

A Special meeting of the Nibley City Council held at Nibley City Hall, 455 W. 3200 S. Nibley, Utah, on Tuesday, June 25, 2013.

The following actions were made during the meeting:

**Councilmember Cook motioned to nominate Amber Whittaker as the appointment to Nibley City Council. Councilmember Hansen seconded the motion. The motion passed 3-1; with Councilmember Cook, Councilmember Hansen, and Councilmember Jacobsen in favor. Councilmember Mickelson was opposed.**

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#### OFFICIAL MINUTES OF THE MEETING

Minutes were taken by Assistant City Recorder Cheryl Bodily

Mayor Gerald Knight called the Tuesday, June 25, 2013 Nibley City Council meeting to order at 6:02 p.m. Those in attendance included Mayor Gerald Knight, Councilmember Carrie Cook, Councilmember Larry Jacobsen, and Councilmember Thayne Mickelson. Mr. David Zook, the City Manager, was also in attendance.

Councilmember Bryan Hansen arrived at 6:03.

**Notice of City Council Vacancy and Special Meeting to Fill Vacancy—Notice was given of a vacancy on the Nibley City Council. The Nibley City Council held a special meeting to interview interested applicants in open session**

Mayor Knight described the reason for the Council vacancy and the term of the City Council vacancy. He read the practices for filling the vacancy from Utah state law. He said four of the six candidates were present, but two had summer plans that could not be moved and so they couldn't be present. Mayor Knight said Kathy Kennington, Mark Lawver, Amber Whitaker, and Shawn Dustin were present. He said Kathryn Beus and Ron Hellstern were not present.

Mayor Knight said each candidate had been given the same set of six standard questions.

Councilmember Mickelson asked for clarification on the standard questions that had been given to each candidate. Mayor Knight said they had received responses from the two candidates that were not present at the meeting. Councilmember Mickelson said he thought it would be appropriate to ask all six questions of each candidate present at the meeting.

Councilmember Jacobsen said they had six excellent candidates but he was troubled by the process by which they were going about filling the vacancy. He believed they weren't giving the same process to all six candidates. Councilmember Jacobsen said he believed the City Council wouldn't be doing any substantial work in July. He discussed the meeting schedule for July. Councilmember Cook said they needed to respect the candidates that had made arrangements to be here. She said she was sure they had

rearranged their schedules to be at the meeting. She thought they would be doing their due diligence to interview and go through the process when it was advertised. Councilmember Hansen believed they should move forward for the evening and make a decision at the end of the evening as to if they were going to move forward. Councilmember Mickelson said if any other questions were asked of the four candidates present then they should also be asked of the two absent candidates. The City Council discussed the interview process.

Mayor Knight opened the debate up to the candidates. Shawn Dustin said he would be happy with whatever the Council decided. Kathy Kennington agreed with Councilmember Cook and thought they should move ahead. Mr. Lawver and Mrs. Whittaker agreed with Mrs. Kennington. The Council decided to begin the interview process.

Mayor Knight asked the following question: Please tell us why you are interested in serving on the Council?

The candidates responded to this question in the following order: Mrs. Amber Whittaker, Mr. Mark Lawver, Mr. Shawn Dustin, and then Mrs. Kathy (Kevin) Kennington.

Mayor Knight then asked the candidates the second question: Tell us about your experiences and qualifications that you believe would make you a good City Council member.

The candidates responded to this question in the following order: Mr. Lawver, Mr. Dustin, Mrs. Kennington, and then Mrs. Whittaker.

Mayor Knight read Ron Hellstern and Kathryn Beus' answer to question one. Mayor Knight read Mrs. Beus and Mr. Hellstern's responses to question two.

Mayor Knight then asked the candidates the third question: If you could change one thing in the city, what would it be? He read Mr. Hellstern's response to this question.

The candidates responded to this question in the following order: Mr. Dustin, then Mrs. Kennington. Mayor Knight read Mrs. Beus' response to question three. Mrs. Whittaker and then Mr. Lawver responded to the third question.

Mayor Knight then asked the candidates the fourth question: Tell us about what your understanding is of the time commitment of this position.

The candidates responded to this question in the following order: Mr. Dustin, and Mrs. Kennington. Mayor Knight read the response from Mrs. Beus. Mrs. Whittaker responded next, with Mr. Lawver going last. Mayor Knight read Mr. Hellstern's response to question four.

Mayor Knight then asked the candidates the fifth question: What would be some of your goals if you were on the Council?

The candidates responded to this question in the following order: Mrs. Kennington. Mayor Knight read Mrs. Beus's response. Mrs. Whittaker and Mr. Lawver responded next. Mayor Knight then read Mr. Hellstern's response to the fifth question, and Mr. Dustin spoke last.

Mayor Knight then asked the candidates the sixth and last question: What is your understanding of the duties, responsibilities, and role of a City Council member?

The candidates responded to this question in the following order: Mayor Knight read Mrs. Beus's response then Mrs. Whittaker responded. Mr. Lawver spoke next. Mayor Knight read Mr. Hellstern's written response. Mr. Dustin followed Mayor Knight. Mrs. Kennington responded last.

Mayor Knight and Councilmember Jacobsen expressed appreciation to the candidates for their qualifications and willingness to serve.

Councilmember Jacobsen said as a legislative body the City Council tries to find the fine line between individual property rights and community property rights. He asked the candidates how they found the proper balance between those two rights. Mrs. Whittaker volunteered to respond first. Mrs. Kennington spoke next with Mr. Lawver following her. Mr. Dustin spoke last.

#### **Appointment of a new councilmember on Tuesday, June 25, 2013 at Nibley City Hall, 455 West 3200 South**

Councilmember Hansen proposed they have a 2-3 minutes time period to review the information they'd been given. Mayor Knight gave the City Council 3 minutes to review their notes and thoughts.

Each Councilmember gave their top three candidates:

Councilmember Hansen's top three choices were Amber Whittaker, Mark Lawver, and Shawn Dustin.

Councilmember Jacobsen's top three choices were Ron Hellstern, Amber Whittaker, and Shawn Dustin.

Councilmember Mickelson's top three choices were Kathryn Beus, Mark Lawver, and Shawn Dustin.

Councilmember Cook's top three choices were Amber Whittaker, Kathy Kennington, and Mark Lawver.

Mark Lawver, Amber Whittaker, and Shawn Dustin were the top vote getters and tied with 3 votes each.

Mayor Knight gave his top three choices as Amber Whittaker, Mark Lawver, and Kathryn Beus; making the top two candidates Amber Whittaker and Mark Lawver.

Councilmember Cook made a motion to nominate Amber Whittaker as the appointment to Nibley City Council. Councilmember Hansen seconded the motion. The motion passed 3-1; with Councilmember Cook, Councilmember Hansen, and Councilmember Jacobsen in favor. Councilmember Mickelson was opposed.

Mr. Zook swore Amber Whittaker in as a City Council member. She repeated the following Oath of Office:

I, Amber Whittaker, having been appointed to the office of Nibley City Council, do solemnly swear, that I will support, obey, and defend the constitution of the United States, and the constitution of this state, and that I will discharge the duties of my office with fidelity.

Mayor Knight discussed the City Council meeting schedule for July and the selection of Mayor Pro Tempore.

Councilmember Hansen updated the Council of a youth group from USU consisting of approximately 250 individuals that would like to come and do service projects in Nibley. They wanted the Council to identify 15-20 homes that this group could help with.

Corlyss Drinkard complimented the Council on how they conducted the meeting.

The meeting was adjourned at 7:53 p.m.