

**Naples City Council**  
**May 26, 2016**  
**Minutes**

The regularly scheduled meeting of the Naples City Council was held May 26, 2016, 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 Rick Johnson, Dace Johnson, Berlyn Bingham, Heidi Lundberg, Lizzie Abrams, Jim Harper, Brian Abrams, Katie Abrams, Rebecca Slaugh, Ryston Slaugh, Aysha Slaugh, Linette Rollins, Michael James, Corbin James, Chris James, Dave Hatch, Jessica Blunt, Debbie Chatham, Kami Wilson, Zoey Glenn, Mark Watkins, Andrew Cox, and Joshua Bake.

***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 presented the agenda for approval. Kenneth Reynolds **moved** to approve the agenda. Dennis Long **seconded** the motion. The motion passed with all those in attendance voting aye.

***AGENDA APPROVED***

Mayor Baker presented the minutes of the May 12, 2016-regular city council meeting for approval. Robert Hall **moved** to approve the minutes. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

***MINUTES APPROVED***

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

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

Mayor Baker presented the bills in the amount of \$35,592.50. Dennis Long **moved** to approve that amount. Gordon Kitchen **seconded** the motion. The motion passed with the following roll call vote:

***APPROVAL OF THE BILLS***

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

Heidi Lundberg praised those who submitted essays for the Naples Fire Station contest, she said all of them were very good and it made the final decision very difficult. Mayor Baker asked Principal Chatham from Naples Elementary and her students to come up first. Heidi recognized Corbin James, Kami Wilson, and Zoey Glenn. Mayor Baker then invited Principal Rick Johnson from Davis Elementary to come up. Heidi presented certificates to Aysha Slauch, Elizabeth Abrams, and Berlyn Bingham. Heidi thanked all of those who participated and for the support of the Principals in this effort. Mayor Baker said if it was up to him he would have given everyone an award because they were so good.

***PRESENTATION FOR  
NAPLES FIRE STATION  
ESSAY CONTEST  
WINNERS***

Jessica Blunt came to update the Council on Relay For Life. Ms. Blunt said she was excited to be in Naples and to be hosting the Relay at the Naples Park. Ms. Blunt said they don't have as many teams this year but hopes the neighbors in the area take an interest and check things out. Ms. Blunt said Relay for Life is about celebrating the lives of people who have survived cancer and remembering those who have passed on. She said part of their ceremony is a luminary and she wanted to offer one to the Council to decorate and participate in that ceremony. Ms. Blunt invited each of them to attend the Relay and she thanked them for their support. Ms. Blunt explained how the fund-raising donations are used in the fight against cancer. She said they have been delicate in their requests for donations this year due to the local economy but she said how honored she is that no matter what the situation they can still come together for each other and she is grateful to be in a community like this.

***UPDATE ON RELAY FOR  
LIFE***

Mayor Baker asked her about the arrow at the intersection. Ms. Blunt explained how they would like to use chalk paint to mark an arrow at the intersection of 1900 South pointing the way people should go. She said it is paint that will wash off with water. Mayor Baker asked about the LED sign the City owns and if they could use it to give information about the Relay. Chief Watkins said they would see about putting it up and getting her some help while they paint the arrow.

Chief Watkins and Lieutenant Cox presented the newest K-9 to the department. Chief Watkins said they have collected donations over the years in anticipation of purchasing a K-9. He said the latest dog they acquired is trained in bomb detection. He said the dog and the training cost \$7,500. Lieutenant Cox worked to get a \$5,000 grant and the Naples Police Association donated \$2,500. Chief Watkins said this cost the City nothing but he did ask the City to take responsibility for the care of the dog. Dennis Long **moved** to have the City accept that responsibility. Dan Olsen **seconded** the motion. The motion passed with all voting in favor of the motion. Chief Watkins then introduced "Felon" to the Council.

***INTRODUCTION OF NEW K-9***

Chief Watkins asked for approval to purchase one last set of tires for one of the lease vehicles. The amount requested was \$569.24. Dan Olsen **moved** to approve the expenditure. Gordon Kitchen **seconded** the motion. The motion passed with the following roll call vote:

***APPROVE PURCHASE OF NEW TIRES***

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

Chief Watkins stated he has never wrecked a police car in the thirteen years he has been here, until now. He asked for \$670 to repair his car for damaged sustained in a close encounter with a garage door. Dennis Long **moved** to approve the request. Kenneth Reynolds **seconded** the motion. The motion passed with the following vote:

***APPROVE EXPENDITURE FOR CAR REPAIRS***

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

Chief Watkins asked approval for the expenditure of \$5,592 for the purchase of body worn cameras using the State alcohol funds he receives. Chief Watkins said these are very nice cameras. Robert Hall **moved** to approve the purchase. Dennis Long **seconded** the motion. The motion passed with a roll call vote as follows:

***APPROVE EXPENDITURE OF ALCOHOL FUNDS FOR VIEVU CAMERAS***

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

Heidi Lundberg gave Council members a handout showing the reason for the changes to the set back language in the Land Use Ordinance. She said they added sentences to the cul-de-sac lots to clarify how to measure rear set backs in cul-de-sacs. She said they used the sentence from the A-1 zone and added it to the rest of the zones. Heidi stated in an R-3 zone the lots are smaller and so the side and rear set backs are smaller and that is why the difference in those. Heidi said they had a resident want to build an accessory building in his back yard and wasn't able to because of the way the Ordinance was written. She said they looked at changing the descriptions and requirements for accessory buildings to allow building them closer to the home. Kenneth Reynolds **moved** to approve the Land Use Ordinance changes on the set back requirements and to approve Ordinance 16-179. Dennis Long **seconded** the motion. The motion passed with the following vote:

***APPROVE CHANGES TO  
LAND USE ORDINANCE -  
S E T     B A C K  
REQUIREMENTS -  
ORDINANCE NO. 16-179***

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

Councilman Kitchen asked Heidi to look at the definition of a cul-de-sac because he thought they were different and if they wanted to keep things uniform in the ordinance they might want to look at that one.

Chief Watkins told the Council he met with Dennis Judd and with Joshua as they discussed the Jake Brake ordinance and Chief Watkins said Mr. Judd said what was presented would serve the purpose for what they want to have happen. Dennis Long **moved** to approve Ordinance No. 16-175. Dan Olsen **seconded** the motion. The motion passed with the following roll call vote:

***APPROVE JAKE BRAKE  
ORDINANCE NO. 16-175***

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

Mayor Baker said he invited Dave Hatch with Ashley Valley Water and Sewer District to attend the meeting as they discuss an agreement with AVW&S regarding road cuts in the City. Mayor Baker said he sits on the Board for Ashley Valley Water and Sewer and agreed to pass the agreement letter onto the City. Dave Hatch said he was approached by Jim Harper and Dale Peterson about having an agreement for road cuts. Mr. Hatch said he took the agreement they have with Uintah County and copied it almost word for word. He said they added the right-of-way wording for water and sewer lines. He said they follow the road cut permit requirements and it is almost the same process they are following now. He said AVW&S will not charge any impact fees to the City for connections and they will continue to provide Naples City residents with water and sewer. Mayor Baker noted City Attorney Dennis Judd expressed some concerns about the agreement. Mr. Hatch wanted to know what concerned Mr. Judd. Mayor Baker said his concern was giving up right-of-way easements and control of roads. Mayor Baker said Mr. Judd would like to see the City do an interlocal agreement or M.O.U. Mayor Baker said he feels they need to work out some type of agreement that works for Naples City and AVW&S. He said he has not talked to Mr. Judd. Councilman Kitchen wondered if they needed to table this. Mayor Baker said he would like the two attorneys to work together and bring an agreement back that would serve both entities. Mr. Hatch said there is something in Utah Code that states if a water conveyance has been in the ground for X amount of years there is a water right. He said they are talking about service rights versus underground rights. Mayor Baker said he didn't have an issue with any of it, just get the two attorneys to bring back something agreeable to both parties. Mr. Hatch said there was a class he went to where they discussed right-of-ways and there is a law where it is known the road is used for public utilities and it is a decreed part of the City. Councilman Kitchen said they want the agreement but they want to do it through the proper channels. Mayor Baker said he would be willing to meet with Mr. Hatch and both of the attorneys to work this out. Councilman Olsen said he thought they could make a motion to proceed with an agreement between the City and AVW&S. Dan Olsen made that **motion**. Robert Hall **seconded** the motion. The motion passed with all voting aye.

***DISCUSS ASHLEY VALLEY  
WATER AND SEWER  
ROAD CUT AGREEMENT***

Jim Harper and Joshua Bake presented a travel request to attend the UDOT Automated Geographic Reference Center workshop in Price. Jim said they will be discussing the 911 and 811 services. The amount requested was \$60 for per diem. Dan Olsen **moved** to approve the expenditure. Dennis Long **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

***TRAVEL APPROVAL***

Council members received the Utah State Retirement rates for 2016/2017. The rates did not change this year. There was a discussion about the pickup portion for the employee as the Council thought they agreed to move to the non-contributory system. Nikki was not in attendance to answer those questions. Mayor Baker said this was coming up for the new year and didn't know if they needed to approve it tonight. Councilman Hall said he didn't think it would hurt to approve it and ask Nikki about it. Dennis Long **moved** to approve the presented rates for Utah Retirement System and pickup the employee portion of the contributory rate. Dan Olsen **seconded** the motion. The motion passed with the following vote:

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

***APPROVE UTAH RETIREMENT RATES AND AGREE TO PICKUP EMPLOYEE PORTION OF CONTRIBUTORY***

Dan Olsen **moved** to approve Resolution 16-289 amending the FY 2015/2016 budget. 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

***APPROVE RESOLUTION 16-289 AMENDING FISCAL YEAR 2015/2016 BUDGET***

Robert Hall **moved** to convene into a meeting of the Local Building Authority of Naples City. Dan Olsen **seconded** the motion. The motion passed with all voting in the affirmative.

***CONVENE INTO MEETING OF THE LOCAL BUILDING AUTHORITY OF NAPLES***

*CITY*

Kenneth Reynolds **moved** to adjourn out of the meeting with the Local Building Authority and reconvene back into City Council meeting. Robert Hall **seconded** the motion. The motion passed with all voting aye.

Councilman Long asked Jim how long it would take to get signs up now they have passed the Jake Brake Ordinance.

Mayor Baker wanted to put a discussion on the next agenda about how they want to repair the parking lot where the line was dug for utilities. Jim said he will get a contractor to look at it and give him a price and he will work up how much it would cost if the road crew repairs it.

Councilman Hall wanted Jim to know the stop sign at 1900 South 2000 East is broke.

With no other business before the Council, Kenneth Reynolds **moved** to adjourn the meeting at 9:35 p.m. Dan Olsen **seconded** the motion. The meeting was adjourned by all voting in favor of the motion.

*OTHER MATTERS OR  
FUTURE COUNCIL  
MATTERS*

*MOTION TO ADJOURN*

APPROVED BY COUNCIL ON THE 9<sup>th</sup> DAY OF JUNE 2016

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

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