

The Meeting of the Nibley City Council held at Nibley City Hall, 625 W. 3200 S. Nibley, Utah, on Thursday, February 4, 2010.

The following actions were made during the meeting:

Councilman Dustin motioned that Nibley City would reimburse individuals who complete CERT training up to \$30 and that that money would come from the emergency line in the budget with a maximum amount of \$900. Councilman Mickelson seconded the motion.

Councilman Larsen motioned to amend that they section the city off and into five (5) sections at six (6) reimbursements per section. Councilman Hansen seconded the motion. The amendment failed 2-3; with Councilman Dustin, Councilman Jacobsen, and Councilman Mickelson opposed. Councilman Larsen and Councilman Hansen were in favor.

The motion passed unanimously 5-0; with Councilman Dustin, Councilman Mickelson, Councilman Hansen, Councilman Jacobsen, Councilman Larsen in favor.

Councilman Dustin motioned to direct the city engineer to remove the portion of 450 West on the official maps of the city, that was removed on September 17, 2009 and that upon completion of the parks master plan that they commence work on an updated transportation master plan and that the budget that is allocated for master planning be directed towards that. Councilman Jacobsen seconded the motion. The motion passed 4-1; with Councilman Dustin, Councilman Jacobsen, Councilman Larsen, and Councilman Mickelson in favor. Councilman Hansen was opposed.

Councilman Mickelson motioned to accept the Mayor's Council assignments. Councilman Hansen seconded the motion. The motion passed 4-1 with Councilman Mickelson, Councilman Hansen, Councilman Jacobsen, and Councilman Dustin were in favor. Councilman Larsen was opposed.

OFFICIAL MINUTES OF THE MEETING

Minutes were taken and prepared by Assistant City Recorder Cheryl Bodily

Mayor Gerald Knight called the Thursday, February 4, 2010 Nibley City Council meeting to order at 6:00 p.m. Those in attendance included Mayor Gerald Knight, Councilman Scott Larsen, Councilman Shaun Dustin, Councilman Larry Jacobsen, Councilman Bryan Hansen, and Councilman Thayne Mickelson. Shari Phippen, the City Planner, and Bill Saunders, the city Public Works Director, were also present.

Approval of the evening's agenda and minutes of the January 21, 2010 meeting.

Councilman Larsen made a motion to approve the meeting minutes of January 21st and to approve the evening's agenda as presented. Councilman Larsen read his proposed changes. Councilman Dustin seconded the motion. The motion passed unanimously 5-0.

Discussion and consideration of sponsoring CERT training in Nibley City

Councilman Dustin said \$900 would be the maximum estimated price that he would expect. Councilman Larsen noted that the minutes from their last meeting stated they intended to invite Mrs. Barnes to be included in the discussion and that they had some possible conflicts with scheduling the building. Mayor Knight said she was not invited but Bill Saunders was present to give his input. Bill Saunders said the last time the city experienced an emergency with flooding they had the entire City Council and City staff and they were still a body short. Councilman Jacobsen noted that some of the Planning & Zoning Commission had also helped. Mr. Saunders said was in favor of the training. Councilman Dustin said the \$900 (\$30/30 people) was to reimburse people who complete the training. He felt \$30 for 40+ hours of training was minimal for someone who would be available to help in an emergency. Councilman Larsen was concerned they would have all the volunteers come from one area or the same neighborhood. He noted they had discussed having a first-come, first-serve setting limits per area sign-up scenario. Councilman Dustin said he was asked to attend a meeting with the LDS church and all their emergency service coordinators. If those people attended it would account for half the class and would automatically include geographic distribution. He is not worried about the training only coming from one area. Those people would be invaluable to them in an emergency. Those people would be helping all through town. Councilman Larsen said there was a \$2,000 budget in the emergency fund that they could utilize. Councilman Dustin suggested they structure the motion that they would reimburse people who completed the training up to \$30.

Councilman Dustin made a motion that Nibley City would reimburse individuals who complete CERT training up to \$30 and that that money would come from the emergency line in the budget with a maximum amount of \$900. Councilman Mickelson seconded the motion.

Councilman Larsen said he was still concerned with all trainees coming from one area. He has experiences this with Heritage Days. Councilman Dustin said one of the items addressed in CERT was how that structure would work; that there is a structure and that the structure needed to be followed in order to be effective. The people who complete this training should be incorporated into the city wide training. Councilman Dustin said Mr. Saunders would in all likeness be in charge in an emergency. Those teams will be sent to different geographic areas after securing their families. Mr. Saunders said having some organizational structure with the whole process would be a great improvement. Councilman Mickelson said CERT teaches the process of identifying the Federal, State, and County and local level and what that organizational structure is—who is in charge. It helps identify the structure within the area. He thought it would be good to identify that structure and actually put in on a chart that is easily accessible. Councilman Larsen said he liked Mr. Anhder suggestion of having a geographic limit. He wants to spread the training out as much as they can.

Councilman Larsen made a motion to amend that they section the city off and into five (5) sections at six (6) reimbursements per section. Councilman Hansen seconded the motion.

Councilman Dustin said he was not fundamentally opposed to that but they are only talking about \$900. The volunteer will only be reimbursed after the training is completed and he did not want to discourage anyone from signing up and he did not feel they had the power to structure it. Councilman Larsen said he is worried about the leadership. Councilman Dustin said they are not talking about leadership; they are talking about trained people who know the system and have good training. CERT is about people being willing to help and he would hate to discourage people based on geography. Councilman Jacobsen said one of the best community things that happened on Hollow Road was the threat of a flood that galvanized the community and surpassed the social and religious lines. It should be adopted across geographical, cultural, and religious lines. He did not feel they had to limit it in that way. He would rather recruit it over mandating it but was happy with the motion either way.

The amendment failed 2-3; with Councilman Dustin, Councilman Jacobsen, and Councilman Mickelson opposed. Councilman Larsen and Councilman Hansen were in favor.

The motion passed unanimously 5-0; with Councilman Dustin, Councilman Mickelson, Councilman Hansen, Councilman Jacobsen, Councilman Larsen in favor.

Discussion and consideration of reviewing the Nibley City Master Road Plan in two parts:

Mayor Knight asked that they limit each discussion to 30 minutes.

A. City Wide

Councilman Hansen suggested they go through the city and identify intersections or trouble areas that they feel are high priority and need to be resolved. Mayor Knight said Councilman Dustin had some overall philosophy that he wanted to discuss. Councilman Dustin said he would like to start thinking about it as a transportation master plan and not a roads or streets master plan. They are really trying to move people as efficiently as possible and there are several ways to do that that do not necessarily have to be expensive or need a road. He would like to facilitate the transportation of people. He said 450 West was a sticky issue and he wondered if there was a way to look at this to have a better fundamental approach to the way they plan and develop the city. Councilman Mickelson said they need to remember that this is a plan not code. It helps guide as they build and move but is not a blueprint. Councilman Dustin said that Logan is moving back to a grid system to improve their transportation network. If they had a grid on 450 W. then they would not have the problems that brought about the discussion. They do not just have to have a road grid; they could have a trails grid or a footpath grid and could still accomplish the same objective. They can ask developers to take that on. They need to take on the philosophical issue of moving people in the general plan. Councilman Mickelson said he did not want to get into a fad phase; he wants to do what makes the

most sense from a practical stand point. Mayor Knight said the general plan refers to it as a transportation plan that is for moving people not necessarily cars. Mayor Knight said they need a sense of community. The experts are saying they have lost that sense of community. They have taken the grid and expanded it from a small block grid into a large community grid and they are not very conducive to moving people. The grid does not dump all traffic onto the two main highways but gives many options to move traffic. Mayor Knight asked where they wanted to go from there and asked if they wanted to look at the general plan again to see if they can facilitate the community feel and that could be started with traffic.

Councilman Larsen said he thought the fad was winding streets and cul-de-sacs. They have impeded emergency response teams and city workers. Councilman Larsen said they have a trails plan in the works with the Parks Master plan. Councilman Larsen said the transportation plan has not been looked at in the six years he had been on the Council. He said they had more issues that just 450 W. including the south areas of their boundaries, what they are going to do at 12th W. and 3200 S., and their road impact fees. He said he felt they needed to do a city wide plan.

Councilman Jacobsen said they do have a grid. Their grid is essentially 4 pixels/mile when the grid of Zion is 8 pixels/mile. They deal with infill, like the grid of Zion does, with cul-de-sacs. The biggest problem is getting the grid implemented. The way they do that without taxing the citizens is by letting the developers come in and build the roads—the implementation is the sticking point. Councilman Jacobsen said they have not really participated in what the transportation plan. He said it was not too shabby but worth taking a look at. He thought they should be focusing on the recreation plan.

Councilman Hansen said he looked at the city in general as well planned. He felt the general plan update classified most of their roads but did not address future growth. They have a grid system but it is a large grid. He felt they had a good structure to work with. They have some problem areas that they could address individually. He said he really liked their trails plan but the challenge is drawing the relations of the trails to the roads. He was surprised with how much 8th west was being used but that they only have control of it up to 2600 S. They have not looked at all the surrounding areas and the growth that might impact them and their roads. He would like to finish the recreation plan and leave this as a secondary priority.

Councilman Dustin said they ought to finish the parks master plan. He thought they should take a portion of the general plan and review it every five years. He said the transportation plan should be addressed next. Councilman Dustin said they had a good grid, but that grid was really focused on cars and that they should try to integrate more freedom of movement for getting around neighborhoods. Councilman Jacobsen said every time they build a road they get a trails plan because they require a sidewalk with the road. He was glad their trails plan went beyond those sidewalks. He did not feel they had failed completely in movement because they had been requiring a right-of-way pathway in cul-de-sac's and hoped they would continue to do so. Councilman Larsen said

as they go forward they need to look at connectivity—even between subdivisions. They have been able to do some of those things and need to continue to do so.

B. 450 West near 4000 South

Councilman Mickelson suggested taking a road along the railroad at the bottom and using it as an access to those properties. Another was going directly South of where 450 starts to go across and go directly east connecting on to 250. He thought those were the two most viable options.

Councilman Hansen said there was a huge percentage of their community that were in favor of having that portion of 450 removed. He liked the idea of taking 450 W. and bringing it down along the northern portion of the property and having it curve around along the railroad. He also believed the growth that would occur south of 4000 South would have access to 250 W. He thought the majority of the traffic flow was north-south to get onto the highways. He noted they may encounter a few problems with traffic around the LDS church but that as growth happens another church will come in.

Councilman Larsen said he liked the fact that on the agenda they have it as 450 W. near 4000 South. He did not feel the master plan sufficiently addressed the section between Highway 165 and 450 W. He thought they needed a professional opinion on the matter. He had contacted a USU group that did civil engineering. He did not know if they needed to plan off the LDS populace. He said they should plan the roads for what is best for the community and step back from planning around the LDS church. Councilman Larsen said when they have things in place they need to follow what they have in place or come up with a better alternative before they jump and do something.

Councilman Jacobsen said the issue on 450 W. was what was more important; transportation needs or open space. At the time it was taken off the plan it was decided that the important thing was open space. Councilman Jacobsen said that if that piece of property is not protected with an easement in the future then the 450 W. road should be put back on the master plan because he guarantees if that land is not put aside it will be developed. He asked Councilman Mickelson what an appropriate time was for an easement to be placed. Councilman Mickelson said it was his opinion that if their intentions were to keep farming and keep the land in agriculture then it was still available for consideration as an easement. Councilman Jacobsen said they already treat all roads that way. Councilman Mickelson said it could take 10-15 years to get an easement. He had seen one that had applied for 7 years and was recently approved.

Mayor Knight said his opinion had changed since last time. At the time he was for not removing the road. In light of some new understanding; a city can develop in a more friendly fashion to the community and as long as they have adequate grid around these small areas. He said they need to have adequate grid to the south.

Councilman Hansen made a motion to recommend connecting 450 West at 3780 South to Meadow View lane and then connect to 250 West. The motion died due to lack of second. Councilman Dustin said they might not need to do anything for at least for two

years. He said they needed to look at 450 W. globally. Anything they did tonight would not make any difference for at least two years. Councilman Larsen said before they do anything they should have someone look at it and give an opinion based on what might happen. Councilman Mickelson said he got the impression that it was being ignored with the idea that the road might go back on later. Councilman Larsen said if this was their next plan it should be addressed after the parks plan and should be taken care of in the next year or two. He is opposed to doing something rash without some thought and research. Mayor Knight said the Council did vote to take that road off and did not currently see it as a pressing issue so they are not going to worry about it. There was never the implication that they would get the road eventually. That has not been the intent of any discussion that has taken place. Whatever is needed in the future they will get. Councilman Mickelson said a new map needed to be made with that road taken off. Mayor Knight said those things were updated periodically.

Councilman Dustin made a motion to direct the city engineer to remove the portion of 450 West on the official maps of the city that was removed on September 17, 2009 and that upon completion of the parks master plan that they commence work on an updated transportation master plan and that the budget that is allocated for master planning be directed towards that. Councilman Jacobsen seconded the motion. Councilman Jacobsen said as long as there is a realistic chance that the Scheiss' land will become an easement he does not support a road or want to put it back in and he does not support condemnation. The motion passed 4-1; with Councilman Dustin, Councilman Jacobsen, Councilman Larsen, and Councilman Mickelson in favor. Councilman Hansen was opposed.

Discussion of Mayor's council assignments

Mayor Knight noted to the Council that he had changed the word "plan" to "liaison" It is not that Council member's responsibility to come up with, develop, or otherwise oversee that plan. The liaison keeps the council informed as to what is going on in that area of need. Mayor Knight would like a motion to accept these. Councilman Mickelson did not mind the liaison change because he thought when it came to storm water they had a lot of good resources with city staff and he could certainly be available to help or support those actions. Councilman Hansen questioned how much time was spent on Heritage Days and felt that was a huge portion to take care of and wondered if they should have each Councilmember take on a portion. Councilman Larsen said a lot of the work fell to the chairperson but it did take a lot of time. Councilman Hansen suggested including the recreation specialist also. Councilman Jacobsen said he thought "liaison" was a more appropriate term. A go-between is the right word. Council role is more a board of directors and not management. They provided direction but are not the implementation team. Councilman Larsen said in the past month he has been contacted several times in regards to parks and recreation and a couple of times at work. Ms. Phippen said she would address work numbers not being given out with the office staff.

Councilman Mickelson made a motion to accept the Mayor's Council assignments. Councilman Hansen seconded the motion. Councilman Dustin said he would appreciate it if the Council members were informed of discussions that went on regarding areas they

were liaisons for. Councilman Dustin also said he did not like the way the budget was structured in the city especially as it pertains to the assignments that each Council member has responsibility for. He said he wants to have confidence that what is decided is what happens. Councilman Jacobsen said it is not budget problem. It is a systematic problem. If Council gives direction it should be followed and management should implement it. Councilman Jacobsen asked if the list of liaisons should be included on the website. Mayor Knight said yes, they should be included.

The motion passed 4-1 with Councilman Mickelson, Councilman Hansen, Councilman Jacobsen, and Councilman Dustin were in favor. Councilman Larsen was opposed.

Discussion of possible social programs by Council member Thayne Mickelson

Councilman Mickelson said he wanted to make it clear that the list was not all conclusive or comprehensive. He is talking about how they interact as a community and how individuals achieve their goals living in this community. Mayor Knight asked what Councilman Mickelson's intent was in having the city address more social programs. Councilman Mickelson gave an example of a program offered by Utah State University on financial management and said if they had the opportunity to extend that to the community and facilitate them by use of a building or advertisement in the newsletter, then that is what he would like to provided. Ms. Phippen asked if he was thinking of a community education program. Councilman Mickelson said that could be a function of it. Councilman Jacobsen said he is all for providing community education but asked what the citizens would have to pay for it, how city staff would implement them and if it would take away from their other duties. Councilman Jacobsen read from Councilman Mickelson outline which included wording from the Proclamation on the Family. He felt that should not be included and questioned the definition of the family. He is not ready for Nibley City to get into the debate on the definition of family and does not think that LDS or Lutheran or any other religious documentation should be included in city documents. Councilman Mickelson said it was not intended for publication but only as a forum to start discussion. Councilman Jacobsen said the detail needed to be addressed before he could give them his full support. Mayor Knight said they should never take over the role of Non-Government Organizations (NGO's) because they are vital to a functioning democracy. When government takes over those roles we cease to function as a democracy and they needed to be careful of that. He supports providing the venue. The city needed to provide a safe environment where society can interact in a positive environment. Councilman Hansen said he thought they needed to provide opportunities for people to meet together and get to know one another perhaps working together towards a common goal. They should provide ways for people to connect to the community outside of wards or schools. He suggested trail clubs, garden clubs, hunting clubs, etc. He said the city did not have to be in charge of them. They create a venue and encourage these types of things.

Councilman Larsen said the ideas are there but they do not yet have the ability to implement them. Corlyss Drinkard said it seemed they were contemplating a solution in search of a problem. Councilman Mickelson said he did not want to grow and realize they had a lot of social problems. He would like to lift the community to active participation

and address their needs before they discover they have a problem. Corlyss Drinkard said she thought they needed to get the community's input agreed with not getting involved in non-government organizations. Councilman Mickelson said he thought they could provide a positive environment that could deter kids from getting involved in inappropriate behavior.

Councilman Dustin said he agreed with Councilman Jacobsen and would like to see how much money would be going into this. It sounded like a full-time recreation director would be required. He is deeply concerned with the emergency services and the funding the city put into it. He said he sees them spending an awful lot of money on parks. The city's core focus is to provide fundamental services. They have to have the tax base to fund them all. He has a hard time supporting more recreation when some fundamental services are not being provided.

Councilman Larsen said some of the programs they provide are not sponsored by the city; the city facilitated soccer by providing them with fields and the building for sign ups. The city does not sponsor the live nativity but did facilitate it. Councilman Larsen said most of their programs succeed on the initiatives of the citizen. Right now they provide the opportunity to facilitate groups with the use of the building, pavilions, parks, etc. Someone had to take the charge and take on the responsibility then they need to support them but not necessarily with funding.

Councilman Mickelson said he wanted to help with getting the word out and maybe facilitating building but not funding them. He is interested in just making people aware of these things going on.

Mayor Knight recognized two scouts present for the meeting: Clint and Craig Jessop

Council Reports

Councilman Dustin noted the "for sale" signs at Weathersheild. They were asking \$4.1 million/39 acres and suggested the Council think about if it might be a nice location for a city center. Councilman Dustin thanked the Council for their support on CERT.

Councilman Larsen noted that REAL Salt Lake would be at Nibley Elementary and the City Offices on the 26th of February. There was a scheduling conflict and he would like a program implemented to facilitate scheduling.

Councilman Larsen was by Spillman Technologies about using the city screen and sound system to show the World Cup and asked if they wanted to allow that. Ms. Phippen said she thought there was a prohibition on using things that are paid for with public money for private purposes. Councilman Larsen said they needed to be consistent in what they charge for use. Councilman Dustin said they should charge them a "real rate" and not subsidize them. The Council decided they could use the equipment but would require a city employee be available to run the machinery. Ms. Phippen suggested requiring a deposit in case the equipment was damaged.

City Manager reports

Ms. Phippen made the Council aware that they had received a petition for annexation of Clair Peterson's property. She said accepting the petition was not the same as annexing the property.

Ms. Phippen updated the Council on circumstances with land developer Dell Johnson. Mayor Knight said they have made a policy change in the office that when a motion is denied a letter is sent out stating why the motion was denied.

Mayor Knight said Envision Cache Valley was having another Local Leader Forum on Tuesday, February 16th and asked the Council to be aware of it.

Mayor Knight informed the Council of Spice on Ice—a fundraiser for the Ellen Eccles Ice Arena.

Mayor Knight said Cache County Attorney, James Swink, was proposing an ordinance that will require people to get a permit to hold a function that is in the County or traverses the County.

Mayor Knight said they have a problem with an APA that has a huge potential to block annexation.

The meeting was adjourned at 9:31 p.m.