

Naples City Council

December 14, 2023

Minutes

The regularly scheduled meeting of the Naples City Council was held December 14, 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 Michael Harrington, Rich Mahoney, Dalton Roth, Rylie Roth, Chelsea Roth, Kim Kay, Amanda Kitchen, Szeth Simmons, Nathan Simper, Micheal Davis and Nikki Kay.

OTHERS ATTENDING

Mayor Baker welcomed everyone and called the meeting to order. He opened the meeting with the pledge of allegiance and Ross Morton offered the invocation.

OPENING CEREMONY

Mayor Baker presented the agenda for approval. Gordon Kitchen **moved** to 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 November 9, 2023 were presented for approval. Gordon Kitchen **moved** to approve the minutes. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

MINUTES APPROVED

The minutes of the special meeting held on November 30, 2023 were presented for approval. Dan Olsen **moved** to approve the minutes. Ross Morton **seconded** the motion. The motion passed with all voting in the affirmative.

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

FOLLOW UP ITEMS FROM PREVIOUS MEETING

Nikki Kay presented the bills for approval in the amount of \$96,310.81. Councilman Kitchen asked about the bond payment for the 2500 South road. Nikki stated she couldn't

APPROVAL OF THE BILLS

remember if that was the loan that was split into B&C Road funds and sales tax. She was not sure of the payoff date. Robert Hall **moved** to approve the bills in the amount of \$96,310.81. Dan Olsen **seconded** the motion. The motion passed with the following roll call vote:

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

A business license application was received for **CDs Toy Box** located at 374 E 2960 S. Nikki explained the application was submitted for machining, welding, and fabrication consulting, and programming. Nikki said the owner was contacted by Mr. Peterson and told he would be allowed to do the consulting and home office out of his home but any fabrication work would need to be done at a different location. Gordon Kitchen **moved** to approve the license for the owner to do consulting and programming out of his home. Kenneth Reynolds **seconded** the motion. The motion passed with the following roll call vote:

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

Chief Simper came before the Council to present two awards to Officer Dalton Roth. Chief Simper stated the first award was a life saving commendation for Officer Roth's response to a critical medical call when he helped render aid to an unconscious, non-breathing individual. Chief Simper stated his calmness under pressure and his swift efforts to provide support to the patient's family and provide CPR, played a pivotal role in the patient's path to recovery. Chief Simper stated Officer Roth's actions reflect the highest standards of professional conduct and public service.

The second award presented to Officer Roth was a meritorious achievement commendation for his response to a call reporting two individuals trapped in Ashley Creek. Officer Roth showed exceptional resourcefulness when he fashioned a lifeline from K9 leashes and successfully

APPROVAL OF BUSINESS LICENSE

NAPLES POLICE DEPARTMENT RECOGNITIONS

extended it to the stranded mother and daughter. Chief Simper said that Officer Roth's decisive action helped alleviate others being called out. Officer Roth was presented with two commendation plaques and his wife Rylie, pinned commendation bars to his uniform.

Michael Harrington, Naples City Attorney, was present at the meeting to give Council an update on his services. Mr. Harrington said the last time he met with them was mostly an introduction and he was there to give a report on how things were going. He said he is learning how to juggle between the different entities and is finding that rhythm in prioritizing. Mr. Harrington said some pressing matters right now are code changes and employment issues. He said SB 174 was causing the most pressing issue for land use code changes and those are being made for Vernal City. He said Naples City has until the end of 2024 to make those changes. Mr. Harrington said funding is available to help City's make those land use code changes. Mr. Harrington complimented Gwen on being very much on top of things with the changes that are upcoming. Mr. Harrington gave the break down for his assignable time and said about 39.5 has been Vernal City civil matters, 39.5 for prosecution, 13% for the SSD1, about 4% with Dutch John and Naples, and .5% for Fire and Animal SSD. Mr. Harrington believes they are currently under budget for what was projected. Councilman Kitchen asked about the paralegal expense. Mr. Harrington said it is all included except for the prosecution for Vernal City. Mr. Harrington stated it has been a pleasure to work with the staff. Council thanked Mr. Harrington for coming.

NAPLES CITY ATTORNEY REPORT

Rich Mahoney from Crossroads Accounting came to give the audit report for fiscal year end June 2023. Mr. Mahoney stated they audit the City's finances as well as compliance with laws, regulations, etc. for internal control practices. He pointed out the financial statements present fairly, in all material respects, the respective financial position and respective budgetary comparison for the General Fund and the Redevelopment Fund and that those are in accordance with generally accepted accounting principles. Mr. Mahoney referred to the figures for the City's combined net position and stated the City's net position increased about 4% due to revenues exceeding expenses and they didn't identify any material deficiencies. He noted the State compliance requirements tested were: budget compliance, fund balance, fraud risk, tax levy, URS, and open and public meetings. Their opinion was the City complied, in all material respects,

NAPLES CITY AUDIT REPORT

with the compliance requirements referred to. Mr. Mahoney said one finding was noted and that was regarding fund balance. He reported the City's fund balance exceeded what is allowable by Utah Code by \$33,684. The audit gave a recommendation for the City to review their processes for properly maintaining general fund balances and the City asserted they will adopt the recommendation. Micheal explained the money received for the payment of the self-help housing lots was reported on the balance sheet and this is what caused this issue. It was discussed to maybe move the money to the rehab housing fund and to get it off the balance sheet. Mayor and Council thanked Mr. Mahoney for the report.

Micheal received an email from the Special Service District requesting a fee waiver for the business license at the Splash Park. Robert Hall **moved** to waive the fee. Gordon Kitchen **seconded** the motion. The motion passed with the following roll call vote:

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

***REQUEST TO WAIVE
BUSINESS LICENSE FEE***

Council members received a copy of Resolution 23-352 appointing Gary Hatch to the Mosquito Abatement District Board of Trustees. Nikki explained the notice of vacancy was posted and Mr. Hatch, who has been serving on the Board, is the only one who submitted a letter of interest. Dan Olsen **moved** to adopt Resolution 23-352 and appoint Gary "Red" Hatch to the Mosquito Abatement District Board of Trustees. Kenneth Reynolds **seconded** the motion. The motion passed with the following vote:

***RESOLUTION 23-352
APPOINTING MEMBER TO
THE MOSQUITO
ABATEMENT BOARD***

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

Council members received a copy of the 2024 meeting and holiday schedules. Dan Olsen **moved** to approve the 2024 meeting schedule and 2024 holiday schedule. Ross Morton **seconded** the motion. The motion passed with all voting in the affirmative.

***2024 MEETING
SCHEDULE AND
HOLIDAY SCHEDULE***

Nikki Kay reminded the Council of the oath of office for newly elected officials on January 2, 2024 at 7:00 p.m.

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

Mayor Baker took a moment to thank Gordon Kitchen for his sixteen years of service as a Naples City Councilman. Mayor Baker presented Councilman Kitchen with a plaque noting his years of dedicated service to the City.

With no other business before the Council, Gordon Kitchen **moved** to adjourn the meeting at 8:30. 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 11th DAY OF JANUARY 2024

BY: _____

ATTEST: _____