

Naples City Council

November 11, 2021

Minutes

The regularly scheduled meeting of the Naples City Council was held November 11, 2021, 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 Fernando Rivera, Brooks Jones, Bart Jensen, Stephanie Adams, Szeth Simmons, Nathan Simper, Micheal Davis and Nikki Kay.

OTHERS ATTENDING

Mayor Dean Baker welcomed everyone and called the meeting to order at 7:30 p.m. Mayor Baker opened the meeting with the pledge of allegiance. Councilman Dennis Long offered the invocation. Mayor Baker asked if everyone could observe a minute of silence in honor of Chief Andrew Cox.

OPENING CEREMONY

Mayor Baker asked for approval of the agenda and stated he had a couple of items under other matters. Robert Hall **moved** to approve the agenda. Dennis Long **seconded** the motion. The motion passed with all in attendance voting aye.

AGENDA APPROVED

The minutes of the regular city council meeting of October 28, 2021 were presented for approval. Dan Olsen **moved** to approve the minutes of October 28, 2021. Dennis Long **seconded** the motion. The motion passed with all in attendance voting in the affirmative.

MINUTES APPROVED

Mayor Baker asked if anyone had anything they wanted to follow up on from the previous meeting. Councilman Kitchen asked Mike Davis to keep them updated on the 2000 East project.

FOLLOW UP ITEMS FROM PREVIOUS MEETING

Nikki Kay presented the bills for payment in the amount of \$19,878.36. Councilman Long asked about the bill to Downtown Dodge. Nathan Simper stated they had to replace the fuel pump on the Durango. Dennis Long **moved** to approve payment of the bills in the amount of \$19,878.36.

APPROVAL OF THE BILLS

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 from **evLABS, LLC** located at 1261 E 1000 S was presented to Council for their approval. Mike Davis explained the business will be manufacturing OEM electrical motors for trucks and buses. The business is located in the correct zone and was recommended for approval. Dennis Long **moved** to approve the business license. Dan Olsen **seconded** the motion. The motion passed with all voting in the affirmative.

***BUSINESS LICENSE
APPROVAL***

Council members received the information on the election results. Council members reviewed the information presented. Nikki Kay read the results. The total number of registered voters was 1,238. The number of ballots cast was 561 for a total percentage of voter turnout of 45.32%. In the race for Naples City Mayor, Dean Baker received 342 votes and Stephanie Adams received 214. In the race for Naples City Council, Andrew Bentley received 138 votes, Jessy McKee received 178 votes, Robert Hall received 340 votes, and Dennis Long received 369 votes. Gordon Kitchen moved to certify Dean Baker was elected Mayor and Dennis Long and Robert Hall were elected to City Council. Dan Olsen **seconded** the motion. The motion passed with the following vote:

***CANVASS MUNICIPAL
ELECTION***

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

Mayor Baker previously signed a certificate of completion agreement to release liens in the Farm Subdivision. Council members were ratifying this action. Mike Davis explained the improvements in the subdivision have been completed and approved and it is recommended to release the property bond liens and to ratify the signing of the completion agreement. Kenneth Reynolds **moved** to ratify the certificate

***RATIFY AGREEMENT
FOR THE FARM
SUBDIVISION***

of completion on the Farm Subdivision. Dennis Long **seconded** the agreement. The motion passed with all voting in the affirmative.

Council members were able to review the fraud risk assessment that was submitted to the State Auditor and were asked if they had any questions. Council members stated the score for the assessment was very good. Councilman Kitchen wanted to know if the City had a formal audit committee. Mike Davis stated they do not but could form one if the Council would like. Dennis Long **moved** to approve the fraud risk assessment. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

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

Council members reviewed and adopted the General Plan at a previous meeting but it was recommended the Council adopt the plan by Ordinance. Councilman Hall asked about some of the language in the plan and wondered if that meant they would need to change how they do certain things like their budget process. Other council members did not remember reading anything about the budget in the plan. Mike Davis stated this is a guide for the Council and is a living document and they can look at it and change it if needed. It was recommended to adopt it now and change it as needed. Kenneth Reynolds **moved** to approve Ordinance 21-241 adopting the General Plan. Dan Olsen **seconded** the motion. The motion passed with the following roll call:

***ORDINANCE 21-241
ADOPTING THE GENERAL
PLAN***

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

Mike Davis asked for Council's guidance on payout of vacation for Andrew Cox. Mike stated the City's policy does not address payment of those accrued vacation hours when someone passes. He pointed out the policy states a payout of vacation hours will be made up to 180 hours on termination. Councilman Kitchen said that death is not the same as termination. Council members expressed they would like to interpret in favor of the employee. Council members wanted to approve the payout of the hours but also wanted to address this matter in the policy because it could be challenged. Dennis Long **moved** to approve the payout of vacation hours for Andrew Cox up to the 180 hours, the total

***APPROVE VACATION
PAYOUT***

would be \$7,664.40. Dan Olsen **seconded** the motion. Councilman Kitchen questioned the motion and wanted to make sure that was a gross amount before the taxes. Nikki stated that was correct. The motion passed with the following vote:

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

Nikki Kay asked about the employee Christmas party. She stated they do have the Conference Center scheduled for December 6th and have someone scheduled to cater the party. Kenneth Reynolds **moved** to approve the party for December 6. Dennis Long **seconded** the motion. The motion passed with all voting in the affirmative.

EMPLOYEE CHRISTMAS PARTY

Micheal Davis reported on the completion of the 1500 South repairs and the repair on the corner of 2500 S 1500 E. He stated the School District asked for police presence at their last meeting and everything went well with it. Mike updated the Council on the Tree Lighting program. He said they will be using the fire station and they are getting everything put together.

DEPARTMENT REPORTS

Szeth Simmons reported that everything with the Christmas lights went well. The sidewalk grinding was started and they will be back to finish up.

Nathan Simper said they will be at the tree lighting ceremony. Councilman Hall said the services for Chief Cox were very impressive and there was a good show of support.

Special Service District Reports (SSD)

Councilman Kitchen stated the Recreation District was still functioning as a District, they are creating their budgets, income is up at the Rec Center and all of the parks are doing very well, despite the dry year.

Councilman Reynolds said he didn't have a lot to report on the Planning Commission. He said Gwen is getting her feet under her but they didn't have a meeting this last month because they lacked a quorum.

Mayor Baker reported on the SSD #1 and said they are trying to finalize the bylaws. He said they are working on the descriptions for an executive director, vice-chair, and treasurer. He stated they have had some good discussions but still have some work to do.

Councilman Olsen reported on the Animal Control SSD. He said the shelter is at capacity. He said they still have some rescue groups that are taking the animals to place them for adoption. Councilman Olsen said one issue they are having is with cattle coming off the mountain and there is no pasture to graze them so people are just letting them roam and they are receiving many calls of them being hit.

Councilman Hall reported on the Health Services SSD. He said the Golden Age Center is back open and taking a lot of meals to people. He also mentioned the Care Center and the vaccine mandate.

Councilman Hall updated everyone on the Fire Suppression SSD. He said the budget amounts are looking about the same as last year and there has been talk of expanding fire control services by going out of the area.

Nikki Kay wanted to update the Council on the meetings for November and December because there was some discussion if they needed to make a motion in Council to cancel meetings. She told them the annual meeting schedule stated only one Council meeting would only be held in November and only one in December.

***OTHER MATTERS AND
FUTURE COUNCIL
MATTERS***

Nathan Simper wanted to get the Council's thoughts on the surplus of Andrew Cox's K-9 dog. Lieutenant Simper said his dog is a bomb dog and needs to be working, the dogs are normally worked quite a bit and it's been very hard to not have anyone working with the dog. He said they wanted to donate the dog to Sandy City but were running into issues with that because the dog was obtained through a grant and there are certain stipulations about how to surplus grant items. Lieutenant Simper said they hope to find a good home for the dog but needed to know Council's thoughts on it. Council members didn't have any issue with the surplus of the dog if Lieutenant Simper could work it out and they could address the matter and give approval at the next meeting.

Mayor Baker reminded the Council the City will have been

incorporated for 40 years in May and he wanted them to be thinking about whether or not they wanted to plan anything for that.

Robert Hall **moved** to go into a closed session to discuss the purchase, sale or lease of real property and to discuss the professional competence, physical or mental health of an individual. Dennis Long **seconded** the motion. The motion passed with the following roll call vote:

CLOSED SESSION

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

Dennis Long **moved** to reconvene back into regular council meeting.

With no other business before the Council, Dennis Long **moved** to adjourn the meeting at 9:10 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 9th DAY OF DECEMBER 2021

BY: _____

ATTEST: _____