

The Meeting of the Nibley City Council held at Nibley City Hall, 625 W. 3200 S. Nibley, Utah, on Thursday, August 5, 2010.

The following actions were made during the meeting:

Councilman Jacobsen motioned to adopt Resolution 10-06 that sets the Nibley City tax rate at 0.001667. Councilman Dustin seconded the motion. The motion failed 2-1; with Councilman Dustin and Councilman Jacobsen in favor. Councilman Hansen was opposed.

Councilman Dustin motioned to approve the purchase of property adjacent to the city offices from Union Pacific. Councilman Jacobsen seconded the motion. The motion passed unanimously 3-0; with Councilman Dustin, Councilman Jacobsen, and Councilman Hansen all in favor.

OFFICIAL MINUTES OF THE MEETING

Minutes were taken and prepared by Assistant City Recorder Cheryl Bodily

Mayor Gerald Knight called the Thursday, August 5, 2010 Nibley City Council meeting to order at 6:05 p.m. Those in attendance included Mayor Gerald Knight, Councilman Brian Hansen, Councilman Larry Jacobsen, and Councilman Shaun Dustin. Also in attendance were Larry Anhder, City Manager, and Shari Phippen, City Planner. Councilman Scott Larsen and Councilman Thayne Mickelson were excused from the meeting.

Call to order, approval of the evening's agenda and minutes of the July 15, 2010 meeting.

There was discussion about the attendance of Councilman Mickelson. Mayor Knight called for approval of the minutes and the evening's agenda. Councilman Hansen made a motion to approve the minutes from July 15th and the evening's agenda. Councilman Jacobsen seconded the motion. Councilman Dustin said he had not received the minutes and asked that approval be tabled until the next meeting. Mayor Knight called for approval of the evening's agenda. The motion passed unanimously.

Review of City Hall proposal, review of architectural styles, presentation of assessment of need and alternatives for office space for city operations.

Mr. Jim Childs with JDR Engineers was present at the meeting and gave the presentation. Mr. Childs said the plan they are considering is approximately 6,400 square feet. There were two options presented; one with a basement and one without. Option 1 was without the basement and would remove the stairs. If the basement was added the mechanical equipment would be moved to the basement and free up space on the main floor. The budget they were trying to work within was approximately \$130/square foot which is a little higher than residential rates because of quality and durability. Mr. Childs said they end up with an initial construction cost of \$942,000 without the basement. He

recommended they also include an owners contingency (about 5%), furnishings and equipment contingency (approximately \$75,000), phone contingency cost (approximately \$11,000), and other miscellaneous costs. That brings the project amount to \$1, 150,000. Mr. Childs said if they add the basement they have extra costs; a suspended floor structure, stairs, and an elevator. He estimated about \$40/square foot for the basement which would add approximately \$306,000 to the project; making a total project cost of \$1,494,000. Mr. Childs presented a proposed floor plan for the building.

Mr. Childs asked for questions from the Council. Councilman Hansen asked about future expansion. Mr. Childs said it depended on what they wanted to add there but it was available and could be extended. Mr. Childs noted on the site plan that they had set it back a distance so they could provide a really nice setting. Councilman Hansen said he liked the relationships and the sizes of the rooms; they were really well done. He liked the addition of the conference room. He did not know how he felt about the basement but recommended they put the stairs and elevator shaft at the back of the building. Mayor Knight liked Councilman Hansen's comments about the basement and asked why the architect put the access at the front of the building. Mr. Childs said it depended on what the intended future use of that space was; he discussed the public having access to the basement.

Mr. Childs presented images of building designs and styles. He asked the Council members and public present to place 3 dots on designs that appealed to them so they could try to find some kind of consensus.

Councilman Hansen said ultimately he wanted something that could be integrated into the city; he did not want something really contemporary. He leaned towards a timeless feel. He said he liked the color scheme of the new school and the more traditional style architecture. He said he was not focusing on a ton of glass.

Mr. Childs said a lot of the things Councilman Hansen had expressed were reflecting in the choices. He was not seeing huge expanses of glass. He thought they were leaning towards a pitched roof vs. flat roof and some sort of defining central element. He said the intent of this exercise was to give them direction. Councilman Jacobsen said he liked the natural elements being brought in; not just all wood but some exposed wood and stone, etc. Ms. Phippen said she liked the combination of different building materials. She also liked the different fenestrations and the classic style. Councilman Hansen said he would also like to see some architectural elements that would tie in the patio; the outside with the inside. Councilman Jacobsen said especially if those elements could provide partial shade. Councilman Dustin suggested they revisit the site plan in relation to the city center concept that they have; he understood the town hall would be the focal point. Mr. Anhder said the building was sighted right where the general plan had it. Councilman Dustin said he wanted to make sure they looked at Nibley's commercial design standards and make sure it is compliant with what they require others to put in the city such as traditional design elements. He respectfully disagreed with where the building was placed on the site plan. Councilman Dustin said he felt the site plan was more important. Councilman Hansen said he liked the idea of incorporating this into a pedestrian access. He would like

to see how the road could connect into something else and what other buildings could be incorporated on the outside.

Mr. Childs went on the needs assessment and alternatives for space for city operations. He said the bottom line was they have crowded conditions in the personnel departments; in City hall and the public works department. Public works involves a lot of recording, reporting, training, and safety and the space that is needed for that. In Nibley there is a lot of crowding for that. This facility is also very landlocked and there is very little parking. The site is very limiting and anything they do to this space to deal with the issues in the short term is just going to compound those problems. Barbara Wilden asked if the other alternatives would be presented at the public hearing on the 26th. Mayor Knight said they were being discussed tonight.

Mr. Childs said the alternatives included adding on to this building but the cost for additions would be higher and as discussed before would be difficult with this land. There was also discussion of putting finished space or office space in the public works building that was already approved to be constructed but again that makes parking and restroom access problematic at the current site. Corlyss Drinkard said that modular buildings had once been discussed and asked if any analysis had been done on those. Mr. Childs said that had not been done because modular buildings are not a permanent solution and they find there are needs that are not met such as restroom needs. They are also not cost effective because they had to be tied into electricity and utilities. Councilman Dustin said he appreciated the effort that was put in to considering these options. Councilman Dustin requested the needs analysis be posted on the city website.

Mr. Earl Saunders said they were getting a pitch from the sales man; incomes are going down and not up and they are asking them to pay for something new and beautiful that would serve the same purpose. Mayor Knight described what had driven the city to this point; the bond on the current building was being paid off and they anticipated doing this building with no change to the city budget. He discussed the growth in the city. Rhonda Lauerson said they needed to stop the growth. Mayor Knight said they are obligated to plan and properly prepare for what is coming; to close the door is impractical. Mrs. Lauerson said she saw a need for public works but not a new city office. Mayor Knight encouraged the public present to come to the public hearing concerning this building on the 26th. Councilman Jacobsen said he had known Mr. Childs for two meetings now and he felt he had diligently carried out his duties and had done it well and felt that he had not been a salesman. Councilman Hansen asked Bill Saunders how he felt about the needs assessment in terms of his department. Mr. Saunders said he felt it had reflected their needs and they find there are many things they feel they could be more efficient at.

7:00—Public Hearing—to receive comments concerning the proposed adjustment to the property tax rate setting the rate at .001667 as the historical tax rate for Nibley City.

Mr. Anhder said under Utah law taxing entities have a rate that they put on property. In Nibley City they have maintained a constant rate of .001667. Because Nibley has virtually no sales tax base the city historically has felt it necessary to maintain a constant

rate; this keeps their property tax revenues consistent with the growth that they have had in the community, otherwise the rate would go down. Because they are maintaining the rate they have to advertise it as a tax increase. They are not increasing the rate they are keeping it the same. Mayor Knight said state law requires that they not collect more in property tax this year than they did last year. Mayor Knight said the property tax mill levy was a good thing because things continue to increase in cost; there is generally a little inflation. The existing property value increase would allow them to collect more tax rate. They can get more from a new property value without penalizing themselves. This process tonight is not to pad their pockets. Mr. Anhder said the philosophy of the city is to maintain in their general fund the three-legged revenue stool; sales tax (approximately \$350,000), property tax (approximately \$320,000), and other miscellaneous fees, that allow them to balance their revenue base.

Mr. Gene Sexton asked what the city was doing to encourage new business to come in and provide more sales tax revenue. He said many in this city are on fixed incomes and their incomes are not going up. Mayor Knight said the County assesses property; not the city. Mayor Knight said new business is very controversial in Nibley. Many people live in Nibley for the bedroom/farm community feel. The general plan has ideas for new businesses and those businesses need to see that it is profitable to come to Nibley. Mayor Knight they will come but the environment is not right for it and what the Council can do is plan for when it does come.

Corlyss Drinkard asked what would happen if they did not raise the rate. Mr. Anhder said in the total city budget it would change their revenue by approximately \$22,000.

Luke Frazier asked if Nibley City was planning to build a new City Hall. Mayor Knight said they are looking at their options and that would be decided at the August 26th meeting.

Mayor Knight opened the public hearing at 7:37.

Luke Frazier asked what the proposed rate increase was. Mayor Knight said it was taking their mill levy and adjusting that to the level it had been for the last 18 years. It will increase revenue 6.7%

Rhonda Lauerson asked what the extra \$22,000 money would be used for. Mayor Knight said Mr. Anhder explained that they tried to maintain their revenues consistently and make small revenue adjustments. Mr. Anhder said all costs change so it was hard to say where this money would be used.

Luke Frazier asked if the Council felt it was prudent to raise their taxes with the current environment.

Earl Saunders said he appreciated that the roads had been striped. He suggested they take the extra money to beautify 3200 South.

Corlyss Drinkard said there has been a lot of unwelcome growth in Nibley. She thought Nibley had done a great job of managing money. Ms. Drinkard said for the extra \$20,000+ more that they would get they could give a lot of good will to the public. She is opposed to the tax increase.

Shawn Platt said new growth is slow and asked how much the homes that were being built would offset those cost. Mayor Knight said those homes would not offset the \$20,000; this only deals with revenue they would receive if there were no new growth. Mr. Anhder said the Council would be discussing \$28,000 in additional cost to the city because of the new school. They do not have much control over those costs.

Brian Anderson said he felt Ms. Drinkard touched on something that was prudent. Employment was down and the concept and the timing were difficult to swallow.

Shawn Platt asked about alternative to offsetting the shortfall besides the tax. Mayor Knight said the staff they have are very efficient and do a phenomenal job. They always try to improve their efficiencies.

Rhonda Lauerson asked if they could slow up on the parks to save money right now. Mayor Knight said they are in the middle of doing a new Parks Master Plan.

Luke Frazier asked if a new proposed city hall would lead to another raised tax. Mayor Knight said a caveat of doing the building was that they would not raise taxes to build it.

Seeing no more comments Mayor Knight closed the public hearing at 7:53.

Consideration of Resolution 10-06—Resolution Adopting Final Tax Rates and Budgets for fiscal year 2011.

Councilman Jacobsen said the thought of economic times, unemployment, fixed incomes, etc. were not lost but he thought it was fair and prudent to set up a good policy and be consistent with that over time. He thought it was a prudent idea to stick with the .001667 which had consistently run the city. Councilman Dustin said he didn't understand why his taxes went up while his home value went down. He also spent a lot of time going over the city budget and they are where they are. Councilman Dustin said he thought there was a lot more they could do in Nibley to bring business in but they have to deal with the consequences and to date what they have heard is that the acceptable business in Nibley is the business that is actually not in Nibley. They want the taxes but they do not want the impact. They need to make decisions about what kind of community they want to be. He said he was all for increasing that leg of the three-legged stool. Councilman Hansen said their city has been managed very well for many years and the reason they are where they are because of what has been in place. He felt they continued to grow responsibly. He realized they all have to live within their budgets. They do maintain this tax rate but don't have to propose large rate hikes. Councilman Hansen said he was torn between both sides.

Councilman Jacobsen made a motion to adopt Resolution 10-06 that sets the Nibley City tax rate at 0.001667. Councilman Dustin seconded the motion.

Councilman Dustin said they have competing responsibilities of being responsible and not increasing taxes and asked the other Council members where they would cut the extra \$20,000. Councilman Hansen expressed areas that he was over where they could cut costs.

The motion failed 2-1 with Councilman Dustin and Councilman Jacobsen in favor. Councilman Hansen was opposed.

Earl Saunders said one day the Council would be where he is on a fixed income and would be coming in to the Council; he said the city could tighten their belt. Mayor Knight said he was in favor of adjusting the rate and had he hoped the vote would be different because they run a very efficient city with a solid and sound fiscal policy. This had been a consistent way of maintaining their budget. Mayor Knight said one of the things they must do as a city is provide services and they are tasked with providing a sense of community for residents. Mrs. Lauerson asked if they are counting how many people are using those services. Mayor Knight had discussion with the public about the services the city provides and what was necessary. Councilman Jacobsen said this had been a mute discussion. They had taken and recorded a vote and the only way it can be reconsidered was if someone who casts a consenting vote moves to reconsider.

Boy Scout Dustin Call request for Eagle project for Disaster Preparedness Flyer.
Dustin Call was not present for the meeting so this discussion did not take place.

Consideration of purchase of property from Union Pacific adjacent to City offices.
Mr. Anhder said he had continued negotiation with Union Pacific for purchase of the land adjacent to city hall as per the City Council's direction. After negotiation they had tentatively agreed to a price of \$45,000. Mr. Anhder said this had been budgeted. Councilman Dustin asked what was budgeted for this purchase. Mr. Anhder said \$60,000 was budgeted. Councilman Jacobsen asked Mr. Anhder and Bill Saunders if any of the discussion that had gone on with new facilities for public works would change the necessity of this land. Mr. Anhder and Bill Saunders said it was still needed.

Councilman Dustin made a motion to approve the purchase of property from Union Pacific adjacent to the city offices. Councilman Jacobsen seconded the motion. The motion passed unanimously 3-0; with Councilman Dustin, Councilman Jacobsen, and Councilman Hansen all in favor.

Report on "Making Life Better" campaign.

Mr. Anhder said the League of Cities state wide had done a pole and were interested to find how many people understood what their cities provide for them; less than the majority knew the city provided their water or parks. The League of Cities has encouraged a campaign to start informing the public of what the city does. Mr. Anhder said they are ordering decals to put on their trucks (\$16 each). Councilman Hansen asked

if they could incorporate that logo into the city logo. Shawn Platt asked if he could make a public comment. He said he was curious about the return on investment of the \$16 for bumper stickers and the like. Mayor Knight said there was a return on investment but it was hard to measure; this was keeping the public educated.

Councilman Jacobsen said he liked the idea of education and asked if there was a way of incorporating that with more education. He suggested making the decals more specific with extra wording (eg. water, sewer, roads).

City Manager Report

Mr. Anhder said the water tank is on schedule. The tank site is excavated. Raymond Construction will be there full force on Monday morning. Raymond anticipated being done the first of December.

Mr. Anhder said the summer party for families was next week on the 12th at 6:00.

Mr. Anhder said in consultation with the principal of the new school they anticipated three new crossing guards at the new school. It takes the three crossing guards they have budgeted. They are going to have to put two flashing lights on 3200 and reduce the speed limit to 20 MPH during certain school hours. They anticipate approximately \$12,000 for those lights which had not been budgeted. There are also sidewalks that are not in place; the total costs add up to approximately \$30,000. He said he anticipated coming back in three weeks with a proposal for funding these items. Mr. Anhder said Mr. Saunders noted the Council had asked them to do the sidewalk along 800 W. near the Shadow Brook Park. They have to pour that now if they want to meet the driveway at the Anderson property.

Mr. Anhder said they have had some approach them about using the old City Hall for about 3 weeks for dance classes and he wanted Council direction. The Council indicated it would be alright.

Council Reports

Mayor Knight had a letter from an employee thanking the Council for their cost of living raise.

The meeting was adjourned at 8:56 p.m.