

The Meeting of the Nibley City Council held at Nibley City Hall, 455 W. 3200 S. Nibley, Utah, on Thursday, September 5, 2013.

The following actions were made during the meeting:

**Councilmember Hansen motioned to approve Resolution 13-09 supporting an increase in the emergency communication charge as part of the refuse collection fee. Councilmember Whittaker seconded the motion. The motion passed 4-1; with Councilmember Hansen, Councilmember Whittaker, Councilmember Cook, 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 Thursday, September 5, 2013 Nibley City Council meeting to order at 6:32 p.m. Those in attendance included Mayor Gerald Knight, Councilmember Carrie Cook, Councilmember Thayne Mickelson, Councilmember Amber Whitaker, and Councilmember Larry Jacobsen. Mr. David Zook, the Nibley City Manager, was also in attendance.

#### **Call to order; approval of agenda; and approval of the 8-22-2013 meeting minutes**

Councilmember Whittaker made a motion to approve the August 8, 2013 meeting minutes and the evening's agenda. Councilmember Cook seconded the motion. The motion passed unanimously 4-0; with Councilmember Whittaker, Councilmember Cook, Councilmember Jacobsen, and Councilmember Mickelson all in favor.

#### **Heritage Days Report**

Mrs. Malia Roundy was present at the meeting. Mrs. Roundy reviewed the overall 2013 Heritage Days budget noting that there were still expenses to be calculated. She also reviewed the costs for each event.

Councilmember Hansen arrived at 6:42.

Mrs. Roundy said she would like more support from the committee chairs at each event. She asked that the Council keep the Heritage Budget at the same current level. She discussed plans for future Heritage Days and items they intended to purchase in the future. Mayor Knight recommended the City Council have a built in increase to the Heritage Days budgets on a yearly basis due to the increased population. Mrs. Roundy said they would be happy to accept more budget money in the future. Mayor Knight also recommended the Heritage Days Chairs come to the City Council and make a request prior to early January budget discussions. Councilmember Jacobsen and Councilmember Cook thanked Mrs. Roundy for her and Mrs. Galloway's dedication to the Heritage Days celebration.

**Discussion and Consideration of Resolution 13-09—A Resolution supporting an increase in the emergency communication charge as part of the refuse collection fee (Second Reading)**

Mr. Brian Low was present at the meeting, Chris Searl with the Nibley/Millville EMTs was present, and Chief Kevin Maughn with the Hyrum Fire Department were present at the meeting.

Mayor Knight read Resolution 13-09 to the City Council and public present.

Councilmember Hansen made a motion to approve Resolution 13-09. Councilmember Whittaker seconded the motion.

Councilmember Mickelson said he had studied this type of taxing and he thought it was dangerous protocol to start taxing this way. He described a similar tax being discussed at the State level; this was an extra \$1/month attached to the sewer which would be used for special projects. He expressed that he didn't doubt that there was a need for the funds; but thought the avenue for taxation was wrong. He said he was not in favor of this action.

Councilmember Whittaker asked about the funds proposed to go into a reserve account and whether that money can be touched for other uses in the County. Mr. Low said the entire amount went into the 911 restricted account, which was completely separate from Logan City's general fund. Anything that was not used at end of the year would be rolled over into the 911 reserve account and then stayed there until they pulled it out.

Councilmember Mickelson said he thought this bordered on taxation without representation. Councilmember Jacobsen asked Councilmember Mickelson for what other avenues of funding he would use. Councilmember Mickelson discussed the general fund. Councilmember Hansen asked if they would have a line item on the Nibley City bill to identify this fee. He thought it was a bit strange to tack it on to the garbage fee. Councilmember Hansen said he was in favor of the increase because he was in favor of staying current with the radio system and communication and the community would benefit from it. Mr. Low discussed the different funding models they had explored. He said it wasn't a perfect system but was the best one they could come up with besides creating a special tax district which would take several years. Mr. Low said the extra \$1 wouldn't go into the general fund; it would be tracked through the dispatch system and any left over money would be put into a reserve. Chief Maughn discussed the fairness of attaching the fee to the garbage can. Councilmember Mickelson discussed the reserve they intended to build up. He felt taxes should be used and not put into a reserve account. He wondered if they could ask for less money.

Councilmember Jacobsen stated he was in favor of the motion. Councilmember Hansen was in favor. Councilmember Cook was in favor, and Councilmember Whittaker was in favor. Councilmember Mickelson stated that he was opposed. The motion passed 4-1.

**Council Reports**

Councilmember Mickelson discussed the current political decisions facing the United States.

Councilmember Whittaker reported on her participation with the Nibley Scarecrow Festival.

Councilmember Hansen reported on the Nibley Scarecrow Festival. He said the event was Friday through Monday from dawn to dusk. Councilmember Hansen also reported on the Get-A-Brain Read-A-Thon.

Councilmember Jacobsen made general comments on things how things are in France versus in Nibley.

Mayor Knight said Nibley was getting grant money to fund the sewer master plan and the 3200 South realignment study. He said Nibley had sent out requests for proposals for the sewer master plan with the deadline being the end of the month.

### **Staff Reports**

Mr. Zook reported on the Utah League of Cities and Towns conference being held in the next week. He also reported on a bike tour of Daybreak on Thursday evening.

Mr. Zook updated the City Council on Nibley's building permit report. He said there were 14 building permits issued in August with 3 in July. He discussed that status of another building inspector.

Mr. Zook discussed specifics of the CIB grant (\$62,500) being issued to Nibley City for the sewer and stormwater master plan.

Mr. Zook said Cynthia Fredrickson, the City treasurer, had accepted another job and would be leaving Nibley City soon. He said they would need to move quickly to fill that position. Mayor Knight noted that Treasurer was an appointed position and would need to come before the City Council.

### **Adjourn to Executive Session**

Councilmember Mickelson made a motion to adjourn to executive session to discuss the Purchase of Real Property Pursuant to Utah Code 52-4-205. Councilmember Cook seconded the motion. The motion passed unanimously 5-0; with Councilmember Mickelson, Councilmember Cook, Councilmember Whittaker, Councilmember Hansen, and Councilmember Jacobsen all in favor.

The meeting adjourned to executive session at 7:44.

The meeting returned from executive session at 8:37.

The meeting was adjourned at 8:37 p.m.

Attest: \_\_\_\_\_  
Deputy City Recorder