

The Meeting of the Nibley City Council held at Nibley City Hall, 625 W. 3200 S. Nibley, Utah, on December 18, 2008.

The following actions were made during the meeting:

Councilman Hansen motioned to accept the Bicycle Signage Project Inter-Local Agreement. Councilman Dustin seconded the motion. The motion passes 3-0 with Councilman Hansen, Councilman Dustin, and Councilman Mickelson all in favor.

Councilman Hansen motioned to pass resolution 08-09 changing the rate for sewer service. Councilman Dustin seconded the motion. The motion passes 3-0 with Councilman Hansen, Councilman Dustin, and Councilman Mickelson all in favor.

Councilman Hansen motioned to approve the annexation of 2.36 acres in the Stowers Shady Brook Subdivision at 4333 Hollow Road. Councilman Dustin seconded the motion. The motion passes 3-0 with Councilman Hansen, Councilman Dustin, and Councilman Mickelson all in favor.

Councilman Dustin made a motioned to accept the Stowers Shady Brook subdivision final plat located at 4333 Hollow Road. Councilman Hansen seconded the motion. The motion passed 3-0 with Councilman Dustin, Councilman Hansen, and Councilman Mickelson all in favor.

Councilman Dustin made a motioned to approve the lot line adjustments for lot 2 of the Stowers Shady Brook subdivision located at 4333 Hollow Road, with the stipulation that the new lots created are tied to the existing tax ID numbers: for the north lot – Richard Dumas, for the center lot – Melva Henderson, for the south lot – Tracy Salvesen. Councilman Hansen seconded the motion. The motion passed 3-0 with Councilman Dustin, Councilman Hansen, and Councilman Mickelson all in favor.

OFFICIAL MINUTES OF THE MEETING

Minutes were taken and prepared by Assistant City Recorder Cheryl Bodily

Councilman Hansen nominates Councilman Mickelson as temporary Mayor Pro Tempore for the meeting. Councilman Dustin seconds the nomination.

Councilman Mickelson calls the Thursday, December 18, 2008 Nibley City Council meeting to order at 6:05 p.m. Those in attendance included Councilman Thayne Mickelson, Councilman Shaun Dustin, and Councilman Bryan Hansen. Larry Anhder, City Manager and Shari Phippen, Zoning Administrator, were also in attendance. Mayor Gerald Knight, Councilman Larry Jacobsen, and Councilman Scott Larsen were excused from the meeting.

Item 1: Approval of evening's agenda and minutes of the November 20, 2008 meeting.

Councilman Hansen made a motion to approve the minutes of November 20th and the evening's agenda. Councilman Dustin seconds the motion. The motion passes unanimously with Councilman Hansen, Councilman Dustin, and Councilman Mickelson all in favor.

Consideration of Bicycle Signage Project Inter-local Agreement.

Mr. Anhder gave the council a map showing the regional wide biking route and states that the inter-local agreement is that Nibley City will pay 6.77% of the cost of the installation of signs which comes to approximately \$300-\$350. Councilman Mickelson asks if putting up signs adds additional liability or requirements for bike lane width. Mr. Anhder states it doesn't define a lane, it just shows the countywide route. Councilman Mickelson asks if bikers pay the taxes to build roads? Councilman Dustin states it depends on how you classify the bikers. The vast majority of bicyclists has two cars and drives most of the time. The impact is minimal. Councilman Hansen made a motion to accept the bicycle signage project inter-local agreement. Councilman Dustin seconds the motion. Councilman Mickelson asks if the agreement ties them into any other financial obligations. Councilman Mickelson asks for clarification on some wordage in the agreement. The motion passes unanimously with Councilman Hansen, Councilman Dustin, and Councilman Mickelson all in favor.

Consideration of Resolution 08-09 changes the rate for sewer service.

Mr. Anhder states he has broken the rates into four components: collection and maintenance (\$13/mo./customer), the bond payment (\$8/mo./customer), the treatment costs (\$13/mo./customer) that will change a year from now (\$15/mo./customer), and a reserve account (\$4/mo./customer). The Logan recommendation has a third year component on it. Councilman Mickelson states he attended the meeting this week with the division of water quality as they were trying to set the TMDL. Logan had two opposing votes to move it forward for public comment and Swift/Miller had two opposing votes to move it forward which made the vote 4-13. He believes Logan City is preparing to sue. Logan City is putting them in jeopardy of a tertiary system. Councilman Mickelson states this may be a good time to push for a regional system. A regional system could function as its own entity. Mr. Anhder states that still might be an option but believes they should wait and see where this goes. Councilman Dustin states the first question is the TMDL. Mr. Anhder states the comforting thing is the cost to Nibley of the new system that needs to be built is about 4%. He encourages a representative of the city attend the TMDL meetings to give the city a voice. The council decides to put this on the January agenda so they can understand where this is going. Mr. Anhder states the raise in these rates puts \$10 million dollars aside over a 5 years period to do extra science, extra studies, etc. This comes out to \$3 increase/month this year and \$2/month next year and a third year increase to be proposed later. Councilman Hansen made a motion to pass the resolution. Councilman Dustin seconds the motion. The motion passes unanimously with Councilman Hansen, Councilman Dustin, and Councilman Mickelson all in favor.

Discussion of possible incentives for retail businesses to encourage economic development.

Mr. Anhder states Councilman Mickelson, Councilman Hansen, Ms. Phippen, and Mr. Anhder have met with the Four-Point Corporation (Peterson Farm store). They want to get tenants into the development. Mr. Anhder states they can no longer do sales tax incentives. There is an idea of creating an RDA (redevelopment area). The question is if they want to do that. Councilman Mickelson states in his opinion it is crucial. Councilman Dustin states his concern is with the way the property was developed and if they can help. Councilman Mickelson asks who pays the bond? Mr. Anhder states the increased value of the property pays off the bond. Councilman Hansen likes the concept but would like to expand it beyond the Peterson Farm area. Mr. Anhder would like permission from the council to ask Wickstrom & Associates to look at the proposed projects (Peterson Farm Store, Poulson's, Hansen's, Nibley Commercial Park) and bring a plan before the City Council. Councilman Dustin would like them to look at the city as a whole and make recommendations on what would work geographically. Mr. Anhder will speak with Wickstrom & Associates and they will be put on a future agenda.

Public hearing to receive comments concerning the annexation, preliminary and final plat and lot line adjustments for the Steve Stowers annexation of 2.36 acres and subdivision of approximately 6.81 acres at 4333 Hollow Road.

Councilman Mickelson opens the public hearing at 7:00. Steve Stowers states the small segment of the east of the plot needs to be annexed in. Mr. Anhder states the appropriate order is to annex in the 2.36 acres, then the subdivision needs to be approved, and finally the lot line adjustment needs to be done. Ms. Phippen states all issues with Planning Commission and the City Engineer have been addressed. Mr. Stowers states he is pleased with all lot adjustments. Councilman Mickelson closes the public hearing at 7:08.

Councilman Mickelson asks Mr. Stowers about the possibility of piping the canal in that area. Mr. Stowers states that aesthetically he prefers the canal. He would like some sort of agreement with the canal company that they will keep that canal moss free if the canal company will keep their poisons out of the canal that kill the fish. Councilman Hansen made a motion to approve the annexation of 2.36 acres in the Stowers Shady Brook Subdivision. Councilman Dustin seconds the motion. The motion passes unanimously with Councilman Hansen, Councilman Dustin, and Councilman Mickelson all in favor. Councilman Dustin made a motion to accept the plat of the Stowers Shady Brook subdivision. Councilman Hansen seconds the motion. The motion passed unanimously with Councilman Dustin, Councilman Hansen, and Councilman Mickelson all in favor. Councilman Dustin made a motion to approve the lot line adjustments for lot 2 of the Stowers Shady Brook subdivision with the stipulation that the new lots created are tied to the existing tax ID numbers: for the north lot – Richard Dumas, for the center lot – Melva Henderson, for the south lot – Tracy Salvesen. Councilman Hansen seconds the motion. The motion passed unanimously with Councilman Dustin, Councilman Hansen, and Councilman Mickelson all in favor. Mr. Stowers expresses his gratitude to the city for their help and cooperation in this matter.

Review of the development application process outline.

Mr. Anhder states the council has been given an outline that will be given to developers so the Planning Commission and the City Council can see where each phase is when the developers come before them. Councilman Hansen suggests they want to include something about a time period lapse. Councilman Dustin suggests adding a disclaimer that states in the event of a conflict between these requirements and the requirements of city code, city code governs. Councilman Hansen suggests breaking the list down or making it sequential. The Council members are pleased with the application.

City Manager Reports

Mr. Anhder notes to Councilman Dustin that many of the city employees commented on and really enjoyed the Christmas party.

Council Reports

Councilman Hansen compliments Councilman Dustin on the employee Christmas party and children's Christmas party.

Councilman Hansen asks about a second sign on Hollow Road as per Mr. Anhder's action list. Mr. Anhder states the City Engineer did not recommend putting another sign there.

Councilman Dustin comments on emergency preparedness. The core recommendations are that they have a model ordinance to address natural hazards. Nibley is defined by the current modeling as pretty safe. Councilman Mickelson suggests adding emergency preparedness information in the city news letter. Councilman Dustin also suggests offering CERC training to the public. The Council would support that action.

A citizen commented on the 40 mph and 25 mph speed limit signs on 800 West and wanted to know where they start. There is a discrepancy depending on the direction traveled. Mr. Anhder will talk with the county about placing a sign at 2200 south-south bound on the county side of the road.

Councilman Dustin spoke with Gary Roberts about sheltering ambulances. He asked about using the old city building for \$1200/mo.

Councilman Dustin wrote a letter about beavers addressing that the city was not responsible for damage due to beavers. Mr. Anhder states the property owner adjacent to the waterway is responsible for the waterway. He will send the letter to the Council for their review.

Councilman Dustin would like Nibley to be involved in an emergency response exercise involving everyone in the valley and their public works departments.

Councilman Mickelson asks for follow up on the storm drain stickers. He comments on the live nativity. The council heard favorable things about it and as a follow up, Councilman Mickelson would like a list of planned activities for the year.

Councilman Mickelson asks for follow up on the School/Community Center. Mr. Anhder states they have talked to the electrician about the audio/visual aspects. They are working with an architect. They have worked on designs for the desk, etc. There will be budget items for this in the January meeting.

The meeting was adjourned at 8:13 p.m.