



City of Naples

Naples City Council Meeting Agenda
August 27, 2015 - 7:30 p.m.
1420 East 2850 South
Naples, UT 84078

Opening Ceremonies

1. Approval of Agenda
 2. Approval of Minutes - August 13, 2015 Regular Council Meeting
 3. Any follow up matters from meeting of August 13, 2015
 4. Approval of Bills - Connie Patton
 5. Consider Request for Donation to the Uintah Basin Orchestra & Choir - Dean Edwards
 6. Approve Expenditure to Repair Stucco at City Office Building
 7. Approve Request for Expenditure to Clean Drain Boxes
 8. Approve Request for Expenditure to Repair 2006 Truck
 9. Discussion on the Purchase of Natural Gas Trucks - Mayor Baker
 10. Travel and Training Approval - City Recorder
 11. Special Service District Updates
 12. Other Matters/Future Council Matters
- Open and Amend Budget
Audit to Begin
13. Motion to Adjourn

In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the Naples City offices at 789-9090, 1420 East 2850 South, Naples, UT 84078 at least 48 hours in advance of the meeting. Meetings are held at 1420 East 2850 South, Naples, UT.

The undersigned, duly appointed City Recorder, does hereby certify that the above agenda was faxed or emailed to the Vernal Express. The agenda was also posted in the City Hall lobby, outside the door of the City Office building, on the City's website www.naplescityut.gov, and on the State Public Meeting Notice website <https://pmn.utah.gov>. Nikki W. Kay

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Naples: City Council

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Body: [City Council](#)

Subject: Business

Notice Title: Naples City Council

Notice Type: Meeting

Event Start Date & Time: August 27, 2015 7:30 PM

Event End Date & Time: August 27, 2015 8:30 PM

Description/Agenda:

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Notice of Electronic or telephone participation:

n/a

Other information:

Meeting Location:

1420 East 2850 South
Naples , 84078

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Contact Information:

Nikki Kay
4357899090
nkay@naples.utah.gov

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**Naples City Council
August 13, 2015
Minutes**

The regularly scheduled meeting of the Naples City Council was held August 13, 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, Gordon Kitchen, Dennis Long, Dan Olsen and Kenneth Reynolds. Robert Hall was absent.

COUNCIL MEMBERS ATTENDING

Others attending were Ray Nash, Jim Harper, 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 Dan Olsen offered the invocation.

OPENING CEREMONY

Mayor Baker presented the agenda for approval. Dan Olsen **moved** to approve the agenda. Gordon Kitchen **seconded** the motion. The motion passed with all in attendance voting aye.

AGENDA APPROVED

Mayor Baker presented the minutes of the July 23, 2015 regular City Council meeting for approval. Dennis Long **moved** to accept the minutes. Kenneth Reynolds **seconded** the motion. The motion passed with all in attendance voting aye.

MINUTES APPROVED

Mayor Baker asked if anyone had anything they wanted to follow up on from the previous meeting. Councilman Gordon Kitchen asked about the vacant lots with the existing exposed foundations. Joshua Bake said that Mr. Peterson has been investigating the blue house and said he was not sure about the others but he would check with Dale on those. Councilman Kitchen said that people living near by have asked him about them and he felt it is time that something should be done.

FOLLOW UP ITEMS FROM PREVIOUS MEETING

Joshua Bake said the fill dirt for the lot on 1900 South came up at a previous meeting and he did want them to know that he has talked with BHI and they are stockpiling the dirt from

the excavation of the fire station and they can use it for the lot if needed.

Connie Patton presented the bills in the amount of \$39,980.68. Dennis Long **moved** to approve \$39,980.68. 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

A business license application was received from Southam Inspections located at 2982 S 670 E. Joshua Bake stated this would be a home based business and Dale Peterson recommended approval of the license. Gordon Kitchen **moved** to approve the business license. Kenneth Reynolds **seconded** the motion.

Joshua Bake reported that a petition from Ray Nash came before the Planning Commission and it was an ordinance change that would affect the whole City so public hearings were held to allow for comment on the proposed changes. Joshua said the Planning Commission has held many discussions on this matter and gone back and forth of what their desires are on this. Joshua said the recommendation from the Planning Commission was to make a couple of changes. The first change was to remove the 2009 International Fire code and to make it the 'most currently adopted code.' The second was to allow for reducing the minimum street width in certain situations and it would need to be approved by the Land Use Administrator. Joshua listed the criteria for when those changes might be granted.

1. The reduction is justified by a special consideration such as topography.
2. The reduction has been specifically approved by the Fire Marshall.
3. The length of the street or portion thereof is less than 0.1 mile.
4. No parking is allowed on the reduced section and no parking signs shall be posted on the

APPROVAL OF THE BILLS

BUSINESS LICENSE APPROVAL

CONSIDERATION TO ADOPT CHANGES TO CHAPTER 02-31-014 DESIGN STANDARDS, AREA AND ACCESS REQUIREMENTS OF THE LAND USE ORDINANCE

- reduced section.
5. The asphalt width may not be reduced to less than 26 feet.
 6. The reduced roadway width shall not satisfy the required frontage for the lot.

Joshua stated the changes have been reviewed by City Attorney Dennis Judd who didn't have any problem with the wording. Councilman Kitchen questioned the first criteria and wanted to know if they needed to leave out the words "such as." Councilman Olsen said safety might be a consideration. Mr. Nash said there was a list of other things that might be appropriate for it like irrigation lines or utility lines. Joshua said they need to be cautious because it can open it up to so much more. Councilman Kitchen said he doesn't really have a problem with the way it was written, he just had a question on it. With no other discussion, Dan Olsen **moved** to adopt Ordinance 15-173. Kenneth Reynolds **seconded** the motion.

At this point Chris Clark, a member of the Planning Commission, arrived at the meeting and Mayor Baker explained where they were on the agenda and told Mr. Clark about the question they had on only listing topography as one of the considerations for reducing a road width. Mr. Clark didn't have anything to add to the discussion.

The motion passed with the following vote:

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

Joshua Bake said this issue has also been before the Planning Commission for a couple of months. He said they have tried to work out the benefit to the City and also tried to get some legislative intent into the code. He explained this ordinance revolves around when an industrial zone abuts a residential use. He said the current ordinance reads that they must construct a 6' ornamental masonry wall. He said there has been some concern about the beneficial use of the industrial zones and what is the intent of why different fences are recommended to separate properties. Joshua said he gave Council members two versions of the proposed changes to this section of the Land Use Ordinance. He said

***CONSIDERATION TO
ADOPT CHANGES TO
CHAPTER 02-28-005
INDUSTRIAL ZONE
SPECIAL PROVISIONS OF
THE LAND USE
ORDINANCE***

the first version is what the Planning Commission discussed and agreed to, the second version has some minor wording changes after a discussion with Mr. Judd. Joshua explained one of the changes was "the Planning Commission determines" which was changed to "the Planning Commission makes a finding." He said it is a better legal term for how the Planning Commission arrives at their decision. Joshua said they also added a quick way for a person to appeal a decision if they are denied. Joshua read the changes to the ordinance and said it was crafted to give the intent of the Planning & Zoning. He said in the past the ordinance has required a six-foot ornamental masonry wall and the change now reads "*When any industrial use adjoins any residential use, the owner of the industrial property shall provide and maintain along such property line a minimum six-foot aesthetically pleasing, vision obscuring, privacy fence or all of a neutral color, with a minimum 90% fill to afford privacy for the residential dwelling. The fence shall be installed so as not to create a safety hazard for vehicular and pedestrian traffic. Where the Planning Commission makes a finding that such a fence is not necessary, or in the best interest of the public, the Planning commission may alter or waive the fence requirement. If a party disputes the findings of the Planning Commission, they may appeal the decision to the Naples City Council.*" Joshua said the Planning Commission decided the intent of the ordinance was to provide privacy and safety between the two properties and that is why they changed the requirements on the fence. Councilman Kitchen asked about the term privacy. He said privacy normally means vision but he said it can also mean noise. He said the masonry fence was to protect from the noise of industrial business where a privacy screened fence doesn't afford that. Joshua said they did discuss that and tried to decide if even a masonry fence offered that sound proofing. Chris Clark from the Planning Commission shared his thoughts from the discussions held during the Planning Commission meeting on this subject. He said the comments during the public hearing on this matter dealt with people wanting a break between businesses to obscure or protect from lighting, to control the dust, as well as sound. Mr. Clark said the issue came up because there was a business that wanted to put up a fence but when they realized what the City's requirements were they decided to just not build a fence. Mr. Clark felt if the option were given to allow for a less expensive fence that provided at least for vision obscuring then it would at least get rid of a majority of the issues raised. He said noise is never going to be gone.

He said there would be more of chance to provide for the screening if someone can afford to do it. Councilman Reynolds said there has been a lot of discussion on this matter and he feels good about it so he **moved** to approve Ordinance 15-170 version two. Dan Olsen **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	Absent

Dennis Long **moved** to convene into a meeting of the Local Building Authority of Naples City to authorize payment to B.H.I. for the Naples fire station. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

MOTION TO CONVENE INTO LOCAL BUILDING AUTHORITY OF NAPLES CITY TO AUTHORIZE PAYMENT TO B.H.I.

Dan Olsen **moved** to convene back into regular city council meeting. Dennis Long **seconded** the motion. The motion passed with all in attendance voting aye.

RECONVENE BACK INTO REGULAR CITY COUNCIL MEETING.

Joshua Bake reported the emergency access road connecting Pheasant Run Estates to High County has been completed. He said Mr. Peterson has inspected the road and found it does satisfy the requirements of the contract. Joshua stated that Mr. Heywood prepared a deed of conveyance for the Mayor to sign releasing the Park City property but Mr. Judd told him the Mayor can sign a request for a deed of conveyance but the deed has to be signed by the trustee. Joshua said they would essentially be giving authority to the Mayor to sign the necessary paperwork to request a deed of reconveyance for the property the City holds in trust for Pheasant Run Estates. Councilman Kitchen stated he would approve giving the Mayor the authority to sign the request, and the wording for the motion was provided by Dennis Judd. Gordon Kitchen **moved** to have the Mayor sign the request for deed of reconveyance asking the trustee to sign the deed of reconveyance and indicating that the obligation secured by the deed of reconveyance has been paid in full or completed in accordance with the terms of the agreement. Kenneth Reynolds **seconded** the motion. The motion passed with the following vote:

CONSIDER REQUEST TO RELEASE PARK CITY PROPERTY TO PHEASANT RUN ESTATES ONE, LLC

Gordon Kitchen	Aye
Kenneth Reynolds	Aye

Dennis Long	Aye
Dan Olsen	Aye
Robert Hall	Absent

Jim Harper presented an expenditure amount for approval. Jim stated the contractor came and sealed the portion of 2500 South that was repaired after the road was initially sealed by the Transportation District. Jim said they were charged a mobilization fee for them to come back and do that. The charge was \$750. Gordon Kitchen **moved** to approve the \$750 to seal the road. Dan Olsen **seconded** the motion. The motion passed with the following vote:

MOTION TO APPROVE EXPENDITURE TO SEAL REPAIR ON 2500 SOUTH

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

Council members were informed that a meeting was held with the City employees who are currently on the URS contributory system. The meeting was held to discuss how switching to the URS noncontributory system would affect them and what their options would be if the City switches. Mayor Baker attended the meeting and said there are only twenty-eight cities still in the contributory system. He stated that none of the employees stated they didn't want to make the switch. He recommended the Council go the route of switching to the noncontributory system. Dennis Long **moved** to approve Resolution 15-280. Kenneth Reynolds **seconded** the motion. The motion passed with the following roll call vote:

ELECTION TO BECOME A PARTICIPATING EMPLOYER IN THE PUBLIC EMPLOYEES' NONCONTRIBUTORY RETIREMENT SYSTEM

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

Chief Watkins submitted a travel request for three of his officers to attend training in Sandy Utah for advanced drug interdiction in rural areas. The requested amount was \$987. Dan Olsen **moved** to approve the request. Dennis Long **seconded** the motion. The motion passed as follows:

TRAVEL APPROVAL FOR POLICE DEPARTMENT

Robert Hall	Absent
Dan Olsen	Aye

Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Joshua Bake submitted a request to attend the ULCT annual convention. Joshua stated he would try and stay with family but might not be able to this time so he put down \$100 per night for lodging. The total amount submitted was \$1,025. Kenneth Reynolds **moved** to approve the travel. Dan Olsen **seconded** the motion. The motion passed with the following vote:

***TRAVEL REQUEST FOR
CITY ADMINISTRATOR***

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

Mayor Baker stated he would also like to attend the ULCT conference. He said he did not fill out a travel request yet but thought the amount should be similar to Joshua's request. Dennis Long **moved** to approve the same amount for travel for the Mayor as Joshua. Dan Olsen **seconded** the motion. The motion passed with the following vote:

***TRAVEL REQUEST FOR
MAYOR***

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

Mayor Baker said he received notice that they were looking for someone to sit on the Board for the ULCT. He said one of the open positions was specifically for the Dagget, Uintah and Duchesne County areas. None of the Council members felt they had the time necessary to serve. Council members suggested nominating Councilman Hall. Mayor Baker said he would keep the form and think about it.

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

Joshua told the Council the Uintah Basin Energy Summit was coming up and asked if any of the Council members wanted him to register them for it. He asked them to check their schedules and get back with him

Council members were given a questionnaire from the Basin Transit Association (BTA). They discussed where they would like to see the BTA expand services and how the needs of

the people in this area could be better served. Councilman Kitchen said he would like to see the BTA in more of the residential areas. He stated most people have to go quite a ways to reach one of the stops and they are not located in convenient places for those who don't drive. Councilman Long said at least one stop in Naples would be a good place to start.

Dennis Long **moved** to adjourn the City Council meeting at 8:30 p.m. Kenneth Reynolds **seconded** the motion. The meeting was adjourned by all voting in favor of the motion.

MOTION TO ADJOURN

APPROVED BY COUNCIL ON THE 27th DAY OF AUGUST 2015

BY: _____

ATTEST: _____

Report Criteria:

Invoices with totals above \$0.00 included.
Only unpaid invoices included.

GL Acct No	Vendor	Vendor Name	Description	Invoice Number	Invoice Date	Invoice Amount
10-22250	WORKMENS COMPE	1084 Utah Local Gov't Ins. Trust	Workers Comp	1084-915WC	08/11/2015	1,186.64
10-22500	HEALTH INSURANCE	22 American Family Life Assurance	Insurance Premium/employee w/h	588672	08/25/2015	707.82
10-22500	HEALTH INSURANCE	740 Public Employees Health Prog	Health & Dental Insurance	740-815	08/20/2015	15,608.96
10-22500	HEALTH INSURANCE	1084 Utah Local Gov't Ins. Trust	Health Insurance Premium	1084-915	08/11/2015	540.10
Total :						18,043.52
35-40-745	ASSET ACQUISITION	20 Advanced Title Company	Title policy for fire station	21819	07/21/2015	1,655.00
40-40-261	2500 SOUTH ROAD P	13 Allred, Larry Paving		13-715	07/21/2015	15,876.00
Total EXPENDITURES:						17,531.00
10-50-270	UTILITIES - SHOP	1099 Rocky Mountain Power	Monthly Electric Service	0186-715SH	08/18/2015	262.54
10-50-271	UTILITIES - CITY HAL	622 Mt. Olympus Waters	Equipment Rental	102094540814	08/14/2015	34.75
10-50-271	UTILITIES - CITY HAL	1099 Rocky Mountain Power	Monthly Electric Service	9596-815OF	08/18/2015	443.89
10-50-271	UTILITIES - CITY HAL	1168 West End Cleaners, Inc.	Traffic rug for offices	A23458	08/03/2015	61.60
Total GENERAL GOVERNMENT BUILDINGS:						802.78
10-51-240	OFFICE SUPPLIES A	888 Spectra Associates, Inc.	Minute Books	35044-C	07/29/2015	491.50
Total SUPPLIES/EQUIPMENT:						491.50
10-54-249	EQUIPMENT/PURCH	61 Auto Repair Pro's	Windshield	61-815	08/04/2015	291.00
10-54-249	EQUIPMENT/PURCH	769 Radio Shack	Batteries	10206435	07/21/2015	5.99
10-54-249	EQUIPMENT/PURCH	769 Radio Shack	Batteries	10206996	08/12/2015	19.48
10-54-251	FUEL & OIL	570 Maverik, Inc.	Fuel & Oil	570-73115	07/31/2015	105.31
10-54-251	FUEL & OIL	808 Rocky Mountain Lube & Muffler	Oil change #143	559465	07/17/2015	51.05
10-54-334	K-9 EXPENSES & EQ	448 Intermountain Farmers Assoc.	Dog food	1005745472	07/22/2015	425.92
Total POLICE DEPARTMENT:						898.75
10-60-251	FUEL & OIL	570 Maverik, Inc.	Fuel & Oil	570-73115	07/31/2015	20.12
10-60-256	TRACTOR/FRONT E	537 Lewis-Goetz and Company	Hose repair	VE013471	08/19/2015	118.66

GL Acct No	Vendor	Vendor Name	Description	Invoice Number	Invoice Date	Invoice Amount
10-60-259	VEHICLE MAINTENA	243 Covers & Camo	Seat Covers	159	08/18/2015	200.00
Total HIGHWAYS:						338.78
Grand Totals:						38,106.33

Report Criteria:

Invoices with totals above \$0.00 included.
Only unpaid invoices included.

Handwritten calculations:

$$\begin{array}{r} 355 \\ 21710 \\ \hline 21055 \\ \hline 21055 \\ \hline 21055 \end{array}$$
$$\begin{array}{r} 355 \\ 355 \\ \hline 710 \end{array}$$
$$\begin{array}{r} 38,106.33 \\ 355.00 \\ \hline 38,461.33 \\ 2035.88 \\ \hline 40,497.21 \end{array}$$

Memo to: City Council

From: Jim Harper 

Subject: Expenditures to repair the exterior walls at the office

Recommendation: For the Council to approve expenditures to repair the exterior walls at the office for \$1,300

Summary For the past several years the stucco walls have been attack by a protected species which has caused some holes in the walls and access to our attic. This has also provided an excellent place for *insects to move in with us. Because the storms come from the south we are getting moisture* in our walls.

When they finished the stucco project with the office the first time. We were left with 1 to 3" gaps around the utilities boxes and piping.

Trying to find a good contractor the last few years has been a little frustrating. We have found a good contractor in Vernal. And the references are good. This is a person that we can rely on years to come. As He has said and I agree the patch jobs that he has done has blended in perfect. The whole wall is sealed and looks more professional. His bid is also way below the other bids.

Memo to: City Council

From: Jim Harper

Subject: Expenditures to clean out drain boxes

Recommendation: For the Council to approve expenditures to clean out drain boxes from 60-264

Summary At this time we have used our equipment to clean all the drain boxes that we can. The rest are too deep and have far too much water to clean up. This is the most economically way to keep our drainage with the EPA standards. We have used cheaper trucks and we have found out the we can clean out the boxes about twice as faster the cheaper. They don't have the power to clean out like the Merkley trucks do.

Recommendation is the truck is hourly at \$295.00.

We think we can do it in a day with 8 hrs.

*8hrs worth is \$2,360.00

Memo to: City Council

From: Jim Harper

Subject: Expenditures for 2006 pick up repair

Recommendation: For the Council to approve expenditures repairing pick up for \$642.56 from 60-252

Summary This is for a front end alignment, which is the first one ever done to this vehicle with 87,900 miles on it. Also replace the front right cv joint, and the front left wheel bearing.

Front end alignment	89.00
C V Joint	140.00
Hub & Bearing assy	203.00
Labor	209.00
Total	642.56



Dale Peterson <dalepeterson@naples.utah.gov>

Natural Gas Trucks

3 messages

Dale Peterson <dalepeterson@naples.utah.gov>
To: Karl Mott <kmott@duchesne.utah.gov>

Wed, Aug 19, 2015 at 9:33 AM

Karl, I spoke with the Naples Mayor, he asked me if I could get more information from you, about the two natural gas trucks that Duchesne County are going to sale. If you can get it to me, then I can get it to the mayor and council for consideration.

Thanks, Dale Peterson (dalepeterson@naples.utah.gov)

Karl Mott <kmott@duchesne.utah.gov>
To: dalepeterson <dalepeterson@naples.utah.gov>

Wed, Aug 19, 2015 at 5:42 PM

Sure thing. I'll Let the commission know there may be some interest in them. Thanks.

From: "dalepeterson" <dalepeterson@naples.utah.gov>
To: "Karl Mott" <kmott@duchesne.utah.gov>
Sent: Wednesday, August 19, 2015 9:33:41 AM
Subject: Natural Gas Trucks

Karl, I spoke with the Naples Mayor, he asked me if I could get more information from you, about the two natural gas trucks that Duchesne County are going to sale. If you can get it to me, then I can get it to the mayor and council for consideration.

Thanks, Dale Peterson (dalepeterson@naples.utah.gov)

Karl Mott <kmott@duchesne.utah.gov>
To: Dale Peterson <dalepeterson@naples.utah.gov>
Cc: Ken Burdick <kburdick@duchesne.utah.gov>, Ron Winterton <rwinterton@duchesne.utah.gov>, Gregory Todd <gtodd@duchesne.utah.gov>

Thu, Aug 20, 2015 at 12:58 PM

Dale

Here is the information for the two CNG trucks.

One is white with 10,530 miles. One is silver with 5900 miles. Mileage is as of 8-20-2015.

They are 2014 Ford XL Supercab 4 wheel drive with 3.7 liter CNG only engines.
They have power windows and door locks. No power seats.
They have the trailer tow package.
They have Standard Steel Wheels and stock tires.
The white one has heavy canvas seat covers for the front seats only.

The county is asking \$30,000 each.

If you have an interest in them contact the Duchesne County Commission. I have cc them in this e-mail or you can

contact their Administrative Assistant, Bobby Jo Casper at 435-738-1139

Thanks

----- Original Message -----

From: Dale Peterson <dalepeterson@naples.utah.gov>

To: Karl Mott <kmott@duchesne.utah.gov>

[Quoted text hidden]

[Quoted text hidden]

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Karl D. Mott
Duchesne County
Building Official
[435-738-1153](tel:435-738-1153)