

City of Naples

Naples City Council Meeting Agenda

March 28, 2024 - 7:30 p.m.

1420 East 2850 South

Naples, UT 84078

Opening Ceremonies

1. Approval of Agenda
2. Approval of Minutes - March 14, 2024 Regular Council Meeting
3. Approve Revised Minutes of February 22, 2024
4. Any Follow Up Matters from March 14, 2024
5. Approval of Bills
6. Business License Approval
 - Metalogic Inspection 500 S 1100 E
 - Pro Carpet & Janitorial - 1511 S 500 E
 - Simper Trucking - 1735 E 1500 S
7. Report on Annual ATV Jamboree & Request Sponsorship
8. Approve Proposed Land Use Ordinance Change to R-3 Zone - Ordinance 24-253
9. Approve The Farm Subdivision 2014 Phase 5 Final Plan
10. Other Matters/Future Council Matters
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.

The undersigned, duly appointed City Recorder, does hereby certify that the above agenda was posted at the Naples City Office, on the City's website <https://naplescacityut.gov/> and on the State Public Meeting Notice website <https://utah.gov/pmn> Nikki W. Kay

**Naples City Council
March 14, 2024
Minutes**

The regularly scheduled meeting of the Naples City Council was held March 14, 2024, 7:30 p.m., at the Naples City Office, 1420 East 2850 South, Naples, Uintah County, Utah.

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

Others attending were Cindy Birchell, Brinley Sampson, Lindsey Stewart, Brooks Jones, Willis LeFevre, and Micheal Davis.

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 as presented. Kenneth Reynolds **seconded** the motion. The motion passed with all in attendance voting aye.

The minutes of the regular city council meeting of February 22, 2024 were presented for approval. Councilman Hall asked if they could clarify something at the bottom of page five. He said the way it is written it sounded like the City Council was complaining about the Mayor. Councilman Hall stated they were a couple of community members that came to a meeting that were upset and caught the Council members after the meeting to complain. Councilman Olsen said it could be misinterpreted. Andrew Bentley **moved** to approve the minutes with the aforementioned changes. Robert Hall **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

Mayor Baker presented the bills in the amount of \$120,532.25. Dan Olsen **moved** to approve the bills in the

DATE, TIME & PLACE OF MEETING

COUNCIL MEMBERS ATTENDING

OTHERS ATTENDING

OPENING CEREMONY

APPROVAL OF THE AGENDA

MINUTES APPROVED

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FOLLOW UP ITEMS FROM PREVIOUS MEETING

APPROVAL OF THE BILLS

amount presented. Kenneth Reynolds **seconded** the motion. Ross Morton arrived at this time. 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 a business license application from **Basin Granite** located at 1299 E 1500 S. Micheal Davis said the application was approved by Dale Peterson the building official. Mayor Baker said he talked to Mr. Peterson about this and asked if they would be selling counter tops out of this location. Councilman Hall pointed out the application says they are tax exempt. Mayor Baker said the Council could approve the license but he wasn't going to sign it until he got a sales tax ID or something from the State saying they were exempt. Councilman Hall said he didn't want to hold things up. Mayor said it will hold things up because he's not going to sign the license until he sees something from the State. Robert Hall **moved** to approve the license contingent upon the paperwork from the State. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

BUSINESS LICENSE APPROVALS

A business license application was received from **Brigham Landscaping Maintenance LLC** and **Brigham Housekeeping LLC** located at 620 E 1500 S. Ross Morton **moved** to approve the business license from Brigham Landscaping Maintenance. Andrew Bentley **seconded** the motion. The motion passed with all voting in the affirmative. Robert Hall **moved** to approve the license for Brigham Housekeeping LLC. Dan Olsen **seconded** the motion. The motion passed with all voting aye.



A business license application was received from **TJD All American Industries** located at 502 South 1500 East. Micheal stated this was a change in ownership of Raptor Industries, who has a current business license with the City. Kenneth Reynolds **moved** to approve the business license for TJD All American Industries. Ross Morton **seconded** the motion. The motion passed with all voting aye.

A business license application was received from **Uintah**

Valve and Service LLC. It was noted the company services and repairs oilfield valves. Robert Hall **moved** to approve the license. Kenneth Reynolds **seconded** the motion. The motion passed with all voting in the affirmative.

Cindy Birchell with the Uintah Basin Junior Livestock came before the Council to report on the livestock show and to request a donation. Ms. Birchell expressed her appreciation for allowing her to take some time. She stated they anticipate about 375 people to come to the show this year. Ms. Birchell said they still have a few weeks before the entry deadline. She said the participants have a lot of different educational opportunities to participate in before the show and they learn about animals and projects. Ms. Birchell said they have a lot of awards they give out and they appreciate any help they could get to buy those prizes. She said the City could be specific about which prizes or awards they might want to help with or they can just add the donation to the bucket and expressed appreciation for the support received in the past. Councilman Bentley asked about the funds. Mayor Baker said they set those amounts when they meet each year to discuss the budget. Councilman Hall stated he likes that this supports the kids but also that people who come for the show shop at IFA. Ms. Birchell said a lot of people do shop at IFA while here. She said quite a few families also stay at the Microtel while they are here for the show. Robert Hall **moved** to approve the \$400 donation for the livestock show. Andrew Bentley **seconded** the motion. Mayor Baker said the Council could consider donating more with the amount still listed under the miscellaneous amount listed on the information sheet they received. Micheal reminded the Council that they have already used some of the extra money that was set aside. Mayor Baker stated maybe they could give an additional \$50 and have them make a banner with the City's name on it. Ms. Birchell said they do include the sponsors name on a banner or if the City wanted to provide a banner they would be happy to hang it. She said they didn't want to take money from their budget to print those. Mayor Baker said they could make a generic banner that they could hang year after year. Councilman Morton and Hall stated they would be okay if it's something that could be used year after year. Robert Hall **amended** his motion to be \$450. Andrew Bentley **seconded** the amended motion. The motion passed with the following roll call vote:

Robert Hall Aye

***UINTAH BASIN JUNIOR
LIVESTOCK REQUEST
FOR DONATION***

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

Council members received a request for donation from Channel X94 for the annual Easter Egg hunt. The handout for budgeted donations listed the amount approved in the budget for the Easter egg hunt was \$400. Kenneth Reynolds **moved** to approve \$400 for the Easter egg hunt. 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 Aye

Councilman Morton wanted to know if the City could purchase gift certificates for slurpees or something like that where the person could take those to the 7-11 and maybe buy extra slurpees along with the one free one. Micheal said the City donates to the egg hunt to help purchase candy. Councilman Morton said he understands that but thought it would be more beneficial to the City if they encouraged them to go to the 7-11 and buy more slurpees because they have one free one. Micheal said they do something similar during the July 24th Summerfest and the Christmas Tree Lighting because Maverik donates gift cards and the City gives those out during the events. Mayor Baker said Maverik or 7-11 could contact the radio station and give those to the radio station to hand out during this event. Councilman Morton said he was just trying to figure out a way to have the donation be an investment in the community rather than just spending the money. Micheal said he understands but they also do it as a way to bring people to our park and getting them to see it. Micheal said those were good thoughts and something they could think about.

With no other business before the Council, Robert Hall **moved** to adjourn the meeting at 8:00 p.m. Kenneth Reynolds **seconded** the motion. The meeting was adjourned by all voting in favor of the motion.

***CHANNEL X94 REQUEST
DONATION FOR EASTER
EGG HUNT***

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

MOTION TO ADJOURN



APPROVED BY COUNCIL ON THE 28th DAY OF MARCH 2024

BY: _____

ATTEST: _____

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questions from the video.

After answering the questions from the video Mr. Harrington asked the Council if they were familiar with the term "walking quorum?" Mr. Harrington said it is a hot topic right now and there are people out there waiting to prove it is a violation of the open meetings act and there have been cases of successful prosecution. Mr. Harrington described that a walking quorum is when someone on the council has an idea and they begin to talk about it to another member on the quorum and then shares it with another. He said once they have shared it with the third person, they have created a walking quorum and it against the public meeting act. Mr. Harrington stated the best practice is to discuss any City business during their open meeting. Mr. Harrington stated along those same lines, is ex-parte conversations. He said they all have people come up to them and state they have an issue they are concerned about, it's the Councils job to hear from people, but if it's of public concern and within the jurisdiction of Naples City, the best practice is to listen but not make promises or enter into substantive discussion. He stated the response should be to bring the matter back to a public meeting and invite that person to participate in the public discussion.

Mr. Harrington addressed social media and recommended Council members avoid making comment or engaging in conversation through social media on public matters.

Mr. Harrington addressed conflict of interest and disclosing those. He stated that anything that would materially affect how one makes a decision should be disclosed.

Councilman Olsen asked about a citizen requesting to be on the agenda and being allowed to speak and then having the discussion turn to the defamation of character of another individual. He asked if that should be allowed to continue. Mr. Harrington said the Council has a responsibility to respond to allegations of character competence but that can be done through a closed session.

Councilman Olsen also asked about a recent event where members of the Council were stopped by concerned citizens after an adjourned meeting and the Council members stayed behind and listened to complaints regarding a situation and the Mayor. He wanted to know if that would be considered a meeting. Mr. Harrington said the noticed meeting was

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adjourned and because at least three council members were there that could technically be a public meeting violation, but not at a criminal level. He said if the three members had discussed something and later discussed and voted on it in an open meeting, there could be an argument to overturn what they did. Mr. Harrington said the best practice would be, anytime a meeting is adjourned, for them to disperse.

Councilman Reynolds asked about someone getting a copy of the recording from a meeting and posting it on social media because that person didn't like what another member said. Mr. Harrington said, if the other Council member responded on social media, that would constitute your conversation with two quorum members. Councilman Reynolds asked about the recordings and if someone could request those and post it on social media. Mr. Harrington said anyone could come into the meeting and record on their phone what is said and post that.

Councilman Hall referred back to the comment made by Councilman Olsen and stated there was an individual that emailed some members of the Council, as a group, and he replied back to him individually and asked if hitting the "reply to all" would be a problem? Mr. Harrington stated it would because then they have created an electronic meeting.

Councilman Olsen thanked Mr. Harrington and said it was great information.

Mayor Baker said he doesn't have a vote, unless it's to break a tie, but he has talked to council members individually about something on the agenda because he doesn't want them to be blind sided about a discussion. Mr. Harrington gave a couple of suggestions, he said if a pre-meeting discussion had taken place and it came down to the Mayor needing to vote, that item should be moved to the next meeting and a full disclosure should be made about the conversations. Mr. Harrington stated the other thing they need to keep in mind, if the Mayor gets feedback from the conversations and he shares the feedback in talking with the other Council members then he has created what they have discussed about a walking quorum. Mayor Baker said he has people call him who are unhappy about something and he lets them vent but doesn't always bring it back to the Council or sometimes he places it on the agenda. Mr. Harrington stated the best practice is to not engage in any substantive discussion. Councilman Olsen said it's human nature to want

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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
10-22250	WORKMENS COMPE	1084 Utah Local Gov't Ins. Trust	Workers Comp	1612001	03/11/2024	466.09
10-22500	HEALTH INSURANCE	740 Public Employees Health Prog	Health & Dental Insurance	0124058957	03/20/2024	20,389.39
Total :						20,855.48
40-40-256	TPA - MASTER PLAN	486 Jones & DeMille Engineering	Streets- Tap Grant	0133669	03/15/2024	10,000.00
40-40-262	DRAINAGE PROJEC	913 Sunrise Engineering, Inc.	storm draing engineering	0130052	11/17/2022	13,793.50
40-40-262	DRAINAGE PROJEC	913 Sunrise Engineering, Inc.	storm draing engineering	0137137	09/18/2023	2,577.75
Total EXPENDITURES:						26,371.25
10-50-271	UTILITIES - CITY HAL	622 Mt. Olympus Waters	Equipment Rental	102094540315	03/15/2024	23.49
10-50-271	UTILITIES - CITY HAL	1099 Rocky Mountain Power	Monthly Electric Service 6115959	9596-0324WW	03/20/2024	359.67
Total GENERAL GOVERNMENT BUILDINGS:						383.16
10-54-249	EQUIPMENT/PURCH	1210 Zion's First National Bank	Amazon- Cabinet f/cellphone, gro	111-3634468-3	03/11/2024	104.84
10-54-249	EQUIPMENT/PURCH	1210 Zion's First National Bank	Amazon- Cabinet f/cellphone, gro	111-6815118-8	03/11/2024	67.29
10-54-251	FUEL & OIL	277 Dan's Tire Service	Rotation & Balance 5605	314241	03/11/2024	48.00
10-54-330	EDUCATION AND TR	1210 Zion's First National Bank	Cafe Rio- Dept Meeting 2/5/24	1210PDMTG	02/05/2024	120.82
10-54-330	EDUCATION AND TR	1210 Zion's First National Bank	UPCOPA- N. Simper Chief's Conf	1997-1136	01/11/2024	190.00
10-54-330	EDUCATION AND TR	1210 Zion's First National Bank	John Reid & Assoc- Reg Reid Tec	1D47EFE5-000	02/21/2024	630.00
10-54-330	EDUCATION AND TR	1210 Zion's First National Bank	Gold shield solutions- Reg R. Mc	C-8DF1D5B06	03/11/2024	300.00
10-54-333	CRIMINAL INVESTIG	1210 Zion's First National Bank	Fexex- Ship v24-0061 to 1WRCF	6-004-20977	02/09/2024	12.33
10-54-333	CRIMINAL INVESTIG	1210 Zion's First National Bank	Ship tox v24-0115	943633010935	03/14/2024	6.91
10-54-333	CRIMINAL INVESTIG	1210 Zion's First National Bank	UPS Ship v24-0097	V24-0097V22-	03/15/2024	13.24
Total POLICE DEPARTMENT:						1,493.43
10-59-223	COMMUNITY EVENT	1005 Uintah Basin Jr. Livestock Show	UBJLS Donation	10-59-223	03/20/2024	450.00
10-59-224	PUBLIC RELATIONS	1210 Zion's First National Bank	Amazon- Glow sticks, sunglasses,	114-2048271-0	03/21/2024	285.13
Total COMMUNITY MARKETING:						735.13

GL Acct No	Vendor	Vendor Name	Description	Invoice Number	Invoice Date	Invoice Amount
10-60-250 EQUIPMENT, MAINT	7	Airgas USA, LLC	Wire drill heads	9147488398	03/01/2024	18.27
10-60-250 EQUIPMENT, MAINT	601	Morcon Specialty, Inc.	v194524, v194565	V194524	03/11/2024	29.49
10-60-250 EQUIPMENT, MAINT	601	Morcon Specialty, Inc.	v194524, v194565	V194565	03/12/2024	26.50
10-60-250 EQUIPMENT, MAINT	958	Main Street Auto	Stoplight switch uint #16	235830	03/19/2024	18.89
10-60-261 CRACK SEALER	571	Maxwell Products	Sealant	INV4521	03/14/2024	6,256.80
10-60-262 "C" ROAD MAINTENA	1210	Zion's First National Bank	Printer cartridges	112-3802216-8	03/14/2024	37.25
10-60-267 WEED CONTROL	663	Nutrien Ag Solutions, Inc.	Herbicide	53420869	03/12/2024	2,810.99
10-60-271 UTILITIES - SHOP	1099	Rocky Mountain Power	Monthly Electric Service 6119018	0186-0324SH	03/20/2024	446.18
Total STREETS:						9,644.37
10-68-270 UTILITIES-STREET LI	1099	Rocky Mountain Power	Monthly Electric Service 6108154	1546-0015-032	03/20/2024	529.64
Total STREET LIGHTS:						529.64
10-70-230 TRAVEL & PER DIEM	1210	Zion's First National Bank	Hotel St. George	215342670-01	03/06/2024	303.27
10-70-263 PAVILION MAINTENA	979	Turner Lumber, Inc.	Easter egg setup flagging	51706-1	03/20/2024	116.66
Total BUILDING & GROUNDS:						419.93
Grand Totals:						60,432.39

Report Criteria:

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

BUSINESS LICENSE APPLICATION



CITY OF NAPLES
 BUSINESS LICENSE APPLICATION
 1420 East 2850 South
 Naples, UT 84078
 p. 435.789.9090 f.435.789.9458

Organization Type: <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> LLC <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Business Status: <input checked="" type="checkbox"/> New <input type="checkbox"/> Location Change <input type="checkbox"/> Name Change <input type="checkbox"/> Ownership Change Nature of Business: <input type="checkbox"/> Contractor <input type="checkbox"/> Services <input checked="" type="checkbox"/> Oilfield <input type="checkbox"/> Retail/Wholesale <input type="checkbox"/> Home Occupation <input type="checkbox"/> Other: _____		Is Business Name Registered with the State <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Federal Tax ID#/SS# <u>84-4668643</u> Utah Sales Tax # <u>98-0457727</u> State License # & Type (if applicable) _____															
Business Name: Metalogic Inspection Service (Pacific) LLC		DBA: Metalogic Inspection															
Business Address: 500 S. 1100 E.		City: Vernal	Zip 840478														
Business Telephone: 979-373-4800	After Hours Emergency Contact: Daniel O'Driscoll		Phone: 979-373-4800														
Mailing Address: (If Different) 11755 W. Little York Rd. Bldg. 4		City, State and Zip Houston Texas 77041															
Description of Business Activities: Non Destructive Testing (NDE/NDT)			# of employees 12														
Owners Name: Robert Allan Simmons		Home Address: _____ Home Phone: _____															
Owners Driver License #/Work ID # _____		Owners Date of Birth _____ US Citizen <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No															
Managers Name: (If Applicable) Steven Franks		Managers Home Address: _____ Phone: _____															
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">Fee Amount</td> <td></td> </tr> <tr> <td>Base Fee _____</td> <td>\$ _____</td> </tr> <tr> <td>Employees _____ x \$3.00</td> <td>_____</td> </tr> <tr> <td>Initial Inspection Fee</td> <td>_____</td> </tr> <tr> <td>Beer License/Class</td> <td>_____</td> </tr> <tr> <td>Other _____</td> <td>_____</td> </tr> <tr> <td style="text-align: right;">Total Fees</td> <td>\$ _____</td> </tr> </table>		Fee Amount		Base Fee _____	\$ _____	Employees _____ x \$3.00	_____	Initial Inspection Fee	_____	Beer License/Class	_____	Other _____	_____	Total Fees	\$ _____	*****OFFICIAL USE ONLY***** Approved by Building/Fire <u><i>Cal Pet</i></u> Date <u><i>3-26-2024</i></u> Approved by Council _____ Date _____ B/L # _____ Date Paid _____ Amt Received _____ Receipt # _____ Received By _____ Check # _____	
Fee Amount																	
Base Fee _____	\$ _____																
Employees _____ x \$3.00	_____																
Initial Inspection Fee	_____																
Beer License/Class	_____																
Other _____	_____																
Total Fees	\$ _____																

The foregoing information is correct to the best of my knowledge. I am aware that this applications does not constitute approve to operate a business until approved by Naples City and a license has been issued. I hereby agree to conduct said business strictly in accordance with the law and ordinances covering such businesses, and that no other type of business will be conducted other than what has been stated above, and swear under penalty of law that the information contained herein is true.

<u><i>Bob Simmons</i></u> Signature ID: HYLAP4KYAU Signature of Owner/Applicant Bob Simmons	3-19-24 Date President Title
Please Print Name	Title

If applicable please provide a "Site Specific Plan" and emergency contact information.



Item No. _____

MEMO TO: *City Council, City Manager*
FROM: *Dale Peterson*

Building Official

Subject: Business License for:

Metalogic Inspection Service (Pacific) LLC
500 South 100 East
Naples, Utah 84078

Owner:
Robert Allan Simmons

Date:
MARCH 25, 2024

Recommendation:

Approve, Metalogic Inspection Services (Pacific) LLC

To operate their Inspection Services at 500 South 1100 East (Winder Industrial Park)

ZONE: I-1 Industrial

02-22-002 USE REQUIREMENTS

Permitted Uses:
#24 Oilfield Services.

Description of Business Activities:

Actively participate with customers Code committees, regulatory groups, and Technology groups to leverage the latest in inspection innovations.

Attachments:

- Pictures

BUSINESS LICENSE APPLICATION



CITY OF NAPLES
BUSINESS LICENSE APPLICATION
 1420 East 2850 South
 Naples, UT 84078
 p. 435.789.9090 f. 435.789.9458

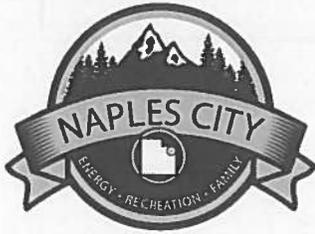
Organization Type: <input type="radio"/> Sole Proprietor <input type="radio"/> Partnership <input type="radio"/> LLC <input type="radio"/> Corporation <input checked="" type="radio"/>		Is Business Name Registered with the State <input checked="" type="radio"/> Yes <input type="radio"/> No	
Business Status: <input type="radio"/> New <input checked="" type="radio"/> Location Change <input type="radio"/> Name Change <input type="radio"/> Ownership Change		Federal Tax ID#/SS# <u>87-053312</u>	
Nature of Business: <input type="radio"/> Contractor <input type="radio"/> Services <input type="radio"/> Oilfield <input type="radio"/> Retail/Wholesale		Utah Sales Tax # <u>13035587-003-WTH</u>	
<input checked="" type="radio"/> Home Occupation <input type="radio"/> Other: _____		State License # & Type (if applicable) _____	
Business Name: Pro Carpet & Janitorial Svc, Inc		DBA: _____	
Business Address: 1511 s 500 e		City: Naples	Zip 84078
Business Telephone: 435-789-3029	After Hours Emergency Contact: Daniel Fernandez		Phone: 602-677-2782
Mailing Address: (If Different) _____		City, State and Zip _____	
Description of Business Activities: Carpet Cleaning and Janitorial services			# of employees 2
Owners Name: Daniel Fernandez		Home Address: _____	
Owners Driver License #/Work ID # _____		Home Phone: _____	
Owners Date of Birth _____		US Citizen <input checked="" type="radio"/> Yes <input type="radio"/> No	
Managers Name: (If Applicable) _____		Managers Home Address: _____	
Managers Phone: _____		Phone: _____	
Fee Amount		*****OFFICIAL USE ONLY*****	
Base Fee _____ \$ _____	Approved by Building/Fire <i>Daniel Fernandez</i> Date <u>3-26-2024</u>		Approved by Council _____ Date _____
Employees _____ x \$3.00 _____	B/L # _____ Date Paid _____ Amt Received _____		Receipt # _____ Received By _____ Check # _____
Initial Inspection Fee _____			
Beer License/Class _____			
Other _____			
Total Fees \$ _____			

The foregoing information is correct to the best of my knowledge. I am aware that this applications does not constitute approve to operate a business until approved by Naples City and a license has been issued. I hereby agree to conduct said business strictly in accordance with the law and ordinances covering such businesses, and that no other type of business will be conducted other than what has been stated above, and swear under penalty of law that the information contained herein is true.

3-21-2024

Signature of Owner/Applicant _____ Date _____
Daniel Fernandez _____
 Please Print Name _____ Title _____

If applicable please provide a "Site Specific Plan" and emergency contact information.



Item No. _____

MEMO TO: City Council, City Manager
FROM: Dale Peterson

Building Official

Subject: Business License for:

Pro Carpet & Janitorial Svc. Inc.
 1511 South 500 East
 Naples, Utah 84078

Owner:
 Daniel Fernandez

Date:
 March 25, 2024

Recommendation:

Approve, the business license for **Pro-Carpet & Janitorial Svc. Inc.** as a Conditional Use in the RA-1 Zone.
 Business activities may be conducted in a residence on a conditional use basis if such activities comply with the standards of 02-13 Home Occupation.

Description of Business activities:
Carpet Cleaning and Janitorial services.

Zone: Residential-Agricultural RA-1

02-22 Residential-Agricultural Zone RA-1

Permitted Uses:
 #9 Home Occupation, in accordance with Chapter 13 of this ordinance.

Chapter 02-13 Home Occupation
 J - Janitorial

02-13-002 Home Occupation Standards:

1. Can not change the outside residential appearance of the home.
2. May include the sale of commodities.
3. Shall not occupy more than 25% of the home and garage.
4. Shall not involve the use of any yard space outside of the home.
5. Advertising signs shall conform to the sign ordinance (02-16-001 home occupation signs).
6. Only one company owned vehicle may be used in association with the home occupation.
7. No more than 2 employees coming to the home.
8. No explosives or combustibile material are to be stored at the home.
9. Business hours shall be between the hours of 6:00 am and 10:00 pm.
10. The Home occupation license may be reviewed and revoked upon valid unresolved complaints.

Attachments:

- Pictures

BUSINESS LICENSE APPLICATION



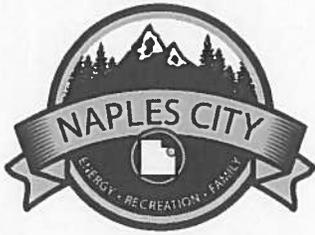
CITY OF NAPLES
BUSINESS LICENSE APPLICATION
 1420 East 2850 South
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Organization Type: <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input type="checkbox"/> LLC <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Business Status: <input type="checkbox"/> New <input checked="" type="checkbox"/> Location Change <input type="checkbox"/> Name Change <input type="checkbox"/> Ownership Change Nature of Business: <input type="checkbox"/> Contractor <input type="checkbox"/> Services <input checked="" type="checkbox"/> Oilfield <input type="checkbox"/> Retail/Wholesale <input type="checkbox"/> Home Occupation <input type="checkbox"/> Other: _____		Is Business Name Registered with the State <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Federal Tax ID#/SS# <u>47-3254367</u> Utah Sales Tax # _____ State License # & Type (if applicable) _____															
Business Name: SIMPER TRUCKING, LLC		DBA: _____															
Business Address: 1735 E 1500 S		City: VERNAL	Zip 84078														
Business Telephone: 435-789-3398	After Hours Emergency Contact: SHANE SIMPER		Phone: 435-828-1321														
Mailing Address: (If Different) 3461 W 1700 S		City, State and Zip VERNAL, UT 84078															
Description of Business Activities: Trucking, Sand Hauling, Transport Oilfield Equipment			# of employees 4														
Owners Name: SHANE SIMPER		Home Address: _____ Home Phone: _____															
Owners Driver License #/Work ID # _____		Owners Date of Birth _____ US Citizen <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No															
Managers Name: (If Applicable) KARLIE COX		Managers Home Address: _____ Phone: _____															
<table style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Fee Amount</th> <th style="text-align: left;">\$</th> </tr> <tr> <td>Base Fee _____</td> <td>_____</td> </tr> <tr> <td>Employees <u>4</u> x \$3.00</td> <td><u>12.00</u></td> </tr> <tr> <td>Initial Inspection Fee _____</td> <td>_____</td> </tr> <tr> <td>Beer License/Class _____</td> <td>_____</td> </tr> <tr> <td>Other _____</td> <td>_____</td> </tr> <tr> <td>Total Fees</td> <td>\$ _____</td> </tr> </table>		Fee Amount	\$	Base Fee _____	_____	Employees <u>4</u> x \$3.00	<u>12.00</u>	Initial Inspection Fee _____	_____	Beer License/Class _____	_____	Other _____	_____	Total Fees	\$ _____	*****OFFICIAL USE ONLY***** Approved by Building/Fire <u><i>Colt Pot</i></u> Date <u>3-26-2024</u> Approved by Council _____ Date _____ B/L # <u>1352</u> Date Paid <u>3-19-24</u> Amt Received <u>49.00</u> Receipt # <u>16112</u> Received By <u>GH</u> Check # <u>CC</u>	
Fee Amount	\$																
Base Fee _____	_____																
Employees <u>4</u> x \$3.00	<u>12.00</u>																
Initial Inspection Fee _____	_____																
Beer License/Class _____	_____																
Other _____	_____																
Total Fees	\$ _____																

The foregoing information is correct to the best of my knowledge. I am aware that this applications does not constitute approve to operate a business until approved by Naples City and a license has been issued. I hereby agree to conduct said business strictly in accordance with the law and ordinances covering such businesses, and that no other type of business will be conducted other than what has been stated above, and swear under penalty of law that the information contained herein is true.

Shane Simper _____ Date 3-19-24
 Signature of Owner/Applicant
 SHANE SIMPER _____ MEMBER
 Please Print Name Title

If applicable please provide a "Site Specific Plan" and emergency contact information.



Item No. _____

MEMO TO: <i>City Council, City Manager</i> FROM: <i>Dale Peterson</i> Building Official	Subject: Business License for: SIMPER TRUCKING, LLC 1735 East 1500 South Naples, Utah 84078
Owner: Shane Simper	Date: MARCH 25, 2024
Recommendation: <i>Approve, SIMPER TRUCKING, LLC</i> <i>To operate there trucking business at 1735 East 1500 South, Naple, located in an Industrial 1 zone.</i>	ZONE: I-1 Industrial 02-22-002 USE REQUIREMENTS Permitted Uses: #24 Oilfield Services. #37 Transportation.
Description of Business Activities: Contract hauling of loads to different destinations. Hauling Frac Sand Transport Oilfield Equipment	
Attachments: <ul style="list-style-type: none">• Pictures	

Naples City Ordinance No. 24-253

An ordinance amending the Naples City Land Use Ordinance 02-11 Residential Zone R-3

WHEREAS, the Naples City Planning Commission has considered proposed revisions to the Naples City Land Use Ordinance and Subdivision Ordinance; and

WHEREAS, the Naples City Planning Commission has conducted duly notice and open public meetings and hearings, considered the revisions to the Naples City Land Use Ordinance on May 18, 2023, July 20, 2023, August 17, 2023, September 21, 2023, January 18, 2024, February 15, 2024, March 21, 2024 and;

WHEREAS, the Naples City Planning Commission has found that the revisions set forth herein are in the best interest of the health, safety, and welfare of the community, and will improve the land use management and subdivision development procedures in the City of Naples; and

WHEREAS, the Naples City Planning Commission has recommended the changes set forth herein to the Naples City Council; and

WHEREAS, the Naples City Council has in a duly noticed open meeting on March 28, 2024, considered the recommend changes.

NOW THEREFORE, be it ordained by the Naples City Council that:

The Naples City Land Use Ordinance is amended as follows (additions are in blue, deletions in red strikethrough):

CHAPTER 02-11 R-3 RESIDENTIAL ZONE **R-3**

Section 02-11-001	Purpose <u>and Intent</u>
Section 02-11-002	Permitted Uses
Section 02-11-003	Use Regulations
Section 02-11-004	Minimum Lot Area Requirements
Section 02-11-005	Minimum Width Requirements
Section 02-11-006	Off-street Parking Requirements
Section 02-11-007	Height Requirements
Section 02-11-008	Locations Requirements
Section 02-11-009	Special Provisions
Section 02-11-010	Open Space

02-11-001 PURPOSE AND INTENT

The R-3 Residential Zone has been established as a zone for family residential purposes with a higher density than both the R-1 and R-2 zones, to provide a setting for medium density residential living by commingling single-family dwellings, as well as multi-family dwellings, plus parks, playgrounds, schools, churches, and other community facilities to serve the residents of the zone. This zone is characterized by more compact development and should be designed to include neighborhood design that incorporates open space with convenient pedestrian and bicycle access, and connectivity between adjacent property, among residential, office, and recreational areas of the City. Industrial uses are not permitted in this zone.

Additionally, the zone has been established to promote the following:

1. High quality, innovative and creative development that includes a mixture of uses, heights and setbacks, varying densities and lot sizes and sufficient diversity of housing types to meet the full life cycle of housing needs for residents within the City of Naples;
2. Promote useable recreation areas, parks, playgrounds, trails, and open space.
Preservation of open space;
3. Recreational uses that meet or exceed the needs of the residents;
4. A pedestrian environment which encourages transit and bicycle usage; and
- ~~5.~~ 5. A desirable living environment with unique identity and character.

~~The R-3 zone will be designed to include neighborhoods, that incorporate open space with convenient pedestrian and bicycle access, which maintains connectivity between adjoining property, among residential, commercial, office, retail and recreational areas of the City.~~

~~In order to accomplish the objectives and purposes of this ordinance, and to stabilize and protect the essential characteristics of the zone, the following regulations shall apply in the R-3 Residential Zone:~~

02-11-002 PERMITTED USES

The following buildings, structures, and uses of land shall be permitted, upon compliance with the requirements set forth in this ordinance:

1. Single family detached dwelling
2. Multi-family dwellings, designed in a row-type housing arrangement, each unit occupied by households, each living independently, and sharing common walls, being connected in a row-type housing arrangement, containing two (2), a “duplex”, to six (6) dwelling units per building, containing four (4) or less dwelling units placed at a ratio of not more than one multi-family unit to three (3) single family units. In a multi-phase development, this ratio shall never exceed 1:3 in a single phase. See Figure 1 to the right for an example.
3. Churches;
- ~~4. Government buildings or uses, non-industrial;~~
- ~~5.4. Parks, trails and/or playgrounds;~~
- ~~6.5. Recreation Centers;~~
- ~~7.6. Schools;~~
- ~~8.7. Temporary building for uses incidental to construction work. Such shall be removed upon the completion of the construction;~~
- ~~9. Public utility stations~~
- ~~10. Day-care nurseries, which have been approved by the appropriate state and local agencies. Day cares permitting more than 8 children are prohibited.~~
- ~~11.8. Home occupations, in accordance with Chapter 13 this ordinance.~~
- ~~12.9. Home gardens~~
10. Accessory buildings such as garages and sheds.



02-11-003 USE REGULATIONS

Uses may be conducted in the R-3 Zone only in accordance with the following regulations:

1. Multi-family dwellings units shall be designed in a row-type housing arrangement, attached horizontally with a common wall, and shall not

exceed 6 attached units per building. In no case shall dwelling units be stacked vertically.

2. Multi-family projects shall include a variety of unit sizes and shall include a variety of building colors and materials.
3. The maximum area of any lot that may be covered by structures is seventy-five (75) percent.
4. In no case shall there be more than 9 units per acre.

~~1.5.~~ There shall be no open storage of trash, debris, used materials or commercial goods or wrecked or neglected materials, equipment or vehicles in the Zone.

No commercial materials, inventory, or equipment may be stored in the open.

~~2.6.~~ ~~It shall be unlawful to park, store, or leave, or to permit the P~~parking, storing, or leaving of any vehicle ~~of any kind or part(s) thereof, which is in a~~that are wrecked, junked, dismantled, inoperative or ~~abandoned~~ abandoned is not permitted on condition, whether attended or not, upon any private or public property within the Zone for longer than seventy-two (72) hours. However, storing except that up to two such vehicles or their parts thereof is allowed, provided they are kept entirely ~~may be stored completely~~ within an enclosed building.

~~3.7.~~ In the Zone, No commercial vehicles and heavy equipment used for or ~~commercial~~ earth moving or material handling are not to ~~equipment shall be~~ parked or stored on any property, except when used for lot or parcel in the ~~Zone except in conjunction with~~ temporary development or construction activities. ~~on the lot.~~ This category ~~Commercial vehicles shall~~ includes semi-trucks and trailers, vehicles with a ~~trucks and trailers equaling or exceeding 12,000 lb.~~ curb weight of 12,000 lbs or more, delivery trucks ~~vehicles,~~ dump trucks, back hoes, graders, loaders, ~~farm agricultural equipment, implements,~~ cement trucks, bulldozers, belly dump, ~~s and scrapers, forklifts or any similar and other similar vehicles or equipment or apparatus.~~

02-11-004 MINIMUM LOT AREA REQUIREMENTS

1. The minimum lot area for a single-family dwelling is ~~76,000~~ square feet, the residence must contain a minimum 1,200 square feet of finished living area on the main floor and a minimum 20'x20' two-car attached garage.
2. ~~The minimum lot area for a two-family dwelling is 8,000 square feet.~~ The minimum lot area for a multi-family dwelling is 9,000 square feet (in the case of duplex), plus 1,800 additional square feet of lot area for each additional dwelling unit above 2 units, with a maximum of 6 units per building. Each dwelling unit must contain a minimum 1,200 square feet of living area and a minimum 20'x20' two-car attached garage.
3. ~~The minimum lot area for a three-family dwelling is 9,000 square feet.~~
4. ~~The minimum lot area for a four-family dwelling is 10,000 square feet.~~
5. ~~3.~~ The minimum lot area for a church, school, or government building is 20,000 square feet.

4. The minimum lot area for any other permitted use is 10,000 square feet.
- ~~6.~~

02-11-005 MINIMUM WIDTH REQUIREMENTS
(MEASURED AT BOTH FRONT ¹ROAD RIGHT-OF-WAY AND SETBACK LINES)

1. The minimum lot width for a single-family dwelling is ~~60~~80 feet.
2. The minimum lot width for a duplex ~~two-family~~ dwelling is 90 feet, with a minimum 45 feet for each dwelling.
- ~~3.~~ ~~The minimum lot width for a three- or four-family dwelling is 100 feet.~~
- ~~3.~~4. The minimum lot width for any multi-family dwelling utilizing zero side yard is 35 feet per unit at the front property line.
- ~~4.~~5. The minimum lot width for any other permitted use shall be 100 feet.

02-11-006 OFF-STREET PARKING REQUIREMENTS

1. A minimum of three (3) off-street parking places shall be provided for each dwelling unit. Driveways must be a minimum of thirty (30) feet long in order to keep sidewalks and streets clear of larger vehicles. See Chapter 02-15 Off-street Parking Regulations for more information on parking regulations.
2. Guest parking shall be provided at a ratio of 0.50 stalls per unit.
3. Guest parking shall be located within 200 ft of the dwelling unit.
4. Driveways shall not be counted towards the guest parking requirements.
5. Accessible parking spaces shall be provided in off-street parking areas and shall count towards fulfilling the minimum requirements for guest parking.
6. All landscaped areas abutting any paved surface shall be curbed. Boundary landscaping around the perimeter of the parking areas shall be separated by concrete curbs six inches higher than the parking surface.
- ~~1.~~7. Clear Sight Triangle 02-14-20 must be observed.

02-11-007 HEIGHT REQUIREMENTS

~~Minimum—None~~

Maximum – Thirty-five (35) feet above grade. Church steeples are exempt from this requirement.

02-11-008 LOCATION REQUIREMENTS

MINIMUM SETBACKS FROM ²ROAD RIGHT-OF-WAY LINES:

1. Main buildings on INTERIOR (non-corner) LOTS:
Front: ~~30~~24 feet

¹ Amended Feb 25, 2021

² Amended Feb 25, 2021

Side: 8 feet (20 feet minimum for both sides combined)
Rear: ~~1020~~ feet

2. Main buildings on CORNER LOTS:

Front: ~~3024~~ feet
Side: 20 feet on street-side, and 8 feet on interior side
Rear: ~~1020~~ feet (8 feet for dwellings with attached garage or carport)

3. Main buildings on CUL-DE-SAC LOTS:

Front: ~~3024~~ feet measured perpendicular to a straight line between the front lot corners, and no less than 20 feet from the turn-around or cul-de-sac right-of-way.
Side: 8 feet
Rear: ~~1020~~ feet measured perpendicular from the rear wall of the home to the lot line. In no case shall any part of the home be closer than 5 feet to any lot line, and in no case shall any two homes on adjacent lots be closer than 10 feet.

4. Accessory buildings³:

Front: ~~3024~~ feet
Side: 3 feet unless the accessory building is located within 5 feet of the rear of the main building, then the side setback is the same as the main building.
Rear: 3 feet.
One story detached accessory structures located 5 or more feet behind the main building are exempt from permit and location requirements provided that the floor area does not exceed 200 square feet.

Setbacks are measured from either the property line or the back of curb or sidewalk, whichever is furthest from public right-of-way. Porches may not be built in the setback area, but steps leading up to porches may be built in the setback area.

Regardless of orientation, the closest a main building may be to any property line is 8 feet.

Each dwelling unit shall front upon an access road whether it be a city or private road, and shall have a front and rear yard. .

02-11-009 SPECIAL PROVISIONS

1. ~~1.~~ Plans showing proposed off-street parking layout and landscaping for the development ~~churches and schools~~ shall be submitted to and approved by the

³ Amended Feb 24, 2022

city Planning Commission ~~building official~~ prior to the issuance of a building permit. Said plans shall provide that all land not covered by buildings or by off-street parking space shall be landscaped as lawn, trees, shrubs, gardens, or ground cover and otherwise landscaped and maintained in accordance with good landscaping practice.

2. A bond or other financial guarantee shall be required, guaranteeing landscaping, streets, sidewalk, trails, curb, gutter, lighting, and other improvements within a year of occupancy. See 02-31 Subdivisions for the procedures of bonds.
- ~~3. At least eighty percent of the lot area not covered by buildings or parking shall be maintained as landscaped area and shall be kept free from refuse and debris.~~
34. All residential dwellings shall be connected to a public sewer system.
- ~~54.~~ The design for curb and gutter shall be either high back or modified high back ~~according to UDOT standards.~~
- ~~56.~~ All dwellings shall be supplied with culinary water, and plumbed in accordance with the current edition of International Plumbing Code in Utah.
6. All new residential developments shall have curb, gutter, and a minimum 5 foot wide sidewalk, all of which adhere to ADA standards. ~~A minimum 4 feet wide green strip is required between the sidewalk and the street. The green strip shall be maintained by the developer and/or property owner. Naples City may plow snow into piles on the green strip on occasion in order to keep the streets clear of snow.~~
7. Street lights and street signs shall not be located in the ~~green strip and not in the sidewalk, as to avoid impeding pedestrian flow.~~
8. A six-foot-high sight obscuring fence/wall shall be installed for all dwellings, which extends directly from the unit enclosing the entire back yard from each adjoining lot or dwelling unit, to delineate between common and private space. Fencing shall be uniform in design and construction.
9. Clustering of dwelling units is encouraged to allow for larger open spaces. Housing units and open space should be distributed in a manner that does not unduly separate the usable open space from residents.
10. The Land Use Administrator may approve variation from applicable development standards of the Naples City Land Use Ordinances, if found that the following conditions are met:
 - a. The granting of the variation will not adversely affect the rights of adjacent landowners or residents.

- b. The variation desired will not adversely affect the public health, safety, or general welfare; and
- a.c. The granting of the variation will not be opposed to the general spirit and intent of the subdivision code.

02-11-010 OPEN SPACE

=

All permanent Open Space in the R-3 Zone -must be landscaped to accommodate ~~or natural area or farmland which is established to provide and preserve approved~~ recreational ~~or~~, agricultural ~~or other uses~~ in the R-3 Zone as approved by the City. ~~The Each~~ development must allocate at least as a whole shall include a minimum-20% of its total area to such open spaces. These areas will be designated as ~~-Recreation/Open Space will be recorded as a lot or lots in subdivisions~~ lots or as common areas, situated as per ~~in condominium plats and shall be located according to~~ environmental conditions and ~~infrastructure infrastructure considerations~~ needs. ~~All open spaces shall be Maintained of these with perpetual open spaces must adhere to perpetual open space or~~ or conservation easements standards. Owners or associations, having the authority to levy maintenance fees, are responsible for the upkeep of ~~P~~privately owned open spaces. ~~shall be preserved and properly maintained by the owners through taxing districts, owners' associations with power to assess and collect fees for maintenance or other assessment and maintenance mechanisms acceptable to the City Council. Open These spaces should -may not include private lot or individual lot or ly owned yard areas. Park strips located within city right of ways are permitted as open space. All p~~Privately owned open spaces ~~which are accessible to the public, whether either free or fee-based of charge or through payment of a fee may can~~ be included in the mandatory required open space requirement. ~~of the Zone.~~

1. Open space may include parks, playgrounds, sidewalks, non-motorized pathways, trails, and outdoor amenities may be computed into the open space requirement.
2. Open space excludes private balconies, decks, patio areas, recreation buildings, indoor amenities, vehicle parking, street, and streetscape sidewalks.
3. Open space should be clustered to create the most beneficial and efficient use of space.
- 1.4. All pathways and trails shall be paved or constructed of asphalt or concrete, or when approved by the city, an alternate hard surface may be used.

--End of Ordinance Changes --

The revisions to the Ordinance set forth herein become effective upon filing in the office of the City Recorder and posting. These changes supersede prior inconsistent sections of the Naples City Land Use Ordinances and Subdivision Ordinances as of the effective date of this Ordinance.

The changes set forth herein shall be inserted in and incorporated into the Naples City Ordinance

DATED this _____ day of _____, 2024.

Mayor

Attest:

City Recorder



Item No. _____

MEMO TO: City Council	Subject: The Farm Subdivision 2014 Phase 5	
FROM: Planning and Zoning/Staff		
Recommendation: Approve the final plans for the Farm Subdivision 2014 Phase 5.	Date: March 26, 2024	
	Fiscal Impact:	
	Funding Source:	
Background: The Planning & Zoning Commission has reviewed the concept, preliminary, and final plans for the Farm Subdivision 2014 Phase 5 and found that it meets the Land Use Ordinance Subdivision requirements. Concept plan approval on April 20, 2023 Preliminary plan approval on July 20, 2023 Final plan approval on March 21, 2024		
Recommendation: Staff's recommendation is to approve the final plans for the Farm Subdivision 2014 Phase 5.		
Recommended Motion:		

