

The Meeting of the Nibley City Council held at Nibley City Hall, 455 W. 3200 S. Nibley, Utah, on Thursday, January 16, 2014.

The following actions were made during the meeting:

Councilmember Hansen motioned to approve the appointment of Mark Lawver to the Planning & Zoning Commission. Councilmember Beus seconded the motion. The motion passed unanimously 5-0; with Councilmember Hansen, Councilmember Beus, Councilmember Cook, Councilmember Whittaker, and Councilmember Jacobsen all in favor.

Councilmember Jacobsen motioned to continue discussion and consideration of Consideration of Resolution 13-12—A Resolution Amending the Fee Structure for the Rental of Nibley City Facilities until the next City Council meeting. Councilmember Whittaker seconded the motion. The motion passed unanimously 5-0; with Councilmember Jacobsen, Councilmember Whittaker, Councilmember Beus, Councilmember Cook, and Councilmember Hansen all in favor.

OFFICIAL MINUTES OF THE MEETING

Minutes were taken by Assistant City Recorder Cheryl Bodily

Mayor Shaun Dustin called the Thursday, January 16, 2014 Nibley City Council meeting to order at 6:35 p.m.

Mayor Dustin read a quote from Alexander McCall Smith.

Those in attendance included Mayor Shaun Dustin, Councilmember Carrie Cook, Councilmember Larry Jacobsen, Councilmember Bryan Hansen, Councilmember Amber Whitaker, and Councilmember Kathryn Beus. Mr. David Zook, the City Manager, and Bill Saunders, the Public Works Director, were also in attendance.

Call to order; approval of agenda; and approval of the January 2, 2014 meeting minutes

Councilmember Jacobsen made a motion to approve the 1-2-14 minutes and the evening's agenda. 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.

Recognition Ceremony for Outgoing Mayor Gerald K. Knight

Mayor Dustin expressed his personal appreciation of Mayor Knight. Councilmember Whittaker, Councilmember Beus, Councilmember Cook, Councilmember Hansen, and Councilmember Jacobsen expressed their thoughts and appreciation of Mayor Knight.

Mayor Dustin presented a mounted gavel to Mayor Knight.

Mayor Knight expressed parting thoughts.

Mayor Dustin expressed his thanks to Trudy Knight.

Statement of Priorities by Mayor Shaun Dustin

Mayor Dustin said this was in a state of flux and asked the City Council if he could table this item for a couple of weeks. He told the Council they needed to focus on items such as the sewer, 3200 S., connectivity in the city, and improving the community feel.

Discussion and Consideration of Re-appointment of Mark Lawver to the Planning and Zoning Commission

Councilman Dustin asked for the advice and consent from the City Council on the re-appointment of Mark Lawver to the Planning & Zoning Commission.

Councilmember Hansen made a motion to approve the appointment of Mark Lawver to the Planning & Zoning Commission. Councilmember Beus seconded the motion.

Councilmember Hansen asked for input from Councilmember Beus' about Mr. Lawver. Councilmember Beus said she admired Mark; she said she liked his point of view. She said he was level head and weighed the issues very carefully. Councilmember Beus said Mr. Lawver enhances and enriched the Planning & Zoning Commission.

Mr. Zook said this was a five year term of appointment for Mr. Lawver. Councilmember Jacobsen asked if they also needed to fill the vacancy left by Councilmember Beus. Councilmember Jacobsen asked if they had asked Mr. Lawver if he would like to serve. Mayor Dustin said he had discussed this with him. He said he had been very impressed in observing Mr. Lawver's work.

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

Discussion and Consideration of Resolution 13-12—A Resolution Amending the Fee Structure for the Rental of Nibley City Facilities (Second Reading)

Mr. Zook summarized the presentation given at the first reading of Resolution 13-12. He said they did this to improve customer service at the front desk. He said the top three reasons residents came in to the city was for utility billing, court fines, and reserving city facilities. He discussed the software platform that would host the reservation platform. Mr. Zook discussed the current fee structure and expressed that it was too complicated; the software platform they were using couldn't handle the complexities of their fees. He showed the new proposed fee structure for small gatherings, large gathering, and businesses, clubs, and public meetings. Mr. Zook addressed eliminating the non-resident fee. Mr. Zook also discussed a suggested \$200 refundable deposit for use of the audio/visual equipment and an added a fee for its use. Mr. Zook displayed the current rental application and fee schedule.

The City Council, Mayor Dustin, and Mr. Zook discussed recurring meetings. Councilmember Whittaker asked if they had looked into a value based, per hour, fee structure. Mr. Zook said they had and expressed his reservation with that structure. Councilmember Hansen asked about double bookings and use of the conference room. Mr. Zook said they have offered the conference room to some meetings such as the Youth Council or Tree Board. Councilmember Hansen suggested they use the funds made from renting the building to improve the building. He suggested a piano or perhaps updating the back of the building with a nature park or walk. Councilmember Beus expressed her concern that the fee structure would exclude some Nibley groups because they had food, using the Daughters of the Utah Pioneers as an example. Councilmember Whittaker suggested that they should classify a public meeting as educational, cultural, or civic then they would be free. She thought they would have a difficult time determining whether or not the meeting qualified as free. Councilmember Whittaker thought a person could classify anything they were doing as a club.

The City Council, Mayor, and Mr. Zook discussed recurring use of the building. Councilmember Hansen suggested that any application would be subject to city staff.

Councilmember Whittaker suggested they remove “business” and “club” from the definition of a small gathering and that those individuals would need to contact city staff to make a reservation. Councilmember Beus also suggested they remove “recurring” from the small gathering definition and to also have them contact city staff. Mayor Dustin asked the City Council to give prioritization direction to city staff. Mr. Zook and the City Council discussed a first-come first-served policy. Councilmember Jacobsen felt they needed to remove all references to businesses or club from the document. Mr. Zook added a definition to the fee structure document:

Business, Club, or Recurring Meeting = contact City Staff for review.

Mr. Zook also removed all other references to businesses or clubs from the document. Mr. Zook and the City Council discussed city staff’s enforcement of the proposed fee structure. Mr. Zook said their interpretation was that the priorities go to Nibley residents and family use and that other organizations would be secondary. The City Council agreed with his interpretation.

Ron Helstern suggested they needed to include a qualifying statement that would show the group was providing a service to the community. He suggested “providing a free service to the community based on educational, cultural, and civic”

Mayor Dustin asked if the City Council was prepared to act tonight. Councilmember Jacobsen said he would need to see qualifying statements before he would be willing to act. Mr. Zook asked for the consensus of the City Council on the resident vs. non-resident fee. The consensus of the City Council was to keep the residential and non-residential fee. The City Council asked city staff to rework the definition of small gathering, large gathering, public meeting, and a qualifying statement pertaining to business, clubs, and

public meetings. It was the consensus of the City Council to leave the \$200 deposit for audio/visual equipment. It was the consensus of the City Council to charge a \$25 fee for use of the audio/visual equipment. Mr. Zook asked for direction on the qualifying statement on businesses, clubs, and recurring meetings. Councilmember Jacobsen said he felt they would like to know how the club contributed to the common good. Mr. Zook said he would try to have a determining statement that would quantify impact. He would like a determining statement that would put the group in to one of the three categories. Councilman Dustin asked if the City Council would consider classifying large versus small groups on if they could use one section of the building or both sections of the building. Steven Nelson, City Treasurer, said with two groups there would be a potential conflict with the tables, chairs, and use of provided equipment.

Councilmember Jacobsen asked if the \$5,000 revenue that came in from use of the building was gross revenue. Mr. Zook said that was gross revenue coming in. Councilmember Hansen said he would like to have a location on the website for Nibley residents to see the groups, business, clubs, and recurring events that they could attend.

Councilmember Jacobsen made a motion to continue discussion and consideration of Consideration of Resolution 13-12—A Resolution Amending the Fee Structure for the Rental of Nibley City Facilities until the next City Council meeting. Councilmember Whittaker seconded the motion. The motion passed unanimously 5-0; with Councilmember Jacobsen, Councilmember Whittaker, Councilmember Beus, Councilmember Cook, and Councilmember Hansen all in favor.

Council and Staff Reports

Councilmember Whittaker apologized for missing the past two meetings and discussed her health.

Councilmember Whittaker asked for input from any Councilmember who might have attended the Youth Unplugged meeting. Councilmember Hansen said he had attended the meeting.

Councilmember Cook said the manager of Maverick was very interested and anticipated in participating in Heritage Days but that Nibley would need to contact Maverick sooner so that they could go through their corporate process. She said she had already given this information to the Heritage Days chair people.

Councilmember Hansen discussed the Youth Unplugged meeting. Councilmember Jacobsen relayed the Youth Council reaction to the program and said they had offered to solicit businesses to participate in the program.

Councilmember Jacobsen deferred to Ron Helstern to report on the latest Blacksmith Fork Wildlife Association meeting. Mr. Helstern said they were anticipating proposing more nature parks. He discussed which portions of Nibley parks they anticipated making proposals for. Mr. Helstern reported on the diversity of the BFWA.

Councilmember Jacobsen discussed the upcoming Wildlife Photography Contest and future use of the building. He encouraged the city to consider ways to put retention/detention basins lands to use in ways that wouldn't detract from their primary use.

Councilmember Whittaker discussed the dissolution of the Community Covenant program. She said she had a list of services for veterans that she would like to post on Nibley's website. The City Council had no objections to that action.

Councilmember Beus summarized a Small Business breakfast held in Hyrum. She felt this provided a great networking opportunity. Mayor Dustin asked Councilmember Beus to take this on as an action item and she accepted. Mr. Zook with the branch manager of Zion's Bank in Providence and said she had discussed doing the same thing and suggested they might be willing to sponsor the event. Corlyss Drinkard gave the suggestion to ask the business owners why or if they would be opposed to having their business listed on a Nibley City business page.

Mr. Zook said he had submitted a photo to the Utah Local Government's Trust for their calendar. He said a picture of Morgan Farm in Nibley was chosen for August out of 300 submissions.

Mr. Zook reported on the League of Cities and Town meeting and gave specifics on a few events.

Mayor Dustin said he would like to hold a workshop to discuss the audit which the public would be welcome to attend. He invited any interested Council members to attend. After further discussion with the City Council, Mayor Dustin decided to have the discussion put on the next City Council agenda.

Mayor Dustin discussed future City Council meeting dates and times and got input from the City Council. The Council agreed to continue to hold the meetings on the first and third Thursdays at 6:30. Mr. Zook said he would note to put this consideration on the next agenda.

Mayor Dustin addressed the Council seating order.

Mayor Dustin discussed Council assignments. He wanted to discuss these and align them with their main priorities and a planning session that was previously held. Councilmember Jacobsen recommended continuing the idea of acting as a liaison.

Mayor Dustin reported on a meeting with the School District on the Memorandum of Understanding between the them.

Mayor Dustin reported on a meeting with Congressman Rob Bishop, Senator Lee, and Michael Kennedy, Senator Hatch's Chief of Staff. He also had a discussion with the Executive Director of UDOT.

Mayor Dustin expressed how excited he was to work with each Council member.

Mayor Dustin discussed the School District's traffic study. Mayor Dustin felt that their study had enough data to make the statements that they did and that he and Mr. Zook's position was that the study should be silent on the issue of 3200 South.

The meeting was adjourned at 8:26 p.m.