

The Meeting of the Nibley City Council held at Nibley City Hall, 625 W. 3200 S. Nibley, Utah, on Thursday, May 15, 2008.

Action Item #1: Councilman Dustin motioned to approve the preliminary plat of Churchill Downs subdivision, at 2900 South 1200 West, with the following conditions; access to lots 1 & 2 from 3200 South shall be limited to a single 20' wide shared access with turn around driveways for each residence, the engineer's recommendations need to be taken care of before final approval, and the ground water issue needs to be addressed. Councilman Hansen seconded the motion. It passed 4-1; with Councilman Dustin, Councilman Jacobsen, Councilman Hansen, and Councilman Mickelson in favor. Councilman Larsen opposed.

Action Item #2: Councilman Hansen moved to postpone definitely, discussion of Ordinance 08-10: Attached/Multi-Family Housing Development Standards, until we have representation to answer questions. Councilman Mickelson seconded the motion. Councilman Hansen, Councilman Mickelson, and Councilman Jacobsen in favor. Councilman Larsen and Councilman Dustin opposed.

OFFICIAL MINUTES OF THE MEETING

Minutes were taken and prepared by Assistant City Recorder Renee Nelson

Mayor Gerald Knight called the Thursday, May 15, 2008 Nibley City Council meeting to order at 6:02 p.m. Those in attendance included Councilman Scott Larsen, Councilman Larry Jacobsen, Councilman Bryan Hansen, and Councilman Thayne Mickelson. Mayor Gerald Knight and Sheri Phippen, the Zoning Administrator, were present.

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

Councilman Jacobsen motioned to approve the minutes of the May 1, 2008 meeting with Councilman Larsen's recommended changes. Councilman Hansen seconded the motion, which passed unanimously. Concern with the dismissal time posted on the bottom of the agenda. Ms. Phippen said it was a typo, it applies to p&z meetings. Councilman Jacobsen, Councilman Larsen, and Councilman Mickelson in favor of an amended agenda with those items removed; Councilman Hansen opposed.

Item 2: Jay Monson Logan City Councilman here to discuss a county-wide library system, accompanied by Craig Petersen and Kathy Robison of the Cache County Council.

Mr. Monson said he remembers Nibley as a child and a lot has changed since then. 2/3 of Utah is served by a county-wide library. There are some people that don't have a library. We decided to survey mayors and city council members to find out what people know and how they feel. We found there are a lot of misunderstandings. This should put misconceptions to rest. (Mr. Monson

had information on paper for the Mayor and City Council members. There was discussion in reference to information on the papers.) Logan is going to have a new or remodeled library. Cities that have libraries can give their building to the county-wide system if the building is paid for.

6:12 p.m. Councilman Shaun Dustin arrived.

One misconception is accessibility, people think there would only be one library. The fact is not everyone would go to one library, we would have branches. People are worried about losing control and who would run it. We're trying to tell the truth to people. Councilman Hansen asked about web access, can people look things up at home without going in? Mr. Monson answered yes, it would be a shared collection. That's a reason people think we should do this. North Logan is in favor of a county-wide system and Logan probably will be. There will be a County Library Board of 7 directors. Local libraries can have advisory boards that will advise the County Library Board. For a \$180,000 home it would cost a family about \$4.60 a month to be part of the county-wide system. It would be important to have a library. People could go to whichever library is closest to them. People can take a book from one library and return it to another. Cities like Hyrum and North Logan, once their buildings are paid off, could retain or give their building to the county-wide system. If Logan builds a new building, they will probably retain their current building for the city. Kaysville said they should have done it years ago. It's not a good decision to hold out. Salt Lake City is not part of the county system. Mayor Knight said there is a trend towards more digital. Mr. Monson said libraries of the future are going to be different. A library is going to be a place to assist people. The new St. George library wished they had built more meeting rooms. The meeting rooms are booked everyday. People need to get together to read and they need a place to do that. Councilman Larsen asked of the 7 directors how many is Logan desiring to have? Mr. Monson said there are 7 districts in the county, so it makes sense to appoint someone for every area. It would be just like the County Council, meaning 3 from Logan. Councilman Larsen asked we're going to tax the proposed \$56 for operating costs, so remodels we'd have to bond for? Mr. Monson said the levy would be to run the libraries. Councilman Larsen asked so we don't know the real figure we'd tax? Mr. Monson said the actual tax could be much higher, we're gathering more data and hope to have the tallies for 2008 and we'll have a better idea. Mr. Monson says he doesn't know of any place where the county doesn't own the library. I don't know where the city owns the library. Mr. Monson said there would be a transition period. A lot of people just feel a county-wide library is the right thing to do. Mr. Craig Petersen said he's aware of animosity towards Logan. It's in their self interest to open the library. Logan's plan is to bond for 1/2 and 1/2 to come from private contributions if it's part of a county-wide system. Mr. Monson said there is money for county-wide systems. They want to help and there are federal grants. Mr. Petersen said he's felt in the past that Logan wasn't committed. They have an interest in following through now. Mr. Monson said it's on their next agenda now. Councilman Jacobsen said this is exciting. Citizens will be in favor of this. A word of caution, we have a parks bond coming up of 1.6 million to develop parks. The City Council is unwilling to sign our citizens up for additional tax. Do you see winners and losers in the proposal? Mr. Monson said everyone's a winner. Mr. Petersen said it depends on how you look at it.

Councilman Mickelson stated he'd be forced to pay for something he won't use. It's not fair for young people just getting into a home. We make decisions and don't remember when we were there. We have to be very cautious. Mr. Monson said Utah has the highest percentage of use by young families. Councilman Mickelson stated if I had to pay 56 dollars and choose between a vacation or this, I'd choose the vacation. Councilman Jacobsen asked if they are inclined to seek citizen input? Mr. Monson answered yes. Mayor Knight stated it's a quality of life issue, like parks. It's like Logan saying it's the right thing to do. Councilman Hansen stated we're in a growth phase and I think we'd love to have a library here. Councilman Dustin stated I'm behind the effort. I appreciate the concerns of the cost. We spend time in the library. I think libraries are fundamental to communities, access to information. I strongly support what you're doing. Mayor Knight said I had a lot of questions and you've done an excellent job of answering them.

Item #3: Discussion about plans for Clear Creek Park at 2200 South and 800 West.

Bill Saunders said he is looking for some guidance and approval for construction. We have \$60,000 to work on this park, turf this year and trees from our tree farm. Mayor Knight asked so you just wouldn't do the parking? Mr. Saunders said next spring. We want to continue moving ahead on this. Councilman Dustin stated I know that some people like the parking on the street, but it's hard with kids. Councilman Larsen said on north side of 2200 south I worry about people backing into the ditch. Mr. Saunders said there would be barricades. Councilman Larsen said we need to address Councilman Dustin's concern, we've changed the design of the park from what it was originally present to be. It was present first four years ago as an open public park, not used for athletics. We didn't have the problem of accessibility. Councilman Dustin proposed in the park parking and said now's the time to budget for it. Mr. Saunders said that's not a bad idea. We want the field approved, turf, and where trees are going. Councilman Jacobsen asked how wet is the pond? Mr. Saunders said there's a pond there. Councilman Hansen asked about straight sidewalk on the south against the properties. He stated that he didn't like it and wondered if we couldn't do something more visually appealing. Mr. Saunders said that is so we have a nice edge to mow against. Councilman Larsen said we have limited funds right now. It costs more to do a meandering sidewalk. Mr. Saunders said it costs 15 % more. Mayor Knight asked are we ok with a 12-inch mow strip and a meandering sidewalk? Councilman Larsen said now we are paying for sideway and a preventions strip. Councilman Dustin, Councilman Hansen, and Councilman Mickelson in favor. Councilman Larsen and Councilman Jacobsen opposed.

Item #4: Public Hearing for Preliminary Plat approval of Churchill Downs subdivision proposed by Del Loy Hansen at 2900 South 1200 West.

Mayor Knight opened the public hearing at 7:16 p.m.

Dave Jensen said there are 1/2 acer lots, nice fencing, not accessed off 1200 west. Councilman Hansen asked if they foresee it growing? Mr. Jensen stated we hope to see it grow and are working with adjacent owners. Janet Hudson asked where the entrance was going to be and are

there going to be big trucks going down the dirt road that hasn't been paved yet? With Stone Bridge we were promised trucks wouldn't go down that road and they did. Mayor Knight said we've tried to prevent it. Ms. Hudson asked are the dirt roads going to be the access to it? When will it be asphalt? Councilman Mickelson answered before the houses go in. Ms. Hudson asked how many houses are going in? Ms. Phippen answered 15. Ms. Hansen asked how large are the lots? Ms. Phippen answered .39 to .5 acre lots. Councilman Hansen asked if there would be any parks. Mr. Jensen answered no. Sandy Hansen asked what they were going to do about the standing water? Mr. Jensen said there would be a collection pond. There is an underground drainage that ends in a retention pond. Ms. Hansen said there's an underground river, you're going to run into the water. Councilman Jacobsen asked if they'd punched any holes? Mr. Jensen answered no. Mr. Jensen stated we are bringing up the roads to match on 3200 and Stone Bridge, ½ to 2 feet.

Mayor Knight closed the public hearing at 7:30 p.m.

Mayor Knight stated he would like city council to take action. Councilman Larsen stated it's not listed on the agenda to take action. I also feel the way it was re-zoned wasn't proper. We're not following the rules. It's not published as an action item. Councilman Jacobson asked Councilman Larsen if he felt proceeding would not be in the best interest of the public. Councilman Larsen said yes. Councilman Dustin motioned to approve the plat with the following conditions; access to lots 1 & 2 from 3200 South shall be limited to a single 20' wide shared access with turn around driveways for each residence, the engineer's recommendations need to be taken care of before final approval, and the ground water issue needs to be addressed. Councilman Hansen seconded the motion. Commissioner Mickelson stated we're making our road wider and we're adding additional entrances, it seems backwards. I think there's a hazard. Can't we make them give up a lot? Councilman Jacobsen said we want to limit access on 3200 South, but we need to look at what's already there. They've met all the requirements of the zone. Ms. Phippen stated the commission appreciated that the lots don't access on 1200 West. They're putting in an attractive entry and accommodations. Councilman Larsen stated based on Sheri's memo it says that Rod has some concerns, did we have others than those on May 1st letter? Ms. Phippen answered yes, but they fixed them. Councilman Larsen asked what were the comments that we took care of? Ms. Phippen answered 60 ft. radius on cul-de-sacs, relocated transformers, things on legend cleaned up, note saying no fences, and who's going to maintain. It passed with Councilman Dustin, Councilman Jacobsen, Councilman Hansen, and Councilman Mickelson in favor. Councilman Larsen opposed.

Item #5: A public hearing to receive comments concerning the proposed Attached/Multi-Family Housing Development Standards.

Mayor Knight opened the public hearing at 7:52 p.m.

Sandy Hansen asked with multi-family housing is there going to be a problem with parking and water? Mayor Knight said there are allowances if they give us so much open space they can have

higher density. 10 acres could have 1 multifamily lot. Ms. Phippen stated they could have only 4 families in a dwelling. Mayor Knight said this is to make it look like a single dwelling. Councilman Larsen stated there could be 4-6 units together. Councilman Hansen asked would there be someone to take care of landscaping? Mayor Knight answered yes, to make it look aesthetically pleasing. Ms. Phippen said they have to submit a landscaping plan as part of it. Councilman Mickelson said the building can't take up more than 40% of the lot area. Councilman Hansen asked where these would be located? Councilman Jacobsen answered in a conservation subdivision. Ms. Hansen asked with the lot that's east of us, will that be called a wetlands? I am concerned about putting houses there. Our garage is sinking with all that's going by our house.

Mayor Knight closed the public hearing at 8:02 p.m.

Discussion of Ordinance 08-10: Attached/Multi-Family Housing Development Standards.

Mayor Knight said we are just discussing the standards. Ms. Phippen said there weren't a lot of issues with it at P&Z. There was some debate on how it can be accessed, we don't want 4 doors on the same plane. Could there be one front door with doors off the hallway? Councilman Mickelson asked what about parking and limiting vehicles? Are we going to draw one of these up? Mayor Knight stated there would be 2 per unit and a 2 car garage. Ms. Phippen said parking can comply with the parking ordinance. Mayor Knight said we're not asking for an additional 2. Councilman Larsen stated I don't know how we can require a double car garage. Councilman Mickelson stated we don't want 16 parking stalls. Councilman Larsen asked why can't some have a single car garage? Councilman Mickelson said I don't want to see any of the cars. Ms. Phippen stated if someone would come in tomorrow you wouldn't have control of the building. Councilman Hansen stated we want to have some controls, we should reference it. Continued discussion with Ms. Phippen recording. Councilman Jacobsen moved to suspend the agenda and continue item following 911 presentation. Councilman Hansen seconded the motion. Councilman Larsen, Councilman Dustin, Councilman Jacobsen, Councilman Hansen, and Councilman Mickelson were all in favor.

Item #6 Presentation by Julene Hawkes concerning the Central Dispatch (911).

Ms. Hawkes said we have a lot of resources and technology that other areas don't have. There are 20 full time dispatchers. In 2007 we took 225, 000 calls. We have 3 dispatchers in the center at all times, because of increased volume. There is training each year. There is also precise protocol and specific script for medical emergencies. There is a consistent quality of care. We are monitored and timed. The busiest times are 4:00 p.m.-11:00 p.m. on Friday and Saturday. A person can call 911 from a cell phone. Signals can also be sent to a cell phone. There is a high turnover rate throughout the state, not everyone can do this job. I'm just going to city councils in the county to tell who we are and what we do. Councilman Mickelson asked if she thinks there is a correlation between their increased work and increased crime? Ms. Hawkes answered yes, unfortunately it is rising every year. Councilman Larsen stated because of cell phones we are

more mobile. We can call now, where before we've had to go home and maybe not report it at all. Councilman Mickelson asked if they receive multiple calls? Ms. Hawkes answered yes, especially for traffic accidents, ducks in the road, etc. We usually have at least 2 calls for every traffic accident, depending on where it is located. Councilman Jacobson stated rumor has it there's a gps in every cell phone. Ms. Hawkes said we already have that technology, as long as the line stays open you can zoom in on it. It can show how many meters away we are from the phone. Councilman Mickelson asked if they get bogus calls? Ms. Hawkes said everyday. Councilman Mickelson asked if there is prosecution? Ms. Hawkes said we may have an officer give a warning, but we usually don't prosecute unless an officer's safety has been compromised. People will play pranks and we don't ever find out who called in. Also, if you pause after dialing 9 on a phone it will automatically call 911. Disconnected cell phones can call 911. Councilman Larsen asked how many calls do you answer in an 8 hour shift? Ms. Hawkes answered anywhere between 20-40 calls an hour. Not every call is an actual incident. Some people just need to know the phone number to the fire department, jail, etc. Councilman Larsen asked how long each call lasts? Ms. Hawkes answered we are off the phone in 3-4 minutes for non-emergency calls, sometimes less. If it is an emergency we stay on the phone until officers or medical help arrives. The Council thank Ms. Hawkes for her time and the 911 service to Nibley.

Back to Discussion on Attached/Multi-Family Housing Development Standards.

Continued discussion/debate on design standards. Councilman Hansen moved to postpone definitely, until we have representation to answer questions. Councilman Mickelson seconded the motion. Councilman Hansen, Councilman Mickelson, and Councilman Jacobsen in favor. Councilman Larsen and Councilman Dustin opposed. Councilman Jacobsen said having 6 ordinance writers, 7 counting Sheri, is a bad idea. Could we appoint a committee? This isn't working. We can pick at it, but let's do the picking at a committee stage. Ms. Phippen said let's keep it small-1 from p&z, 1 from city council, and 1 from staff. Councilman Jacobsen said don't pull in the planning commission. Mayor Knight stated we're dealing with seven strong personalities. I'm not sure that a committee would help. We're dealing with something we haven't dealt with before. Councilman Jacobsen stated we should hire someone who knows what they're doing. Mayor Knight said we don't know what it's going to do until we put it into service. If there's inconsistencies they'll come up when the developer comes in. Councilman Jacobsen asked why are we bringing up tax issues? Councilman Larsen said we're allowing this and we've never allowed this before. Councilman Jacobsen stated we don't need to talk about how to tax it, there are people who know how to do it. Councilman Larsen said actually we have already postponed this item so all of this discussion is out of order. Mayor Knight stated this is very similar to a condominium. I don't see any real problems. We're going to have unique situations that we'll deal with as they come. Councilman Dustin stated my only concern is that if we paid for this it seems like some of this is just phoned in. Maybe they don't understand what we're trying to do. There's some things that just don't work on this scale. Some of the stuff hasn't been thought through. Mayor Knight stated maybe they have more information than we do, so let's give it a try. Councilman Dustin stated I think that the guys that wrote it know more. Mayor Knight said this will come back when we have representation to answer questions.

Item #7 Ordinance 08-09: Listing of permitted, conditional, or non-permitted land uses.

Line by line discussion with Ms. Phippen recording changes.

Councilman Dustin motioned to fix a time to adjourn at 11:00 p.m., then go home no matter what. Councilman Jacobson seconded the motion. The motion passed with Councilman Dustin, Councilman Jacobsen, and Councilman Hansen in favor. Councilman Larsen and Councilman Mickelson were opposed.

Continued line by line discussion with Ms. Phippen recording changes.

City Council Reports

Councilman Hansen said high levels of radon gas have been found in Nibley, specifically on Hollow Road. Councilman Mickelson said there are some things people can do about it.

Councilman Jacobson said he would like to persuade Councilman Mickelson to write an article for the newsletter, in an effort to educate citizens on the bond issue. Councilman Mickelson said he'll do it if he's given enough space to say what he needs to say. Councilman Larsen stated it's an important issue, whether it passes or fails, that our citizens need to be informed on. Councilman Jacobson said he went to the Stokes Nature Center open house and he's impressed. People are conserving open space on their own.

Councilman Larsen stated there was a mixup with baseball scheduling. Softball had double registration of what was projected, so the need for ball diamonds is great. Councilman Larsen stated he's been approached by some people, in regards to soccer, and asked why doesn't the city leave District 7? Mayor Knight asked who would we play? Councilman Larsen said there are enough little kid's playing in Nibley that they would just play each other. Our fields are also better maintained. Our refs in Nibley are also well dressed, compared to other cities. We do a great job. Councilman Larsen asked if in the minutes we could have a report of p&z, issues that need to be identified? Councilman Jacobsen stated he thinks it's in the p&z minutes already, getting a copy of the minutes is o.k. Councilman Larsen stated he wants a committee report. With the p&z stuff he's still not getting the agenda and still needs a copy of their minutes. Councilman Larsen stated I still feel like we need to figure out what we're going to do if the bond fails in June.

Meeting adjourned at 11:00 p.m.