

A Meeting of the Nibley City Council held at Nibley City Hall, 455 West 3200 South, Nibley, Utah, on Thursday, October 20, 2016.

The following actions were made during the meeting:

Councilmember Jacobsen motioned to name the unnamed 3200 South park, "The Anhder Park." Councilmember Bernhardt seconded the motion.

Councilmember Jacobsen made a motion to amend to state: "on condition of acceptance by Larry Anhder wanting the park named after him." Councilwoman Beus seconded the motion. The motion passed unanimously 4-0; with Councilmember Jacobsen, Councilwoman Beus, Councilmember Hansen, and Councilmember Bernhardt all in favor.

Councilmember Hansen made a motion to amend to place a marker on historic city hall that explained the naming of the park on 3200 South. Councilmember Jacobsen seconded them motion. The motion passed unanimously 4-0; with Councilmember Hansen, Councilmember Jacobsen, Councilwoman Beus, and Councilmember Bernhardt all in favor.

The amended motion passed unanimously 4-0; with Councilmember Jacobsen, Councilmember Bernhardt, Councilmember Hansen, and Councilwoman Beus all in favor.

Councilmember Jacobsen motioned to approve the interlocal agreement with Millville city for sewer service as presented. Councilmember Hansen seconded the motion. The motion passed unanimously 4-0; with Councilmember Jacobsen, Councilmember Hansen, Councilwoman Beus and Councilmember Bernhardt in favor.

OFFICIAL MINUTES OF THE MEETING

Minutes were taken by Deputy City Recorder Cheryl Bodily

Opening Ceremonies

Mayor Dustin shared a quote from William Hazlitt.

"The love of liberty is the love of others; the love of power is the love of ourselves."

Call to Order

Mayor Shaun Dustin called the Thursday, October 20, 2016, Nibley City Council meeting to order at 6:32 p.m. Those in attendance included Mayor Shaun Dustin, Councilman Larry Jacobsen, Councilwoman Kathryn Beus, and Councilman Thomas Bernhardt. Mr. David Zook, Nibley City Manager, Stephen Nelson, Nibley City

Treasurer, Justin Maughn, Nibley City Public Works Director, and Chad Wright, Nibley City Recreation Director were also in attendance.

Approval of agenda; and approval of the October 6, 2016 meeting minutes

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

Public Comment Period

Mayor Dustin read the rules pertaining to the public comment period.

Mayor Dustin noted that the public comment sheet was blank. He opened the public comment period at 6:33 p.m. and asked the public present if she had any comments to make.

Seeing no comments, Mayor Dustin closed the public comment period at 6:33 p.m.

Discussion and Consideration of Renaming Nibley Park

Mayor Dustin discussed how much Larry Anhder had done for Nibley City. He suggested it would be appropriate to honor Mr. Anhder by officially naming the Nibley Park on 3200 Larry Anhder Park or Anhder Park.

Councilmember Hansen arrived at 6:34 p.m.

Councilmember Jacobsen made a motion to name the unnamed 3200 South park, "The Anhder Park." Councilmember Bernhardt seconded the motion.

Councilmember Bernhardt said he had been trying to figure out if Nibley had a standard in terms of naming parks. He asked how this had been done in the past. Mayor Dustin said he was not aware of a process and that the naming of Gibbons Park was a condition of the donation. He felt they could acknowledge that this current naming was not a precedence-setting event; that it was a specific recognition of Mr. Anhder's years of service and the impact he has had on Nibley City. Councilmember Bernhardt suggested they should look at new parks that were coming in instead of renaming a current park. Councilmember Hansen suggested he would change it to C.W. Nibley Park. C.W. was a nickname given to Charles Nibley, Nibley's founder. Councilmember Hansen agreed that they should look at future parks that could take on the reference. Councilmember Hansen discussed the area behind city hall and suggested turning it into a peace garden or small pond and calling it "Anhder Place." He felt this was more of a reference to Larry Anhder's legacy. Mayor Dustin explained why he had suggested the name for the specific park. He said the park was smack in the middle of town and Larry had shepherded Nibley from 500 people to over 5,000 residents. He was the first professional Manager of Nibley City. Mayor Dustin said Larry Anhder could be a controversial figure but his impact was consistently there and you couldn't disagree with his love of Nibley City

and his desire to see it succeed. Mayor Dustin thought the park at the center of Nibley City needed to have an identity. Councilwoman Beus said she had been blindsided by this consideration and had not lobbied for it but was honored by the consideration. She described her memories of the park. Councilmember Jacobsen tried to recall the City Council's discussion from the naming of Gibbons Heritage Park.

Councilmember Jacobsen made a motion to amend to state: "on condition of acceptance by Larry Anhder wanting the park named after him." Councilwoman Beus seconded the motion. The motion passed unanimously 4-0; with Councilmember Jacobsen, Councilwoman Beus, Councilmember Hansen, and Councilmember Bernhardt all in favor.

Councilmember Hansen suggested the City Council somehow connect Mr. Anhder to the historic city office space on the same property.

Councilmember Hansen discussed amending the motion to not only name the Larry Anhder Park but also to name the Larry Anhder Memorial City Office building.

Councilmember Hansen felt they could name the building when the renovation occurred and might be a nice way to finish the renovations. He said they could include the history of Larry Anhder.

Councilmember Hansen clarified he wanted to not only name the park but to also include the memorial building (the old city hall) and somehow connect it to the park making it so the memorial building also took on the name of the park. Mayor Dustin asked if he was procedurally asking to place a marker in the building that explained and provided contact to naming the park.

Councilmember Hansen made a motion to amend to place a marker on historic city hall that explained the naming of the park on 3200 South. Councilmember Jacobsen seconded them motion. The motion passed unanimously 4-0; with Councilmember Hansen, Councilmember Jacobsen, Councilwoman Beus, and Councilmember Bernhardt all in favor.

The amended motion passed unanimously 4-0; with Councilmember Jacobsen, Councilmember Bernhardt, Councilmember Hansen, and Councilwoman Beus all in favor.

Discussion and Consideration of an Interlocal Wastewater Agreement with Millville City

Mayor Dustin said Millville had submitted the interlocal agreement to Nibley several months ago and described the questions they had with the agreement at the time. Mayor Dustin said the agreement as written was clear and he hoped the City Council could catch anything that needed to be revised and that they could send an approved agreement over to Millville City. Mr. Zook recalled that the previous

version of the agreement had been sent to Millville and that they had been all right with the agreement. He said Nibley City had been concerned with the buyout provision. This had been negotiated that Nibley would pay back the original cost that Millville had paid into the system which was just under \$80,000. Mr. Zook described the additional changes that had been made to the agreement: the frequency of checking the meter and being able to make the determination to start using the meter. Mr. Zook directed the City Council the wording:

“As determined by Nibley Public Works director, the meter shall be brought into service”

Mr. Zook said this connection was already working and functional but was only hooked to Ridgeline High School and the high school seminary building and that he and Mr. Maughn didn't think there was enough flow for the meter to detect. Councilmember Jacobsen shared his discussion with Frank Smith, as a private Millville resident, that had been offered sewer service by Millville City and was offered a connection to the sewer. He said Nibley should make sure there weren't other private residents who are connected to the sewer. Mr. Zook said they had anticipated other connections to their system but they hadn't discussed how this would be communicated to Nibley City. He said it was mostly anticipated that there would be other commercial buildings that would be connected on. He said Millville would need to make sure they were communicating when properties were being connected to the sewer. Mayor Dustin asked Mr. Maughn if Millville was obligated to inform Nibley when they made a connection and suggested this be added to the agreement. He suggested adding the following wording to the end of paragraph 4.

“Millville shall notify Nibley City of all connections to the system”

Mr. Maughn asked that they also require any connections upgrade any meters so that they can be read by Nibley's current system. Mr. Zook said he had assumed that Millville would take care of the reading and inform Nibley of the results. Mr. Maughn said they needed the usage amount for billing. The City Council decided they would hold Millville responsible for reading the connected meters. Councilmember Bernhardt asked what they were charging for. Mr. Zook said Nibley was currently charged by the gallon for wastewater treatment. It was anticipated they would charge Millville the same. He said it was assumed that if Millville properties were buying 100 gallons of culinary water from Millville this water was going through the sewer system to Logan and would be charged for that amount. When there was enough capacity they would be able to turn the continuous read meter on.

Councilmember Bernhardt asked Mr. Maughn what triggers were in place to know when the meter should be turned on. Mr. Maughn said the only thing that mattered was the level of flow. He described that they would need to get a meter. The meter would have a set telemetry what would tell them when it should be turned on when there was a consistent flow coming through the meter. Up until then the readings wouldn't be accurate. He said the meter wasn't installed because there was no

motivation for Millville to install the meter until the flow was closer to where it should be. Mr. Zook said a visual indicator would be development.

Councilmember Jacobsen asked if the recent review of the sewer master plan would indicate whether they can still live up to the agreement with Millville. Mr. Maughn said there was plenty of capacity. Councilmember Jacobsen felt whatever they charged Millville was being turned around and being billed to the school district. Councilmember Jacobsen was told that Ridgeline High School and the Ridgeline Seminary were on separate meters. Mr. Zook informed the City Council that Millville was currently drafting a sewer ordinance that included only the two customers.

Councilmember Jacobsen made a motion to approve the interlocal agreement with Millville city for sewer service as presented. Councilmember Hansen seconded the motion. The motion passed unanimously 4-0; with Councilmember Jacobsen, Councilmember Hansen, Councilwoman Beus and Councilmember Bernhardt in favor.

Council and Staff Reports

Mayor Dustin said he had asked the Planning and Zoning Commission to review the revisions to the fence ordinance he had suggested and shared with the City Council. He said the City Council should be seeing the recommendation of the Planning and Zoning Commission soon.

Mayor Dustin reported on discussion being held with the ditch company President's. He summarized the points he hoped to find consensus with the ditch company. He hoped to have resolution before spring.

Mayor Dustin thanked Councilmember Hansen and Councilmember Jacobsen for their attendance at Muffins With the Mayor. He felt the residents appreciated the interaction with the City Council in a less formal setting. Mayor Dustin reported on the turn out. He reported that he had arranged with Nibley's Recreation Director to set up a continuing Muffin with the Mayor meeting that addressed all five sections in Nibley. Mayor Dustin discussed the meeting's format. Mayor Dustin anticipated the meetings would be the second Saturday of each month at 8:00 a.m. Councilmember Jacobsen stressed that they needed to coordinate with City Council who was going to the meetings. Councilmember Jacobsen stated he was a representative of Nibley City and not specifically Hollow Road. He said he was interested in attending all of the sessions.

Mayor Dustin thanked Councilwoman Beus for the time she had taken to help in the City Planner interview process.

Councilmember Jacobsen reported on a discussion he had with a City Council member from Farmington regarding Farmington's conservation subdivision ordinance.

Mr. Zook said the Parks Master Plan was underway and reported on the processes and steps that were being made. Mr. Zook said the City was anticipating November 12 for a public workshop open house.

Mr. Zook reported on Nibley's Bike to Work small-business award.

Mr. Zook reported that the Nibley Christmas Party would be on Thursday, December 15 at the David B. Haight Alumni Center.

Mr. Zook reported on the new Nibley City well. He said their water right had been approved and formalized.

Mr. Zook reported on Nibley Boonanza at Nibley Elementary School on Thursday, October 27.

There was general consent to adjourn the meeting at 7:47 p.m.

Attest: _____
Deputy City Recorder