



City of Naples

Naples City Council Meeting Agenda
July 11, 2024 - 7:30 p.m.
1420 East 2850 South
Naples, UT 84078

Opening Ceremonies

1. Approval of Agenda
2. Approval of Minutes - June 27, 2024 Regular Council Meeting
3. Any Follow Up Matters from June 27, 2024
4. Approval of Bills
5. Approve Business License
 - KD Power Washing 2105 S 2000 E
 - O.G.M.N Services 2130 E 1900 S
6. Approval to Appoint New Member to the Naples Planning Commission
7. Approve Request to Rezone Property from Commercial C to RA-1 and to Amend Land Use Zoning Map Ordinance No. 24-255
8. Consideration for and Adoption of a Parameter Resolution No. 24-357 Authorizing the Issuance of Sales Tax Revenue Bonds of Naples City, Uintah County, Utah and to Call a Public Hearing to Receive Input with Respect to the Issuance of Such Bonds and Any Potential Impact to the Private Sector from Construction of the Project.
9. 1500 South Trail Project Bid Result Discussion
10. Other Matters/Future Council Matters
 - ULCT Convention
11. 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.

**Naples City Council
June 27, 2024
Minutes**

The regularly scheduled meeting of the Naples City Council was held June 27, 2024, 7:30 p.m., at the Naples City Office, 1420 East 2850 South, Naples, Uintah County, Utah.

Council members attending were Dean Baker, Robert Hall, Dan Olsen, Ross Morton, and Kenneth Reynolds. Andrew Bentley was absent.

Others attending were Loyd and Becky Austin, Mitchell Morley, Brooks Jones, Cheryl Meier, Dustin Hinkle, Scott Gray, Szeth Simmons, Ryan Cook, Micheal Davis and Nikki Kay.

Mayor Baker welcomed everyone and called the meeting to order. He began the meeting with the pledge of allegiance and Kenneth Reynolds offered the invocation.

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

The minutes of the regular city council meeting of June 13, 2024 were presented for approval. Robert Hall **moved** to approve the minutes from June 13, 2024. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

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

Nikki Kay presented the bills in the amount of \$31,508.16. Councilman Morton asked about an expenditure in the police department that listed a description of fake blood. Sergeant Gray explained it is something the department ordered for triage and EMT training purposes. With no other questions, Dan Olsen **moved** to approve the bills in the amount of \$31,508.16. Kenneth Reynolds **seconded** the motion. The motion passed with the following roll call vote:

***DATE, TIME & PLACE OF
MEETING***

***COUNCIL MEMBERS
ATTENDING***

OTHERS ATTENDING

OPENING CEREMONY

***APPROVAL OF THE
AGENDA***

MINUTES APPROVED

***FOLLOWUP ITEMS FROM
PREVIOUS MEETING***

APPROVAL OF THE BILLS

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Andrew Bentley	Absent
Kenneth Reynolds	Aye
Ross Morton	Aye
Dan Olsen	Aye
Robert Hall	Aye

A business license application was presented for **Nature & Co., LLC** located at 1645 E 1500 S. Nikki explained the business provides downhole tools to different companies and those companies bill for the services and equipment. The business is located in the proper zone and was recommended for approval by Dale Peterson. Robert Hall **moved** to approve the business license for Nature & Co., LLC. Kenneth Reynolds **seconded** the motion. The motion passed with all in attendance voting aye.

BUSINESS LICENSE APPROVAL

Becky Austin came before the Council to voice her concern about people at the Naples Park walking their dogs without a leash. Ms. Austin stated she has, in the past, had dogs run at her while she was walking and it always feels like it is the biggest dogs. She wanted to know if anyone monitors the park for people following the leash law. Mayor Baker stated there are signs up at the park requiring all dogs to be on a leash but a lot of people ignore them. Ms. Austin stated that maybe people can't see them. Mayor Baker said the Council has had this discussion before and maybe they need to put up bigger signs. Councilman Morton stated they know it is an issue but enforcement is difficult as there is a limited amount of officers to police it. Councilman Olsen said he would follow up with animal control and have this discussion with them but stated they only have three animal control officers and they have the whole County to patrol. Sergeant Gray stated that it would be best to contact Center Dispatch to report an issue and it would be an animal control call but they would try and respond also if available.

CITIZEN CONCERNS

Ms. Austin also raised a concern about the stretch of road on 500 South from 500 East to the Hwy. She stated there are no lines painted on the road and it is very difficult, especially at night, to see where the lanes are. Ryan Cook said the City has painted the lines at the intersection of 500 South and the Hwy and they are trying to work with Vernal City and Uintah County to get the rest painted. He stated the road along there includes all three entities. Ms. Austin thanked them for trying to work on it and for letting her come. Mayor Baker

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thanked Ms. Austin for coming and sharing her concerns.

Cheryl Meier with the USSD #1 came before the Council to discuss an issue with the sewer line at the Naples Park. Ms. Meier stated the issue is with the bathrooms attached to the maintenance building near the Turner Pavilion, she said the bathrooms are currently closed and their goal is to get them back open. Ms. Meier had Mitchell Morley explain the problem they are having and how they hope to get it fixed. Mr. Morley stated the bathrooms are tied to the maintenance shed and the building sits low enough that it can't gravity feed to the sewer line on 1900 South. He said they have a pump station that pumps it up to gravity feed out to the sewer line. Mr. Morley said the issue they constantly have is the pump burning up. He said all of the wiring is down inside the tank and the sewage rises and shorts everything out. Mr. Morley said they have a couple of plumbers that will work on it but when they do the bill is ridiculous. He said they spoke with Chivcon Construction about how they could solve this problem they continue to have. Their proposal was to bring in a concrete tank with all of the wiring above ground and the motors are built so you can bring them up and work on them. Mr. Morley said there will also be a new man hole cover and it will make it safer to maintain and take care of. He said it may eliminate one or two of the parking spaces there. Mr. Morley stated this should save them money in the long run. Mayor Baker wanted to know if they were asking the Council for money or just for their blessing to do it. Ms. Meier asked if there was any financial assistance that can come from the City. She said it would be \$27,000 for a new tank, new pumps, and wiring. Councilman Hall wanted to know if they can go half and half. Ms. Meier felt that would be a good partnership. Sergeant Gray mentioned the 24th of July celebration at the park. Mr. Morley said they would either work around the activities or try and be done. Robert Hall **moved** to approve \$13,500 for the project. 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
Andrew Bentley	Absent

Ms. Meier stated she heard part of the discussion about unleashed dogs at the park and said it is an issue in all of the

NAPLES PARK SEWER ISSUE

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parks. She said, in the ordinance, it states a dog is not unleashed if they can be called back by command or whistle. She said it has been discussed about posting signs at all the parks. Councilman Morton felt signs would be affective.

Council members received the Utah Retirement System (URS) rates for FY 2024/2025. Nikki said she wanted Council members to be aware of what those are and to approve those. Robert Hall **moved** to approve the rates for URS as presented. Kenneth Reynolds **seconded** the motion. The motion passed as follows:

Robert Hall	Aye
Dan Olsen	Aye
Ross Morton	Aye
Kenneth Reynolds	Aye
Andrew Bentley	Absent

Council members received a copy of Resolution 24-356 agreeing to pick-up the employee portion of the retirement contribution in Tier 2 public safety. Dan Olsen **moved** to approve Resolution 24-356. Kenneth Reynolds **seconded** the motion. The motion passed with a roll call vote as follows:

Andrew Bentley	Absent
Kenneth Reynolds	Aye
Ross Morton	Aye
Dan Olsen	Aye
Robert Hall	Aye

Council members received a copy of Resolution 24-354 approving amendments to the FY 2023/2024 budget. The resolution showed the amounts for each fund that was amended. Kenneth Reynolds **moved** to approve Resolution 24-354. Ross Morton **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Ross Morton	Aye
Kenneth Reynolds	Aye
Andrew Bentley	Aye

Council members received Resolution 24-355 setting the budget amounts in each fund for FY 2024/2025. Micheal noted the budget for the capital project park fund would

***APPROVE URS FY
2024/2025 RETIREMENT
RATES***

***RESOLUTION 24-356 URS
PICK-UP OF MEMBER
RETIREMENT
CONTRIBUTIONS TIER 2
PUBLIC SAFETY***

***RESOLUTION 24-354
APPROVING
AMENDMENTS TO FY
2023/2024 BUDGET***

***RESOLUTION 24-355
APPROVING FY 2024/2025
BUDGET***

DRAFT

need to be increased by \$13,500 for the expenditure they approved for the sewer project at the park. Ross Morton **moved** to accept Resolution 24-355 with the addition of \$13,500 to the parks fund. Robert Hall **seconded** the motion. The motion passed with the following vote:

Andrew Bentley	Absent
Kenneth Reynolds	Aye
Ross Morton	Aye
Dan Olsen	Aye
Robert Hall	Aye

Council members received a copy of Ordinance 24-254 setting the salaries for elective and statutory officials. Dan Olsen **moved** to approve Ordinance 24-254. Kenneth Reynolds **seconded** the motion. The motion passed with a roll call vote as follows:

Robert Hall	Aye
Dan Olsen	Aye
Ross Morton	Aye
Dan Olsen	Aye
Andrew Bentley	Absent

Council members received a copy of the wage level scale. Micheal explained the changes to the wage level scale were discussed at the budget workshop and during the public hearing held. Dan Olsen **moved** to approve the new wage scale. Kenneth Reynolds **seconded** the motion. The motion passed with the following roll call vote:

Ross Morton	Aye
Dan Olsen	Aye
Robert Hall	Aye
Kenneth Reynolds	Aye
Andrew Bentley	Absent

The Fraud Risk Assessment was presented to the Council for their review and approval. Mayor Baker said the City did well on this. Councilman Olsen asked Micheal about the lower score on the forty hours of required training. Micheal said he was not sure how many hours of training Duston Mortenson does each year so he just put down a lower score on that one. Ross Morton **moved** to accept the fraud risk assessment. Kenneth Reynolds **seconded** the motion. The motion passed with all voting in the affirmative.

***ORDINANCE 24-254
SETTING THE SALARIES
OF ELECTIVE AND
STATUTORY OFFICIALS***

***APPROVE NEW WAGE
LEVEL SCALE***

***F R A U D R I S K
ASSESSMENT***

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Council members received a flyer for the Transportation Master Plan open house the City will be hosting on July 9, 2024 at the City Office. Micheal said this will be an opportunity for the engineering company to give them the information they have gathered and for the Council to offer any input they have.

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

With no other business before the Council, Dan Olsen **moved** to adjourn the meeting at 8:25 p.m. 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 JULY 2024

BY: _____

ATTEST: _____

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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
10-22500 HEALTH INSURANCE	22	American Family Life Assurance	Insurance Premium/employee w/h	494389	06/25/2024	168.48
10-22500 HEALTH INSURANCE	410	HealthEquity, Inc.	HSA Monthly Fees	E10XC5U	07/04/2024	18.90
Total :						187.38
42-40-745 PARK IMPROVEMEN	1021	Uintah Special Service Distict 1	Cost share for sewer pump	1021-0724	07/02/2024	13,750.00
Total EXPENDITURES:						13,750.00
10-49-515 SOCIAL MEDIA	219	CivicPlus LLC	Social Media Archiving	301007	07/01/2024	2,988.00
Total LIABILITY INSURANCE:						2,988.00
10-50-271 UTILITIES - CITY HAL	46	Ashley Valley Water & Sewer	Water and sewer billing 15.1050.1	0501-0624OF	06/28/2024	268.15
10-50-271 UTILITIES - CITY HAL	760	Dominion Energy	Monthly Gas Service - 207686000	2076-0624OF	06/24/2024	36.75
10-50-271 UTILITIES - CITY HAL	760	Dominion Energy	Monthly Gas Service - 447509353	4475-0624GEN	06/25/2024	29.96
10-50-271 UTILITIES - CITY HAL	775	RDT, Inc.	Garbage Service - 1118	1118-0724	07/01/2024	73.00
10-50-271 UTILITIES - CITY HAL	988	Strata Networks	Monthly Phone & Internet Service	5736621	06/20/2024	641.88
10-50-274 UTILITIES - PLAZA P	46	Ashley Valley Water & Sewer	Water and sewer billing 15.1049.1	1491-0624PP	06/28/2024	1,213.40
10-50-274 UTILITIES - PLAZA P	46	Ashley Valley Water & Sewer	Water and sewer billing 16.0435.1	4351-0624RSP	06/28/2024	500.15
Total GENERAL GOVERNMENT BUILDINGS:						2,763.29
10-51-240 OFFICE SUPPLIES A	565	Mansfield Printing, Inc.	Purchase Order Books, Receipts	54015	05/31/2024	316.00
10-51-245 COMPUTER SUPPO	19	AM Computers	Service contract	INV-000017	07/03/2024	150.00
10-51-250 EQUIPMENT, SUPPLI	1219	FP Mailing Solutions	Ink cartridges	R106265935	06/19/2024	151.27
10-51-256 SOFTWARE SUPPOR	187	Caselle, Inc.	Annual support	133116	06/01/2024	10,180.00
Total SUPPLIES/EQUIPMENT:						10,797.27
10-52-245 COMPUTER SUPPLI	1006	Uintah County Recorder	Internet charges	66806	06/30/2024	10.00
Total PLANNING AND ZONING:						10.00
10-54-140 OFFICER WELLNESS	325	Empowering Minds PLLC	Counseling Session	3037	05/29/2024	119.15
10-54-140 OFFICER WELLNESS	325	Empowering Minds PLLC	Counseling Session	3069	06/12/2024	119.15

GL Acct No	Vendor	Vendor Name	Description	Invoice Number	Invoice Date	Invoice Amount
10-54-249 EQUIPMENT/PURCH	627	Papa's Dino Express	Car washes	627-0624	06/27/2024	258.00
10-54-251 FUEL & OIL	808	Rocky Mountain Lube & Muffler	Oil change & lube#5597	635468	06/20/2024	73.70
10-54-271 UTILITIES-POLICE	46	Ashley Valley Water & Sewer	Water and sewer billing 16.1110.1	1101-0624PS	06/28/2024	66.00
10-54-271 UTILITIES-POLICE	760	Dominion Energy	Monthly Gas Service - 045686000	0456-0624PS	06/24/2024	12.54
10-54-271 UTILITIES-POLICE	775	RDT, Inc.	Barrel service	1118-0724	07/01/2024	25.00
10-54-282 UBNSF - DRUG TASK	1129	Vernal City	Narcotic Strike Force	246558	04/30/2024	11,025.00
10-54-331 PUBLIC RELATIONS	716	Positive Promotions, Inc.	Stickers	07412307	06/21/2024	370.95
10-54-332 MOBILE UNIT EXPEN	53	AT&T Mobility	Wireless Data Connections	287283594206	06/20/2024	241.80
10-54-480 VEHICLE LEASE	80	Bancorp Bank	Lease Rental Payment	648150	07/01/2024	72,922.84
Total POLICE DEPARTMENT:						85,234.13
10-58-242 STATE 1% SURCHAR	1108	Utah State Dept of Commerce	1% building permit fee surcharge	1108-0624	06/30/2024	166.86
Total BUILDING INSPECTOR:						166.86
10-59-215 UTAH LEAGUE MEM	1081	Utah League of Cities & Towns	Membership	1081-0724	03/14/2024	2,524.80
10-59-310 ECONOMIC DEVELO	463	Jet Blast Designs LLC	Sponsor banners	000283	06/26/2024	68.00
Total COMMUNITY MARKETING:						2,592.80
10-60-245 BLDG SUPPLIES &	383	GR Specialties	Garage door installation, Toilet Pa	17313	06/26/2024	1,709.40
10-60-245 BLDG SUPPLIES &	1153	Walmart - Capital One	Water, Soap	457192	06/26/2024	67.42
10-60-250 EQUIPMENT, MAINT	233	Commercial Tire	DOT Inspections for Unit #4 & 9	43-43868	06/27/2024	80.00
10-60-250 EQUIPMENT, MAINT	487	Jones Paint & Glass, Inc.	#16 Windshield	VNI0115763	06/29/2024	309.00
10-60-250 EQUIPMENT, MAINT	877	Smith Power Products, Inc.	Annual Service & Break Drum Re	567606	06/25/2024	2,116.41
10-60-260 SANDER/SNOW PLO	877	Smith Power Products, Inc.	Sander Repair #9	566479	06/25/2024	3,632.53
10-60-268 SIDEWALKS	587	MF Landscape & Construction	Hunter Hollow Sidewalks	3529	06/27/2024	44,975.00
10-60-271 UTILITIES - SHOP	46	Ashley Valley Water & Sewer	Water and sewer billing 17.0475.1	4751-0624SH	06/28/2024	66.00
10-60-271 UTILITIES - SHOP	46	Ashley Valley Water & Sewer	Water and sewer billing 17.0476.1	4761-0624SB	06/28/2024	74.90
10-60-271 UTILITIES - SHOP	760	Dominion Energy	Monthly Gas Service - 056686000	0566-0624	06/24/2024	21.87
10-60-271 UTILITIES - SHOP	775	RDT, Inc.	Garbage Service - 3 months	858-0724	07/01/2024	75.00
10-60-271 UTILITIES - SHOP	988	Strata Networks	Internet at road dept	5736621	06/20/2024	104.98

GL Acct No	Vendor	Vendor Name	Description	Invoice Number	Invoice Date	Invoice Amount
10-60-277 LANDFILL CHARGE	1003	Uintah County	Dump tickets	1454	06/27/2024	300.00
10-60-278 BLUE STAKES	139	Blue Stakes of Utah 811	Monthly fax notifications	UT202401736	06/30/2024	67.50
10-60-278 BLUE STAKES	139	Blue Stakes of Utah 811	Annual membership	UT202401736	06/30/2024	50.00
10-60-310 CDL LICENSING EXP	209	Chirocenter	DOT Physical	3636	06/21/2024	75.00
10-60-470 PPE / SAFETY CLOT	341	Fastenal Company	Fall protection	UTVER107874	06/28/2024	555.18
Total STREETS:						54,280.19
10-68-272 REPAIRS - STREET L	223	Codale Electric Supply	Photo eyes, street light repair	S008574196.0	07/03/2024	50.89
10-68-272 REPAIRS - STREET L	555	Lowe's Commercial Services	Street light repair	351858256	07/03/2024	25.63
Total STREET LIGHTS:						76.52
10-70-268 CITY BEAUTIFICATIO	1147	Vernal Winnelson Company	Clamps	535451-01	06/27/2024	823.50
10-70-269 SUBDIVISION PARK	46	Ashley Valley Water & Sewer	Water and sewer billing 18.0551.1	5511-0624IRO	06/28/2024	695.65
10-70-269 SUBDIVISION PARK	46	Ashley Valley Water & Sewer	Water and sewer billing 1818264	8264-0624SUN	06/28/2024	306.40
10-70-271 UTILITIES OF EAST P	46	Ashley Valley Water & Sewer	Water and sewer billing 1611281	1281-0624PK	06/28/2024	66.00
10-70-282 ROADSIDE PARK MA	1147	Vernal Winnelson Company	PVC Parts	535444-01	06/26/2024	57.58
10-70-282 ROADSIDE PARK MA	1147	Vernal Winnelson Company	PVC Parts	535444-01A	06/26/2024	46.99
Total BUILDING & GROUNDS:						1,996.12
Grand Totals:						174,842.56

Report Criteria:

Invoices with totals above \$0.00 included.

Only unpaid invoices included.



Item No. _____

MEMO TO: City Council, City Manager FROM: Dale Peterson Building Official		Subject: Business License for: KD Power Washing & Sanitation 2105 South 2000 East Naples, Utah 84078	
Recommendation: <i>Approve, KD Power Washing & Sanitation</i> <i>2105 South 2000 East</i> <i>Naples, Utah 84078</i> <i>Utah State Tax #16063695-002-UTC</i> <i>To operate a Home Occupation Office and Business</i> <i>as a conditional use from the home located at 2105</i> <i>South 2000 East, Naples.</i> <i>The power washing and sanitation collection will</i> <i>be off site.</i> <i>The sanitation business will use a pickup truck and</i> <i>dump trailer.</i>		Date: July 1, 2024	
		Zone: (RA1) Residential/Agricultural	
		02-22-002 USE REQUIREMENTS Permitted Uses: #9 Home Occupations, in accordance with Chapter 13 of this ordinance.	
Conditions: 1. All work shall be off site except for the business office. 2. The home occupation activity shall not adversely impact the residential nature of the neighborhood. 3. Only one company vehicle may be used in association with the home occupation. 4. No more than 2 employees may come to the home other than those living at the home. 5. No sanitation debris or salvage items shall be stored at the home at any time, the dump trailer shall be emptied each day before returning to the home. 6. Hours of operation shall be between 6:00 a.m. and 10:00 p.m. 7. All parking shall be off street. 8. The City may review the home occupation activity at any time upon receiving written complaints that have not been promptly resolved. 9. As the business grows the city may at any time require it to be relocated to an Industrial zone.			
Attachments: • Pictures			



Item No. _____

MEMO TO: <i>City Council, City Manager</i> FROM: <i>Dale Peterson</i> Building Official		Subject: Business License for: O.G.N.M. services LLC 2130 East 1900 South Naples, Utah 84078	
Recommendation: <i>Approve, O.G.N.M. Services LLC</i> <i>2130 East 1900 South</i> <i>Naples, Utah 84078</i> <i>To conduct business as a conditional use as a home occupation for an office in his home. All work performed is off site away from the home.</i> <i>A Utah State sales tax number is not required because the work is done on real property which is exempt.</i>		Date: July 8, 2024	
		Zone: (R-1) residential	
		02-24-002 Permitted Uses Home Occupations in accordance with chapter 13 of this ordinance.	
Background: Owner: Kris Harris at 2130 East 1900 South lot 16 Phase 2 of the farm Subdivision. Kris owns a 7 x 14 enclosed trailer which houses a foam machine and tools which he parks at his home. He raises sunken concrete, sidewalks & driveways by drilling holes in the concrete and injects foam under pressure which expands lifting the concrete back in to its former elevation. Conditions: 1- Cannot change the residential appearance of the home. 2- Only one company owned vehicle allowed at the home. 3- No more than 2 employees coming to the home. 4- Business hours 6 am to 10 pm. 5- Periodic compliance inspections may be made by the city. 6- Home occupation may be voided by the city because of non-compliance with With chapter 13 of this code, or unresolved complaints.			
Attachments: • Pictures			



Item No. _____

MEMO TO: City Council		Subject: Miles Property Holding Rezone Request	
FROM: Planning and Zoning/Staff			
Recommendation: Approve the rezone of the Miles Property Holding property located at 1345 East 2500 South (Parcel #051130018).		Date: July 1, 2024	
		Fiscal Impact:	
		Funding Source:	
Background: Staff received application for the rezone request of the property located at 1345 East 2500 South be rezoned from Commercial C to Residential RA-1. The Planning & Zoning Commission has reviewed the proposed rezone request and held a public hearing on June 20, 2024. In order to prevent spot zoning, it was recommended that the following properties also be rezoned to accomplish this request: Parcel #051130015, Parcel #051130015, Parcel #051130014, Parcel #051130028, Parcel #051130012, Parcel #05113001. Included with this memo is map of proposed properties to be rezoned and a letter from adjacent property owners whose property would be included in this rezone, as all are in support of their property being rezoned.			
Recommendation: It has been recommended to City Council by the Planning Commission that the Miles Property Holding Rezone be approved, along with the rezone of adjacent properties listed above from Commercial C to Residential RA-1.			
Recommended Motion:			

Naples City

Energy * Recreation * Family

Application Request for a Re-Zone

Note: All information requested on this application must be completed in full before any action will be taken.

Name: Miles Property Holding Date Received: 5-9-24
Current Zone: Commerical Requested Zone: Residential
Address: 1897 S 120 E Phone #: 435-219-3244 / 435-621-5350
Email Address: mirandabentley28@gmail Fax #:
Property Address: 1345 E 2500 S Parcel #:

While zoning helps to exclude nuisances which tend to create blight, it is not used solely as a means of nuisance control. Zoning seeks to preserve the planned character of a neighborhood by controlling and/or preserving aesthetic qualities, conserving and promoting health, safety, morals, convenience and general welfare of the City.

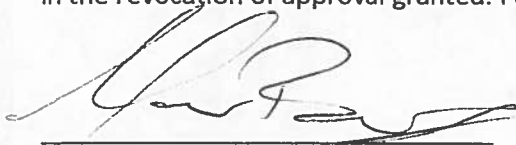
In order to request a re-zone, the following steps must be taken:

1. Submit to the Planning and Zoning Commission this application for re-zone, including the following:
 - a. A base fee of \$250 must be submitted with the application. Plus \$75 + \$5 per 10 notice letters if a Public Hearing is called.
 - b. State the reason for your request. What changed or changing conditions make your requested change in the zoning map necessary and how the change supports the Naples City General Plan.
2. The Planning and Zoning Commission may schedule a public hearing independent of the City Council, or a joint hearing with the City Council, regarding proposed zoning change.
3. The proposed change will be reviewed in accordance with the General Plan.

Notice will be published at least 14 days prior to the public hearing and notice will be mailed to the property owners located within 500 feet of the proposed change. Following the hearing, the Planning and Zoning Commission will submit its recommendation to the City Council. The City Council will hold a second meeting and make a determination to approve or disapprove the re-zone.

Note: This process could take up to four months.

I, as an applicant to the Planning and Zoning Commission of Naples City, Utah, do hereby certify that all information listed on this application is true and do hereby acknowledge that any misrepresentation will result in the revocation of approval granted. I do hereby apply to the Planning and Zoning Commission for a re-zone.



Signature of applicant

5-9-24

Date

We are filing for a re-zone of the property 1345 East 2500 S because we would like to divide it into 3 lots. One lot for the current house and then 2 more lots for future homes. The way it is zoned right now we can't even divide it into 2 lots because of the zoning rules for commercial.

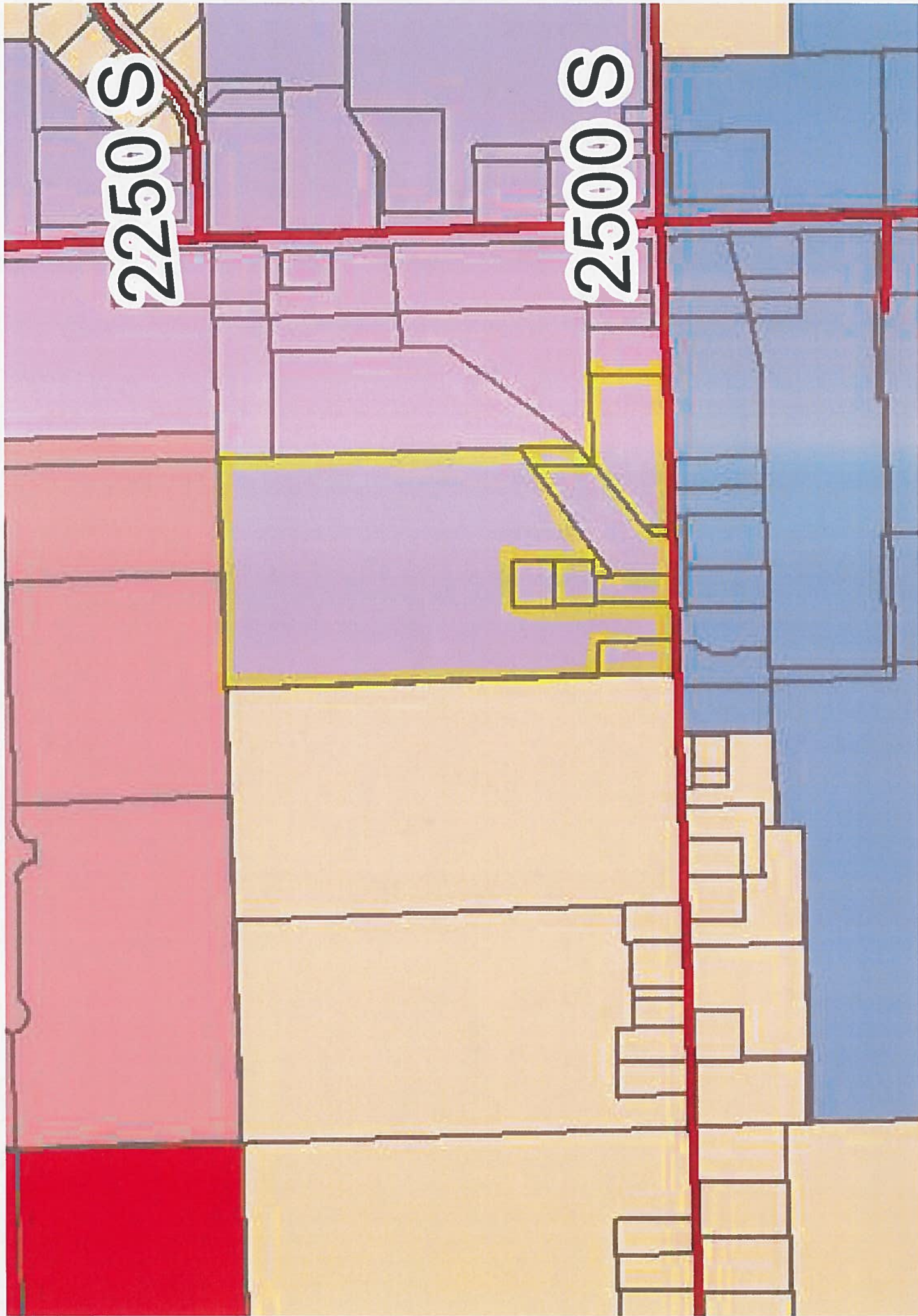
Thanks for your consideration,

Miles Property Holding

5/8/2024

2250 S

2500 S



Naples, Utah

July 11, 2024

The Mayor and City Council of Naples City, Uintah County, Utah met in regular session at its regular meeting place in said Municipality at 7:30 p.m. on the 11th day of July, 2024, with the following members of the Governing Body present:

Dean A. Baker	Mayor
Robert Hall	Councilmember
Dan E. Olsen	Councilmember
Ross Morton	Councilmember
Kenneth Reynolds	Councilmember
Andrew Bentley	Councilmember

Also present:

Nikki W. Kay	City Recorder
Mike Davis	City Manager

Absent:

After the meeting had been duly called to order and after other matters not pertinent to this Resolution had been discussed, the City Recorder presented to the Mayor and City Council a Certificate of Compliance With Open Meeting Law with respect to this July 11, 2024, meeting.

STATE OF UTAH)
 : SS.
COUNTY OF UINTAH)

I, NIKKI W. KAY, the undersigned City Recorder of Naples City, Uintah County, Utah (the "Issuer"), do hereby certify that I gave written public notice of the agenda, date, time and place of the regular meeting held by the Mayor and City Council (the "Governing Body") of the City on July 11, 2024, not less than 24 hours in advance of the meeting. The public notice was given in compliance with the requirements of the Utah Open and Public Meetings Act, Section 52-4-202, Utah Code Annotated 1953, as amended, by:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the City's principal offices at least twenty-four (24) hours prior to the convening of the meeting;

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be posted on the City's official website at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of such Notice to be posted on the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2024 Annual Meeting Schedule for the City (attached hereto as Schedule 2) was given specifying the date, time and place of the regular meetings of the Mayor and City Council to be held during the year, by causing said Notice to be (i) posted in January 23, 2024, at the principal office of said Governing Body, (ii) posted on the Utah Public Notice Website (<http://pmn.utah.gov>) and (iii) posted on the City's official website.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this 11th day of July, 2024.

City Recorder

(SEAL)

NOTICE OF AGENDA OF REGULAR MEETING

* * * * *

PLEASE TAKE NOTICE that the Mayor and members of the City Council of Naples City, Uintah County, State of Utah, will hold a Regular Meeting on Tuesday, the 11th day of July, 2024, at its regular meeting place, the Naples City Offices, 10 North Main, Naples, Utah, at the hour of 7:30 p.m..

The Agenda for the meeting consists, in part, of the following:

- (1) Consideration for and adoption of a Parameter Resolution authorizing the issuance of Sales Tax Revenue Bonds of Naples City, Uintah County, Utah and the calling of a public hearing to receive input with respect to the issuance of such Bonds and any potential impact to the private sector from the construction of the Project; and
- (2) Any other business that may come before said meeting.

DATED this 10th day of July, 2024.

City Recorder

Thereupon, after the conduct of other business not pertinent to the following, the following resolution was introduced in written form by the Mayor and, pursuant to motion duly made by _____ and seconded by _____, was adopted and approved by the following vote:

Yea: Robert Hall
Dan E. Olsen
Ross Morton
Kenneth Reynolds
Andrew Bentley

Nay: None

The Resolution was thereupon signed by the Mayor, was attested and countersigned by the City Recorder and was ordered recorded in the official records of the Issuer.

The Resolution is as follows:

NAPLES CITY, UINTAH COUNTY, UTAH
RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE ISSUANCE OF SALES TAX REVENUE BONDS (THE "BONDS") OF NAPLES CITY, UINTAH COUNTY, UTAH (THE "ISSUER"); CALLING A PUBLIC HEARING AND ESTABLISHING A TIME, PLACE AND LOCATION FOR SAID PUBLIC HEARING; PROVIDING FOR A PLEDGE OF EXCISE TAX REVENUES FOR THE PAYMENT OF THE BONDS; FIXING THE MAXIMUM PRINCIPAL AMOUNT OF THE BONDS; THE MAXIMUM NUMBER OF YEARS OVER WHICH THE BONDS MAY MATURE, THE MAXIMUM INTEREST RATE WHICH THE BONDS MAY BEAR; PROVIDING FOR THE RUNNING OF A CONTEST PERIOD; AND RELATED MATTERS.

WHEREAS subject to the limitations set forth herein, Naples City, Uintah County, State of Utah, desires to issue its Sales Tax Revenue Bonds (the "Bonds") for (a) the construction of improvements to an existing open flood channel to collect storm water runoff for flood control, including roadway crossings for flood control channel preservation, vegetation removal and reshaping of the channel, extending an existing storm culvert and enclosure of storm drain channel in certain areas to facilitate future roadway projects, together with all related work and improvements (the "Project"), and (b) the payment of costs of issuance of the Bonds, pursuant to this Resolution and a Master Resolution (the "Master Resolution"), in substantially the form

presented at the meeting at which this Resolution was adopted and which is attached hereto as Exhibit "B"; and

WHEREAS in order to allow for flexibility in setting the financial terms of the Bonds once costs of the Project are finally determined and to optimize debt service costs to the Issuer, the Governing Body of the Issuer desires to grant to the Mayor, in accordance with state law, the authority to approve the interest rates, principal amounts, terms, maturities, redemption features and purchase price at which the Bonds shall be sold and any changes with respect thereto from those terms which were before the Governing Body at the time of adoption of this Resolution, provided that such terms do not exceed the parameters set forth for such terms in Section 1 of this Resolution (the "Parameters"); and

WHEREAS the Issuer, Naples City, considers it desirable and necessary and for the benefit of the Issuer to construct the Project to be owned and operated by the Issuer, but does not have on hand money sufficient to pay for the Project; and

WHEREAS the Utah Local Government Bonding Act, Sections 11-14-1, et. seq., Utah Code Annotated, 1953, as amended, authorizes the issuance of non-voted revenue bonds payable in whole or in part from excise tax revenues of cities, towns or counties, levied and collected by the said government entity or levied by the State of Utah and rebated pursuant to law; and

WHEREAS the Utah Local Government Bonding Act, Sections 11-14-1 et seq., Utah Code Annotated, 1953, as amended, provides that, prior to issuing bonds an issuing entity must (i) give notice of its intent to issue such bonds and (ii) hold a public hearing to receive input from the public with respect to the issuance of such bonds and any potential economic impact to the private sector from the construction of the Project to be funded by the Bonds; and

WHEREAS the Issuer desires to call a public hearing for this purpose and to publish a notice of such hearing, including a notice of bonds to be issued, in compliance with the Act with respect to the Bonds; and

WHEREAS the State of Utah acting through its Permanent Community Impact Fund Board has agreed to purchase Sales Tax Revenue Bonds (the "Bonds"), on the general terms and conditions as set forth herein;

NOW, THEREFORE, Be It and It Is Hereby Resolved by the City Council of Naples City, Uintah County, State of Utah, as follows:

Section 1. The Mayor and City Council (the "Governing Body") of Naples City, Uintah County, Utah (the "Issuer"), hereby finds and determines that it is in the best interests of the residents within the City for the Issuer to issue its Sales Tax Revenue Bonds in the aggregate principal amounts of not to exceed \$1,250,000 at interest rates not to exceed 3.0% per annum, to mature in not more than twenty-one (21) years from their date or dates, pursuant to a resolution to be adopted by the Governing Body authorizing and confirming the issuance and sale of the Bonds pursuant to a resolution to be adopted by the Governing Body authorizing and confirming the

issuance and sale of the Bonds. Therefore, the Issuer hereby declares its intention to issue the Bonds according to the provisions of this Section. The Bonds are to be issued for the purpose of paying all or a part of the cost of construction of improvements to an existing open flood channel to collect storm water runoff for flood control, including roadway crossings for flood control channel preservation, vegetation removal and reshaping of the channel, extending an existing storm culvert and enclosure of storm drain channel in certain areas to facilitate future roadway projects, together with all related work and improvements (the "Project") of the Issuer.

The Issuer hereby declares its intention to issue the Bonds according to the provisions of this Section; provided, however, that the Bonds shall only be issued by the Issuer after adoption of a Master Resolution by the Governing Body of the Issuer (the "Master Resolution") setting forth the specific terms of the Bonds within the maximum terms herein provided.

The form of Master Resolution attached hereto as Exhibit "B" is in all respects hereby authorized and approved, and the Mayor and City Recorder of the Issuer are hereby authorized and directed to execute and deliver the same on behalf of the Issuer.

The Mayor, within the parameters set forth herein, is hereby authorized to approve the interest rates, principal amounts, terms, maturities, redemption features and purchase price at which the Bonds shall be sold.

Section 2. The Issuer proposes to pledge the excise tax funds received by the Issuer pursuant to Section 59-12-103, et. seq., Utah Code Annotated, as amended, for the repayment of the Bonds.

Section 3. The form, terms and provisions of the Bonds and the provisions for the signatures, authentication, payment, registration, transfer, exchange, redemption and number shall be as set forth in the Master Resolution. The Mayor and City Recorder of the Issuer are hereby authorized and directed to execute and seal the Bonds.

Section 4. The designated officials of the Issuer are authorized to make any alterations, changes or additions to the Master Resolution and the Bonds or any other document herein authorized and approved which may be necessary to conform the same to the final terms of the Bonds (within the parameters set by this Resolution), to correct errors or omissions therein, to complete the same, to remove ambiguities therefrom, or to conform the same to other provisions of said instruments, to the provisions of this Resolution or any resolution adopted by the Governing Body or the provisions of the laws of the State of Utah or the United States.

Section 4. The Issuer shall hold a public hearing on August 8, 2024, to receive input from the public with respect to the issuance of the Bonds and any potential impact to the private sector from the construction of the Project to be funded by the Bonds, which hearing date shall be not less than fourteen (14) days after notice of the public hearing is (A) first published once a week for two consecutive weeks in the Vernal Express, a newspaper of general circulation in the Issuer and (B) published on the Utah Public Notice Website created under Section 63F-1-701, Utah Code Annotated 1953, as amended. The Issuer directs its officers and staff to publish a Notice of Public Hearing and Bonds to be Issued in substantially the following form:

NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN that on July 11, 2024, the Mayor and City Council of Naples City (the "Issuer"), adopted a resolution (the "Resolution") declaring its intention to issue its Sales Tax Revenue Bonds (the "Bonds"), pursuant to the Utah Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended and to call a public hearing to receive input from the public with respect to the issuance of the Bonds.

The Issuer shall hold a public hearing on August 8, 2024, at the hour of 7:30 p.m. The location of the public hearing is in the City Office, 1420 East 2850 South, Naples, Utah. The purpose of the meeting is to receive input from the public with respect to the issuance of the Bonds and any potential economic impact to the private sector from the construction of the Project to be funded by the Sales Tax Revenue Bonds in an amount not to exceed \$1,250,000 for financing the construction of improvements to an existing open flood channel to collect storm water runoff for flood control, including roadway crossings for flood control channel preservation, vegetation removal and reshaping of the channel, extending an existing storm culvert and enclosure of storm drain channel in certain areas to facilitate future roadway projects, together with all related work and improvements. All members of the public are invited to attend and participate.

DATED this 11th day of July, 2024.

/s/ Nikki W. Kay
City Recorder

[Publish once each week for two consecutive weeks.]

Section 5. The Issuer shall also cause a copy of this Resolution (together with all exhibits hereto) to be kept on file in the Issuer's principal offices for public examination during the regular business hours of the Issuer until at least thirty (30) days from and after the date of publication thereof. The Issuer directs its officers and staff to publish a Notice of Bonds to be Issued in substantially the following form:

NOTICE OF BONDS TO BE ISSUED

PUBLIC NOTICE IS HEREBY GIVEN that on July 11, 2024, the Mayor and City Council of Naples City (the "Issuer"), adopted a resolution (the "Resolution") declaring its intention to issue its Sales Tax Revenue Bonds (the "Bonds"), pursuant to the Utah Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended.

The Issuer intends to issue the Bonds in the principal amount of not to exceed \$1,250,000 to bear interest at a rate not to exceed 3.0% per annum, to mature in not to more than 21 years from their date or dates, and to be sold at a price not less than 100% of the total principal amount thereof, plus accrued interest to the date of delivery. The Bonds will specify that any installment of principal

on the Bonds which shall not be paid when due shall bear interest at the rate of 18% per annum from the due date thereof until paid.

The Issuer intends to issue the Bonds for the purpose of (i) financing all or a portion of the construction of improvements to an existing open flood channel to collect storm water runoff for flood control, including roadway crossings for flood control channel preservation, vegetation removal and reshaping of the channel, extending an existing storm culvert and enclosure of storm drain channel in certain areas to facilitate future roadway projects, together with all related work and improvements; and (ii) paying costs of issuing the Bonds.

EXCISE TAXES PROPOSED TO BE PLEDGED

The Issuer proposes to pledge all of the excise tax revenues received by the Issuer pursuant to Sections 59-12-103, et. seq., Utah Code Annotated 1953, as amended for the repayment of the Bonds.

OUTSTANDING BONDS SECURED BY THE SAME REVENUE

The Issuer currently has no outstanding bonds secured by the revenues from sales tax, which revenues are being pledged to secure the payment of the Bonds.

ESTIMATED TOTAL COST OF THE BONDS

Although the Resolution authorizes the issuance of Bonds in the aggregate principal amount of up to \$1,250,000, the Issuer anticipates that the actual principal amount of the Bonds will be \$635,000, in which case the estimated total cost to the Issuer for the proposed Bonds is \$668,855, including an estimated cost of interest on the Bonds is \$33,855.

A copy of the Resolution is on file in the office of the City Recorder in Naples City, Utah, where it may be examined during regular business hours of the City Recorder from 9:00 a.m. to 5:00 p.m., Monday through Friday, for a period of at least 30 days from and after date of the last date of publication of this Notice.

NOTICE IS FURTHER GIVEN that a period of 30 days from and after the last date of publication of this Notice is provided by law during which (i) any person in interest shall have the right to contest the legality of the Resolution or the Bonds, or any provision made for the security and payment of the Bonds, and that after such time, no one shall have any cause of action to contest the regularity, formality or legality thereof for any cause whatsoever, and (ii) registered voters in Naples City, Utah, may sign a written petition requesting an election to authorize the issuance of the Bonds. If written petitions which have been signed by at least 20% of the registered voters of Naples City, Utah, are filed with the Issuer during said 30-day period, the Issuer shall be required to hold an election to obtain voter authorization prior to the issuance of the Bonds. If fewer than 20% of the registered voters of Naples City, Utah, file a written petition during said 30-day period, the Issuer may proceed to issue the Bonds without an election.

DATED this 11th day of July, 2024.

/s/ Nikki W. Kay
City Recorder

[Publish one time only.]

* * * * *

Section 6. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Resolution shall be in full force and effect immediately upon its approval and adoption.

PASSED AND APPROVED this 11th day of July, 2024

NAPLES CITY

By _____
Mayor

ATTEST AND COUNTERSIGN:

By _____
City Recorder

[SEAL]

After the conduct of other business not pertinent to the foregoing, it was moved and carried that the Mayor and City Council adjourn.

NAPLES CITY

By _____
Mayor

ATTEST:

By _____
City Recorder

[SEAL]

STATE OF UTAH)
 : ss.
COUNTY OF UINTAH)

I, NIKKI W. KAY, the undersigned, do hereby certify that I am the duly qualified and acting City Recorder of Naples City, Uintah County, Utah (the "Issuer"). I further certify that the above and foregoing constitutes a true and correct copy of the minutes of a regular public meeting of the Mayor and City Council of the Issuer, held on July 11, 2024, including a Resolution adopted at such meeting, together with exhibits and appendices attached thereto, as said minutes, resolution and appendices are recorded in the regular official book of minutes of the proceedings of the Governing Body kept in the office of the City Recorder that said proceedings were duly had and taken as therein shown, that the meeting thereon shown was in all respects called, held and conducted in accordance with law, and that the persons therein named were present at said meeting, as therein shown.

I further certify and I caused a true and correct copy of the above-referenced resolution (including all exhibits and appendices attached thereto) to be filed in the office of the City Recorder for examination by any interested person during the regular business hours of the office of the City Recorder.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of the Issuer, this 11th day of July, 2024.

[SEAL]

City Recorder

EXHIBIT "B"

MASTER RESOLUTION

[See Transcript Document No. ____]

SCHEDULE 1

NOTICE OF MEETING

SCHEDULE 2

Notice of Annual Meetings