

The Meeting of the Nibley City Council held at Nibley City Hall, 455 W. 3200 S. Nibley, Utah, on Thursday, December 4, 2014.

The following actions were made during the meeting:

Councilmember Hansen motioned to approve the inter-local agreement with Cache County regarding the acquisition and development of recreational properties in Nibley; and to approve the passive recreation concept plan; and subject to the inclusion of recommendations submitted by Nibley's City Attorney. Councilmember Jacobsen seconded the motion. The motion passed unanimously 3-0.

Councilmember Jacobsen was in favor, Councilmember Hansen was in favor, and Councilmember Beus was in favor.

Councilmember Beus motioned to approve Resolution 14-10: A Resolution approving the Nibley City Cash Handling Policy. Councilmember Jacobsen seconded the motion. Councilmember Jacobsen was in favor, Councilmember Hansen was in favor, and Councilmember Beus was in favor. The motion passed unanimously 3-0.

Councilmember Jacobsen motioned to approve Ordinance 14-06: Establishing a Remotely Deployed Military Personnel Utility Discount as presented on the screen; and to waive the second reading of Ordinance 14-06. Councilmember Hansen seconded the motion. Councilmember Beus was in favor, Councilmember Hansen was in favor, and Councilmember Jacobsen was in favor. The motion passed unanimously 3-0.

Councilmember Hansen motioned to place "Discussion and Consideration of Changes to Mayor and Councilmember Compensation" on the first City Council meeting agenda in January 2015. Councilmember Jacobsen seconded the motion. The motion passed unanimously 3-0. Councilmember Hansen was in favor, Councilmember Jacobsen was in favor, and Councilmember Beus was in favor.

OFFICIAL MINUTES OF THE MEETING

Minutes were taken by Assistant City Recorder Cheryl Bodily

Call to order

Mayor Shaun Dustin called the Thursday, December 4, 2014 Nibley City Council meeting to order at 6:34 p.m. Those in attendance included Mayor Shaun Dustin, Councilmember Larry Jacobsen, Councilmember Kathryn Beus, and Councilmember Bryan Hansen. Mr. David Zook, the City Manager, and Stephen Nelson, the City Treasurer, were also in attendance. Councilmember Carrie Cook and Councilmember Amber Whitaker were excused from the meeting.

Approval of agenda; and approval of the November 20, 2014 meeting minutes

Councilmember Jacobsen made a motion to approve the previous meeting's minutes and the evening's agenda. Councilmember Beus seconded the motion. The motion passed unanimously 3-0; with Councilmember Jacobsen, Councilmember Beus, and Councilmember Hansen all in favor.

Presentation of Annual Audited Financial Report

Mr. Zook presented Mr. Matt Regan, CPA, PC. Matt Regan presented the Nibley City fiscal year audit for the year ending June 30, 2014.

Mr. Regan discussed governmental accounting versus for profit accounting. He said governmental accounting focused on accountably rather than profitability and used a system of funds to account for the different activities in the government. He summarized general funds, capital projects funds, and enterprise funds. Mr. Regan described why Nibley City was required to complete an audit every year and discussed the financial highlights of Nibley City. Mr. Regan reviewed the following topics: general fund revenues, general fund expenses, general fund operations, capital projects fund, water fund operations, water fund operations, sewer fund operations, storm water funds operations, bonds payable, and notes payable.

Mr. Regan discussed and summarized the Independent Auditors Report which included reports on compliance and internal control and a report on state compliance.

Mr. Regan discussed the management letter portion of the audit which included changes in policy and management procedures, estimates, useful lives of depreciable assets, difficulties encountered when performing the audit, management representation, disagreements with management, consultations with other independent accountants, and proposed year-end adjustments and recommendations. Mr. Regan said that overall Nibley did a great job in compliance and managing the resources it had.

Councilmember Beus asked Mr. Regan for an estimated pay off date for the bond on the sewer. Mr. Zook addressed this question stating that Nibley currently owed \$5.1 million and was already paying more than was owed out of sewer department revenues and from sewer impact fees. He said they paid almost \$300,000 extra from sewer impact fees. He felt they would have the amount paid within 10 years.

Discussion and Consideration of an Interlocal Agreement with Cache County Regarding the Acquisition and Development of Recreational Properties in Nibley

Mr. Zook said the Cache County School district was building the proposed new high school in North Logan on property the County had previously purchased for parks purposes. He said the funds for that property were restricted and were available to other cities throughout the county. Mr. Zook reminded the City Council of the properties that had been discussed in a previous Nibley City Council meeting. Mr. Zook summarized the requirements for entering into an agreement with the County and what the County was willing to provide. He noted that entering into the agreement would guarantee Nibley received RAPZ tax money each year. Mr. Zook said the Nibley City attorney had reviewed the document and had given his approval.

Lance Anderson with Cache Landmark Engineers, was present at the meeting. Mr. Anderson discussed time sensitive construction issues. Mayor Dustin expressed his opinion of the conditions for receiving funds for recreational properties. Mr. Anderson discussed comments that had been suggested by Nibley's attorney which would edit the requirement so that only a portion of the park property's recreational components would need to be completed or constructed within three years; with full development within 10 years. He said this revision would need to be included in the adoption of the inter-local agreement. Councilmember Beus stated her concern with being held to the concept plan they adopted. Mr. Andersen said they would not be held to the concept plan. They had flexibility in that the property needed to be open to the public and recreation. Councilmember Beus turned the discussion to the wetlands on the property being proposed in the agreement.

Councilmember Hansen made a motion to approve the inter-local agreement with Cache County regarding the acquisition and development of recreational properties in Nibley; and to approve the passive recreation concept plan; and subject to the inclusion of recommendations submitted by Nibley's City Attorney. Councilmember Jacobsen seconded the motion.

Councilmember Jacobsen, Mr. Anderson, and Mr. Zook discussed the predicted cost of developing the land being proposed. Councilmember Beus discussed Nibley's park plan and passive versus active park uses. She said she didn't want to be bound to anything in a specific plan. Mayor Dustin said they were committing to a minimum and stated that he didn't want to over commit how much money they spent by committing to something fancier. He stated that he also felt if Nibley didn't take the RAPZ funds now then someone else would and it would become tougher to compete for RAPZ funds. Mr. Anderson explained the commitment process of a master plan and then a three year plan. The City Council continued to discuss passive versus active park uses and diversifying the types of park uses that were offered in Nibley and based on the needs expressed in the Parks Master plan.

The motion passed unanimously 3-0. Councilmember Jacobsen was in favor, Councilmember Hansen was in favor, and Councilmember Beus was in favor.

Discussion and Consideration of Resolution 14-10: A Resolution Approving the Nibley City Cash Handling Policy (Second Reading)

Mr. Stephen Nelson stated that the resolution established acceptable cash handling practices city wide and to ensure that every cash handler was trained in the law and in the accounting practices of Nibley City. He summarized the individuals who had reviewed the document. Mr. Nelson discussed the changes he had made to the document since the first reading of the document held at the November 20, 2014 City Council meeting. He discussed the general policy that ensured a large sum of money was deposited to the bank as soon as circumstances would allow. Mr. Nelson described the second change under "General Policies" that ensured that proper records were kept of the individuals who were approved cash handlers and what each cash handler was approved to do.

Councilmember Beus made a motion to approve Resolution 14-10: A Resolution approving the Nibley City Cash Handling Policy. Councilmember Jacobsen seconded the motion. Councilmember Jacobsen was in favor, Councilmember Hansen was in favor, and Councilmember Beus was in favor. The motion passed unanimously 3-0.

Discussion and Consideration of Ordinance 14-06: An Ordinance Establishing a Deployed Military Personnel Utility Discount (First Reading)

Mayor Dustin asked the City Council to consider waiving the first reading of this ordinance because of the strait forward nature of the ordinance. Mayor Dustin read through the “Whereas” portions of Ordinance 14-06.

Mr. Nelson said the reason this ordinance had been considered was because a Nibley resident had recently contacted Nibley City. This person was being deployed and had asked if the city provided a utility discount to military personal and their families. Mr. Nelson discussed the range of discount that could be applied for a military family and described summer water usage versus winter water usage. He said Nibley could waive \$45-65/month and reported on the percent of decreased revenue to the Nibley City utility income.

Councilmember Jacobsen asked if the decrease revenue was based on per military personal. Mr. Nelson said it was. Mr. Zook and the City Council discussed the number of active and total military personnel in Nibley City. Councilmember Jacobsen asked for a summary of the fees included in the Nibley City utility bill. Mr. Nelson said there was a charge for culinary water, wastewater, garbage, recycling, radio fee, 911 fee, and storm water. Councilmember Jacobsen requested the individual fees/accounts be itemized in the ordinance. Mr. Zook said the 50% discount would apply to the entire bill. Councilmember Jacobsen discussed the definition of “deployment”. Mr. Nelson said any person applying for this discount would need to provide documentation from the armed forces that they were deployed. Mayor Dustin suggested they include the wording “remote deployment” which meant the deployed person was unable to take their family with them on their deployment. Councilmember Jacobsen asked if there would be an unreasonable administrative cost associated with this ordinance. Mr. Nelson said it would be very easy and described the administrative process.

Councilmember Jacobsen made a motion to approve Ordinance 14-06: Establishing a Remotely Deployed Military Personnel Utility Discount as presented on the screen; and to waive the second reading of Ordinance 14-06. Councilmember Hansen seconded the motion. Councilmember Beus was in favor, Councilmember Hansen was in favor, and Councilmember Jacobsen was in favor. The motion passed unanimously 3-0.

Discussion and Consideration of Changes to Mayor and Councilmember Compensation

Mayor Dustin said he was acting on the City Council’s direction to bring this item back when it wasn’t presented as an item associated with the city budget. Mayor Dustin was requested the City Council act to put this item on the agenda. Mayor Dustin presented the

process that needed to be undertaken to discuss the item and said as he was aware this was the only item that couldn't be put on the agenda without City Council approval. Mayor Dustin also stated the according to the rules, he could make the motion.

Councilmember Jacobsen made a motion to place Discussion and Consideration of Changes to Mayor and Councilmember Compensation on the first City Council meeting in January which would be January 1, 2015. The motion died due to lack of second.

Councilmember Hansen made a motion to place Discussion and Consideration of Changes to Mayor and Councilmember Compensation on the first City Council meeting agenda in January 2015. Councilmember Jacobsen seconded the motion. The motion passed unanimously 3-0. Councilmember Hansen was in favor, Councilmember Jacobsen was in favor, and Councilmember Beus was in favor.

Council and Staff Reports

Mayor Dustin reported on his discussion with UDOT at which they had committed to putting in a crosswalk at the 3200 South intersection. Mayor Dustin said UDOT, the CMPO, and Nibley all felt that there would need to be a long-term solution of fixing the alignment and intersection. Mayor Dustin complimented the City Council on having the foresight to conduct the realignment study. He felt the study had helped UDOT see the issues Nibley was facing.

Mayor Dustin said city staff had picked up on preparations for "Santa Claus is Coming to Nibley" in the absence of Councilmember Cook.

Mayor Dustin discussed the proposed subdivision ordinance in the context of a discussion he had with a developer.

Mayor Dustin reported on a meeting held with six cities (Nibley, Hyde Park, North Logan, Riverdale, Providence, and Smithfield) regarding the sewer. He said they had consensus among the six cities that they needed help and counsel. They had contacted an attorney in Salt Lake. He said the cities were pushing for a negotiating point and a consistent position among all six cities. Mayor Dustin discussed the findings of the sewer study regarding Hyrum.

The City Council discussed their meeting schedule in January. They determined there would be no City Council meeting on January 1, 2015.

Councilmember Beus reported that she would absent from both City Council meetings in January.

Mr. Zook reminded the City Council of the following holiday festivities; the City Christmas party on the January 18, the Candy Cane dash and "Santa Claus is Coming to Nibley" on the January 6, and the Live Nativity on January 12, 13, and 15.

Mr. Zook reported on federal TAP (Transportation Alternative Plans) funds. He said Nibley's letter was accepted by UDOT. He discussed Nibley's grant status. Mr. Zook described how and where the grant funds would be used.

General consent was given to adjourn at 8:44 p.m.