

Naples City Council

July 28, 2022

Minutes

The regularly scheduled meeting of the Naples City Council was held July 28, 2022, 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 Brooks Jones, Bret Reynolds, Brad Walker, Scott Majors, Nate Zilles, 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 Dan Olsen offered the invocation.

OPENING CEREMONY

Mayor Baker asked for approval of the agenda. Dennis Long **moved** to approve the agenda. Dan Olsen **seconded** the motion. The motion passed with all in attendance voting aye.

AGENDA APPROVED

The minutes of the regular city council meeting of July 14, 2022 were presented for approval. Kenneth Reynolds **moved** to approve the minutes. Robert Hall **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. Nothing was brought forward.

FOLLOW UP ITEMS FROM PREVIOUS MEETING

Nikki Kay presented the bills for payment in the amount of \$46,945.71. Dennis Long **moved** to approve the amount presented. Dan Olsen **seconded** the motion. The motion passed with the following roll call vote:

APPROVAL OF THE BILLS

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

Brad Walker came before the Council to discuss his options for three lots he wants to develop on 1750 South. Mr. Walker handed out a plat map for the Silver Wings Subdivision. He told the Council that the concern is for lot three because there is not 100' of frontage. Mr. Walker explained that he met with the County about the parcel owned by them that is in front of these lots on 1750 S. He was told that the County can't give the property back to the City and it would take a very long time to try and purchase it. He was told the County could make the whole piece a public right-of-way and that would give enough frontage for the two parcels. Mr. Walker said he was looking for some feedback from the City so he knew what he could take back to the County. He also said there would be the question of maintenance. Mr. Walker said he thought the County was taking care of the weeds and the City was maintaining it in the winter. Councilman Reynolds wanted to know what the City could legally do. Micheal Davis said he did talk with Mr. Judd and if the County were to designate it all as a public right-of-way it would allow the City a little flexibility there. Micheal said his heart burn was the property between the road and the new owners property and who would do the maintenance. Mayor Baker wanted to know if the County would still own the property and if it would just be classified as a public right-of-way. Mr. Walker said that is correct. Councilman Hall said the City would have to grant an exemption for the frontage of lot two and three. Mr. Walker said he could adjust the line for lot two so there would be the 100' frontage for it. Mayor Baker thought Mr. Judd would be okay with it if was a dedicated right-of-way. Councilman Kitchen said normally, when they talk about frontage, the property owner owns that and this would be owned by someone else. Mayor Baker said the whole lot, to their property would be the right-of-way. He said some people have their property line to the middle of the road and some just go to the right-of-way line. Micheal and Councilman Kitchen both said, in those cases, the property owner owns that where in this case someone else will own that property. Mayor Baker said he thought they were kind of nit picking at it. Councilman Kitchen said they might be but questioned if the next person that comes will expect the same exceptions. Councilman Hall said he would feel better if both parties were owned by the government and they do have to worry about setting a precedent. Councilman Kitchen said he would be interested in how the County is going to

***DISCUSSION REGARDING
SUBDIVISION ON 1750
SOUTH***

legally do this and would like to see how it is recorded. Councilman Olsen said once the County has taken action and recorded the right-of-way then they can see what the City can do. Micheal said he would also make sure Mr. Judd is fine with it once it is recorded. No action was taken on the matter.

Mayor Baker wanted to add a discussion to the agenda for the zoning on Hwy 40. Mayor Baker said the Planning Commission discussed the matter at the last meeting and he was there and felt like the Planning Commission was open to listening and discussing this. Councilman Hall wanted to know if there was discussion on looking at areas where there is existing commercial and the properties adjacent to those. Mayor Baker said they didn't get into real detail. Micheal said they brought it up because he didn't want the Planning Commission to think they were going over their heads by discussing it in Council meeting first. Micheal brought up a picture of the existing zones along the highway. Mayor Baker said no decisions were made because he wanted to know if the Council wanted the Planning Commission to take a look at it. He said if there was any direction the Council wanted to give he thought they would be open to it. Mayor Baker said there were a couple of comments about the need for more commercial along the highway. Micheal said there were also some that were worried because the west side of the highway has a lot of industry on it already and there are buildings there that would be more in line with an industrial use. Mayor Baker said he wasn't trying to direct it to that but just thought they should take a look at it because if someone pulled up a map of the City and was looking for somewhere to build, they sometimes see Industrial and they look somewhere else. Micheal said there needs to be a purpose for rezoning the property. He said the City could state they want to rezone to commercial, in order to bring in sales tax base. Councilman Olsen asked if they have dual zoning. Scott Majors stated it already exists along there because light industrial allows commercial. He said you can do light industrial in commercial but can't do light industrial in a commercial zone. Mr. Majors said it would restrict light industrial from coming into that zone. Mayor Baker said it would only be new development, nothing existing. Councilman Kitchen said his concern would be for someone that is no longer in business but still owns an industrial building along the highway, would that property owner be able to sell his building for the purpose it was built for if the zone was changed. Micheal said the time frame is a year, if

***DISCUSSION REGARDING
HWY 40 ZONING***

there was no use, the building or property use would change to the new zone. Councilman Kitchen said that would be a concern for him because the building has been built for industrial and not commercial. Councilman Kitchen said he didn't have as much concern with changing the use on the east side. Mayor Baker said they could look at maybe extending the time frame. Micheal stated he would like to look into that because he thought the County recently ran into trouble when they tried to do something similar. Councilman Hall said to turn it over to Planning & Zoning and see what the options are. Micheal asked if they wanted to give any guidance. Mayor Baker said they could just leave it open for Planning & Zoning. Councilman Kitchen didn't feel like there was much on the west side open but they could look at the east side. Councilman Olsen said they can let Planning & Zoning do their job. Councilman Hall said the purpose would be to open up areas for commercial development so we can stay a viable City.

Micheal Davis gave the Council an update on the 2000 East project. He said they are in the process of acquiring the land along the gulches and he wanted them to see what has been expended so far. Micheal stated that UDOT went through the process of appraisals, land offers, and negotiations. He said there was one property owner that wouldn't sell so they shifted the road a bit and compensated on the other side. Micheal said not all of the expenditures are for land, some are for removal of trees and replacement of some fencing. Councilman Hall asked if these payments were outside of the contract. Micheal said they are not. He said they have met with the property owners about removing the trees and they will have to move part of the fence in order to remove those trees. Micheal said as soon as this is complete they hope to be able to start with the bid process. Bret Reynolds said they will meet with the City and with UDOT to really narrow down things for the contractor. Micheal stated this was information only. Bret Reynolds said they hope to be able to start next Spring.

Council members received a printout of the financial statement in order to stay compliant with audit requirements. Councilman Long questioned the 134% for charges for services. Micheal stated that was good, it meant more was received than budgeted.

Chief Simper reported they have just completed the hiring of a new officer, Robert J McGaha. He stated Officer McGaha

UPDATE ON 2000 EAST PROJECT

FINANCIAL UPDATE

DEPARTMENT OR SPECIAL SERVICE

has three years of police experience with twenty years of military experience. He said they would like to swear him in on August 25th. Chief Simper said Officer Beatty will be finished with the academy on September 8th and finished with the training process in October.

Micheal Davis said things with the Summerfest went really well. He said the paper picked it up and posted some photos. Micheal said they had a little problem with the firecrackers burning some of the lawn at the park and they also had to patch some of the asphalt on the walking path where the crane truck damaged it. He said they did get that repaired already. Micheal said the Recreation District was wonderful to work with and great help.

There was a discussion on maybe closing 1900 South for such events but Chief Simper didn't think it would be a good idea for emergency matters. Chief Simper said he also received compliments on the help given by the Recreation District workers for the event.

Nate Zilles from the Vernal Area Chamber of Commerce was at the meeting. Mayor Baker recognized him and Mr. Zilles thanked them for giving him a little time. Mr. Zilles said they are starting a new project called a "Chamber Drive-by." He said they took pictures and put together a video and posted it on their FaceBook page. Mr. Zilles said he is currently working with a couple of businesses in the City for a ribbon cutting. A-1 Empire Towing and Cozy Minky. He said they will also do one with Papa Dinos when the owner returns and he will let them know when those are scheduled. Mr. Zilles said the focus is to help build businesses and give them the resources to help them grow.

Nothing was brought forward.

With no other business before the Council, Gordon Kitchen **moved** to adjourn the meeting at 8:30. Dennis Long **seconded** the motion. The meeting was adjourned by all voting in favor of the motion.

APPROVED BY COUNCIL ON THE 25th DAY OF AUGUST 2022

BY: _____

ATTEST: _____

DISTRICT UPDATES

COMMENTS FROM NEW C H A M B E R O F COMMERCE DIRECTOR

OTHER MATTERS OR FUTURE COUNCIL MATTERS

MOTION TO ADJOURN