

Naples City Council
June 11, 2015
Minutes

The regularly scheduled meeting of the Naples City Council was held June 11, 2015, 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, and Dan Olsen. Kenneth Reynolds was absent.

COUNCIL MEMBERS ATTENDING

Others attending were Kristen Baumgarten, Jim Harper, Liberty Best, Justin Wallis, Mike Karren, Brian Gorum, Brett Hancock, Trinity Bowden, Loretta Karren, Chris Clark, Ray Nash, Brett Reynolds, Cliff Grua, Cable Murray, Jeremy Raymond Mark Watkins, Joshua Bake, 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. Joshua Bake stated they could remove the closed session from the agenda. Dan Olsen **moved** to approve the agenda with the change. Dennis Long **seconded** the motion. The motion passed with all in attendance voting aye.

AGENDA APPROVED

Mayor Baker presented the minutes of the May 28, 2015 regular City Council meeting for approval. Councilman Long asked Jim Harper about the engine brake ordinance. Jim said nothing has been done yet and an ordinance needs to be in place before they can put the signs up. Dan Olsen **moved** to approve the minutes as presented. Robert Hall **seconded** the motion. The motion passed with all in attendance voting aye.

MINUTES APPROVED

Nothing was brought forward to discuss from the previous meeting.

FOLLOW UP ITEMS FROM PREVIOUS MEETING

Connie Patton presented the bills for payment approval. The amount presented to the Council was \$45,875.61. Gordon Kitchen **moved** to approve the bills at \$45,875.61. Dennis

APPROVAL OF THE BILLS

Long **seconded** the motion. The motion passed with the following roll call vote:

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

A business license application was received for **Meika's Salon** located at 2854 S 2500 E. Joshua Bake reported to the Council that Dale Peterson has visited with the applicant and recommended approval for this license. Joshua stated the business will have one salon chair, they have signed the home occupation agreement, there will be a restroom available, and there is adequate parking for this business. Dennis Long **moved** to approve the license. Robert Hall **seconded** the motion. The motion passed with all voting in the affirmative.

***BUSINESS LICENSE
APPROVAL***

Mike Karren, President of the Dinosaur Roundup Rodeo, introduced himself and members of the rodeo committee, Brett Hancock, Trinity Bowden, and Loretta Karren. Mr. Karren said they have been making changes this year to the staff of the committee and also to how they are managing the rodeo. Mr. Karren read the mission statement for the Dinosaur Roundup Rodeo and said they are honored to present the PRCA event to the Uintah Basin. Mr. Karren gave a break down of the budget for the rodeo and said they are working to bring the rodeo to all people. He stated some of their goals were to have better advertising, web exposure, a better experience at the ticket gate and to participate in the 4th of July parade. Mr. Karren stated they would appreciate any financial help the City could offer. Council members discussed what has been donated in the past. Mr. Karren gave Mayor Baker a contract for sponsorship and a brief history of the rodeo. Robert Hall **moved** to approve the same amount of donation as last year which was \$1,500. Dan Olsen **seconded** the motion. The motion passed with the following roll call vote:

***REQUEST FOR DONATION
FROM THE DINOSAUR
ROUNDUP RODEO***

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

Mayor Baker asked if they could change the order of the next three items and discuss item eight, nine, and then seven.

***FINAL PLAT APPROVAL
FOR THE FARM
SUBDIVISION***

Mayor Baker wanted to discuss the approval of the emergency secondary road agreement for The Farm Subdivision. Joshua Bake told the Council this has been a work in progress and they are really excited to have things to this point. He said the emergency secondary access road will provide the required second access for 500' of road. He said the agreement calls for a 12' gravel road to be in place by September 30, 2015 and the road has to accommodate a vehicle of 70,000 lbs. He also pointed out the developer would provide the signage, maintenance, and snow removal for the road. Joshua said by November 2019 the developer shall construct a paved secondary access road. He said that road will still not be up to City standards but the developer has until 2023 to have the fully developed paved road. Joshua said there are devises built into the agreement to provide for extension of time for completing the permanent 1820 South road. He said if the developer constructs at least 800 feet of the permanent road, including sidewalks, in place of the temporary emergency access road, then the date for completing the paved secondary access shall be extended by two years. Joshua said they have worked on this extensively and feels it is very fair and the developer is okay with it. Dan Olsen **moved** to approve the agreement. Dennis Long **seconded** the motion. The motion passed with all in attendance voting aye.

***A P P R O V A L O F
E M E R G E N C Y
SECONDARY ACCESS
ROAD AGREEMENT***

Joshua Bake stated the next agreements for The Farm Subdivision did not need Council approval but it would be good for them to authorize the Mayor to sign those documents. Joshua said those would be the improvement assurance agreement and two warranty agreements. Joshua Bake said the City accepted the warranty date of December 1, 2014 for the 1820 South road. Dan Olsen **moved** to authorize the Mayor to sign the agreements for The Farm Subdivision. Robert Hall **seconded** the motion. The motion passed with all voting in the affirmative.

***MOTION TO AUTHORIZE
THE MAYOR TO SIGN
IMPROVEMENTS
ASSURANCE AGREEMENT
AND TWO WARRANTY
AGREEMENTS FOR THE
FARM SUBDIVISION***

Mayor Baker asked the Council to move back to item seven, final plat approval for The Farm Subdivision 2014 Phase I. Councilman Kitchen asked which plat specifically they were approving. He referred to page ten and page thirteen of the packet and asked which they were approving. One showed the concept and one showed Phase I of the 2014 plat. Dennis Long **moved** to approve Phase I of The Farm 2014

***FINAL PLAT APPROVAL
FOR THE FARM
SUBDIVISION 2014 PHASE
I***

final plat. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

Justin Wallis with FFKR Architects and Chris Clark with Uintah Engineering were both in attendance at the meeting to discuss the results of the bid for the Naples Fire Station. Mr. Wallis gave the Council a handout showing the score cards used to review and score the bids. Mr. Wallis said they put together a bid review selection committee and they reviewed the bids for completeness and accuracy and scored those based on the category of cost, strength of their team, project management approach, and prior loss history. Mr. Wallis then handed out a copy of the bid amounts with the proposed days of construction. He said the total points listed was based on the score card and the percent of 400 which each contractor received. Mr. Wallis said there were two bids under three million dollars and then the remaining eight bids are between 3.2 and 3.4 million. He stated they went through each of the bids and reviewed them based on the categories of the score cards. Mr. Wallis said each contractor can request their score cards if they want. Mr. Wallis said, after reviewing the bids, they are not able to recommend a contractor for selection at this time because the client for the project is not Naples City but the Naples Building Authority. Mr. Wallis said they failed to set up a meeting for the Naples Building Authority and they would also like time to investigate the low bidder. Mr. Wallis said they have concerns about the lower bidder's ability to bond for the amount of the contract because they have never done a project of this scale. He said they also want to review the subcontractor's list that was provided and confirm that all aspects of the scope were identified. Mr. Wallis said they want to confirm that the contractor is willing to stand by the bid price that was provided as well as further investigate the references from other projects. Mr. Wallis said the score card showed this is the biggest project to date by over a million dollars that this contractor would be taking on. Mr. Wallis requested to schedule a meeting with the local building authority where they can present the findings and make a recommendation to go with the low bidder or move in another direction. Councilman Long said he was not challenging the contractors but said none of them made it into the three hundred mark, he asked if they were under qualified. Mr. Wallis said "no." Mr. Wallis stated there were concerns with four or five of them being able to carry out the project and the remainder of them have done fire stations to this scale and magnitude and are more than

***PRESENTATION OF THE
BIDS AND AWARD OF
CONTRACT FOR THE
NAPLES FIRE STATION***

qualified.

Chris Clark asked Mr. Wallis to discuss the cost and how that played a part into it. Mr. Wallis said the cost only accounted for one hundred of the four hundred points and the majority of the points are based on their qualifications and experience. He said, in the list of ten, there are many qualified contractors that they would have less hesitations to give the contract to or make the recommendation for. He said those on the lower end of the bid scale they would like to do further investigations on to confirm they are capable and able to do the project.

Mayor Baker asked if they would be ready to give their recommendation at the next Council meeting which would be on June 25th. Mr. Wallis said a two-week window should give them enough time to do their research. Councilman Hall said he would prefer to have as much information as possible to make the decision. No action was taken on this matter.

Cable Murray with Timberline Engineering was available to discuss the cost of improving 500 S 2000 E at the golf course corner. Mr. Murray reminded the Council of the ongoing drainage issues and maintenance concerns for the corner near the golf course. Mr. Murray said the Recreation District and Vernal City started doing improvements in that area and it was determined this would be a good opportunity to extend the improvements on the corner, go up the road and tie in with Ironwood and the golf course entrance. Mr. Murray said they wanted to shave off the hill a bit and level things up. Mr. Murray said that is where the project sat for a while. He said over the winter things changed when the golf course brought in the fill material and added the fence. He said the original cost estimate was \$600,000 and they have kind of swapped cost, swapped the cost of the retaining wall and chain link fence with curb and gutter on both sides of the road from the new golf course entrance down around the curve. Mr. Murray said they have also included a sidewalk behind the curb up to the ornamental fence. He said this would give a nice wide walk and maintenance would be a breeze. Mr. Murray said this new estimate also includes fill for a sidewalk extending around the curve. He said if the bids come in good they can look at extending that sidewalk because the fill will already be included. Councilman Kitchen asked about the catch box. Mayor Baker said there will be another one located across the road due west of the one that is there. Councilman

***ENGINEER'S ESTIMATE
FOR 500 S 2000 E
APPROVE TO ADVERTISE
FOR BIDS***

Kitchen also asked if there was a separator device in the box. Mr. Murray said there was and explained how it worked. Councilman Kitchen asked about the maintenance on the box. Mr. Murray said it would be the same as their current catch boxes. Mayor Baker stated the Council did budget for this project and he entertained a motion to put the project out for bid. Dennis Long **moved** to let the project out for bid. Robert Hall **seconded** the motion. The motion passed with the following vote:

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

Mayor Baker wanted to bring a discussion before the Council about putting up a fence along the Montgomery Recycling property on Hwy 40. Mayor Baker stated he worked with Craig in the past to try and obtain a sound barrier fence from UDOT but they were not successful. He said the owners of the motel across the street have approached him to see if something could be done as they are trying to entice new businesses to come to their development. Mayor Baker said he approached the owner of Montgomery Recycling about the idea of putting up an eight-foot fence along the highway and the owner was receptive to the idea and willing to contribute money toward the fence. After some discussion, Dan Olsen **moved** to put the discussion on the next agenda with cost estimates for the fence. Dennis Long **seconded** the motion. The motion passed with all voting aye.

***DISCUSSION REGARDING
FENCE ON HWY 40
M O N T G O M E R Y
PROPERTY***

Nikki Kay reminded the Council about the discussion held at the budget workshop regarding the payments made by some of the property owners for the 1900 South fence. It was discussed to reimburse those who have already paid or seek restitution from those who have not. Dan Olsen **moved** to reimburse those who have paid. Robert Hall **seconded** the motion. The motion passed with the following vote:

***DISCUSSION ON 1900
SOUTH PAYMENTS FOR
FENCE***

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

Joshua Bake explained to the Council the franchise agreement with Questar has expired. He reported that in the process of getting it renewed, Questar sent an agreement and Mr. Judd found several from other entities and choose the one he thought offered the best protection for the City. The Ordinance proposed by Mr. Judd has better protections for the City. Joshua explained the agreement has not been approved by Questar nor does it have to be but he recommended the Council accept this Ordinance as a first reading and he would follow up with Questar. Dennis Long **moved** to approve Ordinance 15-171 as a first reading. Dan Olsen **seconded** the motion. The motion passed as follows:

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

Nikki Kay explained this Ordinance reflected the changes that were made to the budget at the last meeting. Robert Hall **moved** to approve Resolution 15-275. Dennis Long **seconded** the motion. The motion passed as follows:

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

Council members received the information for setting the certified tax rate for the 2015 year. The rate was .000328. Gordon Kitchen **moved** to accept Resolution 15-276. Dennis Long **seconded** the motion. The motion passed with the following roll call:

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

Council members received Resolution 15-277 listing the budgets for FY 2015/2016. Dan Olsen **moved** to adopt Resolution 15-277. Dennis Long **seconded** the motion. The motion passed with the following vote:

***FIRST READING AND
DISCUSSION ON
QUESTAR GAS COMPANY
FRANCHISE -
ORDINANCE 15-171***

***APPROVE RESOLUTION
15-275 AMENDING
2014/2015 FY BUDGETS***

***RESOLUTION 15-276
SETTING THE CERTIFIED
TAX RATE***

***RESOLUTION 15-277
ADOPTING THE BUDGETS
FOR FY 2015/2016***

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

Joshua Bake presented the wage level list for 2015-2016. He said the list is the same as presented at the budget workshop with the twelve-year step scale. He explained how the rotation for review would work for each department. Gordon Kitchen **moved** to accept the wage level list as presented. Dennis Long **seconded** the motion. The motion passed with voting aye.

WAGE LEVEL LIST FOR 2015/2016

Gordon Kitchen **moved** to approve Ordinance 15-172 establishing the salaries of the elected and statutory officers. Dan Olsen **seconded** the motion. The motion passed with the following roll call vote:

APPROVE ORDINANCE 15-172 ESTABLISHING THE SALARIES OF THE ELECTED AND STATUTORY OFFICERS

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

Jim Harper came before the Council to request seat covers and floor mats for the new aerial lift truck. Jim said he determined he did not need the floor mats but would like to request the seat covers at a cost of \$527.80. Dan Olsen **moved** to approve the request. Dennis Long **seconded** the motion. The motion passed with the following vote:

APPROVE EXPENDITURE FOR SEAT COVERS AND FLOOR MATS

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

Chief Watkins came before the Council to request per diem for two of his officers. Chief Watkins explained that Lieutenant Cox had the opportunity to attend child abuse training paid for the CJC and the only request was for the per diem of \$90. He also requested per diem in the amount of \$240 for Officer Whatcott. Chief Watkins stated he would be attending training on gang related problems and the training was paid for and the only request being made was for the per diem. Dan Olsen **moved** to approve \$330 for

REQUEST FOR TRAVEL APPROVAL - POLICE

travel for the police department. Robert Hall **seconded** the motion. The motion passed as follows:

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

Mayor Baker showed the plaque that was presented to him by the Relay for Life Committee. The plaque was a Nationwide Top Ten Per Capita Award. Mayor Baker expressed how pleased he was with the attendance at the Relay and how well everything seemed to go. Mayor Baker told the Council he offered the use of the park to the Relay Committee again for next year. Kristen Baumgarten asked the Mayor if he knew how many people attended the event and how much it cost the City. Mayor Baker stated he did not know how many people attended but he said there was no cost to the City. Chief Watkins stated the police go by to offer their support but they have never been needed for anything. Mayor Baker said the only cost to the City might be in man hours in helping hang the banners.

***OTHER MATTERS AND
FUTURE COUNCIL
MATTERS***

Chief Watkins told the council he has the final figures for the K9 plaque to be placed at the park, he just needed direction on where they would like it to be placed. Chief Watkins stated he was able to get the price of the monument down to \$2,886 and the sign that was discussed would be about \$1,000. Mayor Baker offered a suggestion of getting some type of base that would have the name on it instead of the sign. Councilman Olsen stated he didn't like the idea of the monument being right in the middle of the musical park because it created one more line of sight barrier for people trying to keep track of children. Chief Watkins said he just needed to know which direction to go because the monument would be ready for the first of July. One of the suggestions was to take a picture of the monument and see if a base could be made for it. Chief Watkins said he would look into it. No action was taken on this matter.

Dennis Long **moved** to adjourn the meeting at 9:00 p.m. Dan Olsen **seconded** the motion. The meeting was adjourned by all voting in favor of the motion.

MOTION TO ADJOURN

APPROVED BY COUNCIL ON THE 25th DAY OF JUNE 2015

BY: _____

ATTEST: _____