

A Meeting of the Nibley City Council held at Nibley City Hall, 455 West 3200 South, Nibley, Utah, on Thursday, February 24, 2022.

The following actions were made during the meeting:

Councilmember Bernhardt moved to approve Ordinance 22-06: Authorizing the Abandonment of a Portion of the Right of Way on 1200 West From 3200 South to a Location Approximately 180 feet to the south for first reading. Councilmember Sweeten seconded the motion. The motion passed unanimously 5-0; with Councilmember Bernhardt, Councilmember Beus, Councilmember Larsen, Councilmember Laursen, and Councilmember Sweeten all in favor.

OFFICIAL MINUTES OF THE MEETING
City Recorder Cheryl Bodily took minutes

Opening Ceremonies

Councilmember Tom Bernhardt said that with current world happenings, it was good to reflect on what they did there and how it affected them as a city, and not necessarily from a world perspective. Councilmember Bernhardt said they would all most likely be touched by something from the Russian invasion of the Ukraine and said his thoughts and prayers went out to the people of the Ukraine. He hoped they would be blessed in a difficult time.

Councilmember Bernhardt led the meeting in the Pledge of Allegiance.

Call to Order and Roll Call

Mayor Larry Jacobsen called the Thursday, February 24, 2022, Nibley City Council meeting to order at 6:32 p.m. Those in attendance included Mayor Larry Jacobsen, Councilmember Kathryn Beus, Councilmember Tom Bernhardt, Councilmember Norman Larsen, Councilmember Nathan Laursen, and Councilmember Kay Sweeten. Justin Maughan, Nibley City Manager, Cheryl Bodily, Nibley City Recorder, and Darren Farar, Nibley City Engineer, was also present.

Approval of the Previous Meeting Minutes and Current Agenda

Councilmember Beus moved to approve the February 10, 2022, meeting minutes and the , as presented. Councilmember Laursen seconded the motion. The motion passed unanimously 5-0; with Councilmember Bernhardt, Councilmember Beus, Councilmember Larsen, Councilmember Laursen, and Councilmember Sweeten all in favor.

Public Comment Period

Mayor Jacobsen gave direction to the public present and opened the Public Comment Period at 6:33 p.m.

Seeing no public comments, Mayor Jacobsen closed the Public Comment Period at 6:34 p.m.

Presentation – Utah Ranked Choice Voting

Kelleen Potter participated in the meeting via Zoom. Ms. Potter described that she was with Utah Ranked Choice Voting and was previously a director of elections and had been the Mayor of Heber. Ms. Potter described that Utah Ranked Choice Voting had hired Y2 Analytics to do a survey so they could get accurate data on voter perception and experience with Ranked Choice Voting.

Ms. Potter had an electronic presentation entitled *Utah Ranked Choice Voting. Better. Faster. Cheaper. It Works*, (a printed copy of this presentation is included in the printed, record meeting minutes) that she shared with the meeting attendees. The topics included in her presentation included the following: Majority of RCV Voters found Method “very Easy,” 90% of RCV participants, 3 out of 5 voters in RCV elections liked the process, RCV Participants likelier to vote for favorite candidate, Overall Satisfaction same for RCV/non-RCV Election, RCV participants split on election rules preferences, 85% say winning a majority of votes is important, Voters with RCV Experience want more, and New legislation

Mayor Jacobsen asked how participants were selected in the survey? Ms. Potter shared that Y2 Analytics decided what kind of sample size they wanted and went out and found individuals in those categories.

Ms. Potter discussed House Bill 264 – Municipal Alternative Voting Methods.

Jess Bradfield, Cache County Clerk believed that as the Cache County Clerk and Auditor it was his job to tell the truth. He shared the pros and cons of what happened in Cache County with Ranked Choice Voting:

1. He felt Kelleen Potter’s data was correct and felt RCV went rather well.
2. Cost-Cheaper and saved approximately \$2/voter. He said Cache County would be seeking their contracts with cities soon. He described that Newton, River Heights, and Nibley had a RCV election and that cost was the top reason for trying RCV.
3. He said there was a clearer threshold to win; 50% resolved issues regarding plurality and some people really did care about this issue
4. Everyone is allowed to go on the General Election ballot. In cities like Logan there could be up to 12 on the ballot and sometimes it was nice, as a candidate, to have the opportunity to go through the primary and then go through the general election with fewer people.
5. Mr. Bradfield addressed the claim of discouraging negative campaigning. He was not sure of this and felt time would prove this out. Cache County’s stance was that they were there to serve the public

6. Voter education and outreach. Mr. Bradfield described that some cities had a high number of overvotes and undervotes, which meant that voters hadn't selected enough candidates in a round and overvotes meaning individuals had selected the same candidate in multiple rounds. He said Nibley had a statistical increase of 2-3% in overvotes and undervotes. He said this did not impact the election. People who undervote or overvote may not know they did this.

Councilmember Beus asked how the overvoting and undervoting ballots were counted. Mr. Bradfield said the software that the ballots were run through kicked out the ballot and they would to be tabulated manually. He said an overvote did not count.

7. Mr. Bradfield said RCV took a little longer to release the voting results; approximately an hour longer. He hoped the State would come up with software that would integrate in with Cache County's current system and make it easier for their office to tabulate. Mr. Bradfield described the current tabulation process. Mr. Bradfield said the biggest thing he worried about was audits and it was difficult to explain to residents how an audit was conducted.

Councilmember Sweeten said she'd understood from study that RCV reduced the probability of recounts. Mr. Bradfield said he couldn't say this and thought Sandy City would have qualified for a recount and this was some of the reason the legislation had been changed.

8. Mr. Bradfield recapped that RCV saved a lot of money, there was a clear threshold for who won, and people generally seemed to be happy with RCV.

Councilmember Sweeten was curious to know if Cache County had received other negative comments versus what Nibley'd heard. Mr. Bradfield said he did worry about the elderly population. He thought there were some examinations to be looked at. He said Nibley had a successful election and were within the statistical margin of error. Mr. Maughan asked if Mr. Bradfield anticipated any changes to the contract the County would be sending. Mr. Bradfield said he anticipated there would be increased cost due to inflation; this was also because of labor costs. He anticipated an additional \$.10 increase per ballot.

Mayor Jacobsen and Mr. Bradfield discussed voter turnout. Mayor Jacobsen suggested there needed to be a messaging campaign for how to explain a multi-winner election. He felt this was the liability for people understanding the process. They need to understand voting for one candidate, a different candidate in each round, and making sure they voted in each choice or filled out all the choices.

Councilmember Sweeten presented that as the State considered more and more of this, that high school government classes were a great place to educate. This might be part of the population to reach out to. Mr. Bradfield said with the League of Women's voters

they'd tried different types of ballots so they could see the differences between them and had put together hypotheticals and ran them.

Public Hearing – Ordinance 22-06: Authorizing the Abandonment of a Portion of the Right of Way on 1200 West From 3200 South to a Location Approximately 180 feet to the south

Mr. Maughan showed a property plat of the roundabout at 1200 West and 3200 South. He described that the city had entered into an agreement with Rob and Carrie Stott for the southeast corner of the future intersection and needed a little property from them. The City had worked out a deal to make up for the loss of the Stott's shed and had agreed to trade the right-of-way property to the Stott's. The agreement was recently finalized with the City Council and the next step in the process was to abandon the described right-of-way so the City could move the property into the Stott's name. Mr. Maughan said the City was following a detailed State process to abandon the road and right-of-way. He described that the City Council would have to bring the ordinance back for a second reading because staff had missed a step and hadn't put up a sign noticing the public of the abandonment and public hearing. He described the other public outreach that had taken place. Mr. Maughan described the location of the property being abandoned. Mr. Maughan said there was a utility easement retained on the property and staff didn't expect the abandonment of the right-of-way to be an impediment. There were no current public utilities in the area.

Mayor Jacobsen opened the public hearing at 7:24 p.m. Seeing no public comment, Mayor Jacobsen closed the public hearing at 7:25 p.m.

Discussion & Consideration – Ordinance 22-06: Authorizing the Abandonment of a Portion of the Right of Way on 1200 West From 3200 South to a Location Approximately 180 feet to the south (First Reading)

Councilmember Bernhardt moved to approve Ordinance 22-06: Authorizing the Abandonment of a Portion of the Right of Way on 1200 West From 3200 South to a Location Approximately 180 feet to the south for first Reading. Councilmember Sweeten seconded the motion.

Councilmember Bernhardt asked if they were premature in abandoning the right-of-way when they didn't currently have a roundabout? Mr. Maughan said the abandonment would not be recorded until such time as they had the road available to traffic and ready to open. Councilmember Bernhardt questioned if it were accepted upon recording or upon acceptance of the City Council? Mr. Maughan said he would have an answer to this from the City attorney when the ordinance came back to the City Council. Mayor Jacobsen said there could be wording included in the ordinance that stated when the abandonment took place.

The motion passed unanimously 5-0; with Councilmember Bernhardt, Councilmember Beus, Councilmember Larsen, Councilmember Laursen, and Councilmember Sweeten all in favor.

Workshop: 2022 Nibley City Council Goals

The City Council reviewed a list of goals compiled by the Mayor, City Council and staff.

Councilmember Bernhardt thought the next step would be to identify what was being worked on and then culling the list down and prioritizing. Mayor Jacobsen suggested a Status column.

Councilmember Sweeten suggested color-coding projects that were actively being worked on; green being worked on, yellow meant work was going slow, red was work was not happening.

Councilmember Laursen said it was important to look at Nibley's Master plan and the values that had been laid out in 2016. He said the City Council needed to take a further step back and have a bigger scope of the projects. What was of value to them? Which of these projects/goals had the biggest impact on the values the Council identified? If they couldn't do this, then the list was just tasks that staff had identified. He felt this would be more forward thinking instead of reactive. If they had the bigger goals designated, when things came up, they were able to say "these are the values we're trying to focus on," so they prioritized it to staff. Councilmember Laursen said the marching orders to himself were to review the general plans and the values so they could compare these to the list staff had worked on to ensure they were working on the right things.

Councilmember Laursen said this was instruction for the City Council.

Councilmember Beus wanted to address what was happening on the north side of Nibley and being able to capture something there. She suggested a special improvement district to develop the west side of the highway and retain and encourage development. The Mayor and City Council discussed coming to agreement with Logan City regarding a city boundary line.

Councilmember Larsen said his goals were to help with a plan for Morgan Farms and the Nibley Royalty float. The City Council discussed the timeline and need of the royalty float. Councilmember Larsen said if Steve Eliason could purchase the trailer, then he could help built the float.

Councilmember Sweeten wondered if there were some way to link something for the elected official's salaries to population size; a comparison to similar cities with similar populations. She said those that were willing to serve should not be shied away because they need some compensation to balance demands. Where they on track to be reasonable for their city? Mayor Jacobsen felt that if they didn't do this then they would only attract a certain group of people to serve.

Councilmember Bernhardt suggested there was a tie between the RDA and affordable housing. He also said Nibley needed to look at its Winter Parking ordinance and implementing changes around holidays. He also discussed spaying animals. He didn't feel fixed animals should be less than non-fixed animals. Councilmember Sweeten said, based on discussions she'd had with a few residents, it might be good for the City Council to look at where dogs were and weren't allowed in Nibley.

Mayor Jacobsen reviewed his list of goals.

Council and Staff Report

Councilmember Larsen reported on meeting with the Park and Recreation Committee the previous evening. He described that he'd presented a couple of ideas for the Morgan Farm. The PRAC committee said Morgan Farm was a second priority on their list. Their priority was a regional park.

Councilmember Beus discussed a group that had been put together by the County to discuss open space and the potential for bonding this fall. They were meeting weekly and listening to everyone's definitions of open space. Some of them had identified, as a priority, having the corridors of the highway as being protected. Councilmember Beus said she didn't like messing with the cities on this and wanted cities to make their own decisions. Councilmember Beus said she would be part of the legislative writing of the open space initiative; like what had been done in Wasatch county.

Mr. Farar reported on his participation on the Nibley Park and Recreation Committee meeting and plans for a city park and Ridgeline parks. They looked at next steps, which included a City Council meeting and public outreach. Mr. Farar said the plans that were more highly regarded by the Park and Recreation Committee had more amenities and Mr. Farar said they didn't have all the funds to provide all the amenities.

Mr. Maughan described a grant opportunity with the federal government through the Land and Water Conservation program. The state of Utah hadn't given out all the money they had for this program. Mr. Maughan said he and Mr. Wright would be looking into the details of this grant and would bring information back to the City Council. Mr. Maughan said it was a grant for parks and recreation. Councilmember Sweeten said she'd also discovered this grant opportunity and reported there were two parks already in Nibley that were identified on their map. Both Ahnder Park and Virgil Gibbons Heritage park were on the list of locations they'd identified.

Mr. Maughan described job openings in the City.

Mr. Maughan reported that SuperStarT soccer had started.

Mr. Maughan reported that there was a dog registration and vaccination clinic at the Nibley Heritage Veterinary Clinic on Saturday the 26th.

Mr. Maughan described that staff had kicked off the budgeting process and would be reaching out to members of City Council about the budget.

Mr. Maughan said staff would be doing a big code enforcement push coming up in the spring. He reported staff had received fewer resident complaints regarding code enforcement.

Mr. Maughan reported on the RDA.

Mr. Maughan reported that Logan had issued a letter that they would not provide garbage services for outside entities and gave a two-year timeframe to phase this service out. Mayor Jacobsen reported on what had been discussed at a meeting with Cache County regarding the issue. Mayor Jacobsen said Mr. Maughan's proposal had been to have Nibley City provide the service.

The meeting was adjourned at 9:08 p.m.

Attest: _____
City Recorder