

**Naples City Council  
November 13, 2014  
Minutes**

The regularly scheduled meeting of the Naples City Council was held November 13, 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 Jim Harper, Mark Watkins, Connie Patton, Joshua Bake, 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 Dennis Long offered the invocation.

***OPENING CEREMONY***

Mayor Baker presented the agenda for approval. Councilman Long and Councilman Reynolds both asked to discuss an item under 'Other Matters.' Gordon Kitchen **moved** to approve the agenda as amended. Robert Hall **seconded** the motion. The motion passed with all in attendance voting aye.

***AGENDA APPROVED***

Mayor Baker presented the minutes of the October 23, 2014 regular City Council meeting for approval. Dan Olsen **moved** to approve the minutes as presented. Dennis Long **seconded** the motion. The motion passed with all in attendance voting aye.

***MINUTES APPROVED***

Mayor Baker asked if anyone had anything from the previous meeting to follow up on. Councilman Kitchen asked Jim Harper about the warranty for the front end loader. Jim said the loader was purchased in October of 2009 and it was still under warranty. He reported the cost for the repairs would be about \$450. He said that amount would be for the repair person to travel here and for the deductible. Councilman Kitchen thanked Jim for checking on the matter.

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

Connie Patton presented the bills for payment approval. The amount presented to the Council was \$44,166.54. Dennis Long **moved** to approve the amount of \$44,166.54. Robert Hall **seconded** the motion. The motion passed with the

***APPROVAL OF THE BILLS***

following roll call vote:

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

Robert Hall **moved** to go into a public hearing to discuss potential projects that can be applied for under the 2015/2016 Community Development Block Grant Program (CDBG). Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

***1<sup>ST</sup> PUBLIC HEARING FOR  
PROJECTS TO BE  
APPLIED FOR UNDER  
THE CDBG 2015/2016  
PROGRAM YEAR***

Mayor Baker turned the time over to Craig Blunt to lead the discussion. Craig Blunt stated the grant money must be spent on projects benefitting primarily low and moderate income persons.

Craig explained that the Uintah Basin Association of Governments (UBAG), of which Naples City is a member, is expected to receive approximately \$450,000 in this new program year. All eligible activities that can be accomplished under this program are identified in the CDBG application guide and can be reviewed at any time by anyone interested. Craig reviewed a list of activities that would qualify for projects under the program such as: construction of public works and facilities, fire stations, acquisition of real property for the provision of public services such as food banks or homeless shelters or for low income housing programs. Craig stated that eligible loans for private businesses that hire low income persons can be obtained as well as loans for housing rehabilitation for low income homeowners or for persons owning rental housing for low income persons.

Craig stated that in the past Naples City has received grants for acquisition of land for an elderly assisted living home, land acquisition to support the self-help housing program, fire station upgrades, a fire truck, restrooms at the City park, rehab housing funds, and fire hydrants throughout the City.

The City handed out its capital investment plan as part of the regional Consolidated Plan. This list shows projects the City has identified as needed in the community. Craig discussed some of the projects on the list and mentioned a water and sewer upgrade on 2250 South. Councilman Olsen asked Craig

if this would include sidewalks, curb and gutter. Craig said it could because it would be part of the drainage. At this point Mayor Baker opened the meeting for public comments. There was nothing from anyone from the public. Mayor Baker commented that he has sat in on enough of the rating and ranking meetings to know that the money is given to infrastructure that benefits low income housing. Mayor Baker said this would be funding for next year. He thought 2250 South might be a good project to try and qualify for updating the water and sewer. Councilman Olsen said all of the houses along there were built in the 1970's. Councilman Kitchen wanted to know what a realistic amount would be to ask for as the City would be competing against other entities for a share of the \$450,000. Mayor Baker said he thought for the last couple of years one entity has received the whole amount because no one can come up with a qualifying project. Mayor Baker thought the City would have to go for the full amount with their request. Councilman Kitchen wanted to know if sewer was already there and if it could be put there. Mayor Baker said it is not there but should be able to be put there in order to tie into the proposed Homestead Subdivision. Councilman Kitchen questioned where Bishop Homes would be coming with their line. Craig Blunt said they would actually start at the end of 2250 South. Mayor Baker stated any of the projects listed would be good but asked the Council if they had any other ideas. Councilman Kitchen questioned if the infrastructure for the fire station would qualify. Mayor Baker stated it wouldn't rate anything on the low income. Councilman Long wanted to know if the property owners on 2250 South would qualify. Craig Blunt stated it would need to be 51 percent in order to qualify. With no other comment from the public, Dan Olsen **moved** to go out of the public hearing. Dennis Long **seconded** the motion. The motion passed with all voting aye.

Council members discussed doing a survey of the homeowners on 2250 South and make sure the property owners know the City's intent. Councilman Hall wanted to know if the City would match any funds. Craig said it would help because you receive more rating points. Mayor Baker said the City might want to approach Ashley Valley Water and Sewer to see if they would be in a position to help. Kenneth Reynolds **moved** to proceed with the 2250 South project and put together an investigative survey to see if the project qualifies. Dennis Long **seconded** the motion. The motion passed with all voting aye.

Craig Blunt said the City made application to Homeland Security for funding for police projects. Craig handed out the itemized list for the equipment. Chief Watkins clarified the amounts listed on the handout and reported the department wanted a K-9 trailer but they would also use the trailer for other things. He reported he has obtained quotes for the trailer and some additional lighting. Mayor Baker said they need approval to accept the grant. Dennis Long **moved** to accept the Homeland Security Grant Application. Robert Hall **seconded** the motion. The motion passed as follows:

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

Chief Watkins came before the Council to request approval to purchase new guns for the police department as part of a grant they received. He said the purchase of the guns will include the holster, clip, and ammo. Chief Watkins said they will be going with a better gun that has shown better accuracy. He reported the department tested the gun during their last department shoot. Chief Watkins said they will purchase eight Kimber 1911's for \$7,200 and the clips at \$735. Chief Watkins said the holsters will be \$987. Chief Watkins asked for approval to spend about \$9,000 out of his equipment budget of which \$7,500 would be reimbursed through a grant. Chief Watkins said he will be able to surplus at least three of their Glocks for \$350 and he will approach the Council regarding that when it comes time. Robert Hall **moved** to approve the request by the Chief. 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

Chief Watkins also requested approval to expend funds to purchase hand-held radios for the department. He reported this would also be an expenditure that would be reimbursed by a grant. He requested approval to expend \$5,247 for nine radios and said the grant amount is \$5,210 so he would only be spending about \$36. Dennis Long **moved** to approve

***HOMELAND SECURITY  
GRANT APPLICATION***

***REQUEST APPROVAL TO  
PURCHASE GUNS -  
GRANT PURCHASE***

***REQUEST APPROVAL TO  
PURCHASE RADIOS -  
GRANT PURCHASE***

spending the grant. Kenneth Reynolds **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

Chief Watkins also reported he received notice that Corporal Horrocks would be retiring the first of January and he will be looking to hire someone new after the first of the year.

Jim Harper came before the Council to request travel approval for Ryan Cook and Szeth Simmons to attend a weed conference in Roosevelt for a full day. Councilman Long wanted to know why they hold a weed conference in the wintertime. Jim said that is when they have time to do it. Jim said this was a class required to keep their certification. Robert Hall **moved** to approve the request. 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

***TRAVEL APPROVAL FOR  
ROAD DEPARTMENT***

**Salt and Sand** - Jim Harper requested approval to purchase ice slicer salt to be delivered to the shop. Jim said the amount presented was an estimate because he was not sure how much they would be able to load on the truck. The amount requested was \$1,900. Dennis Long **moved** to approve the request. Dan Olsen **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

***REQUEST TO PURCHASE  
IN THE ROAD  
DEPARTMENT***

Jim Harper also asked for approval to purchase a calcium chloride mixture. He said they will be using this to wet their sand to try and help the sand stay in place. He said this mixture is designed to work in the colder climates to help

break up the ice. Councilman Reynolds asked if the purchase was in his budget. Jim said it is. Kenneth Reynolds **moved** to approve the \$1,321.50. Dennis Long **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

**Locator** - Jim Harper informed the Council that if an entity has utilities under ground they are responsible for them. Jim said if someone was going to dig they can call Blue Stakes or the entity that owns them. Jim said if they call the owner then it is the owner's responsibility to locate them. Jim said if the owner doesn't do that, they are responsible for any damages. Jim said he has been trying to work with Blue Stakes to get a contract and was informed the contract would cover up to \$2,000 in damages and the City would be responsible for any amount over that. Jim said the notices Blue Stakes sends out would also cost the City approximately \$33 per three light poles. Jim said they have been contacted about three to four times per light pole and the estimate for that would have been \$2,805. Jim said they have looked for a locator that would benefit the City and he handed out information on three they have been looking at. Jim said the \$8,000 locator is GPS enabled. The second was \$7,892.92 and can transmit to a GPS. He had a price for another one that he would not recommend. Jim recommended the locator priced at \$7,892.92. Jim said another reason he would like to purchase one of these is for irrigation lines. He said this would help locate the depth and direction of the lines. Councilman Hall asked if this was in his budget. Jim said he budgeted \$150,000 for the aerial lift truck and was approved for \$133,072 and he would like to use the rest to buy the locator. Mayor Baker asked about the liability to the City. Jim said the City now has lights on Hwy 40, 2500 South, 1000 South and any future lights they City owns the City would need to take care of. Mayor Baker wanted to know if the City would be just like one of the utility companies and go out and mark the lines when someone wants to dig. Jim said that would be correct. Mayor Baker said they are not currently doing that and Jim responded that it was because the City doesn't have the equipment to do it now. Mayor Baker asked what is happening now and is someone taking care of it. Jim said they have been trying to get the contractors to do it and

help the City. Mayor Baker asked again about the liability. He said if they receive notice and mark a line and someone digs into it, then what? Councilman Kitchen said the liability would be if they miss mark a line. Councilman Hall asked how long the City has to respond if they get a call. Jim said they have three days. Councilman Hall wanted to know how the City is notified or how do they become an entity that is notified when someone is going to dig. Craig said the City would need to give Blue Stakes the parameters of the City and get on their list of people to be notified when someone is digging in that area. Chief Watkins wanted to know if there is an expectation of liability if the city has the equipment and not able to complete the marking within the three-day window. Mayor Baker wanted to know if the City is putting themselves under greater liability. Mayor Baker said Jim is currently trying to help with those locations as a courtesy. Chief Watkins asked what happens if someone gets hurt because a line was not marked, would the City be at greater liability by owning the equipment. Jim said he talked to the insurance company and the City would be covered as part of the services they provide. Connie Patton wanted to know if the GPS the road department bought would help with this. Jim said not really, he said they can build a data base with what they find but it doesn't help them locate the lines. Kenneth Reynolds **moved** to approve the purchase of the locator priced at \$7,892.92 if it is in the budget. 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

**Winter Asphalt Mix** - Jim requested approval to purchase 22 tons of winter asphalt mix at \$131 per ton for a total of \$2,882. Dan Olsen **moved** to approve the purchase. Robert Hall **seconded** the motion. The motion passed as follows:

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

**Mig Welder** - Jim Harper requested approval to purchase a mig welder. He said they sometimes have to hire welders to

do projects they could do themselves if they had the equipment. Jim said they could use it to repair the sweeper, build boxes, and any thin welding. Mayor Baker said he thought they already had a welder. Jim said they do but a mig welder can do the thin work. Councilman Kitchen wanted to know if they have used a mig welder before. Jim said all three of them have used mig welders. Councilman Long questioned the difference in the prices. Jim said some of it had to do with how the companies bill out their tanks and the cost to fill them. Councilman Hall asked Jim which he would recommend. Jim said he would like the one from Airgas. Robert Hall **moved** to approve the purchase. 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	Nay

**Sidewalk Repair Change Order** - Jim Harper asked for a change order approval for sidewalk repairs. Jim reported when Hooper & Sons repaired the sidewalk in front of Champion Chemical the worker did not see the correct markings for repairs and tore out more sidewalk than needed. Jim said the sidewalk was in need of repair but they were going to wait a year before doing all of it. Dan Olsen **moved** to approve the change order. Kenneth Reynolds **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

Joshua Bake reported on the meeting with the CIB for the new fire station and said the project was well received. Joshua said Commissioner McKee was very supportive of Naples City and the Fire Department. Joshua said all that attended did a great job in presenting the project. Joshua said it looked like they were going to approve the whole project and then at the last minute it met with a little bit of resistance so the City ended up with a \$600,000 loan for thirty years at 1.5% interest as well as a grant for the rest of

***UPDATE ON CIB  
MEETING FOR NEW FIRE  
STATION***

the money. Joshua said the Board took into consideration what the City and the Fire District were already putting toward the project and that is how they came up with the amount of the grant portion. Robert Hall **moved** to accept the CIB grant/loan for the fire station. Dan Olsen **seconded** the motion. The motion passed with the following roll call:

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

Craig Blunt presented the revised wage level sheet for 2014/2015 to include the City Administrator/City Planner. Craig told the Council he did not add the Building Official position yet because they would have the two options of full or part time. Craig said the recommendation for the Building Official would be thirty hours per week at \$30 per hour. Councilman Kitchen said it would need to be under thirty hours. Craig said this would give Joshua time to see if they can work together. Craig said Dale Peterson would do a good job in this position because he has the experience and has worked in many different areas. The Council reviewed the wage level for the City Administrator/City Planner position. With no questions Robert Hall **moved** to accept the wage level for the City Administrator/City Planner position. Kenneth Reynolds **seconded** the motion. The motion passed with a roll call vote:

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

Mayor Baker said there has been some confusion about whether or not Dale Peterson has been working as an employee or on contract. Craig said the City has been paying the taxes for Dale even though he thought the position was on a contract basis. Craig said, with the change, the City would be paying Dale on an hourly basis instead of per inspection. Councilman Kitchen said he would like some information on what other building officials are paid. He thought the figure Craig gave was quite high. Craig said for a certified building inspector it is not. Mayor Baker wanted to discuss the job description. Mayor Baker stated that Dale

***APPROVE CHANGES TO  
THE 2014-2015 WAGE  
LEVELS***

***DISCUSSION ABOUT  
BUILDING OFFICIAL  
POSITION***

currently does just inspections. Craig said that is correct. Mayor Baker stated that Craig does the review of the construction plans. Craig said he has used Dale on larger construction projects to help him review those. Craig said Dale will now address any questions at the counter and take the person through the permit process and would need to schedule his time for the office and for inspections. Craig said the City is paying for the expertise and that helps keep the City out of liability. Craig said Dale has the background and the certification. He didn't think this would need to be a full time position. Craig said if there is anything beyond what Dale is comfortable with then outside help could be brought in. Councilman Kitchen wanted to know if the thirty dollars would be at the maximum range on the pay scale. Craig thought maybe it would be mid range. Councilman Kitchen said he would like to see the numbers from other entities before setting that scale. Dan Olsen **moved** to hire Dale Peterson as the Building Official at twenty-nine hours per week at \$30 per hour and to have Joshua Bake proceed with compiling wage information for other Building Officials. Kenneth Reynolds **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

Dan Olsen **moved** to go forward to item sixteen on the agenda instead of the closed session at this time. 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

***CLOSED SESSION FOR  
LAND ACQUISITION -  
MOTION TO MOVE BACK***

Nikki Kay provided Council members information on the policy regarding conversion of sick leave hours into a health savings account. Nikki said the policy states it is allowed to convert sick leave hours into a health savings account but didn't believe this would be allowable with Medicare. Councilman Olsen wanted to know if it could go into a medical trust fund like the school has. Craig said he would

***RECOMMENDATION TO  
ALLOW THE PAYOUT OF  
SICK LEAVE HOURS FOR  
CRAIG BLUNT***

have to find out how to set one of those up. Councilman Olsen said those retired with the School District use that money to pay for the Medicare premium out of that trust fund. Councilman Olsen gave Craig the information on the company the School District uses. Mayor Baker said that is what they wanted to accomplish with the policy and maybe Craig could look into how the fund with the School District is set up. Councilman Olsen said it would be better for Craig to have the funds go into a trust instead of as a payout. Robert Hall **moved** to approve the payout of 500 hours of sick leave into a health trust account in the amount of \$20,554.65 and to have Craig do some research regarding a health trust account. 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

Kenneth Reynolds **moved** to go to item seventeen. Dennis Long **seconded** the motion. The motion passed with all voting aye.

***O T H E R  
M A T T E R S / F U T U R E  
C O U N C I L M A T T E R S***

Nikki Kay wanted to make sure the Council knows there is only one meeting in November and one meeting in December because the other two meetings fall on a holiday.

Mayor Baker said the employee Christmas will be on December 1, 2014 at 6:30 at the fire station.

Councilman Long wanted to know if there is any policy restricting engine brakes on the Bonanza Hwy. He stated he's had a couple of residents approach him about the noise. Mayor Baker thought the City already had one. Craig said they do not. Mayor Baker said the City should see about doing an Ordinance restricting that. Councilman Kitchen wanted to know if they needed to do anything because it is a State Hwy. Mayor Baker thought UDOT would place the signs after the City passes the Ordinance.

Councilman Reynolds asked Jim to see about changing the flag at the fire station because the current one looks really bad. Craig said he thought they have an extra flag and he could take care of that.

At this time Dan Olsen **moved** to go back to item 14. Dennis

Long **seconded** the motion. The motion passed with all voting aye.

Dennis Long **moved** to go into a closed session and to come out when it is time to discuss the purchase, exchange, or lease of real property. Gordon Kitchen **seconded** the motion. The motion passed with the following vote:

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

***CLOSED SESSION TO  
DISCUSS THE PURCHASE,  
EXCHANGE, OR LEASE  
OF REAL PROPERTY***

Mayor Baker, Council members Robert Hall, Dan Olsen, Dennis Long, Kenneth Reynolds, and Gordon Kitchen were present in the closed session. Joshua Bake, Craig Blunt and Nikki Kay were also present.

Robert Hall **moved** to adjourn the meeting at 9:25 p.m. Robert Hall **seconded** the motion. The meeting was adjourned by all voting in favor of the motion.

***MOTION TO ADJOURN***

APPROVED BY COUNCIL ON THE 11<sup>th</sup> DAY OF DECEMBER 2014

BY: \_\_\_\_\_

ATTEST: \_\_\_\_\_