

The Meeting of the Nibley City Council held at Nibley City Hall, 455 W. 3200 S. Nibley, Utah, on Thursday, May 3, 2012.

The following actions were made during the meeting:

Councilman Mickelson motioned to adopt the tentative Nibley City Budget for Fiscal Year 2012-13. Councilman Hansen seconded the motion. The motion passed unanimously 5-0; with Councilman Mickelson, Councilman Hansen, Councilman Platt, Councilwoman Cook, and Councilman Jacobsen all in favor.

OFFICIAL MINUTES OF THE MEETING

Minutes were taken by Assistant City Recorder Cheryl Bodily

Mayor Gerald Knight called the Thursday, May 3, 2012 Nibley City Council meeting to order at 6:34 p.m. Those in attendance included Mayor Gerald Knight, Councilwoman Carrie Cook, Councilman Larry Jacobsen, Councilman Shawn Platt, Councilman Bryan Hansen, and Councilman Thayne Mickelson. David Zook, City Manager, Bill Saunders, Public Works Director, Shari Phippen, City Planner, and Diane Marvin, the city Accounts Payable Clerk, were also in attendance.

Call to Order; Approval of Minutes and Agenda

Councilman Jacobsen made a motion to approve the April 19, 2012 meeting minutes and the evening's agenda. Councilman Platt seconded the motion. The motion passed unanimously 5-0; with Councilman Jacobsen, Councilman Platt, Councilman Hansen, and Councilwoman Cook, all in favor.

Council and Staff Reports

Mr. Zook said he and Ms. Phippen had attended a PCIB (Permanent Community Improvement Board) meeting in Salt Lake City. They had applied for a grant of \$4,000 for an economic development planning. After a short presentation they were unanimously awarded the grant. He said they would see the \$4,000 on the new budget with a 50 percent match requirement. Mr. Zook said the money was being used to perform an impact fee study.

Mr. Zook said they had issued a RFP (Request for Proposals) for technology consulting services. They had received four responses and had interviewed three candidates who were all quite well qualified. The three candidates had been asked to perform a simple audit of the city's information technology resources and equipment. Mr. Zook said they anticipated changes to the information technology infrastructure to improve productivity and communication.

Mr. Zook said they would be releasing a RFP for someone to conduct an impact fee study. The deadline to receive those proposals would be May 25. The study will examine water, sewer, and park impact fees.

Mr. Zook proposed to the City Council that they do some strategic planning sessions in which they could prioritize needs and projects and that this could be most helpful in preparing a budget. He thought it would be helpful going into the future. He asked if the Council would be interested in doing this and when they would be available. Councilwoman Cook and Councilman Platt said they would be interested. Mr. Zook suggested they could break the discussion up by topic. Councilman Platt asked Mr. Zook to have a list of topics that they could review. Councilman Jacobsen was in favor and said a couple of evening meetings would work better with his schedule and Councilman Hansen agreed. Councilman Jacobsen asked to get the Planning & Zoning Commission involved as well.

Councilman Mickelson arrived at 6:47.

Mr. Zook addressed a question posed by a citizen about the Ethics Acts and how it applied to volunteer citizens. He read from the Municipal Officers and Employees Ethics Act which said that the Ethics Law applied to all elected and appointed officers and employees of the city. Mayor Knight asked if they anticipated having all board/committee members sign a disclosure of personal interests within Nibley City. Mr. Zook said that all committee members would receive a copy of the Ethics Act and the Municipal Officers and Employees Ethics Act and that they would make sure it was understood.

1—Presentation by Judge David Marx honoring Judge Jack Stevens as 2012 Justice Court Judge of the year, an award given by the Association and Board of Justice Court Judges.

Judge Jack Stevens was present at the meeting. Judge David Marx was present. Judge Marx said he represented the State Association of Justice Court Judges, he served as chair of that board. They are honored to make awards and recognize well deserved individuals. Judge Marx said one of the most recognized and revered awards is the Judge of Year award because it is awarded on by peers. Judge Marx noted Judge Stevens would be stepping down after 35 years on the bench. Judge Marx discussed his admirations for Judge Stevens. Judge Marx awarded the Justice Court Judge of the Year award to Judge Jack Stevens.

Judge Stevens' family presented his with leis. Judge Stevens gave an acceptance speech and expressed his appreciation of being able to serve and for the support he had received.

2—6:30 p.m. —PUBLIC HEARING—A PUBLIC HEARING TO RECEIVE INPUT FROM THE PUBLIC REGARDING THE ISSUANCE OF WATER REVENUE AND REFUNDING BONDS (THE "BONDS") AND THE ECONOMIC IMPACT THAT THE ISSUANCE OF THE BONDS WILL HAVE ON THE PRIVATE SECTOR. THE BONDS TO BE ISSUED IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT MORE THAN \$850,000 TO BE ISSUED FOR THE PURPOSE OF (1) FINANCING THE CONSTRUCTION OF ADDITIONS AND IMPROVEMENTS TO THE ISSUER'S WATER SYSTEM, INCLUDING A

NEW WELL, AND RELATED IMPROVEMENTS, AND (2) SAVING MONEY BY REFUNDING THE ISSUER'S OUTSTANDING WATER REVENUE BONDS, SERIES 1981 IN THE ORIGINAL PRINCIPAL AMOUNT OF \$136,000 AND ITS OUTSTANDING WATER REVENUE BONDS, SERIES 2002 IN THE ORIGINAL PRINCIPAL AMOUNT OF \$249,000, AND (3) PAYING ISSUANCE EXPENSES TO BE INCURRED IN CONNECTION WITH THE ISSUANCE AND SALE OF THE BONDS.

Mr. Zook said this would be before the Council for action in June. They expected the issuance of the bonds on June 13th. He said before that date they would have an actual cost of construction and a determination on the amount the city will be contributing in cash and the amount of the bond. Mr. Zook said Lewis, Young, Robertson, & Birmingham, was the company they were working through and they had already had parties interested in issuing the bond. Mayor Knight asked for the current amount of the bonds to be refinanced. He said the payments they would be making would be less because of the lower interest rate and the remainder of the payment should come from impact fees. Mr. Zook gave the information on the current amount of the bonds to be refinanced. They would refinance these two bonds together to get a more favorable rate and to acquire the financing to construct the new water well.

Mayor Knight gave direction to the public present. The public hearing started at 7:04.

Marcus Simons said he moved to Nibley last year and was wondering about the reason for bonding versus seeking out a grant. He said he understood the consolidation of the bonds and the reasoning for that.

Seeing no further comment the Mayor closed the public hearing at 7:07.

Joel Thompson, representing Lewis, Young, Robertson, & Birmingham was present at the meeting. Mayor Knight asked Mr. Thompson to answer the question posed by Mr. Simons. Mr. Zook said if anyone knew of a grant they could apply for he would be interested and would apply for it. He said they were interested in applying for grants and were actively doing so. Councilman Mickelson said grant availability also depended on the type of project. Councilman Jacobsen gave examples of grants the city had sought out and received and the project that had been completed with those grants. Mayor Knight said grants also often had strings attached which often times upped the costs.

Mr. Thompson directed the Council to the term sheet which Ms. Phippen provided for Council review. Mayor Knight discussed the timeframe when the bond would be approved by the Council. Councilman Jacobsen asked Mr. Thompson to provide the "closing cost" for the bond at the meeting when the Council approved the bond. Mr. Zook discussed the term sheet and some of the overheard costs associated with the refinance; he said the current number they saw was an estimate.

3—Presentation of the tentative Nibley City Budget for Fiscal Year 2012-13

The City Council members had received a packet of budget materials prior to the meeting. Mr. Zook said this budget had two purposes; it was the budget for the next fiscal

year and the conclusion of the current year budget. Mr. Zook said they were required to present the tentative budget the first of May and the budget needed to be approved by June 22, 2012. Mr. Zook reviewed and summarized the budget including changes and adjustment to the current budget with a total budget amount of \$6,127,214. Mr. Zook displayed a budget pie chart with an overview of the budget. The budget was split with general fund 2,041,075 (38%); Capital Improvement Fund \$366,000 (7%); Sewer Impact Fee Fund,\$365,000 (7%); Municipal Building Authority \$49,000 (1%); First Responder Fund \$45,692 (1%); Water Fund \$1,412,630 (21%); Sewer Fund \$691,470 (13%); Stormwater Fund \$90,347 (3%) . Mr. Zook, Mayor Knight, and the City Council discussed the salary schedule; road maintenance with contributing discussion from Mr. Saunders; and the first-responder budget with contributions from Chris Searle representing the Nibley-Millville First-Responders. Mr. Zook discussed buying a vehicle for the first-responders and a river restorations project with grants from the NRCS which Nibley city would be required to provide a 25% match for. He said the match which could be partially addressed in kind with employee and volunteer hours. Mr. Zook discussed purchased public works items; mower, buildings & facilities, dump truck, snowplow, bin for street sweeping; and remodel of the restrooms for the historic city hall. There was discussion on the potential improvement to grounds adjacent to the Heritage school for soccer fields; and a ball diamond at Heritage Park. Mr. Zook said they had applied for \$40,000 in RAPZ tax and included \$20,000 from park impact fees for that project. Mr. Zook discussed the projected culinary well; a new truck for the water department; a sidewalk on 2600 South going from 450 W. to state road 165; the regional park and a carryover of the funds to be transferred to the next fiscal year budget. Mr. Zook addressed a crossing guard at Thomas Edison Charter School with discussion from Tracy Wagner, a member of the Charter School board, and Lisa Burbank, the current volunteer crossing guard. Councilman Hansen asked about an additional \$5,000 to the Hyrum Senior Center in the next fiscal year. He wanted numbers on how many from Nibley participated at the center. Mayor Knight said they would get more data but they would like to make everyone aware of it and grow it. Mr. Zook said it was represented to him that there were 2-3 dozen residents that participated at the center. Councilwoman Cook said she thought they needed to increase the Easter/Christmas budget because of the number of participants they had during the Easter Egg hunt. Mr. Zook and the Council discussed how much more would be needed. Councilman Hansen proposed \$500 for the Morgan Farm and discussed where that money would be used. The Council continued to discuss the egg hunt. Tracy Wagner thought that as surrounding cities discontinued the egg hunts they were coming to Nibley. Lisa Burbank made some suggestions on changing the hunt.

Mr. Zook reviewed the changes to the current year budget. Councilman Hansen asked about the street light at the corner of 3200 So. He said he was interested in a three-way split between Nibley, Logan, and the County in order to get a light there. Mayor Knight described his knowledge of the situation. Mr. Zook continued his review of the changes to the current year budget. During the review, Councilman Hansen discussed the Morgan Farm and improvements they could make and asked about budgeting money to the Morgan Farm. Mr. Zook continued his review. The Council discussed a line item regarding the purchase of water shares. Councilman Jacobsen noted the decrease in

revenues to Logan City for sewage noting that it was because of the new metering device. Mr. Zook recommended the Council have sufficient data and numbers to go off of before adjusting sewer rates; he said they were anticipating a change. Councilwoman Cook asked for a change on a line item name for better future reference. Mr. Zook concluded his review of the current year budget.

The City Council complimented Mrs. Marvin and Mr. Zook on the budget. Councilman Jacobsen addressed and tasked staff with making the data more palatable to the public. Mayor Knight asked for a line item category to be included in the budget referring to the Tree Board. Councilman Mickelson thought they were not keeping up with the demand for parks; he said it was more important to get places to play than to pay for expensive amenities to go with them. Mayor Knight referenced the regional park and discussed the direction it was going. The Council discussed park usage.

4—Discussion and adoption of the tentative Nibley City Budget for Fiscal Year 2012-13

Councilman Mickelson made a motion to adopt the tentative Nibley City Budget for Fiscal Year 2012-13. Councilman Hansen seconded the motion.

Mayor Knight summarized the budget approval process.

The motion passed unanimously 5-0; with Councilman Mickelson, Councilman Hansen, Councilman Platt, Councilwoman Cook, and Councilman Jacobsen all in favor.

Council and Staff Reports (continued)

Councilman Jacobsen expressed appreciation to Mr. Zook for the information he provided on the Ethics Act.

Councilman Jacobsen expressed appreciation that the draft agenda and updated ordinances had been provided and posted to the website.

Councilman Hansen reported on Nibley's sister city, Nibley, England. Mayor Knight asked if they needed to adopt Nibley, England by resolution. They discussed that eventually it would need to be adopted.

Councilwoman Cook provided a plan for landscaping at the Meadow View entrance plan. She said they needed to know what the agreement was with the developer at the time. Mr. Zook said he had discussed with Mr. Saunders that they should continue with a plan that needed less maintenance and used less water. He said they would need to get an easement and permission to use that property. Councilman Jacobsen made reference to ripyourstrip.org.

Councilman Platt said he was interested if Joel Thomas billed his service to come to the meeting because it was a waste of time. Mr. Zook said they were not and that Mark Edmunster was the person they usually worked through and Mr. Zook said he understood that they were not anticipating questions.

Councilman Platt asked about plans for the empty lot next to the baseball diamond on 3200 South. Mr. Saunders answers those and Councilman Platt asked for a timeline and said residents were concerned with parked vehicles and the lack of lighting.

Councilman Mickelson said the Department of Agriculture was kicking off a 10,000 Gardens project. He said the state did not have an accurate count of vegetables produced but were kicking off a campaign to bring awareness to the origins of food. Councilman Mickelson gave the specifics of the campaign as he recalled it.

Mayor Knight said the Tree Board had met and would be having a celebration the 23rd of June in conjunction with Heritage Days. They will be giving away a tree and planting a tree. The Tree Board would have a booth at Heritage Days. Mayor Knight discussed the parade route. Mayor Knight said three items would be coming before the City Council in the near future. Mayor Knight summarized plans that were coming together with the Tree Board.

Mayor Knight thought they needed to make the sidewalk along Hollow Road a priority but that the residents along that road would need to be cooperative. Councilman Hansen discussed his thoughts on the possibilities in that area.

Mr. Zook said one budget item from last year was to purchase a radar trailer. \$7,000 was budgeted and the public works department got two signs for \$4,400. They were mobile and solar powered.

Barbara Wilden commented on the park strips in the middle of the street and how beautiful they were.

The meeting was adjourned at 10:10 p.m.