

Naples City Council

July 13, 2023

Minutes

The regularly scheduled meeting of the Naples City Council was held July 13, 2023, 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, Ross Morton, Dan Olsen and Kenneth Reynolds.

COUNCIL MEMBERS ATTENDING

Others attending were Bruce Hacking, Jacob Hacking, Brooks Jones, Szeth Simmons, Nathan Simper, Ryan Cook, Micheal Davis and Nikki Kay.

OTHERS ATTENDING

Mayor Dean Baker welcomed everyone and called the meeting to order at 7:30 p.m. Mayor Baker opened the meeting with the pledge of allegiance and Dan Olsen offered the invocation.

OPENING CEREMONY

Mayor Baker presented the agenda for approval and asked the council to add a discussion on swimming pools under other matters. Kenneth Reynolds **moved** to add the swimming pool discussion and approve the agenda. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

APPROVAL OF THE AGENDA

The minutes of the regular city council meeting of June 22, 2023 were presented for approval. Robert Hall **moved** to approve the minutes. Ross Morton **seconded** the motion. The motion passed with all voting aye.

MINUTES APPROVED

Mayor Baker asked if anyone had anything they wanted to follow up on from the previous meeting. Councilman Hall asked if Micheal made the offer on the property as discussed at the last meeting. Micheal stated he has not talked to anyone yet.

FOLLOW UP ITEMS FROM PREVIOUS MEETING

Nikki Kay presented the bills for payment in the amount of \$209,502.05. Dan Olsen **moved** to approve the bills in the amount of \$209,502.05. Kenneth Reynolds **seconded** the motion. The motion passed with the following roll call vote:

APPROVAL OF THE BILLS

Robert Hall	Aye
Dan Olsen	Aye
Ross Morton	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Council members received a copy of the FY 2023/2024 Utah Retirement System rates. Nikki Kay stated there were no increases in rates this year, she wanted the Council to review them and approve the rates. Kenneth Reynolds **moved** to approve the contribution rates as presented. Dan Olsen **seconded** the motion. The motion passed with the following vote:

Gordon Kitchen	Aye
Kenneth Reynolds	Aye
Ross Morton	Aye
Dan Olsen	Aye
Robert Hall	Aye

***REVIEW AND APPROVAL
OF URS RATES***

Council members received a request from Vernal City to add the Animal Control SSD to the legal counsel agreement (ILA). Michael explained this would mean the Animal Control SSD would be another contract member of the legal counsel agreement. Councilman Kitchen stated the City requested any addition of other entities be added to the agreement to ensure there were not too many add ons. Councilman Hall stated the Fire Suppression SSD also talked at their last meeting about making the same request. Councilman Olsen said the Animal Control would just be a minimal amount of time. Councilman Kitchen wanted to know how many more minimal requests will there be and how much time is that for one attorney. Councilman Morton said he would like to see a breakdown of the attorney's hours and see how the hours are divided up. Councilman Kitchen stated he would like to see that before agreeing to adding anyone else if they come forward with the same request. Councilman Olsen said the attorney might need to make that call. Councilman Morton asked Dan Olsen if he thought adding the Animal Control SSD to the agreement was going to be an issue. He said "no" their use is minimal. Dan Olsen **moved** to approve that Naples City agrees to allow adding Animal Control SSD to the agreement. Kenneth Reynolds **seconded** the motion. The motion passed with all voting in the affirmative.

***REQUEST TO ADD
ANIMAL CONTROL SSD
TO ATTORNEY ILA***

Micheal Davis asked Council to table the discussion for the

DISCUSSION REGARDING

request to vacate an easement and amend the subdivision for Montgomery Subdivision. He reported the request for the vacation was not ready yet. Micheal also asked that the request to schedule the public hearing for vacating the easement also be tabled. Kenneth Reynolds **moved** to table items seven and eight on the agenda. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

***VACATION OF EASEMENT
AND AMENDED
SUBDIVISION FOR
MONTGOMERY
SUBDIVISION***

Chief Simper came before the Council to request approval to surplus a police department vehicle. He said they currently have a 2012 Dodge Durango with 85,000 miles on it. Chief Simper said the goal is to sell the vehicle and purchase a newer one. He said as a vehicle gets older the cost to repair it becomes more than the vehicle is worth. Chief Simper reported that he spoke with Bancorp about taking it as a trade on some of the new lease vehicles but they would only give \$8,000. He received an offer from a member of the narcotic strike force of \$11,000 and was seeking approval to surplus the vehicle to them. Councilman Hall stated he had no problem with it as long as they are following policy. Chief Simper said they have a little more flexibility when it is another government entity that is purchasing it. Councilman Reynolds asked if the newer vehicle the Chief wanted to purchase would be equipped with what they needed. Chief said it would. Robert Hall **moved** to approve the surplus of the vehicle. Ross Morton **seconded** the motion. The motion passed with a roll call vote:

***REQUEST APPROVAL TO
SURPLUS POLICE
DEPARTMENT VEHICLES***

Gordon Kitchen	Aye
Kenneth Reynolds	Aye
Ross Morton	Aye
Dan Olsen	Aye
Robert Hall	Aye

Mayor Baker asked Nikki to add an introduction of Attorney Mike Harrington to the next Council agenda.

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

Micheal Davis updated the Council on the 24th of July activities and schedule for the day. He said they have moved where the vendors will be, they will have the fire truck with their water, bounce houses, music, and face painting. Micheal said he took the plans to the Recreation District and they are aware of what is going on. Councilman Kitchen raised a question about the handicap parking spots located on the map Micheal gave them. Ryan Cook said there are about eight or nine spots and they mark them with signs so

people can see. It was suggested that if any of the Council will be available to help with parking to meet at the Headstart parking lot at 8:30.

Councilman Olsen reported they have some residents concerned about a swimming pool that was being put up in the Parkview Subdivision. Some residents felt it was too close to the park and the school without having a fence around it. Councilman Olsen said they have a group of people that will pour cement for the fence posts on Saturday morning and there will be a fence put up around it so if anyone else calls about it they can let them know.

Micheal wanted the Council to know the City is looking at an EPA (Employee Assistance Program) for employees because of the new legislation for mental health benefits. He said they have a company that Chief Simper has been in contact with, it's all new, but they are going to go with it and see how it works. Councilman Morton wanted to know if the service would be in person or over the phone. Micheal said they have people local or an employee could choose to do a telecom visit. Councilman Kitchen wanted to know why our health insurance wouldn't cover this. Councilman Hall said that counseling is not covered by insurance unless you have a diagnosis from a doctor. He said if someone had a diagnosis then it would work the same with insurance, but just counseling is not. Micheal said that PEHP has started a program but they don't have anything in place yet and are just trying to figure out what will be covered through what has been mandated by the State Legislature. Micheal said they would like to begin with this other company and if the insurance does start to cover what is needed then they can cancel the other. Councilman Hall said they will have to figure something out for the volunteers and employees of the Fire District as well. He said it's a great idea but it is an unfunded mandate. Chief Simper said he was able to obtain a grant that will pay for the initial evaluations of his officers.

Micheal said he asked Chief Simper to talk to the Council about stop signs. He shared with them the State code that states the chief law enforcement officer is in charge of determining where stop signs should be placed. Chief Simper said he's had requests from people about installing the flashing lights on top of stop signs after they placed the one at 500 E 2500 S. He said he wanted to give a basis of cost, durability, and maintenance on those and find out what kind of precedence the Council wants to establish with the signs.

Chief Simper said the flashing sign at the 500 E 2500 S corner was warranted after a study showed the amount of traffic, accidents, and citations issued for that intersection. He said the cost of the sign is \$1,155 per sign and the cost of the solar batteries is about \$250 and they need replaced every two to five years. Chief Simper said the other intersections where similar requests have been made are for 1500 E 500 S, 500 E 1500 S, and 1900 S 2000 E. Chief Simper stated he wanted to know the opinion of the Council if that is the precedent they want to set and, if so, he wanted a chance to speak with residents because this would mean a constant flashing light through the night. Chief Simper said they could look at other options like painting "stop ahead" on the road or an amber flashing light 200' back from the sign. He felt like the light on the sign at 500 E 2500 S was warranted because there were about 4,000 cars going through there but any others would be setting a precedent. Councilman Olsen said he felt like it was needed on 1900 S 2000 E because of the school and the children in the area. Councilman Kitchen asked if there was a way to set a timer to not have it flash during certain hours. Ryan Cook said there are probably ones that you could program but the cost would go up substantially. Mayor Baker said people just blow through the stop sign all times of the day. Councilman Morton said the study they do will show vehicle traffic but it probably won't show pedestrian traffic. Councilman Hall said he can see where the City might be opening it up as a precedent and it will open it up to others wanting the same thing. Chief Simper said when he gets a request he tries to do research to see if there are other viable options. Mayor Baker said the trouble with the intersection by his house on 2000 East is the hill before you get to the stop sign. Councilman Morton asked the Chief what his criteria would be for how many cars or people. Chief said it would be road traffic, speed of traffic, or heavy pedestrian traffic. Chief Simper said his recommendation was to allow him to conduct a study over the next couple of weeks and to bring back his findings. Councilman Kitchen said he really doesn't want to see the signs all over the community. Councilman Reynolds said he thinks they can justify one on the park road. Councilman Morton said the Chief could go survey the three intersections where they have had the requests and set their bench mark off of those three. Ryan Cook said his only concern is that once they head down this road and you've established this level of appearance or attention and then go away from it, it might cause problems. Councilman Morton said that is why it would

be good to have the numbers and set the bench mark then when someone else calls in, you have the numbers showing what would warrant a sign. Ryan said the City has received a grant for a master plan and it will include a traffic count study for most of the major intersections. Brooks Jones said that study would also include speeds and type of vehicles. Councilman Olsen told the Chief that he is hearing they want one at that intersection. Mayor Baker said his opinion is, he is concerned for the kids and they should have a flashing sign on the south side of the intersection. He said he felt like the consensus was to bite the bullet and get the signs. He felt like they needed the flashing on both sides of 2000 East and the amber one on the south side at the bottom of the hill. Micheal asked what their motion was going to be. It was stated they can't make a motion because it wasn't listed on the agenda. Councilman Kitchen wanted to know if it was going to hurt to wait the two weeks and put it on the agenda. Mayor Baker said school will be starting soon. He said he would use his authority as the Mayor and tell Ryan to order them and the Council can go back and ratify it. Chief Simper said he's heard what the Council would like and asked the Council to allow him to get some information for them.

With no other business before the Council, Kenneth Reynolds **moved** to adjourn the meeting at 8:40. Gordon Kitchen **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 JULY 2023

BY: _____

ATTEST: _____