

The Meeting of the Nibley City Council held at Nibley City Hall, 455 W. 3200 S. Nibley, Utah, on Thursday, November 21, 2013.

The following actions were made during the meeting:

**Councilmember Jacobsen motioned to approve Ordinance 13-04: An Ordinance Prohibiting Hunting on Property Owned by Nibley City; with the clarification in item C that it was within 600 ft. of a building within Nibley City limits, consistent with current ordinance. Councilmember Hansen seconded the motion. The motion passed unanimously 5-0; with Councilmember Jacobsen, Councilmember Hansen, Councilmember Mickelson, Councilmember Cook, and Councilmember Whittaker all in favor.**

**Councilmember Mickelson motioned to accept the canvas of the 2013 general election. Councilmember Whittaker seconded the motion. The motion passed 5-0; with Councilmember Mickelson, Councilmember Whittaker, Councilmember Cook, Councilmember Hansen, and Councilmember Jacobsen all in favor.**

**Councilmember Jacobsen motioned to postpone Ordinance 13-05: An Ordinance Combining the Nibley City Tree Board with the Nibley City Beautification Committee until December 19, 2013 in order to consider the ordinance re-write, hear from Ron Hellstern, and bring in additional sections of the Tree Board Ordinance. Councilmember Whittaker seconded the motion. The motion passed unanimously 5-0; with Councilmember Jacobsen, Councilmember Whittaker, Councilmember Mickelson, Councilmember Cook, and Councilmember Hansen all in favor.**

**Councilmember Cook motioned to give consent to the appointment of Councilmember Whittaker as Community Covenant Liaison. Councilmember Mickelson seconded the motion. The motion passed unanimously 5-0; with Councilmember Cook, Councilmember Mickelson, Councilmember Jacobsen, Councilmember Hansen, and Councilmember Whittaker all in favor.**

**Councilmember Mickelson motioned to adopt Resolution 13-11: A Resolution Appointing Stephen Nelson as Nibley City Treasurer. Councilmember Hansen seconded the motion. The motion passed 4-1; with Councilmember Mickelson, Councilmember Hansen, Councilmember Jacobsen, and Councilmember Whittaker in favor. Councilmember Cook 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, November 21, 2013 Nibley City Council meeting to order at 6:30 p.m. Those in attendance included Mayor Gerald Knight, Councilmember Carrie Cook, Councilmember Amber Whitaker, Councilmember Larry

Jacobsen, Councilmember Thayne Mickelson, and Councilmember Bryan Hansen. Mr. David Zook, the City Manager, and the City Planner were also in attendance.

**Call to order; approval of agenda; and approval of the 11-07-2013 regular City Council meeting and executive meeting minutes**

Councilmember Whittaker made a motion to approve the 11-7-13 regular and executive session meeting minutes. Councilmember Cook seconded the motion.

Councilmember Jacobsen said he wanted to make a correction to the minutes. He referred to the “Rip Your Strip” reference in the regular meeting minutes. He said that was program was sponsored by the Utah Rivers Council and not the Utah Water Council.

The motion passed 4-1; with Councilmember Whittaker, Councilmember Cook, Councilmember Hansen, and Councilmember Jacobsen all in favor. Councilmember Mickelson abstained from the vote.

Mayor Knight rearranged the agenda items to accommodate those present at the meeting.

**Discussion and Consideration of Ordinance 13-04: An Ordinance Prohibiting Hunting on Property Owned by Nibley City (Second Reading)**

Mr. Ron Hellstern, the Nibley City Tree Board committee chair was present at the meeting. He gave a statement representing the Blacksmith Fork Wildlife Association regarding their stand on hunting in Nibley. He read the following:

“The Blacksmith Fork Wildlife Association is a growing organization of residents who volunteer their time to promote the development and preservation of wildlife habitat (specifically birds and pollinators). We are also striving to help individuals, and Nibley City, to certify their property with the National Wildlife Federation, and to create areas of wild life refuge within the City.

Our organization is not opposed to legal hunting, but we have serious concerns regarding the increasing difficulties facing wildlife as our human population continues to grow. Increased traffic, noise, habitat fragmentation, poaching, harassment, toxic pesticides, etc. While it is not our intent to turn Nibley City into a National Park, we request that hunting not be allowed on City Property. This includes not allowing dogs or people onto City property to flush birds onto areas where they can legally be killed. There are sufficient areas of private property and hunting clubs where legal hunting is allowed as long as it does not encroach upon the 600-foot limit from any building.

We ask that you resolve to make it illegal to hunt on City property, and set aside wildlife refuges, from this date forward.”

**Discussion and Consideration of Ordinance 13-05: An Ordinance Combining the Nibley City Tree Board with the Nibley City Beautification Committee (Second Reading)**

Mr. Hellstern then read a statement regarding the combining of the Nibley City Tree Board and the Nibley City Beautification Committee.

“I have been asked to give my personal opinions regarding the merger, or alliance between the Nibley City Tree Board and Beautification Committee. If this occurs, I think the Beautification Committee should be a subset of the Tree Board for the following reason:

City Tree Boars are affiliated with the National Arbor Day Foundation which is linked to each of the State Forestry Departments throughout the United States. They provide the expert training and certification programs, suggestions regarding urban tree and landscaping issues, and acknowledge achievements in Utah cities by sponsoring the annual State awards program. A local Tree Board must achieve certain annual improvements goals and budgets in order to maintain the Tree City USA status for their city.

A City Beautification Committee is independent and bases its role and goals strictly within the bound of its own community. There are concerns that the use of the term “beautification” may imply that certain areas of the city are less than desirable and need to be aesthetically improved. While there is little doubt that this is true, very few people will volunteer to serve on this committee if there is ever an implication that it is to enforce City ordinances regarding such issues as nuisance weeds, junk cars, etc.

A joint effort aligning the Tree Board should include awarding residents on a regular basis for exemplary landscaping in their neighborhoods. This Committee could also link with our local Blacksmith Fork Wildlife Association and the Tree Board to produce lists of suggested native trees, shrubs, and flowers for landscaping plans which best suit our soils an climate. Therefore, I see this Committee only in an advisory capacity, much the same as the Tree Board and Wildlife Association, to present information and suggestions to the City Council, City Manager, and Mayor.

All three of these organizations have similar goals: to improve the beauty and value of our properties; to ensure a safe and healthy community; and to provide green open-space areas for serenity and wildlife habitat.

Recommendations for the Beautification Committee:

The Committee should consist of 7 or 9 voting members, and two non-voting members. This odd-number would eliminate tie votes.

The voting members should be nominated by the City Council/Mayor/City Manager and should reside, and thereby give representation, in different quarters of the City.

A non-voting member should be a volunteer of, and ideally should represent, the City Council and Planning Commission. If there are no volunteers, the Mayor and/or City Manager should appoint them with the consent of the City Council.

Terms of Office for voting members should be 3 years staggered so that no more than 4 voting members need to be replaced at any one time. Non-voting members should hold their position to coincide with their terms of service on the Council/Commission.

I am in basic agreement with the rest of the Ordinance as it was read to the City Council the first time on November 7, 2013.”

Mayor Knight said they would now consider Ordinance 13-04. Mayor Knight read Ordinance 13-04.

Councilmember Jacobsen made a motion to approve Ordinance 13-04: An Ordinance Prohibiting Hunting on Property Owned by Nibley City; with the clarification in item C that it was within 600 ft. of a building within Nibley City limits, consistent with current ordinance. Councilmember Hansen seconded the motion.

Councilmember Mickelson wanted to make it known that there are unintended consequences that could come with designating land as a wildlife refuge. Councilmember Jacobsen clarified to the public present that this was an ordinance prohibiting hunting owned by Nibley City; not land within Nibley City limits. Councilmember Jacobsen noted that this ordinance effected very small and narrow strips of property due to the proximity of buildings and the 600 ft. requirement. He said to him this became of matter of practicality of enforcing ordinances that are on the books and simplified things. Councilmember Cook asked about having other discussion about designating other areas and habitat for wildlife and birds. Mayor Knight asked if this would meet Councilmember Cook's needs. Councilmember Cook said it did in a round-about way. She said she wanted make sure birds that were already there would still be living there but did not designate the area as a habitat. She said by designating the area they would be able to post signs and have the ability to look at from a habitat protection perspective. Mayor Knight thought there was a lot of natural habitat protected by State law and did not know to which degree the city needed to go. Mayor Knight said if they were going to designate land then there needed to be a plan to put things into a habitat that would enhance the habitat. Councilmember Jacobsen said he believed there needed to be a wildlife habitat plan which would set aside areas for habitat as opposed to a different use. He said he would like to work in conjunction with the Blacksmith Fork Wildlife Association, who had experts in wildlife and wildlife environments, in planning and inventorying land. Mr. Randy Feser expressed concern about dogs being let loose on city property to run birds off and the harassment of wildlife. Councilmember Jacobsen asked Mr. Feser if the dogs he had seen were on a leash. Mr. Feser said they were not. Councilmember Jacobsen said they relied on the citizens to report loose animals on city property to the Sherriff's department.

Mayor Knight asked for a vote on the motion; Councilmember Mickelson was in favor, Councilmember Whittaker was in favor, Councilmember Cook was in favor, Councilmember Hansen was in favor, and Councilmember Jacobsen was in favor.

The motion passed unanimously 5-0; with Councilmember Jacobsen, Councilmember Hansen, Councilmember Mickelson, Councilmember Cook, and Councilmember Whittaker all in favor.

Mayor Knight recognized, Mike Johnson, Millville's Mayor, who was present at the meeting.

### **Presentation of Canvas of the November 5, 2013 General Election**

Mr. Zook said the election results included the provisional ballots of which 14 were accepted. He also said there were no further absentee ballots received after the November 5 voting date. The other 5 provisional ballots were not accepted because the voters were not registered to vote. He projected the election results to the City Council and public present.

Councilmember Mickelson made a motion to accept the canvas of the 2013 general election. Councilmember Whittaker seconded the motion. The motion passed 5-0; with Councilmember Mickelson, Councilmember Whittaker, Councilmember Cook, Councilmember Hansen, and Councilmember Jacobsen all in favor.

Mr. Zook said final voter turn-out was 41%

### **Presentation by Cache County School District re Access to and Development of new High School**

Lance Henderson, with Cache Landmark Engineering, was present at the meeting. He introduced Mike Lichty, the assistant superintendent with the Cache County School district; Bruce Parker, Cache County School District Facilities Manager; the Design West consulting team comprised of Christian Wilson, Blake Wright, and Ken Cravin; and Joe Parrin, a traffic engineer, who had completed the traffic impact study for the new Millville high school.

Mr. Henderson projected the layout, design, and proposed site plan of the new school. He said it was a mimic of a school in Middleton and would house 1,640-2,000 students. He proposed they would access the school off of SR-165 and across the river across a bridge. He discussed the three accesses from Millville. Mr. Henderson displayed the proposed bridge. He said it would be a SATO/UDOT standard concrete bridge. He displayed the cross section (2-12 foot travel lanes; a 4 ft. bike lane on each side; and a 5.5 ft. sidewalk on each side) and the school connection at 2600 South in Nibley which he said would warrant a lighted signal at that intersection. He said the bridge was designed to last 50 years with a proposed concrete deck that could be asphalted over in the future. Mr. Henderson discussed the traffic impact study and said they had analyzed that if there was no school connection at 2600 then there would be two High T inter-sections along the Nibley portion of SR-165. All the kids from Nibley would have to go north to 3200 and then down to 550. Mr. Henderson gave the recommended connection; the connection at 2600 S. allowed for a full signalized intersection instead of two High T intersections.

Councilmember Jacobsen asked for the estimated cost to the school district to build the bridge. Mr. Henderson said they had projected \$1.2 million with \$1.5 budgeted including road improvements to SR-165. Councilmember Whittaker asked about long-term maintenance, flooding issues, and insurance for maintaining the bridge, and the cost of maintaining the bridge for taxpayers. Mr. Henderson said he had no information on insurance but said the bridge was set to be built for a 50 year life and said it would be mostly surface maintenance. Mr. Henderson said they were trying piggyback on all the river remodeling that had been done and would make sure there were no problems from a hydraulics standpoint. Councilmember Mickelson asked about restrictions on distances

between bridges. Mr. Henderson said they were currently 675 ft. apart from the Millville bridge but that he had not verified with Utah water rights. Councilmember Mickelson discussed if the road crossing the bridge would connect to Millville or just dump into the school. Mr. Henderson said it would connect to Millville as part of road master planning.

Councilmember Jacobsen asked if Mr. Henderson had estimated a 500 year high-water mark. Mr. Henderson said most good design guidelines were for 100 a year event and there were other design guidelines for a 500 years; he said they hadn't designed that guideline yet and the 100 year was down quite a bit but he felt they needed to do some more river modeling.

Councilmember Hansen asked about the retaining of the earth area around the bridge. He said the slope area on the east side was very steep. Mr. Henderson said they had looked at deep foundations and shallow foundations and they were currently at shallow foundations. He said the area they were considering was more gradual but he didn't have particulars at this point. Councilmember Hansen asked if the elevations on both sides of the river would be the same. Mr. Henderson said they would have to be. Councilmember Hansen asked if it was possible to fill the whole area. Mr. Henderson said it depended on how much fill dirt the buildings generated. Councilmember Hansen asked about possible a possible barrier between the sidewalk and bike lane; a material that would give a little more definition. Mr. Henderson said they would have to go back to roadway guidelines. Councilmember Hansen asked him to consider it. Mr. Parrin described the options they had considered for pedestrian access across the bridge. Mr. Henderson discussed the Nibley property that was restricted for recreational use. He said based on discussion with staff, that they had considered giving back the land along the river on the east side for recreational use to compensate.

Chris Peterson and Darin Frstrup, with UDOT arrived at the meeting at 7:18.

Councilmember Jacobsen asked if it was possible for Nibley City to have a review representative, equal to the school district's representative, involved in the engineering design phase and construction phase of the bridge. He wanted this person to be an active participant on the design standards and be an equal reviewer with enough clout to be on equal standing with the reviewer from the school district. Mr. Henderson said he did not see this as a problem and thought it would be fine. Councilmember Jacobsen asked if Mr. Henderson could speak for the school district. Mr. Henderson thought he could and Mike Lichty, representing the school district, said that would be alright. Councilmember Jacobsen asked Mr. Peterson if UDOT was still building High T intersections. Mr. Peterson said when the situation warranted.

Mr. Parrin discussed the recommendations of two High T's versus the full intersection at 2600 South. Councilmember Mickelson asked about the High T intersection at 3200 and described that buses and semi-trailers could not make the turn at the intersection at 3200. Mr. Peterson said ultimately they intended to make the intersection at 3200 a fully functioning intersection. He said he could work with Mr. Frstrup in making the current intersection accessible for large vehicles.

Mayor Knight discussed a letter that was sent to the school district from Nibley City and the City Council expressing their concerns. Mayor Knight thought they had addressed most of their concerns. Mayor Knight said if the City Council was alright with the proposal then they needed to address that with a motion or identify what the other options were.

Councilmember Whittaker asked how the district planned to compensate Nibley for the land to access the bridge and who would be responsible for the cost of the signal at 2600 South. Mr. Henderson said signalization was complicated and they could not go to UDOT until they had an agreement with Millville and Nibley with either the two High Ts or the intersection at 2600. Mr. Henderson said they would compensate Nibley with equal value of property on the east side of the river. Mr. Frstrup, the UDOT traffic operations engineer in region one, said they could not install a signal at an intersection until it met a signal warrant. Until it met warrants then they couldn't, by law, place a signal. If the traffic studies showed that a signal was warranted then they provided the above ground materials and the underground work, design, and construction would fall to the developer. Councilmember Mickelson thought they should consider the cost of the school and infrastructure and said they should negotiate based on the impact to the citizens who would pay for those facilities. He felt they could come to an agreement for use of school facilities and a three way split for the maintenance of the bridge. Mayor Knight asked Mr. Lichty if use of the facilities could be contracted into their agreement. Mr. Lichty felt that could be done and said he knew the school board's stance on that issue. Mayor Knight asked if they had provided for sufficient pedestrian access under the bridge. Mr. Henderson said they could look into that. Mayor Knight addressed bridge aesthetics and asked if Mr. Henderson had any idea where the school district stood on those issues. Mr. Henderson said there were a few things they could address but they were more interested in building something that was long lasting. Mayor Knight asked about the road footprint on the east side of the river. Mr. Henderson said there would be ample room and the school district had always taken responsibility to develop and landscape its own property. Councilmember Hansen asked if the school district had considered the placement of a monument for the school. Mr. Henderson discussed the proposed monument sites and said they were still in the design phase and was open to suggestions. Councilmember Hansen asked if it was necessary for ownership of the bridge to be transferred to Nibley City or if the school could retain ownership. Mr. Henderson said they could consider it but that this would probably lead to different design standards (width & sidewalk) with perhaps the elimination of a sidewalk and the bridge would be built strictly for traffic standards.

Councilmember Jacobsen said he was happy given the opportunity to be a reviewer on equal par with the school district reviewer both on the design and construction phases. Councilmember Mickelson asked for a formal agreement to be in place before this went ahead. Mr. Lichty said the school district would put a proposal together which they would forward to the Mayor and City Council. Mr. Henderson said thought they needed Memorandum of Understanding that could be drafted into a formal agreement. Mr. Henderson said they were "crunched"; they needed to open by Fall of 2016 and wanted to

start construction at the beginning of Spring. He said they needed the City Council to agree with the intersection at 2600, agree to certain bridge standards, land compensation, and recreational opportunities. Mr. Henderson said they needed to identify the intersection by December 12, 2013.

Councilmember Mickelson asked if they could address the intersection at 3200 in conjunction with the intersection at 2600. Mr. Peterson said this would be addressed as two separate issues. He said traffic studies would still be conducted and if it came to the conclusion that the increased use was from school use then the cost to upgrade would fall to the school district. Councilmember Cook asked about access to 3200 and Young Ward and College Ward students; she was concerned that a bus could not turn at the 3200 intersection. Mr. Parrin said the school district would look at routing plans once they knew what infrastructure was or would be in place.

Councilmember Whittaker said she still wanted to see the actual dollar amounts to install a traffic signal and for maintenance of the bridge. Mayor Knight said the school district and UDOT would cover the costs of installing the traffic signal and that maintenance of the bridge would be surface maintenance for X number of years. Mr. Frstrup reiterated that the cost would fall to the school district.

Mayor Johnson discussed the traffic impacts to Millville. He discussed the Millville bridge that had washed out two years ago and Millville's desire for a light at 2300 South. He said they looked at the numbers and saw that they would have 500 kids coming out of Nibley and felt the Millville residents would use the bridge at 2600 minimally and felt it wasn't in their interest to put money into the new bridge. Mayor Johnson said the access needed to be at 2600 South. Councilmember Hansen asked how Mayor Johnson felt about trail access at the bridge and river. Mayor Johnson thought it would be great but would not commit to contributing to it.

**Discussion and Consideration of Ordinance 13-05: An Ordinance Combining the Nibley City Tree Board with the Nibley City Beautification Committee (Second Reading)**

Mayor Knight read Ordinance 13-05.

He described that the committee would consist of seven voting members and two non-voting; with non-voting members consisting of one member of the Nibley City Council and one member of the Nibley City Planning & Zoning Commission

Councilmember Hansen made a motion to approve Ordinance 13-05: An Ordinance Combining the Nibley City Tree Board with the Nibley City Beautification Committee. Councilmember Mickelson seconded the motion.

Councilmember Mickelson asked if the ordinance clearly spelled out that the committee had no enforcement or policy making duties. Mayor Knight said it was stated to be an advisory committee.



Councilmember Whittaker stated her understanding of the past beautification committee and asked if they truly needed a beautification committee if they hadn't had a functioning committee in the past. She also expressed her concerns with the committee soliciting grants and other forms of funding. She said it made her nervous when she looked at all of the government funding regulations. Mayor Knight addressed Councilmember Whittaker concerns. The City Planner said there was a staff member designated to work with these committees specifically for the purpose of overseeing grants, funds, and donations and all funds went through the city. Mr. Hellstern said any funds collected, by either committee, is immediately turned over to the City Manager.

Mayor Knight recommended the City Council amend the voting members to ten. Mr. Hellstern explained his request for 10 voting members. Mayor Knight also asked the City Council to amend the make the City Council and Planning & Zoning Commission members to voting members.

Councilmember Jacobsen thought they were showing the wrong set of priorities. He was strongly in favor of the tree board. He said he had rewritten the ordinance and had changed the emphasis from the Nibley City Beautifications committee to the Nibley City Tree Board with accompanying emphasis changes on the duties of those committees. Mayor Knight described his experiences as a member of the tree board. Mayor Knight said the proposed committee would function well with Ron Hellstern as Chair of the committee. He also noted that both committees were spelled out in Nibley's General Plan. Councilmember Jacobsen said the Tree Board was practical to him but he was unable to define what beautiful was. He discussed items from the past Tree Board Ordinance that were not in place in the proposed ordinance; he said he did not want to get rid of those things. Mayor Knight said if those were not still in the proposed ordinance then that was a mistake. Mr. Hellstern said his first inclination was to have the beautification committee as a sub-set of the tree board because the Tree Board was established nationally; he said they needed to maintain the tree board ordinance and it's structure. Councilmember Jacobsen felt he had the solution in his rewritten ordinance but also felt they needed to add the other elements that were missing from the Tree Board Ordinance.

Mayor Knight recommended the Council continue this discussion after Councilmember Jacobsen had forward his edited ordinance to City Council and staff and to get Ron Hellstern's input and recommendations.

Councilmember Jacobsen made a motion to postpone Ordinance 13-05: An Ordinance Combining the Nibley City Tree Board with the Nibley City Beautification Committee until December 19, 2013 in order the consider the ordinance re-write, hear from Ron Hellstern, and bring in additional sections of the Tree Board Ordinance. Councilmember Whittaker seconded the motion. The motion passed unanimously 5-0; with Councilmember Jacobsen, Councilmember Whittaker, Councilmember Mickelson, Councilmember Cook, and Councilmember Hansen all in favor.

### **Consideration of Appointments to the Nibley City Beautification Committee**

This consideration was put off until the December 19, 2013 meeting. Councilmember Cook requested Mayor Knight send his recommendations to this Committee before the meeting on December 19, 2013.

### **Consideration of Appointment of Council Liaison to Community Covenant Program**

Mayor Knight asked Councilmember Whittaker to take on the responsibilities of Community Covenant liaison. Mayor Knight said he would like to appoint Councilmember Whittaker as the Council Liaison to the Community Covenant. Councilmember Whittaker requested a list of the duties that the appointment would entail. Mayor Knight suggested Councilmember Whittaker contact Shawn Platt and Mr. Zook said he had a few items about the program that he would share with her. Mayor Knight also suggest Councilmember Whittaker write her own job description based on the information she gained from the contact point at the Community Covenant.

Councilmember Cook made a motion to give consent to the appointment of Councilmember Whittaker as Community Covenant Liaison. Councilmember Mickelson seconded the motion. The motion passed unanimously 5-0; with Councilmember Cook, Councilmember Mickelson, Councilmember Jacobsen, Councilmember Hansen, and Councilmember Whittaker all in favor.

### **Consideration of Appointment of City Treasurer; Resolution 13-11**

Mr. Stephen Nelson was present at the meeting. Mayor Knight described the responsibilities of a City treasurer. He said this position was required by State Law and that Stephen Nelson had been filling this position since the resignation of the former City Treasurer two months ago. Mayor Knight said he would like to appoint Stephen Nelson, introduced Mr. Nelson to the City Council, and reviewed his recommendations from his current employer. Councilmember Cook asked for the job description that would go along with this position and asked what it would entail. Mr. Zook said he could get this for the City Council. Mayor Knight said they would postpone this decision until the end of the meeting.

Councilmember Whittaker referred to Utah Code 10-6 section 141, 142, 143, and 145 and asked if Mr. Nelson understood the Uniform Fiscal Procedures Act and the Utah Money Management Act to be able to utilize Nibley city funds according to those regulations. Mr. Nelson said he had not read those acts but had undergone training with financial advisors and software accountants that did their training for cash receiving. He said he had also gone over the position and duties as listed in the manual provided by the League of Cities and Towns. Councilmember Whittaker asked if Mr. Nelson was familiar with GAAP standards. Mr. Nelson said he was not. Councilmember Whittaker stated how she felt the treasurer position would require some accounting understanding in order to work with millions of dollars in funds. Mr. Zook described the treasurer functions Mr. Nelson would be completing and said he wouldn't be doing any of the accounting procedures. Councilmember Whittaker wanted to ensure that she did her due diligence and ensure that the city treasurer was trained in correct accounting principles. Mr. Zook agreed with Councilmember Whittaker and said they had already started this process. He felt Mr.

Nelson was more qualified than most other city treasurers he had been in contact with in the valley. Councilmember Cook and Mr. Zook discussed the checks and balances performed by the city treasurer. Councilmember Cook also felt their treasurer should have work in the field and have at least three years experience in administering checks and balances. Councilmember Mickelson felt they should move ahead and let Mr. Nelson learn the training he needed. Councilmember Hansen asked if Mr. Nelson had taken any accounting classes. Mr. Nelson said he had not. Councilmember Hansen asked if the City Council would pay for Mr. Nelson to take an accounting class. Mr. Zook said they had money budgeted for training purposes and felt they could help Mr. Nelson get the accounting education.

Corlyss Drinkard asked about bonding requirements. Mr. Zook addressed the bonding requirements for the city treasurer.

### **Presentation by Cache County regarding the Blacksmith Fork River Project Update/Debris Basin**

Mr. Josh Ruhnhar, the Cache County Planner and lead on the Blacksmith Fork River restoration project, was present at the meeting. Mr. Zook said the site for the river debris basin had currently been designated and that Mr. Ruhnhar would address this issue.

Mr. Ruhnhar had a PowerPoint presentation for the City Council and public present. He discussed a solution timeline, project background and comparisons, the alternatives (no action, improve channel capacity, or build a debris basin). He discussed the plans to improve channel capacity and a debris basin. Mr. Ruhnhar displayed restored river banks that would be re-vegetated with seed mix and pole planting. Mr. Ruhnhar said the debris basin was intended to capture debris and would keep debris out of the channel and lend to more predictable flood repair but would require property. Mr. Ruhnhar discussed the criteria for land considered for a debris basin. He discussed funding for the debris basin which would consist of 75% from the NRCS and 25% from Nibley, Millville, Logan and the County. He said Nibley City was cash positive on match. He discussed long term maintenance plan for the debris basin. Mr. Ruhnhar discussed the steps needed to purchase property in the proposed debris basin from Utah State University.

Councilmember Jacobsen asked about re-vegetation of the face of the river. He requested to have Mr. Ruhnhar come back and address the re-vegetation of the river more extensively. He said re-vegetation would include shrubs and pole planting. He suggested coming back on January when they had a full plan.

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Councilmember Mickelson made a motion to adopt Resolution 13-11: A Resolution Appointing Stephen Nelson as Nibley City Treasurer. Councilmember Hansen seconded the motion.

Councilmember Cook read the job description requirements of the City Treasurer. She said they would all require some sort of accounting background. Councilmember Whittaker asked if it would put undue hardship on Mr. Nelson to acquire the accounting

background. Councilmember Whittaker said she would accept this Resolution only if the city were willing to commit to sending Mr. Nelson to accounting classes. Mayor Knight said it was city and City Council policy to provide the proper training to employees which was clear because there was money set aside for this purpose in the Nibley City's budget. Councilmember Jacobsen asked Mr. Zook if the night's discussion had changed his recommendation of Mr. Nelson. Mr. Zook said it had not.

Councilmember Jacobsen stated he was in favor of the motion; Councilmember Hansen stated he was in favor of the motion; Councilmember Cook stated she was opposed to the motion; Councilmember Whittaker stated she was in favor of the motion; and Councilmember Mickelson stated he was in favor of the motion.

The motion passed 4-1; with Councilmember Jacobsen, Councilmember Hansen, Councilmember Whittaker, and Councilmember Mickelson in favor. Councilmember Cook was opposed.

### **Council Reports**

Councilmember Mickelson expressed his concerns with Millville City and the use of the proposed bridge to the school. He felt there should be some accountability to Millville. He suggested a 2/3 (school district) to 1/3 (Nibley/Millville based on population) split. He felt they should push for use of the school district facilities. Mayor Knight said the school district and Millville had expressed that bridge maintenance was a deal breaker and that Nibley City would end up with two High T intersections without the bridge. Councilmember Mickelson felt Mayor Knight was not negotiations hard enough. Councilmember Jacobsen said they needed to make sure the bridge was built right and was a fifty year bridge. Mr. Zook suggested they have a UDOT bridge engineer review the bridge plans. Dave Davenport discussed the ownership of the bridge and maintenance costs. He said it would behoove Nibley to know the costs of owning and maintaining a bridge.

Councilmember Whittaker thanked citizen, Allan Cook, for the opportunity to research transparency and public accessibility to the city budget. She relayed the information she had found in SB38, website [www.Utah.gov/transparency](http://www.Utah.gov/transparency), and the Utah Public Meeting notice.

Councilmember Cook asked for an update on references to hazardous materials on the newly purchased park land. Mayor Knight updated her and said it was a misread abbreviation.

Councilmember Cook reported on the Nibley City Holiday Open House being held December 7 at Little Wonders from 1:00-3:00 p.m.

Councilmember Hansen asked about a Historic Preservation Ordinance. Mayor Knight directed him to Nibley's historian, Richard Leishman.

Councilmember Jacobsen reported on the Nibley Youth Councils reactions to the “Youth Unplugged” program. He also reported on the Youth Council’s reaction to the new park property and said they had expressed interest in a disk golf course.

Mayor Knight said Malia Roundy and Jill Galloway had committed to next year’s Heritage Days. Mayor-Elect Shawn Dustin said the committee chairs wanted to change the dates for Heritage Days due to conflicts with RAGNAR and Summer-Fest. Mayor Knight said the co-chairs would bring a proposal to the City Council which would require a Resolution change.

### **Staff Reports**

Mr. Zook reported on the annual employee appreciation dinner being held December 5 at City Hall.

Mr. Zook reported on the distribution of turkeys to Nibley employees on Monday, November 25 from 4:30-5:00 p.m.

Mr. Zook informed the City Council of League of Cities and Towns training that was available to newly elected officials. Councilmember Jacobsen expressed interest in going.

Mr. Zook reported on the information he had updated on the Nibley City website.

The meeting was adjourned at 10:03 p.m.