

NIBLEY CITY COUNCIL  
CITY COUNCIL MEETING THURSDAY, May 17, 2007  
The following motions were made during the meeting.

**Motion #1:** Councilman Hansen made a motion to allot \$300.00 for the Civil Air Patrol Utah Wing to help fund participation in National Competition in Ohio. Councilman Jay Harrison made a second to the motion. The motion passes with Councilmen Hansen, Harrison, and Jacobsen voting in favor of the motion. Councilman Larsen voted against the motion and Councilman Mickelson abstaining citing a conflict of interest because of his association with the Civil Air Patrol.

**Motion #2:** Councilman Scott Larsen made a motion to require Maverik to present three sets of complete plans to be reviewed and approved by Nibley City staff prior to review by the Nibley City Council. Councilman Jacobsen made a second to the motion. The motion passes with councilmen Mickelson, Hansen, Jacobsen, and Larsen voting in favor and Councilman Harrison voting against the motion.

**Motion #3:** Councilman Jacobsen made a motion to name the 800 West Park the Virgil Gibbons Heritage Park. Councilman Harrison made a second to the motion.

Councilman Hansen made a motion to amend the original motion to include the option of naming the 800 West Park Pavilion the William H. Garr Pavilion. Councilman Jacobsen made a second to motion. The amendment passes with Councilman Larsen opposing the amendment.

The motion now reads....

Councilman Jacobsen made a motion to name the 800 West Park the Virgil Gibbons Heritage Park with the option of naming the 800 West Park Pavilion the William H. Garr Pavilion. Councilman Harrison made a second to the motion. The motion passes with Councilmen Harrison, Jacobsen, Mickelson, and Hansen voting in favor. Councilman Larsen voted against the amended motion.

**Motion #4:** Councilman Larsen made a motion to approve an easement for one foot on each side, for a total of two feet, to Qwest near Shadowbrook Park. Councilman Jacobsen made a second to the motion which was approved unanimously.

**Motion #5:** Councilman Bryan Hansen Motion to approve a contract between Nibley City & Sheriff's Department for Law Enforcement. Councilman Mickelson made a second to the motion which was approved unanimously.

**Motion #6:** Councilman Larsen made a motion to approved the purchase of a 2007 F350 Truck for \$25,000.00 with money out of the city water department. Councilman Harrison made a second to the motion which was approved unanimously.

OFFICIAL MINUTES OF THE MEETING  
Minutes taken and prepared by Deputy Recorder Kerry Bringhurst.

Mayor Knight called the Thursday, May 17, 2007 Nibley City Council Meeting to order at 6:00 p.m. Those in attendance included City Council Members Bryan Hansen, Jay Harrison, Larry Jacobsen, Scott Larsen, and Thayne Mickelson. City Manager Larry Anhder and City Planner Conley Thompson were also in attendance. The meeting took place at the Nibley City Hall, 625 West 3200 South.

Prior to the official opening of council meeting, the Civil Air Patrol Utah Wing Division made a Presentation of the Colors. Members of the patrol include Nibley residents Color Guard Commander Braydon Mickelson, Josh Hendrickson, Zachary Hopkins, and Ju Young Lim from Mendon.

**Item 1: Minutes and Evening's agenda.** Councilman Scott Larsen made a motion to approve the evening's agenda and the minutes from May 5, 2007 with necessary changes. Councilman Jacobsen made a second to the motion which was approved unanimously.

**Item 2: Civil Air Patrol Presentation-** Members of the Civil Air Patrol Utah Wing Division met before the council. As part of their presentation they sang the National Anthem. The patrol recently attended the Utah Cadet Competition in January where they won the state competition and then proceeded to the regional competition where they also received a first place award. They will be traveling to nationals in Dayton, Ohio. The auxiliary is seeking funds for uniform items and to help with training to prepare for the national competition. There will also be an alternate that did not receive funding planning to attend the national competition. The group requested a donation of \$300.00 from Nibley City to help fund the trip.

Councilman Larsen reminded the council that \$500.00 has been set aside to fund requests such as this. Two hundred dollars of the money has already been spent.

**Councilman Hansen made a motion to allot \$300.00 for the Civil Air Patrol to help fund participation in National Competition in Ohio. Councilman Jay Harrison made a second to the motion.**

During discussion Councilman Larsen asked the council to consider that by spending the rest of the funding for this fiscal year, additional requests for support for youth programs will not be supported by Nibley City. Councilman Harrison said it may be that the city needs to consider allocating additional money in the budget to support requests for city donations.

Color Guard Commander Braydon Mickelson said they have received a \$100.00 donation from Mendon and will be making a similar request for a donation from Logan City.

Mayor Knight asked for a vote on the motion.

**The motion passes with Councilmen Hansen, Harrison, and Jacobsen voting in favor of the motion. Councilman Larsen voted against the motion and Councilman Mickelson abstaining citing a conflict of interest because of his association with the Civil Air Patrol.**

**Item 3: Cache County Parkways and Trail Plan presentation-** Tim Watkins has been hired by Cache County to help oversee a process to develop a local trail and parkways plan. He gave a slide show presentation of the draft plan designed to connect neighborhoods and communities in the county through trails and parkways. Mr. Watkins said state and federal funding to help support the trail system is currently being sought. Mr. Watkins said the draft plan was built from varied trail and concept plans in cache valley communities to allow for a broad context of ideas. He said he would like communities to understand the draft is not a plan designed simply by the county. The plan, at this point, will help cities review current ordinances to determine if trails and parkways are included.

He presented objectives and goals for the council to consider.

Some of the objectives include ways to create recreation, open space, and alternative transportation.

Mr. Watkins said the plan could also improve air quality by promoting pedestrian friendly development near public transportation sites and trains.

He said some of the goals for those working on the draft trail and parkway plan are designed to inform the public of efforts to implement a plan and to work to seek federal, state, local and private funding.

The plan includes cluster type housing developments to help preserve green space and waterways. Land Use, Zoning, and General Planning must be incorporated to support a trail and parkways plan according to Mr. Watkins who told the council the document includes a variety of information and incentive plans. He said in order to remain competitive economically, having open spaces and trails are needed to encourage businesses to locate in the valley. Connecting trails to commercial and neighborhood developments appears to be a growing trend. Mr. Watkins said housing developments with smaller lots that allow for pedestrians to walk along nearby trails and waterways are becoming more popular in order to help preserve green space and wetlands.

From a city's perspective Mr. Watkins said aspects of the plan will enhance the desirability and marketability of an area. When reviewing the plan the council is expected to notice transit oriented development for mixed use zoning. By implementing more transit use the city will reduce vehicle traffic according to Mr. Watkins.

Mr. Watkins said he understands there are concerns by some residents in Nibley who are sensitive to the idea of having trails on their property. He said he has done his best to remove those areas as trail options and said landowners have the right to do what they want with their property and should not feel threatened by this draft plan. There were several residents of Nibley who attended the presentation. Councilman Hansen said he believes their concerns appear to be related to possible trail plans in the Hollow Road area. He said landowners living in that area feel they are already contributing to the recreation of the valley by having bike and pedestrian traffic on the road. Mr. Hansen said a plan allowing for trails in the backyards of homes would be opposed.

Scott Tuddenham said while he is not opposed to a trail system, he would not support a plan that allows for a trail on his farmland. Mr. Watkins said if the farmland should become a development in the future, the trail would be negotiated but at this point there is not a plan to develop a trail on that parcel. Again, he said landowners who do not want to be a part of the trail system there will not be forced to participate.

Councilman Mickelson lives along Hollow Road. He had the following questions and comments.

1. He said when it comes to land use issues what is legal may not be ethical. He said there is the potential for landowners who want to participate in a trail, for example, to force nearby residents to feel pressured or legally forced to participate in a certain land use project. Councilman Mickelson was assured it is not legal for a city to force a landowner to participate in a trail system.
2. Councilman Mickelson wants to make sure there is not a plan, either with the county or Nibley City where it appears a concept trail anywhere is considered permanent. He suggested either removing opposed trail completely or finding some way of making notice the trail is not approved.
3. He disagreed with claim that a trail and parkway system will improve air quality. He said with limited access during the year, the trail will serve recreation and can reduce traffic in the warm season, but that during the cold months it is not likely to have an effect on air quality.
4. Finally, Councilman Mickelson said preserving agricultural land may not be considered as one of the benefits of a trail system because, he said, there may be public pressure to prevent prospective owners of agricultural land from maintaining use of their land for those purposes.

Councilman Hansen asked what steps the council needs to take to make comments and suggestions to provide a plan that Nibley City can adopt. Mr. Anhder suggested each city adopt a city trail plan with the idea of interfacing each plan in order to create a county plan. He said Nibley City could develop a better plan by interfacing with the county. Mr. Watkins said by reviewing the existing draft it would save time and money, but he encouraged the city to do whatever they feel works best to include trail plans in Nibley. Mr. Watkins said there is not a time line for completion of the plan. He said the main purpose of the presentation is to gather input and encourage thought.

Tim Poulsen lives in Nibley. He said his concern is that the trail system near Hwy. 165 would require users to cross the highway at some point. Mr. Watkins said there would more than likely be an access across the highway that would run underneath a bridge.

Mayor Knight said the presentation was educational and gave some direction for the city. He said several of the ideas for a trail system are similar to what has been discussed and outlined by Nibley City. He agrees trails are a beneficial and useful thing. He said it can become a balancing act when trying to determine where trails should be located. Mayor Knight said he understands there is a certain amount of distrust among some residents regarding trails. But, he added, by considering what has been presented as part of a trail plan, the city has an opportunity to change that distrust. He said Nibley City should consider adopting a trails and parkways policy in their general plan as well as adopt an ordinance that states landowners will have the final say in what happens to their land. He said he thinks a trail system needs to be incorporated and that working with other cities for a cache valley plan is a good idea. Mayor Knight added that he believes all of the presented suggestions could improve the level of trust between the city and residents regarding trails.

Councilman Hansen said there are different classes of trails that could be incorporated in the city that would be beneficial. However, he said he would be opposed to any system that places a trail along the North side of Hollow Road. He said he recalls having seen a proposed trail along Hollow Road still outlined on a trails map. It is his understanding that the trail is no longer being considered as an option and suggested it be removed to avoid any confusion. Additional comments from the public came from Ronda Lowerson. She asked if proposed and existing trails are outlined and suggested the map include written notification that certain trails are not open for public access.

Cindy Rowland lives along Hollow Road. She said she would support trails, but not in her backyard. She said it has occurred to her that if in concept residents and policy makers can agree to the fact that there should be a trail system, the plans must have support from all landowners in the area. In Nibley, she said there has been a history and a feeling that if a majority of landowners along a proposed trail agree with the plan, that those who disagree will be forced to participate as well. Her suggestion for a trail along the Hollow Road area was for land owned by nearby LeGrand Johnson. This, she said would keep the public from having access to the back yards of landowners. Ms. Rowland said she is uncomfortable having strangers access her backyard while using a public trail.

Mr. Watkins said he will work to make sure maps are updated. He also offered his services in helping Nibley City update maps. He said more information is available at [cachecounty.org/trails](http://cachecounty.org/trails)

Stuart Reynolds asked if the draft will be available for review by the public and for how long. Mr. Watkins said additional comments are being sought and the maps and draft plan will be available at the city offices.

Nan Gutshall is a landowner along Hollow Road. She said she wants to feel confident that landowners really do have control over what happens to their property. She said comments have been made, even jokingly, that could cause a feeling of mistrust when it comes to landowner rights.

Nibley City Manager Larry Anhder said Nibley City has never condemned private property for a trail or road. The only exception has been when land was necessary in order to install a sewer system. Mr. Anhder said it is not legal for the state to condemn property for a trail and suggested residents begin to realize there is not reason to be concerned. He said part of the problem is an outdated general plan including trails that need to be revised. Mr. Anhder reminded those in attendance that the city is currently in the process of revising that plan.

Councilman Larsen pointed out that he feels the problem is that the city is not following the General Plan. He said the city has a trail plan that was adopted in the 1970's. He added that the city let people build in spite of the plan. And, he said, that makes it hard for the city to go in now and require the trails.

Councilman Jacobsen said as a resident of Hollow Road he enjoys all of the benefits of living in that

area. He said when it comes to promoting safety in the area, he feels it would benefit residents living there to encourage public recreating such as biking and walking in conjunction to motor vehicle traffic. He is recommending signs be placed at each end of Hollow Road with icons being used to indicate the area is used for pedestrian, bike, and vehicle traffic. He is hoping this will remind all of those using the road will respect other users. Councilman Jacobsen asked those in attendance if there was any opposition to placing signs at each end of Hollow Road. Residents were in support of the proposal. Councilman Jacobsen said he will look into the legal aspects of having the signs installed.

Mayor Knight thanked Mr. Watkins for his presentation told residents who participated that their comments were appreciated and will be taken into consideration. Mayor Knight closed the presentation at 7:30 p.m.

**Item 4: Discussion regarding Maverik Store along Highway 165.** City Manager Larry Anhder told members of the council that during the engineering review it was determined that the plans were not complete. It was his understanding the council had requested complete plans and a plat along with UDOT approval prior to conducting a review for possible approval. Mr. Anhder said Maverik has not provided any of the required documents necessary for council review. He said there is also the matter of inconsistencies among the plans that were presented. Mr. Anhder said the problem of inconsistent plans from Maverik is not new, and is one of the reasons construction plans were approved even though they did not meet ordinance. He said it is up to the council to decide whether or not to approve the partially completed plans contingent on engineer review and approval, or to require a complete set of engineer approved plans before considering the request for approval.

Dan Murray represented Maverik at the meeting. He said they are working on two sets of plans, one outlining the landscape and site plans, the other being the civil drawings. He said he is not clear why it is necessary for the council to have access to the civil plans. It was his request that the council review and approve landscape drawings while leaving the civil drawings for review and approval by city staff.

During a review of the plans, Mr. Murray said Maverik designer recommended that a curb and gutter be installed over the top of gasoline tanks in addition to the decorative stamped concrete recommended at the last meeting. Mr. Murray said the curb and gutter is helpful when it comes to raising the land and reducing the potential of water running into the tank area. The council seemed to agree with the recommended change. Again, Mr. Murray asked the council to approve the landscape concept in order for this portion of the plan to move forward.

Councilman Larsen asked if approving the landscaping plan without reviewing the civil drawings meets the intent of the council's actions at the previous meeting. He said it was his understanding the motion called for a review of a full set of plans by the council. Councilman Larsen said according to the city engineer the proposed plans are incomplete anyway and should not be approved.

Mr. Anhder said it is his understanding the proposed landscape drawings do meet code. He said it is not uncommon for civil plans to change, even during the construction process. He said he is confident city staff can follow the progress and make sure things are done as requested. But, he said he can understand the council's hesitancy to approve the request without reviewing additional drawings.

Councilman Harrison said approving portions of the plan concerns him because of the unusual situation surrounding the project. He said it is his understanding that approval of incomplete plans presented by Maverik is one of the reasons the project has been allowed to go forward even though plans did not comply to city ordinance. He wonders if it wouldn't be a good idea to have everything in order before approval.

Councilman Larsen said the city engineer has stated the plans are not complete. That is reason enough for him to vote against a request for Maverik to move forward with construction.

Councilman Mickelson said it is his understanding that by allowing construction to continue it would

be the developers responsibility should there become a problem. Mr. Murray said Maverik is concerned with delay and said it could be as many as five weeks before the required plans are available. Mayor Knight said he would like to review the time line and try to accommodate the councils needs and the developer.

Councilman Larsen said ordinance does state the council should review a final plan, not a plan contingent on the engineers review and approval. He also said the council requested a full set of plans, not just a landscape plan, prior to a request for approved. Mr. Murray said the site plan does not include the civil plan and should be considered separate of the landscape plan.

Mr. Thompson said the landscaping plan and the grading plan do not coincide when it comes to outlining the necessary landscaping requirements. Again, said Councilman Larsen, approving inconsistent plans is resulting in unnecessary problems. He said he wants to see plans that coordinate.

**Councilman Scott Larsen made a motion to require Maverik to present three sets of complete plans to be reviewed and approved by Nibley City staff prior to review by the Nibley City Council. Councilman Jacobsen made a second to the motion.**

During discussion Councilman Mickelson asked if Nibley City would be taking a risk by allowing Maverik to move forward with incomplete plans. Councilman Larsen said it would be perceived as a risk because the city would be approving a plan that does not comply to the ordinance. Mr. Thompson said his is also concerned with the idea of allowing the developer to proceed with incomplete plans but he suggested a letter could be given by Mr. Murray to the city guaranteeing civil plans will be presented to the city for staff approval.

Councilman Hansen asked if the motion was clear when it comes to what was required for review by the council he would consider approving a plan.

Councilman Mickelson agreed to a comment made that the city council has a responsibility to constituents who elected them and expect them to follow the ordinance. The councilman said in that case it would appear the city has a responsibility to follow the ordinance and deny the request.

Mr. Anhder said the council does have the authority to approve the plan with contingencies attached. Mr. Murray said it would cost Maverik between \$45-50,000 dollars to present a full set of plans, only to be told the plan is not acceptable. Mr. Murray said he would prefer to deal with details before preparing a plan.

Councilman Mickelson said it appears the ordinance needs to be changed, but in this case the council needs to follow the existing ordinance.

Councilman Hansen said he believes Maverik has met requirements to present a plan as requested at the previous meeting and feels staff should be allowed to review any remaining civil and construction plans.

Councilman Jacobsen said he had a similar thought until reviewing maps that have different figures when it comes to landscaping. He said he is not sure the requirements are being met and is not completely comfortable about supporting a plan that seems inconsistent.

Mr. Murray said he could have the necessary plans complete in a week. At that point the council would require the plans to be reviewed by the city engineer.

Mayor Knight called for a vote on the motion to **to require Maverik to present three sets of complete plans to be reviewed and approved by Nibley City staff prior to review by the Nibley City Council.**

**The motion passes with councilmen Mickelson, Hansen, Jacobsen, and Larsen voting in favor and Councilman Harrison voting against the motion.**

**Item 5: Discussion and approval of name for 800 West Park.** Councilman Larsen said he has asked for suggestions and comments on what to name the new park along 800 West. A document prepared by Councilman Larsen explaining his recommendation for the naming of the park was presented and will be available at the city office for public review. He would like to recognize the heritage of Nibley. Mr. Larsen added that he found great opposition to naming the park after Mr. Gibbons when he asked citizens and the committee that helped design the park. He said he could not find anyplace in the gift of purchase agreement or the minutes where it was agreed the city would name the park after Mr. Gibbons. But, he said, it appears it was more like a gentleman's agreement. It was Councilman Larsen's recommendation that donors who have contributed land where the park was built will be included on a donation sign. He suggested including Tim Gibbons and the Nelson family on the contributors sign. He recommended the naming of the park be The William Henry Garr Heritage Park.

Tim Gibbons was in attendance at the meeting. According to Councilman Larsen, Mr. Gibbons sold 5 acres of land and donated another 5 acres for the park property. Mr. Gibbons said he would like to have his father's name, Virgil Gibbons, be included in the name title. He said the five acres his father donated to the city for the park is worth \$130,000 dollars in terms of property value. He is a long time citizen to Nibley and the property was donated as a citizen. He said it is not his intention to have his name included, but said he would like the park to be named after his father. He said at the time the donation was made the city manager agreed to name the developed park after Tim Gibbons, but he said he understood that it needed council approval.

Councilman Mickelson suggest the name be Gibbons Family Heritage Park. Councilman Hansen suggested the options to help incorporate the history of the area and those who lived there or owned the property would be to have some history markers at the park.

Ronda Laursen is a resident of Nibley and serves on the Cache County sheriff's Departments 50 year anniversary celebration committee. She suggested more people know William H. Garr, the first sheriff in Cache County, than do people who know Virgil Gibbons. She said for that reason the park should be named after Garr. She said the Cache County Sheriff's office was planning to send a letter asking for support of the naming of the park to be associated with William H. Garr. She asked what Mr. Gibbons has done to contribute to Nibley while Garr was a Nibley resident who served as the first Cache County Sheriff.

Mr. Anhder said it was his impression that a land contribution valued for raw land at over \$130,000.00 is a substantial contribution that should be recognized. In addition, he said, the city wants to encourage other landowners in the city to donate property for public use. Naming public facilities after the land donor is appropriate and should be encouraged as an incentive.

Mayor Knight said the city would like to encourage more land donations and would like to be trusted to recognize those donations.

Mr. Gibbons said his father raised crops on that property for fifty years which in his opinion is a big contribution.

Councilman Harrison was in attendance as a member of the council when the land was donated. He said he greatly appreciated the donation and does not understand why there is so much animosity regarding such a great contribution. It is his recollection that the council intended for the park to be named after Mr. Gibbons at the time the property was donated to the city.

Councilman Hansen suggested naming the park the Gibbons Family Park while naming the pavilion the William H. Garr Pavilion.

Councilman Larsen said criteria and guidelines need to be established regarding land and other donations when it comes to recognizing contributions so that similar situations and discussions don't

take place in the future.

**Councilman Jacobsen made a motion to name the 800 West Park the Virgil Gibbons Heritage Park. Councilman Harrison made a second to the motion.**

Mrs. Laursen asked the city to return soccer goals from the 800 West park back to the Elwood Morgan Elkhorn Park. She said her family made those soccer goals with the intention of having them used at the Elkhorn park. The council agreed to have the goals returned.

Councilman Mickelson expressed appreciation to Mr. Gibbons for his donation of land for use as a park.

**Councilman Hansen made a motion to amend the original motion to include the option of naming the 800 West Park Pavilion the William H. Garr Pavilion. Councilman Jacobsen made a second to motion. The amendment passes with Councilman Larsen opposing the amendment.**

**The motion now reads....**

**Councilman Jacobsen made a motion to name the 800 West Park The Virgil Gibbons Heritage Park with the option of naming the 800 West Park Pavilion the William H. Garr Pavilion. Councilman Harrison made a second to the motion. The motion passes with Councilmen Harrison, Jacobsen, Mickelson, and Hansen voting in favor. Councilman Larsen voted against the amended motion.**

**Item 6: Approval of easement for Qwest at Shadowbrook Park-**

**Councilman Larsen made a motion to approve an easement for one foot on each side, for a total of two feet, to Qwest near Shadowbrook Park. Councilman Jacobsen made a second to the motion which was approved unanimously.**

**Item 7: Approval of contract with Cache County Sheriff Department for Law Enforcement and Animal Control services.** - Mr. Anhder said it was his understanding this city is paying the county \$10,000 a year for Animal Control services and \$40,000 a year for law enforcement.

During discussion on the department's service Councilman Larsen made a request for additional patrolling throughout neighborhoods. He said in his case two bikes have been stolen from his property and that most recently a neighbor had reported a bike stolen. Councilman Jacobsen said while considering increasing the amount of patrolling we need to take steps to better educate our citizens about recent thefts and encourage them to take steps to prevent such thefts.

Mr. Anhder said the city can request additional patrolling time, but that with additional service comes additional costs.

Councilman Larsen said when it comes to Animal Control service, the service truck sign needs to use the Cache County Animal Control sign as agreed to when Nibley contracted for the service.

Mrs. Lowerson requested in addition to more traffic patrolling, the Sheriff's Department needs to better respond to other problems occurring in the city. She suggested the city do a survey of what street lights are working and do what is necessary to see that they are working to improve safety.

**Councilman Bryan Hansen Motion to approve a contract between Nibley City & Sheriff's Department for Law Enforcement. Councilman Mickelson made a second to the motion which was approved unanimously.**

**Item 8: Budget Workshop-**

Bill Saunders met with the council to make requests for public works he said are necessary to meet the needs of the growing community. One need is for a utility truck. Mr. Saunders has found one

that has been damaged and repaired. The vehicle is being sold for \$25,000. It is a 2007 F350 that originally sold for \$40,000. This item has not been included in this years budget, so the purchase will come out of the water Department.

**Councilman Larsen made a motion to approved the purchase of a 2007 F350 Truck for \$25,000.00 with money out of the city water department. Councilman Harrison made a second to the motion which was approved unanimously.**

Mr. Saunders also ask the council to consider replacing two part time employees with one full time employee. The employee will help manage water treatment and summer publics work programs. Storm Water maintenance and management will be among other responsibilities to be carried out by this employee. Fifty percent of the employees time will be spent doing park maintenance and construction. The proposed salary for the position is \$30,000 in addition to benefits. Mr. Saunders said this is not an entry level position because of the amount of experience the employee will have when moving into the full time position. Currently the cost to the city of the two part time positions is \$32,000. Mr. Anhder said he will work with Mr. Saunders to classify this position to better determine pay scale. It was also determined that the position does not require advertising and it was suggested a current part time employee be hired. The council will consider the request when considering the full budget.

Councilmen Jacobsen and Councilman Larsen wondered if the city needs to consider hiring a full time building inspector because of the increases in commercial development.

Mr. Saunders said at this point development has slowed down to where things can be handled as is, but if growth escalates he said it would make sense to discuss the possibility of hiring a full time inspector.

The council expressed their appreciation for Mr. Saunder's work and for the efforts of those in his department.

**Additional Budget Discussion:** It was decided the council would make recommendations for changes to be incorporated and included for final discussion and possible approval at the final budget review.

Councilman Larsen asked for \$3000.00 for funding for recreation.

Councilman Jacobsen asked if there is enough workload in Nibley to justify hiring a full time engineer. Mr. Anhder said there is not enough to justify, but a job share situation with another city would be a good idea. However, he said there is not another city in the county interested in doing an engineer job share.

Councilman Jacobsen said during a recent meeting with the School Community Council members of the SCC asked the city to make sure to paint cross walks on the road. The SCC is also requesting the city hire an additional crossing guard. There are currently two guards along 800 West as well as one on 2600 South. Mr. Anhder figured it would cost the city between \$5,000.00 to \$7,000.00 a year to hire an additional guard. Councilman Jacobsen said after attending the meeting he feels there is an opportunity for the city and school to work together to help establish a safe walking plan. Councilman Jacobsen said he will evaluate the request for an additional crossing guard to determine if there is a need to justify the cost.

#### **Item 9: Executive Session**

Councilman Scott Larsen made a motion to move into Executive Session to discuss possible purchase of property. Councilman Hansen made a second to the motion which was approved unanimously. The council closed the Executive Session at 11:30 p.m.

**Item 10: City Manager Report-** Mr. Anhder would like to apply for a grant to enhance The Virgil Gibbons Park. It will be a matching grant with the city contributing \$10,000.00. It was suggested

that the money could be used to help preserve the Gibbons Barn, or if possible to provide information plaques at the park pavilion.

**Item 11: Mayor's Report-** The County is challenging the census for each city and the county. This approach will help with the count for the county and could provide additional funding for cities in the county.

**Item 12: Council Reports:**

Councilman Larsen- Preparation for Heritage Days is underway. Mr. Anhder suggests having a ribbon cutting ceremony for the new playground at the old park. Councilman Larsen said he does not like that idea because the grass is not grown and he suggested it will appear as though the park is open for public use.

Regarding 1200 West road improvements Councilman Larsen said he does not want to see a partially completed road. In other road matters he asked when sidewalks in Tuscany Subdivision should be finished and Mr. Ahnder said by next week .

Councilman Jacobsen- Nothing

Councilman Harrison- Nothing

Councilman Hansen- Said he has received calls from residents concerned about the lack of water pressure. In fact, other members of the council said they have also been asked about the low water pressure, especially along Johnson Road.

In other matters he said he has received complaints that the City water fountain along 3200 South is not working.

Councilman Mickelson- The councilman asked for an update on the Fronk property. Mr. Anhder said he has requested an update from Mr. Fronk. Councilman Mickelson said the CUP requires trucks to be covered and the road watered to reduce dust. He said neither of those requirements is being met. He said the contour map is different from what is happening with the excavation. Mr. Mickelson said it looks like a road. He was under the impression that the city had made it clear that no further development should occur on the upper slope of the hill. Mr. Anhder said the council can't make that decision. Mr. Anhder said he will have to check to determine what the zoning of the area is and Mr. Anhder said there has never been official discussion between the city and Mr. Fronk about locating a road along there.

**Item 12: Adjourn-** Mayor Knight asked for general consensus to adjourn at 12:05 p.m.

Signed \_\_\_\_\_  
Mayor Gerald Knight

Attest \_\_\_\_\_  
Assistant Deputy Recorder