

Naples City Council

November 12, 2020

Minutes

The regularly scheduled meeting of the Naples City Council was held November 12, 2020, 7:30 p.m., at the Naples City Office, 1420 East 2850 South, Naples, Uintah County, Utah.

DATE, TIME & PLACE OF MEETING

Council members attending were Dean Baker, Robert Hall, Gordon Kitchen, Dennis Long, Dan Olsen and Kenneth Reynolds.

COUNCIL MEMBERS ATTENDING

Others attending were Sarah John, Daniel John, Dean John, Fernando Rivera, Martin Pierce, Brett Reynolds, Joshua Bake, and Nikki Kay. Attending remotely were Wyatt, Szeth Simmons, and ? Hardman.

OTHERS ATTENDING

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

OPENING CEREMONY

Mayor Baker presented the agenda for approval. Joshua Bake and Councilman Kitchen both stated they had items to discuss under 'other matters.' Kenneth Reynolds **moved** to approve the agenda. Robert Hall **seconded** the motion. The motion passed with all voting aye.

AGENDA APPROVED

The minutes of the regular city council meeting of October 10, 2020 were presented for approval. Councilman Kitchen noted the minutes of October 10 stated the amount to be paid to the Recreation District for the Mayor's walk was amended to \$125 and yet the bills still showed the \$250. Nikki stated she would change that amount before paying that invoice. Dan Olsen **moved** to approve the minutes. Dennis Long **seconded** the motion. The motion passed with all in attendance voting aye.

MINUTES APPROVED

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

FOLLOW UP ITEMS FROM PREVIOUS MEETING

Nikki Kay presented the bills in the amount of \$13,507.69, and this reflected the corrected amount to be paid to the

APPROVAL OF THE BILLS

Recreation District. Dennis Long **moved** to approve the \$13,507.69. Dan Olsen **seconded** the motion. The motion passed with the following roll call vote:

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

A business license application was received from **Naples 7-11** located at 2495 S 1500 E. Joshua Bake stated this license approval would be for a change or ownership. He noted the Council already approved the local consent for off-premise beer sales and a copy of that license was included in their handouts. Gordon **moved** to approve the business license for Naples 7-11. Robert Hall **seconded** the motion. The motion passed with all voting in the affirmative.

***APPROVE BUSINESS
LICENSE***

A business license application was received from **Mountain West Recovery** at 2056 S 1375 E. Joshua told Council this business will be located on the old Savon Auto property. Joshua said this will be an impound/towing business and the State has several requirements for an impound lot. He said Savon Auto used the property for a similar purpose so most of the requirements should already be in place. Joshua said Mr. Peterson is working with the owner of the business to make sure all of the conditions are met. Dennis Long **moved** to approve the license as long as all of the listed requirements are met. Kenneth Reynolds **seconded** the motion. The motion passed with all voting in the affirmative.

Dean John came before the Council to give a report on his Eagle Scout Project. Dean handed out a map of the new trail located at the Naples Park. He stated, when he began the project, he met with the Parks and Recreation and they asked him to try and not cross the walking path, so they moved some of the trail from what was originally presented. He also reported they moved some of the boulders along the walk path to make room for the bike trail. Dean showed a video, taken from a helmet camera, showing the layout of the bike trail. After the video, Dean reported they are still waiting on the fire department to burn the debris pile in one area. Dean handed out a request to the Council for directional signs to go along the bike trail. He stated the trail is only meant to be one way and it would help to have signs

EAGLE SCOUT PROJECT

showing that and there is also one place in the trail where it divides into an easier and more advanced trail and a sign would help there. Councilman Kitchen asked Dean if he had envisioned what the signs would look like. Dean said he had not. Joshua Bake suggested something similar to the Wayfinding signs or he said there are other places they can look for good signs. Dean stated his project was finished and this was his presentation to the Council for final approval. Kenneth Reynolds **moved** to accept the project and to finish it up with the signs. Dennis Long **seconded** the motion. The motion passed with all voting aye.

Council members received a proposed change to the Naples Land Use Ordinance. Joshua explained this proposed change was brought to the Council last year and was sent back to the Planning Commission to determine if there should be some type of a penalty if a developer does not complete the process when a lot is dedicated for water retention. Joshua said, as they were looking at the Ordinance, there is currently a requirement that a developer put up an improvement completion assurance so there should be money already set aside. He said that way, if a developer does not complete the water retention, there would be money set aside for the City to complete the project. The City would have access to that money if needed to complete it. Gordon Kitchen **moved** to approve Ordinance 19-217 as written with the amendments. Robert Hall **seconded** the motion. The motion passed with the following vote:

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

Joshua Bake explained with the changes to allow for the sale of medical cannabis, if there is not something contained in the ordinance for the zones it can be sold, it can be allowed in any of the zones. Joshua said the Planning Commission recommended to allow it in the Industrial Zone until they can work on the ordinance. Kenneth Reynolds **moved** to approve Ordinance 02-231. Dan Olsen **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye

APPROVE ORDINANCE 19-217 AMENDING CHAPTER 02-31-014-H OF THE LAND USE ORDINANCE - SUBDIVISION STORM WATER LOT SPECS

APPROVE ORDINANCE 20-231 AMENDING CHAPTER 02-28-005 OF THE LAND USE ORDINANCE - CONDITIONAL USES

Kenneth Reynolds Aye
Gordon Kitchen Aye

Joshua said he had two grants he would like to talk about. He showed a map for the first grant which was a safe schools grant. Joshua said they are working with CRS Engineering. He explained they just barely applied for this one. He said it was a \$200,000 maximum reimbursable grant. Josh said the project area would be from 1900 S to 1700 S and this one would tie into the small urban grant that starts at the golf course corner and would be to install curb, gutter and sidewalk. Joshua stated the Small Urban Grant is a project he has been working on with CIVECO and it was applied for three years ago. Joshua pointed out there are three phases on the small urban grant and said, hopefully, phase three would tie into the area for the safe school grant. Joshua said they were awarded the first phase of the small urban grant and believed that would give them a greater chance of receiving the next two phases. Robert Hall **moved** to approve applying for the safe schools grant. Kenneth Reynolds **seconded** the motion. The motion passed with all voting in the affirmative.

***SAFE SCHOOLS GRANT
AND SMALL URBAN
GRANT***

Gordon Kitchen **moved** to move to item thirteen on the agenda, the discussion on the Fire District. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

***MOTION TO MOVE ITEM
AHEAD ON THE AGENDA***

Joshua wanted to update the Council on a meeting he had with Brian Gorum, Jeremy Raymond, and Quinn Bennion regarding the Fire District. Joshua said they met and talked about the District and the firemen and what they plan to do. He said the plan they discussed was to offer the firemen separation agreements and give some compensation and then they will become District employees. Joshua said the original plan was for the City to pay the annuities for our firefighters for a year and Vernal City and the County would have to pay for their firefighter's benefits for a year. Joshua said they talked about all of the firefighters being treated equal and they would all be paid based off of the money the District has set aside for Vernal and the County. Joshua said they also discussed making sure the City has a say in who our Fire Chief is and in maintaining our fire station. Chief Reynolds said this was not the Naples firefighters trying to get something, it was trying to do something to help keep the District alive. He said it became so political and they are

FIRE DISTRICT UPDATE

trying to work out a way to keep the District. Councilman Hall said they don't want to put the financial burden back on the taxpayers of Naples and that is what might happen if they can't keep the District alive and that is what will happen if they can't get rid of the insurance issues. Chief Reynolds said the original agreement states the City would keep control of the equipment for the first twenty years and then it would revert to the District, he thinks they should look at a way to get that extended. Chief Reynolds just wants to make sure Naples can keep the equipment that is ours, he said it causes him concern in light of recent events. Councilman Kitchen wanted to know how they can address the concern Chief Reynolds has. Councilman Hall said he doesn't see it as a huge issue and hopes they can address this through their discussions. Councilman Hall said they have tried to work well during this conflict and tried very hard not be the problem.

Joshua said as much as he hates to do it, he thought the City should hold the tree lighting event virtually. He said they would film it and put it on the City's Facebook page. The event will be on December 1st at 7:00 p.m.

Joshua showed Council members the sales tax figures for the fiscal year. He said, based on July of last year, the City's revenue is down 42% and based off the budget for this year the City is down 16%. Joshua went through each month in comparison to last year. He said they anticipated things being down but not as much as now. Joshua said the entities that have a lot of retail are not as bad off. He said they have been trying to be careful and one of the items they could consider is to take the offer of Bancorp of deferring the payment for the police vehicle lease for a year with no penalty.

Joshua said morale is very low right now and a lot of it has to do with the budget and with the world in general. He said they are working with an interim police chief and interim road supervisor. Joshua said the budget is a big concern but they are working on it. Joshua said the Cares Act money (CRF) is for COVID related expenses and is a Federal program, he said the statute for it very unclear. He said the cities are very unclear on how the money is spent. Joshua said the County, Vernal, and Naples all participated in the small urban grant program and Naples donated \$30,000 in the first go round. Joshua said there was some concern expressed by some citizens after the first go round about

UPDATE ON TREE LIGHTING EVENT

FINANCIAL UPDATE

EXPENDITURE OF CARES ACT FUNDS (CORONAVIRUS RELIEF FUND OR CRF)

how the program is managed. He said some were in favor and others were not. Joshua said the purpose of the CRF money was to help the City in any way it could. Josh said if you look at the reality of being down 40% in revenue the City does need the money. Joshua said Vernal City was only down 1% in revenue because they have the retail base to balance it out. Joshua presented three different plans for how the funds could be used. Plan A showed a large portion of the money for public safety payroll. Joshua said some of the cities said you can't do that and others said you can do it. He said there are a lot of gray areas. Plan B showed some money going to public safety payroll and Plan C had none going into public safety payroll. Joshua explained that on Plan C he broke it out into every subcategory that would be justified. He said the money is for COVID related expenses. Joshua said some of the expenditures have gone to technology to hold virtual training. Josh pointed out the equipment for the restrooms to make things more touch less. He stated he has also purchased face masks, sanitizing spray, gloves, cleaning supplies, etc. Joshua said they also have the expenditure for the first round of the small business grants. Joshua said the first two rounds of funds received were of equal amounts and the third round (not received yet) was for less. Joshua recommended going with Plan B in his proposal and how it is a COVID expense and why he thinks some of the proposed expense qualifies. Joshua said the small urban grant is a good program and would still like to help. He said the County receives a greater portion than the City and hopes the County will still consider Naples City businesses because they are part of the County. Joshua reviewed the places where the funds have already been expended and noted that the funds have to be expended before the end of December or the money goes back to the State. He said he included hazard pay for the employees. Joshua said this is being done by some cities for employees who have continued to work during the pandemic and are still coming in to provide those services. Joshua said he also included the Council in that as they have continued to come and hold meetings. Councilman Hall said he has concerns about the hazard pay going to the elected officials. Councilman Kitchen said he also would rather see the extra pay to go to public safety rather than to them and he does not want that. Councilman Hall said it was a nice thought but he didn't personally feel comfortable with it. Joshua stated his proposal was to go with Plan B of the three plans. Dennis Long **moved** to go with Plan B. Dan Olsen **seconded** the motion. The motion passed with the following vote:

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

Joshua said he wanted to revisit a matter that was brought before the Council a while back regarding Leonard Isaacson's health insurance and said things just got a little more interesting in light of some new information he received. He previously asked the Council to consider a buyout on Leonard Isaacson's health insurance because Mr. Isaacson recently obtained new employment and will be covered under their health insurance. Joshua stated, as part of his separation agreement, Mr. Isaacson was provided paid health insurance for one year. The Council chose not to do that when it was presented before but Joshua wanted Council to consider the liability that continues to exist for the City with Mr. Isaacson and his family on the insurance. Joshua said he just learned that when Mr. Isaacson took the insurance with his new employment he was automatically dropped from the COBRA insurance. He wondered if Mr. Isaacson's current employment terminated, would the City still be liable for the twelve months of health insurance, and then have to go out on the public market and obtain health insurance for the remaining months and what would be the potential cost. Councilman Kitchen felt like Mr. Isaacson was in breach of the agreement by accepting the new insurance. He said Joshua should run this by Mr. Judd to see what he thinks. No action was taken.

HEALTH INSURANCE BUYOUT

Councilman Kitchen wanted the Council to know the County passed a Resolution to proceed on creating a SSD 1. He thought it would take until March for things to be worked out.

OTHER MATTERS - FUTURE COUNCIL MATTERS

Joshua wanted to update the Council on what is happening with the General Plan. He said it is all but done. He said a public open house is still needed but they really wanted to involve the public and that has been almost impossible with the way things are. Joshua said they would like to postpone final approval until they can get to a place where they can have public input. Council said it will probably be Spring and asked if the company would be willing to push it back that far. Joshua said he would talk to them.

Joshua also mentioned the employee Christmas party and

asked for Council guidance. He said they could scale it back and only invite the employees and not invite the Fire Department. Council members determined it was better to cancel it and use the money set aside for that somewhere else.

With no other business before the Council, Robert Hall **moved** to adjourn the meeting at 9:23 p.m. Dennis Long **seconded** the motion. The meeting was adjourned by all voting in favor of the motion.

MOTION TO ADJOURN

APPROVED BY COUNCIL ON THE 10th DAY OF DECEMBER 2020

BY: _____

ATTEST: _____