

A Meeting of the Nibley City Council held at Nibley City Hall, 455 West 3200 South, Nibley, Utah, on Thursday, August 29, 2019.

The following actions were made during the meeting:

Councilmember Beus moved to adopt Resolution 19-11: ADOPTING THE FINAL BUDGET FOR THE VARIOUS FUNDS OF NIBLEY CITY AND OTHER BUDGETARY MATTERS FOR FISCAL YEAR 2019-20 AND ADJUSTING CERTAIN FEES AND PAYMENTS FOR SERVICES. Councilmember Larsen seconded the motion. The motion passed 5-0; with Councilmember Beus, Councilmember Larsen, Councilmember Jacobsen, Councilmember Bernhardt, and Councilmember Ramirez all in favor.

OFFICIAL MINUTES OF THE MEETING
Deputy City Recorder Cheryl Bodily took minutes

Opening Ceremonies

Mayor Dustin led the meeting in the Pledge of Allegiance.

Call to Order

Mayor Shaun Dustin called the Thursday, August 29, 2019, Nibley City Council meeting to order at 6:32 p.m. Those in attendance included Mayor Shaun Dustin, Councilmember Larry Jacobsen, Councilmember Tim Ramirez, and Councilmember Norman Larsen. Mr. David Zook, Nibley City Manager, Stephen Nelson, Nibley City Planner, Michelle Jensen, Nibley City Treasurer, and Justin Maughan, Nibley City Public Works Director was also in attendance.

Approval of agenda; and approval of the August 22, 2019 meeting minutes

Councilmember Larsen moved to approve the agenda as outlined and also the previous meeting minutes. Councilmember Ramirez seconded the motion. The motion passed unanimously 3-0; with Councilmember Larsen, Councilmember Ramirez, and Councilmember Jacobsen all in favor.

Public Comment Period

Mayor Dustin gave direction to the public present.

Mayor Dustin opened the Public Comment Period at 6:34 p.m.

Seeing no comments, Mayor Dustin closed the Public Comment Period at 6:35 p.m.

Truth in Taxation Hearing

Mr. Zook led a presentation entitled *Nibley City Budget Fiscal Year 2019-20* (a printed copy of this presentation is included in the written meeting minutes). His presentation included the following topics: Overview and Updates.

Councilmember Bernhardt arrived at 6:35 p.m.

Mr. Zook continued his presentation and summarized the following topics: Budget Overview, General Fund – 12 Departments, Other Funds – 7 more Budgets, Impact Fee Funds – 5 more funds, Key Changes, Proposals and Projects, General Fund Changes, Capital Projects, Transportation Projects, Vehicles, Water, Park Impact Fees, Street Impact Fees, Changes Since Tentative Adoption; including additional funds for cardboard recycling, funds for recycle site security cameras, funds for Council chamber upgrades, and \$5,000 for public art, and Next Steps.

Councilmember Jacobsen requested an officially adopted hard copy of the budget.

Mr. Zook had a second presentation entitled *Nibley City Truth in Taxation Hearing* (a printed copy of this presentation is included in the written meeting minutes). His presentation included the following topics: Tax Rate Fun Facts, How Truth in Taxation Works.

Councilmember Beus arrived at 7:04 p.m.

Mr. Zook continued discussing how Truth in Taxation Works. He also summarized 2018-2019 Residential Tax Comparison, Total Revenue \$9,647,000, General Funds, Nibley City Tax Based Revenue, New Property Tax, Property Tax Increase as Percentage of Total Budget, How does a small increase affect the City and Citizens?, Truth in Taxation Public Hearing.

Mayor Dustin gave public comment direction to the public present. Mayor Dustin opened the Truth in Taxation hearing at 7:14 p.m.

Tony Strelch of 4196 Hollow Road commented that it was interesting and helpful to hear the presentation and to see how the City managed the budget. Just like the City struggled with increased finances; he thought they were aware how difficult it was becoming. He discussed that housing had become a significant problem and working families were having a hard time finding housing and he was concerned about his grand children finding a job and being able to purchase a home. Mr. Strelch said he moved to Nibley 25 years ago and had paid for his home before he retired. Mr. Strelch discussed that he was taxed by Cache County. He recalled what his property taxes were when he first lived in Nibley. He said his property taxes would be \$418/per month. Taxes were going up because the value of their property seems to be going up and he was starting to be concerned about older people. He was getting close to considering selling his property.

John Pane of 251 West 2600 South discussed the increased consumer price index. He said he hadn't heard a justification for a 19% tax increase and wanted to know where

the increased 19% was going to go. Just because houses were going up didn't mean their incomes were going up. Why did they feel justified in raising taxes 19% in 2% increase world?

Jim Renshaw of 600 West 3300 South referred to his tax statement and recalled the statement actually showed that City was increasing their actual rate over the 0.001667. He said this seemed to be reflected in the 19% increase.

Fran Pane of 251 West 2600 South said the City Manager had indicated they were in good shape and ahead of schedule and were paying off some of the City's loans. She asked why they needed an increasing if they were in such good shape?

Ben Rose of 2284 South 650 West was confused about the increase and said he was in a situation where they had a fixed income. It had been fixed nine years ago and hadn't gone up. If property values continued to increase there was going to become a point they couldn't afford to live in Nibley. He said he was grateful for the explanation that was given.

Bob Sagers of 2635 South Main said the increase of 19% in the budget was a lot more of an increase in their budget. They were messing with the budgets of everyone that lived in Nibley. Mr. Sagers said the green parks made Nibley great but if they couldn't afford to live here then it made no difference how many green spaces there were.

Seeing no further public comment, Mayor Dustin closed the Truth in Taxation at 7:26 p.m.

Mayor Dustin, the City Council and staff responded to the questions that were raised during the hearing. Mayor Dustin summarized and clarified the questions he had recorded. Councilmember Jacobsen reminded the public that the increase was the City Council's decision. He valued the information the City Manager had given them. He said appointed staff did not make the decision. The City Council owned the decision. Mr. Zook said Nibley's tax rate was not changing and welcomed Mr. Renshaw to bring his tax notice in. Councilmember Bernhardt described how he felt the property tax notices were confusing. Councilmember Jacobsen read from rates on his Property Tax Notice. Mr. Zook said the city didn't pick the percentage; they had stuck to their practice of keeping the tax rate the same and the percentage was made by the property valuation. He said the City Council had determined this was something that worked for the City. Some years they had gotten more money than they needed and some years they had gotten less but the rate had worked well for Nibley City and they had a couple of decades of experience to back the rate up. Mr. Zook described that the tax increase amounted to about \$89,000 in the 2019-20 budget and hadn't been earmarked in any specific place. He described some areas in the budget where the rates had gone up. Mr. Zook addressed Mrs. Pane question of debt being paid off faster. Mr. Zook described that the property tax funds were generally not being used to pay off debt with the

exception of paying off Nibley City Hall. He described where the water and sewer debt payments were coming from.

Mr. Zook recommended the City Council stick with tax rate so they could continue doing well. He felt if they stopped using the rate then they would stop doing well and eventually get behind. He recommended the City Council stick with the policy.

Councilmember Larsen, Mr. Zook, and Mayor Dustin discussed money needed in order to receive grant refunds and the money saving these grants brought.

Councilmember Bernhardt cut to the chase and said everyone was paying more taxes. He discussed that his house value had gone up. He was a big believer in fiscal responsibility and the tax rate helped them maintain the vision for the City. He felt they were at a breaking point across the Country of if people are able to afford to live. He felt the rate they had worked and discussed they were in a good position in the economy.

Discussion and Consideration of Resolution 19-11: ADOPTING THE FINAL BUDGET FOR THE VARIOUS FUNDS OF NIBLEY CITY AND OTHER BUDGETARY MATTERS FOR FISCAL YEAR 2019-20 AND ADJUSTING CERTAIN FEES AND PAYMENTS FOR SERVICES

Councilmember Beus moved to adopt Resolution 19-11: ADOPTING THE FINAL BUDGET FOR THE VARIOUS FUNDS OF NIBLEY CITY AND OTHER BUDGETARY MATTERS FOR FISCAL YEAR 2019-20 AND ADJUSTING CERTAIN FEES AND PAYMENTS FOR SERVICES. Councilmember Larsen seconded the motion.

Councilmember Ramirez said he'd been tempted, for the first time since he'd been on City Council, to lower the tax rate. He was particularly concerned about those on fixed incomes. He wanted to discuss where the extra money was going to go, specifically.

Councilmember Jacobsen discussed where they'd come up with one six-hundredth and said it was an empirical number that he believed gave them good value for the money they paid, for the services they receive from the City and they got good value from the city. He said he felt it was a number where they could be "just miserable enough." The number made them just responsible enough. Councilmember Jacobsen discussed Nibley's rate of growth including cash flow. He questioned if one six-hundredth was a sustainable number but discussed that they were actually in a decrease in new homes and building permits in the past 3-4 years; growth rate had slowed. He thought the one six-hundredth had passed the test of time.

Mr. Zook thanked Michelle Jensen for the hours she had put into the budget. Mr. Zook said they had made the budget readable for the citizens. Mr. Zook noted the budget had been awarded the Distinguished Budget Award from the Government Finance Officers Association. He described the list of standards the budget had to meet in order to be awarded. Mr. Zook encouraged the resident to read the budget.

Councilmember Larsen said he'd run for City Council based on the amount of property tax he was paying. He discussed the CVTD budget. He commended how Nibley City was run and commended them for the awards and grants they had gotten. Over the last 2.5 years he couldn't see where things would be cut. He appreciated how well the budget was thought out.

Mayor Dustin discussed land being kicked out of greenspace. He said the most effective way to lower your tax rate was, in the next 45 days, to challenge the valuation done by the County.

Mr. Zook left the meeting at 7:57 p.m. Mr. Zook returned at 7:58 p.m.

Councilmember Beus read from the Nibley City 2019-20 Budget:

1. Nibley City will practice fiscal conservatism.
2. Nibley City will take responsible steps to pay off the City's debts in a timely manner.
3. Nibley City will make contributions to the City's long-term savings, so that the City will be adequately prepared in the event of a fiscal crisis.
4. Nibley City will keep its residents, City Council and staff apprised of budgetary decisions, so that those decisions can be made in a transparent manner."

She felt the budget adhered to the principles as staff had created and presented the budget and this was why she was willing to stand behind the budget.

Councilmember Ramirez thanked Mr. Zook for his presentation.

Councilmember Bernhardt told the City Council she intended to come back with some proposals about park funds and reallocation of funds. She said she felt duty bound to fill their obligation for a playground at this time but felt they wanted something special and different.

Voting on the motion to adopt was as follows:

Councilmember Bernhardt in favor.

Councilmember Larsen in favor.

Councilmember Jacobsen in favor.

Councilmember Ramirez in favor.

Councilmember Beus in favor.

The motion passed 5-0; with Councilmember Beus, Councilmember Larsen, Councilmember Jacobsen, Councilmember Bernhardt, and Councilmember Ramirez all in favor.

Council and Staff Reports

Councilmember Bernhardt discussed adding aerators to the pond at Clear Creek Pond. He said the algae in the pond were bad. Mr. Zook reported that the Public Works Director was looking into their options. He said there were funds in the budget to do this. Mr. Zook said they were also looking into lily pads.

Councilmember Bernhardt said there was still a strip by Clear Creek Park that was still not painted as “No Parking.” He asked staff to look at painting the area. Councilmember Bernhardt described, in detail, the area that wasn’t painted.

Councilmember Larsen reported that they’d had a good talk with Logan. Logan was under the impression they had approved setbacks. Councilmember Larsen said Logan had been informed that they had only passed through First Reading.

Councilmember Larsen asked about sidewalks on 640 West. Mr. Maughan said he had been discussing this with the City Engineer. He felt they would bring back two proposals; one on the west side of the power poles and they would have to pipe the ditch, or move the sidewalk to right where the curb and gutter would be, with a very small park strip. Mr. Maughan said his opinion was they needed to establish where the line was and settle the conflict.

Councilmember Jacobsen thought it was amusing they were talking about how gunky the water was in the Clear Creek subdivision. He said Mr. Nelson should write a provision that said someone could only choose a name for your subdivision that will preserve whatever that name is. Lets not destroy the things we name our subdivision after.

Councilmember Ramirez asked if there was a way to reach out to the school district asking if the kids in the apartments coming on the border of Nibley would come to Nibley Elementary? Mr. Zook said he and the Mayor Dustin had already had a meeting with the school district who had no idea the development was coming. He said it was up to the parents and they could request doing an inter-district transfer.

Councilmember Ramirez asked if they were doing something different with weeds? He said the weeds on the west side were worse than ever. Mr. Zook said the City had been struggling staffing-wise. They’d had a good crew that kept returning and none of those people had returned. He said the economy was also good and they were having a hard time hiring. Mr. Nelson said regarding private property, the County had gone through the City in the last couple of week and a bunch of letters had gone out.

Mayor Dustin reminded the City Council that the League of Cities and Towns meeting was coming up in a couple weeks.

Mayor Dustin said the City Council had a truncated schedule in September and would only have one meeting in September. He planned to bring the first reading of the

suggested Town Center ordinance, which was basically a modification to the planned unit development ordinance that specified the town center area, to the City Council. Mayor Dustin described some of the ordinance provisions.

Mr. Zook reported the Nibley City audit was about done and would be on the next agenda. He reported that the contract for prosecution services would also be on the next agenda.

Mr. Zook reported that he'd met with Logan City Environmental about cardboard recycling. They had indicated they would bring the six containers back for about \$4,000/year. Councilmember Bernhardt asked if it would all be recycled? Mr. Zook said there was no guarantee it would be. Councilmember Larsen asked if Nibley would be the only city. Mr. Zook believed Wellsville City might also have the bins. Councilmember Bernhardt thought they should have a good discussion about the blue bins and if they were actually being used.

Mayor Dustin asked the City Council to start thinking about an RFP for Engineering Services. He felt they were passing the threshold of where it would be feasible to pay an engineer. Mayor Dustin said he wanted a specific proposal for either an RFP or a job description for engineering services by the first of October.

There was general consent to adjourn the meeting at 8:33 p.m.

Attest: _____
Deputy City Recorder