

The Meeting of the Nibley City Council held at Nibley City Hall, 455 W. 3200 S. Nibley, Utah, on Thursday, May 15, 2014.

The following actions were made during the meeting:

Councilmember Whittaker motioned to approve the Interlocal Agreement between Nibley City and the Cache County School District Regarding Access to and Development of a new High School. Councilmember Hansen seconded the motion. The motion passed unanimously 5-0; with Councilmember Whittaker, Councilmember Hansen, Councilmember Jacobsen, Councilmember Cook, and Councilmember Beus all in favor.

OFFICIAL MINUTES OF THE MEETING

Minutes were taken by Assistant City Recorder Cheryl Bodily

Mayor Shaun Dustin called the Thursday, May 15, 2014 Nibley City Council meeting to order at 6:35 p.m. Those in attendance included Mayor Shaun Dustin, Councilmember Carrie Cook, Councilmember Kathryn Beus, Councilmember Larry Jacobsen, Councilmember Amber Whitaker, and Councilmember Bryan Hansen. Mr. David Zook, the City Manager, was also in attendance.

Call to order; approval of agenda; and approval of the April 17, 2014 meeting minutes

Councilmember Jacobsen made a motion to approve the 4-17-14 minutes and the agenda as proposed. Councilmember Hansen seconded the motion. The motion passed unanimously 5-0; with Councilmember Jacobsen, Councilmember Hansen, Councilmember Cook, Councilmember Whittaker, and Councilmember Beus all in favor.

Reports from Nibley Royalty

Miss Nibley 1st attendant, Miss Kami Winward was present at the meeting. She summarized the service she had been doing associated with raising awareness and funds for “The Beginning” monument.

Elisabeth Sweeten, Jr. Miss Nibley said she helped the Nibley Children’s Theatre move and organize their costumes and props at a new location.

Lindsay Rigby, Nibley Sweetheart discussed how she had collected food for the food pantry.

Layla Dustin discussed how she had organized a clothing drive for donation.

Trudy Knight was also present at the meeting. She thanked the City Council for their support. She asked that that City Council allow Miss Nibley to give her presentations when she arrived.

Public Hearing—A public hearing to receive comment concerning a grant application to the Permanent Community Impact Board for funding to support a General Plan Update

Mayor Dustin said a public hearing was a requirement of the grant.

Mr. Zook discussed other grants that Nibley had recently applied for that required a public hearing. Mr. Zook said Nibley had \$30,000 budgeted for the General Plan update. They were asking the Community Impact Board for \$10,000 which they were required to match. He said they had also asking the Cache Metropolitan Planning Organization for \$10,000 which they had already been granted.

Mayor Dustin gave direction to the public present and opened the public hearing at 6:41.

Ilene Sheil asked when the general plan was last updated? Mayor Dustin said the plan was last updated in 2007.

Barbara Wilden ask for the purpose of the General Plan and asked what it did? Mayor Dustin said the purpose of the general plan was to give the city direction and established their priorities. Mrs. Wilden asked about the process for updating the general plan. Mayor Dustin addressed the question. Mrs. Wilden asked if the update involved all the city departments. Councilmember Hansen said they encouraged everyone, including residents, to be involved. Mrs. Wilden said she could see that it would need to be updated regularly because of the growth in the city. Councilmember Cook said this was the one opportunity the citizens had to give their input on what they would like the city to look like. Councilmember Jacobsen encouraged the public to go to the city website and look at the current General Plan. Mayor Dustin said they always seemed to get great ideas from the community.

Mr. Zook said he, Commissioner Davenport, and Miss Phippen had been to a meeting that provided training regarding updating a general plan and discussed what they had learned. He noted that they had been trained on how they could involve the public.

Seeing no further comment, Mayor Dustin closed the public hearing at 6:49.

Councilmember Jacobsen discussed the process of updating the General Plan and how the public was involved on the last plan update particularly noting the use of charettes. He noted that the General Plan was not ordinance; that is was a plan from which the City Council made ordinances. Councilmember Beus asked about the process of updating the general plan which the City Council discussed and Councilmember Hansen noted that it generally took 6 months to a year to complete a plan update. The City Council discussed funding the general plan update.

Katelyn Fraiser, Miss Nibley 2013 arrived and said she choreographed and taught the opening number dances for the Little Miss Nibley Princesses and Miss Nibley pageants. She thanked the City Council for the scholarship she had received.

Discussion and Consideration of an Interlocal Agreement between Nibley City and the Cache County School District Regarding Access to and Development of a new High School

Mr. Zook projected the interlocal agreement for the City Council and public present. He summarized the previous changes and discussions that had taken place. Mr. Zook discussed new items; he said they had left out paragraph L. about the city using the school district property for recreational uses. He read the newly added paragraph:

L. The District supports the use of school facilities for other public uses. The District will support the establishment of a shared recreation facility, similar to those at Sky View High School, if the City desires to establish such a facility and dependent upon establishment of a shared maintenance agreement for such a facility. In the interim, the District will provide access to indoor and outdoor facilities in accordance with existing policy. Refer to the attached policy #I-F1 (page 2 of 7 paragraph c and d, page 3 of 7 paragraph f, and page 4 of 7 section Procedures and General Information) for details.

He said the CCSD was alright with this paragraph and language. Mr. Zook said the CCSD had gotten the opinion of another attorney and showed the suggested changes from their alternate legal counsel. Mr. Zook read those changes:

3.b. The City shall grant the District a construction easement on the Road and contiguous to the Road on the North and South sides sufficient to build the Road, Improvements, Bridge, and Intersection, including stockpiling of materials and storage of equipment as reasonably necessary to facilitate construction.

3.c. The City shall dedicate the roadway and bridge land referenced in Paragraph 2.h as a public road.

Mr. Zook said the CCSD school board was meeting at this time and should approve the agreement. He suggested the City Council go ahead and approve the agreement. He had told the Superintendent that he was going to suggest the City Council to approve the agreement and should tell the Board that was their intent and not to make any changes. Mr. Zook said he hoped the Cache County School Board was also accepting the agreement as presented.

Mr. Zook discussed the work that had already started on Nibley property. Mr. Zook said they had applied for a \$200,000 grant to help with construction of the intersection at 2600 S. He said he had received written notification that they had preliminary approval. Mr. Zook said he had met with Stokes Nature center about the need for a piece of their property to extend the roadway. Mr. Zook said it was a very positive meeting but they would legally need to compensate them for their property. Mr. Zook said the Stokes Nature Center representatives were asking for a partnership. He said they were asking for a sewer and waterline connection.

Councilmember Whittaker thanked city staff for the help given in developing the interlocal agreement and that this was the best case scenario as far as the fact that they were going to own a bridge because there was going to be a high school. Mr. Zook said he had spoken with UDOT about the bridge and the construction and engineering of the bridge. He said they had an off-system bridge program where they provide technical assistance to other agencies who have bridges that were off of their UDOT system. He said they had offered to do this at no cost.

Councilmember Whittaker made a motion to approve the Interlocal Agreement between Nibley City and the Cache County School District Regarding Access to and Development of a new High School. Councilmember Hansen seconded the motion.

Councilmember Jacobsen asked if they knew where the traffic study lay in regard to acceptance by UDOT? Mayor Dustin relayed conversations held with Chris Petersen, a representative of UDOT. Councilmember Jacobsen discussed paragraph A. and the subject of any betterment or upgrades other than those required by the school district traffic study and the obligation to Nibley City to pay for them. He was concerned that the school district had paid for the traffic study and might minimize what that traffic study said needed to be done. Mr. Zook addressed Councilmember Jacobsen and said the discussion with Stokes Nature Center was directly related to this. He discussed traffic patterns and roadways. Councilmember Jacobsen and Mr. Zook discussed the school's impact on the 3200 South intersection. Mr. Zook discussed a grant that would provide safe routes to school and said he had applied for this grant from UDOT.

Councilmember Whittaker asked about section 2 and a shared maintenance agreement. She requested a copy of appendix Policy I.F.1. Mr. Zook said he would provide a copy of that policy. Mr. Zook said it was typically the policy to make any excess capacity available to the community. The school district had a policy that said they could do this

Councilmember Beus asked for clarification on the timeline for the completion of the intersection at 2600 South. It was discussed that the intersection would be completed before the new school opened.

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

Presentation of the Preliminary Fiscal Year 14/15 Budget

Mayor Dustin discussed the meetings (3) that would be held in the process of approving the budget. Mayor Dustin asked the Councilmember's to note their questions, but that this would not be a discussion. Mayor Dustin read a letter addressed to Nibley citizens that he had sent and had posted to the city website and included in the Nibley Newsletter:

Budget Time

“I might as well be straight with you—I didn’t used to like budgets. They tied my hands, they meant I couldn’t get what I wanted when I wanted it, they meant I had to control myself. But I’ll be straight with you--I love budgets. They give me freedom of action within the bounds they set, they get me what I need when I need it, and they keep me responsible and accountable.

It’s budget time for the City. This is the most important thing we do as your representatives, and we want to do it right. The process will run for at least 3 City Council meetings, starting on May 15, then on June 5 and either June 12 or 19. Please come out and see where we are spending your money. There’s a public hearing on June 5, and I’d love to see you there. Most of it is not very exciting stuff, but there are a few initiatives and projects that I want the City to know about:

1) Council compensation. I put this one right out front. I expect a lot out of myself and out of the Council. None of us is going to get rich doing this, but I want to make sure that people who want to serve are fairly compensated for the time they put in. Council pay has been frozen since at least 2008. I really don’t know the best way to set the amount but you’ve got to start somewhere so I am proposing that the Council pay be set as the average of the compensation of Council members from Hyrum, Providence, North Logan, and Smithfield—that’s \$889/mo for the Mayor, and \$412/mo for the Council. I’m also proposing that the Council and Mayor pay be tied to the same Cost of Living Allowance increase given to City employees. My hope is that this will 1) bring the compensation up to a point where it’s appropriate and 2) remove the need for future big adjustments like this. The current pay is \$600 for the mayor and \$300 for council.

2) Communications: We are increasingly reliant on electronic communications. All of our meeting materials are delivered electronically, and I believe that we should be accessible to you. I am proposing that the Mayor and Council be eligible for the existing City communications stipend—they don’t have to accept it, but if the stipend is accepted, they will be able to use the funds for equipment or voice/data plans. The Councilmember will be assigned a Nibley City email address and the mobile phone # associated with the stipend will be published on the City web site. The City will not provide electronic equipment under this policy, but the stipend can be used for equipment and service with any cellular provider.

3) River Repair: We have completed most of the work on the Blacksmith Fork River and only have one project left, pending permit approval.

4) Sidewalks: Finish sidewalk on 2600 from Church to SR 165 and east side of 165

5) 3200 South and SR 165: Funding grant to redesign the intersection

6) Recycling site upgrade: Relocating the current recycling/green waste area by City Hall

7) Planning and Zoning salaries: These also haven’t changed in at least 6 years, probably longer. They are currently set at \$25/meeting. The proposed increase is to \$50/meeting which more accurately reflects the level of preparation and effort that goes into the work.

8) Nibley Park Swamp: Project to dry out the wet spot by the volleyball court. This will break the hearts of lots of muddy kids and mosquito families. kids: I’m sorry. Mosquitoes: Not sorry at all.

9) Fair Booth: Every year dedicated volunteers put together a display representing Nibley in the Fair. Interest has declined, and we don't have any volunteers to carry on with it. Sadly, we are eliminating this from the budget. If you would like to be the go-to person to keep this alive, let us know (david@nibleycity.com) and we will put it back in.

10) Planning Studies: It's time to update our General Plan, the plan that tells us what we want to become. Be ready to come out and let us know where you think Nibley ought to go in the future. We will be having several public meetings to gather input.

11) Well Construction: Building a new well to help maintain water service

12) South End Sewer Study: We are working with Providence and Hyrum to see what our options really are for wastewater treatment. Logan is still not willing to discuss shared ownership and control, and we want more for our \$ than a rental agreement. Those are the highlights (and lowlights). Don't blame your Councilmembers or Planning Commissioners for the proposed increases. This was my idea, and if it's not the right thing to do, I deserve the blame. That said, I ask a lot of them and of myself and all things considered, I think it's fair. We could look at other methods of determining the amount, but I think it needs to happen and I'd appreciate your support. See you at Heritage Days!"

Mayor Dustin then read the budget message which was included in the proposed budget packet.

Mrs. Diane Marvin, Nibley City Accounting Clerk, was present at the meeting. Mr. Zook gave a brief overview of the entire budget book. Mr. Zook discussed pie charts of the Nibley City Budget for 2015 and General fund allotments from 2015. He then discussed bar charts referring to fiscal year 2008 through 2015 that referred to general fund expenditures, water fund expenses, and sewer fund expenses over time. Mr. Zook reviewed building permit activity for fiscal years 2008 through 2015. Next, Mr. Zook directed the City Council to the glossary which was a summary of notes recognizing specific line items in the budget. Mr. Zook discussed the overall fund revenues summary of twelve separate budgets. He summarized each of the following budgets in the general fund budget of revenues and expenditures: general fund summary expenditures; Mayor and City Council; court; administration; elections; public works; non-departmental detail; public safety; and streets.

The meeting recessed at 8:56 and resumed at 9:06.

Mr. Zook continued the general fund budget discussion of the following departments: sanitation; shop detail; Planning & Zoning Commission; recreation; parks; library; and community development.

Mr. Zook summarized the remained eleven (11) city budgets: Municipal Building Authority; First Responder fund; capital projects fund; water utility operations fund with a detailed breakdown; sewer utility operations fund with an accompanying detail breakdown; and the storm drain utility operations fund with the accompanying breakdown.

Mr. Zook summarized the city impact fee funds which included; the water impact, park impact, sewer impact, storm water impact, and road impact fees. Mr. Zook updated the City Council on negotiations and discussions regarding litigation with the canal company. Mr. Zook asked the City Council to thorough read through the glossary at the end of the proposed budget.

Mayor Dustin discussed his proposed monetary increase to the City Council and Planning & Zoning Commission members. He said his proposed increase was approximately .02% of the annual meeting budget and discussed the functions and importance of the City Council. He said he felt it was the right thing to do. Councilmember Whittaker discussed the CPI index data regarding the 2006 pay increase versus the Mayor's proposed increase. She said she was providing a service to the city and didn't expect an increase. She felt an increase in line with the CPI index was more appropriate. Councilmember Whittaker discussed Mayor Dustin comparisons with Hyrum, No. Logan, and Smithfield, and felt Nibley was contracting out for most of the services those cities were providing. Mayor Dustin discussed "Plato's Republic".

Because there was no further information to discuss, Mayor Dustin requested that the City Council delete item 7 (Discussion of Pending Litigation Pursuant to Utah Code 52-4-205) from the agenda. There was no objection from the City Council.

Councilmember Hansen asked that Mr. Zook address his pay increase very specifically in the next budget discussion because of the interest that had been shown by the public. Mr. Zook said it would be very specifically addressed and spelled out in an ordinance for all of the elected and appointed officials salary changes, should they be approved.

Council and Staff Reports

Mayor Dustin discussed the rules of what could and should not be discussed during staff reports and should be made a specific agenda item.

Councilman Hansen asked for an update on the Public Works Director position. Mr. Zook said they would start advertising next week. Mr. Zook said they were planning to honor Mr. Saunders with an open house for Mr. Saunders.

Councilmember Hansen reported on the Scarecrow Festival; Friday, September 5 through Monday, September 8.

Councilmember Whittaker asked for an update on the "Youth Unplugged" program.

Councilmember Whittaker reported on a resident who had complaints about activities in Heritage Park. Mr. Zook said city staff was looking into solutions.

Councilmember Whittaker said she had received the names of three Nibley Veterans.

Councilmember Whittaker reported on the Nibley Heritage Days Mayor's Dinner.

Councilmember Jacobsen expressed appreciation to city staff for their assistance with the wildlife photography competition.

Councilmember Beus reported on the Nibley Business Breakfast. She said participation was sparse. She summarized the presentation given by Councilmember Hansen. Councilmember Beus suggested showcasing more of what Nibley businesses had to offer in Nibley. She suggested a small write up in the Nibley Newsletter each month. She suggested the city office could display but not sell the showcased businesses items for the month at city hall. Councilmember Jacobsen and Councilmember Beus discussed if Nibley welcomed home-based business. The City Council agreed that Councilmember Beus should move forward with her suggestions.

Mayor Dustin reported on a waste water meeting being held on May 28 in Salt Lake City.

Mayor Dustin said he had approached Gerald Knight about serving as Nibley Citizen of the Year and Bill Saunders on serving as Grand Marshal.

Seeing no objections from the City Council, Mayor Dustin adjourned the meeting at 10:25 p.m.