

The Meeting of the Nibley City Council held at Nibley City Hall, 625 W. 3200 S. Nibley, Utah, on Thursday, May 20, 2010.

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## OFFICIAL MINUTES OF THE MEETING

Minutes were taken and prepared by Assistant City Recorder Cheryl Bodily

Mayor Pro Tempore Scott Larsen called the Thursday, May 20, 2010 Nibley City Council meeting to order at 6:07 p.m. Those in attendance included Mayor Pro Tempore Scott Larsen, Councilman Thayne Mickelson, Councilman Larry Jacobsen, Councilman Shawn Dustin, and Councilman Bryan Hansen. Mayor Gerald Knight was excused from the meeting. City Manager, Larry Anhder was also in attendance.

Mayor Pro Tempore Larsen recognized Tyler Irish with Troop 409 working on his communications and citizenship Merit badges. Carol Irish was also present.

### **Call to order, approval of the evening's agenda and minutes of the May 12, 2010 meeting.**

Mayor Pro Tempore Larsen said they would approve the May 12<sup>th</sup> meeting minutes at the next meeting because they had not yet been reviewed. Mayor Pro Tempore Larsen made a motion to approve the evening agenda striking the approval of the minutes. Councilman Jacobsen seconded the motion. The motion passed unanimously with Councilman Larsen, Councilman Jacobsen, Councilman Mickelson, Councilman Hansen, and Councilman Dustin all in favor.

### **Consideration of Joint Use Agreement with the Cache County School District for the use of a Community Center room at the Heritage Elementary School**

Mayor Pro Tempore Larsen said this was discussed last week in the emergency meeting. Councilman Jacobsen, Councilman Larsen and Mr. Anhder had met with the superintendent, Bruce Parker, Jonathan Jenkins, the school board president, Dick Knight and Dale Hansen and had discussion with them. Mr. Anhder said the president of the board, Mr. Jenkins felt strongly about the buyback provision. He thought the buyback they approved was not acceptable. He tried to get a change of heart from the city but there was not one. They discussed a couple of possibilities; they discussed buying with some sort of depreciation, a 30 or 40 year depreciation schedule that would be about \$10,000 a year. The other was an outright commercial lease. They own it and the city would lease it. Mr. Anhder said they expressed that they would like to see the whole board vote in it. They are meeting right now. They hold out hope that Mr. Jenkins does not express the majority view of the board. Mayor Pro Tempore Larsen said that was the impression that he got from the meeting.

Mr. Anhder said the only hold-up is the restroom. They had held construction so they would not have to do the restroom as a remodel. If they approve the contract as presented—the canopy stays in. They said they charged half the rate for the canopy. They added the canopy because of Nibley. The canopy stayed in. Councilman Jacobsen said it

was for half a canopy realizing that it was a canopy and not floor space. Councilman Dustin said on that basis he would have thought they would have been given an architectural say. Mayor Pro Tempore Larsen said when they first started the process Councilman Hansen had presented some ideas and they said that they decide what they do on the outside. The board members and staff that were there wanted to work with them. He had brought up that they sometimes do not get good interaction. What they have been experiences is not the policies per se. Mayor Pro Tempore Larsen said they wanted to get the feeling of the full board. From the beginning they perceived this as the process and gave them their joint use proposal months ago and now they want something different.

Mr. Anhder said he thought they messed up. Mr. Anhder said they were given a draft joint use proposal last October or November. It was the better part of March that they came back with their proposal. Mr. Anhder said at the staff level the buyback has been alright. It is at the board level that it became an issue. It was assumed from the beginning that they would have access during the day time. If they had responded to them at that time they could have come to an agreement and not be under such a time crunch. At staff level they recognize that if this doesn't go through even the cost they have put in it they are going to eat. Mayor Pro Tempore Larsen said they did say they did not need us—they put in the same thing in Smithfield because they liked the space there and that they have the money available for it. Councilman Hansen said he would like to call their bluff on that. He did not think that is a valid assumption on their point—he would like to see where the vote goes on this. Councilman Jacobsen said he felt obligated to recognize President Jenkins point of view. President of the Board Jenkins point of view is that there is no market to sell part of a school. There are no other willing participants 10 years from now. The other alternatives are a strait out lease with no ownership or a buyback with a depreciation schedule. They have nothing on record of what the entire school board will do. They could give them some feedback on what they think of a lease or a depreciation schedule of they could say they have put their best foot forward and see where it goes from there.

Councilman Dustin said he believed there was a third option. They are not considering whether they will need to remodel and add 2,000 square feet. Councilman Jacobsen said Mr. Anhder did a good job of bringing that up. Mr. Anhder said in his letter he noted it was them giving them a loan for \$300,000 with no interest. Mr. Anhder said he was leaving town in the morning but would let the Council know what was decided on at the school board meeting. If the vote is no, he will sit down with their staff for lease possibilities. He would do this for research so he could come back to the Council with some numbers for a decision. Councilman Mickelson said he is at the end of negotiations himself. He did not think they could bring back any lease option that he would be in favor of. He did not think they were backed against the wall or in dire straits. Councilman Jacobsen said they are further from dire straits; they have less of a need now than they were then. Councilman Mickelson said if they come back with a lease then they do not want to be paying for a bathroom. Mr. Anhder said that building cost were low right now. Councilman Mickelson said it may be a better time to look at building on their own. Councilman Hansen said he was not in favor of the lease option either; he would go for

the buyback option. Mayor Pro Tempore Larsen said he did not feel he would be in favor of either. He said he needs to see numbers. Councilman Jacobsen said it was good to meet some school district people. Mayor Pro Tempore Larsen said despite everything they seemed like they wanted to work with them in the future. That is a positive thing they want to pursue.

### **City Manager Report**

Mr. Anhder said a week from today they would receive the bids for their reservoir. They have had 20 bid packets picked up to date. There will be a recommendation for a contractor at the next meeting.

### **Council Reports**

Councilman Mickelson said he thought it was a pleasure to work with the Council.

Mayor Pro Tempore Larsen congratulated Councilman Dustin on his graduation.

Mayor Pro Tempore Larsen said they needed to come up with their citizen of the year; the person has to be a citizen of Nibley, and have made a significant impact on the community; he hoped within the last year. He hoped to decide that by the next meeting. Corlyss Drinkard asked if the person had to be living. Mayor Pro Tempore Larsen said he thought so; they could have family sit in for that person. Ms. Drinkard thought of Tim Gibbons who recently passed away. There was some general agreement.

Mayor Pro Tempore Larsen said this Saturday was the Miss Nibley pageant at 6:00. Heritage Days is pretty well developed and he encouraged the Council to be at as many events as they could. The Council will be serving at the Mayor's dinner which is being catered by Café Sabor. They are doing the fireworks and the concert. Councilman Larsen said on the city's website they can see teams now and scheduling for the fields. As a coach, he said they need new fields.

The meeting was adjourned at 6:38 p.m.