the area around 1300 East and showed them what they are trying to

***CIB CONTRACT FOR 1300
EAST STORM WATER***

DRAINAGE PROJECT

alleviate with this project. Craig said the Community Impact Board awarded the City half of the construction cost for putting in a drain. Craig said the City was awarded \$121,157 from the CIB. Councilman Kitchen asked if the red area on the handout was the flood plain. Craig said yes. Councilman Kitchen asked if it was a 100-year flood plain. Craig said it was. Councilman Kitchen asked Craig to explain the proposal again because some of the area marked goes across the airport. Craig said the plan includes the portion they are required to take care of. Councilman Kitchen asked if Craig had been in contact with the airport engineers. Craig said he has talked with them three times. Councilman Kitchen wanted to make sure Craig was working with them as they go through the same process. Craig reported that he is following the same plan the County adopted and he referred the Engineer group to that plan. Councilman Kitchen said he wanted to make sure this project would be something the airport engineers can tie into. Councilman Kitchen asked Craig what the City would be doing on this project. Craig said the plan shows that if the airport would put in the retention areas as shown on the map, if there should be a hundred-year flood, the City would collect it and move it to the natural drainage. Craig pointed out that the green dotted lines show what has been done and the red dotted line shows what is still left to do. Mayor Baker said they will be picking up the water on 1000 South to the west and a little to the east and come to 1300 South and drop into the gulch. Craig asked the Council to approve the CIB contract in the amount of \$121,157 with the balance to be covered by the City. Craig said they will put in catch boxes and some replacement of the curb. Councilman Kitchen asked if they needed to do the road at the same time. Craig said if the Council would agree to it he would have the cost at the next meeting. With no other discussion Dennis Long **moved** to accept the grant from the CIB and to have the Mayor execute the contract. Dan Olsen **seconded** the motion. The motion passed with the following roll call vote

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

Craig said they have been working with Timberline Engineering in connection with this. He said Timberline will finish up the design and he will have them do all the

construction management. Gordon Kitchen **moved** to approve \$17,460 to Timberline Engineering for the completion of this project. Kenneth Reynolds **seconded** the motion. The motion passed as follow:

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

Council members received information on acceptable locations for retail tobacco specialty businesses within a City. Craig Blunt told Council members that the location for these businesses has been defined by Utah Code 10-8-41.6 and gave them a map of the City showing where the businesses could locate according to the parameters defined by the State. Council members were asked to note this particular State Statute in the City's Ordinance. Nikki asked Craig which ordinance they were going to put it in. Craig said it could be placed in either one. Dan Olsen **moved** to adhere to Utah Code 10-8-41.6 in our land use ordinance. Dennis Long **seconded** the motion. Nikki Kay said they don't have any ordinance number for this and asked if the Council would consider bringing this back at the next meeting with a valid ordinance number. Councilman Olsen agreed to **amend** his motion to have the City prepare an Ordinance that the City will adhere to this Utah Code. Dennis Long agreed to the amendment. The motion passed with all voting aye.

***DEFINE LOCATION FOR
RETAIL TOBACCO
SPECIALTY BUSINESSES***

Craig Blunt provided information to the Council about fees the Uintah Fire Suppression Special Service District is considering. Craig stated the District has talked about hiring an additional fire inspector to keep up with the inspections and as part of that are considering the adoption of certain fees. Craig talked about the fire safety inspections with the Council and said for a new business the fee could be added as part of the building permit fee or the business license fee, but said it would be different for established businesses. Councilman Kitchen said he had a problem with a fee for a yearly inspection that a company never asked for. Councilman Kitchen wanted to know if Vernal City has adopted this. Craig said it is just being presented to each entity. Council members discussed if the City would bill the business of if the Fire District would and how they would let businesses know they will be inspected and billed for it. Councilman Hall was not present and was not part of this

***DISCUSSION REGARDING
PROPOSED FIRE
DISTRICT FEES***

discussion. Council members wanted to have more information on this and were instructed to get with Councilman Hall to discuss it. No action taken.

Jim Harper said the engineers working on the 2000 East 500 South curve met with people at the golf course and discussed the new parking lot and entrance to the golf course. He said they discussed cutting down on the steepness of the hill and improving the line of sight. Jim was asking the Council for approval to spend an additional \$4,000 to have the Engineers' design that change. Jim said they also discussed pushing the road a little bit to the east. Councilman Kitchen thought the entrance to the Golf Course was going to be moved to the south property line and was not going to intersect with the road out of Ironwood. Councilman Kitchen said he hasn't seen the final drawings and that is why Jim needs to keep in contact with them. Councilman Kitchen said it would still be a good idea to consider making the road safer regardless of where the entrance to the golf course parking lot ends up. Councilman Kitchen said he thought the Recreation District would agree with the changes suggested. He didn't know when the golf committee would meet next but thought Jim and the Engineers' could meet with them. Mayor Baker said they would like to get approval to have the Engineer's come up with a concept that they could take to the committee and the Recreation District. Gordon Kitchen **moved** to approve the expenditure of \$4,000 for the engineer study. Kenneth Reynolds **seconded** the motion. The motion passed with the following vote:

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

At the previous Council meeting Mayor Baker asked if the road department would bring back information on the continuing education hours for their pesticide application certification. Council members were presented with the classes and certification hours that Ryan Cook and Szeth Simmons earned with the last two conferences they attended. Ryan and Szeth are both currently certified but stated it takes attendance at these conferences to maintain that certification. Szeth explained they try and attend two training conferences every year and through those two conferences they usually have enough certification hours for

***APPROVE ADDITIONAL
ENGINEERING COSTS
FOR 2000 EAST 500 SOUTH
PROJECT***

***REVIEW CONTINUING
EDUCATION HOURS FOR
PESTICIDE APPLICATION
CERTIFICATION***

the three years. Mayor Baker asked about the training offered on-line and Ryan said there are some but they don't offer the valuable information they can receive by attending the conferences. This was for information only, no action was taken.

Planning Commission - Chris Hoem updated the Council on the new GIS system the road department has. He stated they met with the School District and the County about the CDA and were told by the school they wanted a participation agreement similar to the one they signed with Vernal City. Chris also asked the Council for feedback on attending the convention in Las Vegas. He stated that it has been a good experience but he hasn't seen any fruit from that. Councilman Kitchen wanted to know if there was anything else he could attend that would be more beneficial to him and to the City. It was recommended that Chris try and find a local convention or something smaller this year and see what comes of it. It was also suggested that Chris' focus should be on the Planning Commission and getting it up to speed and running in a manner that things can flow smoothly at Commission meetings.

City Administrator - Craig Blunt reported on the advertisement to bid for the musical instruments at the park and for the removal of the trailers from the Head Start property. Craig also reported on the progress for the remodel of the office. He said they are waiting on the carpet and the electricians.

Police Department - Chief Watkins wanted the Council to know they will do the swearing in ceremony for the new officer at the next Council meeting. Chief Watkins reported on the new pilot program they are doing in connection with DUI enforcement. He said it will be a program reimbursed through the state for officer involved DUI shifts and the officers may complete those shifts in different areas of Uintah and Duchesne Counties. Chief Watkins reported that he was nominated and received an award for his support of the Utah National Guard. Council members congratulated him on the award.

City Administrator - Craig said he received one more item and he asked the Council if they wanted to do any type of fence on the school side of the property where the City purchased the property on 1900 South. Mayor Baker said no, just on the residents side. Craig said he would be getting

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

back with the Council on the type of fencing.

Animal Control SSD - Councilman Olsen had nothing to report.

Impact Mitigation SSD - Councilman Long said the Impact Mitigation has helped fund the YCC to help with their program and it allows them to receive college credit as they participate. Mayor Baker wanted to know if the Impact Mitigation Board would be willing to help with the new City building. Councilman Long said they have budgeted funds until 2017. Mayor Baker wanted to know if it would hurt to get on their schedule to see if they would be willing to help. Councilman Long said it might not hurt. The City would have to get on the agenda and approach them about it. Mayor Baker said he would like to be on record as asking them.

Airport Board - Councilman Kitchen said the Airport Board met and he asked Craig if he has had any contact with them. Craig stated he sent items they requested and then received a phone call from them where the person made it seem like they had never received the items. Councilman Kitchen wanted to know what information was requested. Craig said it dealt with the vacating of the road. Councilman Kitchen gave the time frame for the expansion of the airport. He said this fall they will start the demolition of the Bowden property and will also be working on rerouting the irrigation lines. Councilman Kitchen said he told the Airport Board that Naples City wants to see the design plans for 1750 South and they would also need to obtain a permit to build the fence. Craig asked if the engineer's have met with the Ashley Water Users. Councilman Kitchen said they still need to negotiate things with the State as far as the gulches go. Councilman Kitchen said they want to be finished with the project by 2017. He also reported that Skywest has taken over the flights to Salt Lake and they are still negotiating for the Denver route.

Nikki Kay reminded the Council they needed to add the swearing in ceremony for the new officer to the next agenda. Craig reminded them of the City Ordinance needed to add a reference to the Utah Code for Tobacco Specialty Shops. Mayor Baker wanted to know if they wanted to add anything for a public hearing to discuss the street lighting at the park. Councilman Reynolds said they could add an item to set the date for a hearing. Councilman Kitchen also wanted the transition zone for the airport to be added back into the Land

***OTHER MATTERS OR
FUTURE COUNCIL
MATTERS***

Use Ordinance. Mayor Baker asked Chris to add that to the next Planning Commission meeting for discussion.

With no other business before the Council, Kenneth Reynolds **moved** to adjourn the meeting at 10:00 p.m. Dennis Long **seconded** the motion. The meeting was adjourned.

MOTION TO ADJOURN

APPROVED BY COUNCIL ON THE 13th DAY OF MARCH 2014

BY: _____

ATTEST: _____