

NIBLEY CITY COUNCIL
CITY COUNCIL MEETING THURSDAY, May 3, 2007
The following motions were made during the meeting.

ACTION ITEM 1:

Councilman Hansen made a motion to require Maverik to comply to the ordinance while incorporating option 2;

1. 30 percent landscaping requirement to include landscaping around the gas tanks.
 2. Stamped pads in a 15x40 area, which according to City Planner Conley Thompson is an approved landscape alternative.
 3. compliance to ordinances when it comes to set back requirements because the store and canopy will be relocated.
 4. gas tanks will not be moved but that there will be hard landscaping of the concrete surrounding the tanks.
 5. The city will review and determine any changes in the landscaping and site plans .
 6. The site plan to be reviewed by city staff before work on the site can begin.
 7. The plan will waive water and sewer impact fees and water right requirements.
- Councilman Harrison made a second to the motion.

Councilman Mickelson made a motion to amend calling for a change to require water shares to be issued to the city by Maverik. Councilman Larsen made a second.
The motion to ammend passed unanimously.

Councilman Mickelson made a motion to amendment to allow city staff to have the option to require an adjustment to landscaping along Highway 165 if it is determined that it is inadequate. Motion failed for lack of a second.

Councilman Larsen made a motion to amendment the original motion by requiring the landscape and site plans be presented to the council for review following staff review.
Councilman Larry Jacobsen made a second to the motion.

Mayor Knight asked for a vote on the motion to amend. **Motion passes with Thayne Mickelson opposing.** Councilman Mickelson said he feels city staff should be allowed to review the final plans and determine if the project can continue.

Mayor Knight asked for a reading of the full motion as amended:

Councilman Hansen made a motion while Councilman Larsen amending the motion to require Maverik to comply to the ordinance while incorporating option 2;

1. 30 percent landscaping requirement to include landscaping around the gas tanks.
2. Stamped pads in a 15x40 area, which according to City Planner Conley Thompson is an approved landscape alternative.
3. compliance to ordinances when it comes to set back requirements because the store and canopy will be relocated.
4. gas tanks will not be moved but that there will be hard landscaping of the concrete surrounding the tanks.
5. The city will review and determine any changes in the landscaping and site plans .
6. The site plan to be reviewed by city staff & the city council before work on the site can begin.
7. The plan will waive water and sewer impact fees.
8. Maverik will provide Nibley City with the required number of water shares.

Councilman Harrison made a second to the motion.

Final Motion passes with Scott Larsen opposing and all other council members in attendance voting in favor of the motion.

ACTION ITEM 2:

Councilman Harrison made a motion to approve Ordinance 07-06 annexing 42 acres south of 3200 south into Nibley City. Thayne Mickelson made a second to the motion which was approved with Council members Mickelson, Hansen, Harrison, and Jacobsen voting in favor and Councilman Larsen opposing the motion.

ACTION ITEM 3:

Councilman Thayne Mickelson made a motion to approve Ordinance 07-05 Establishing purchasing system for Nibley City. Bryan Hansen made a second to the motion.

Councilman Larsen moved to amend the motion to allow for changes in section "F" of the ordinance to allow the city to seek specifications for a brand or a style to better determine the best cost and still have a required bid. Councilman Hansen made a second to the motion which was approved. Councilman Thayne Mickelson opposed the motion.

Mayor Knight called for a vote to approve the amended motion which reads....

Councilman Thayne Mickelson to approve Ordinance 07-05 Establishing purchasing system for Nibley City and to allow for changes in section "F" of the ordinance to allow the city to seek specifications for a brand or a style to better determine the best cost and still have a required bid. Bryan Hansen made a second to the motion. The amended motion as approved unanimously.

ACTION ITEM 4:

Councilman Harrison made a motion to approve Resolution 07-04. Councilman Jacobsen made a second to the motion which was approved unanimously.

ACTION ITEM 5:

Councilman Scott Larsen made a a motion to approve an easement purchase agreement between Nibley City and Clair Peterson to locate a water line on Mr. Peterson's property at the cost of \$600,000. The amount will cover the cost of the easement as well as for two years of crop damage. Councilman Jacobsen 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 5, 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.

Item 1: Approval of minutes and evening's agenda. Larry Jacobsen made a motion to approve evening's agenda and previous meeting minutes with necessary changes with Thayne Mickelson making a second to the motion which was approved unanimously.

Item 2: Discussion of plans and negotiations about Maverik Store. Dan Murray is a vice president with Maverik Stores. He represented Maverik during the discussion where he presented an overview of concerns and options surrounding a decision by Nibley City to place a stop order on construction of the store along Highway 165 in Nibley. Nibley City claims Marverik is not complying to approved set backs and other ordinances as outlined in the city's Neighborhood Commercial Zone Ordinance and design standards. Mr. Murray said Maverik has been advised to present options to the city as to how to resolve the matter so that construction on the store can continue. He mentioned that Maverik's legal council has advised them that they must follow city code even if mistakes were made during the process. Mr. Murray presented three options to be considered by the council:

1. A recommendation that Nibley City grant a variance to allow for construction of Maverik based on plans allowing for a noncompliant set back and gas tank placement.
2. Approval of this plan by Nibley City that would allow for the 30 percent landscaping requirement to include landscaping around the gas tanks. The proposed landscaping would be including stamped pads in a 15x40 area, which according to City Planner Conley Thompson is an approved landscape alternative. Mr. Murray explained that given ground water conditions on the property Maverik has poured a twelve inch pad rather than ten inch pads which he said will also add to the stability of the tanks. Option number two would include compliance to ordinances when it comes to set back requirements because the store and canopy will be relocated. Mr. Murray said considering the work that has already been done at the site, relocating the store to meet ordinance could cost Maverik approximately \$73,000.00. Mr. Murray said, with the exception of tank placement, this proposal this plan complies to the approved plot plan.
3. The third proposal presented by Maverik would be for the city to allow for a variance to the set back requirement of 30 feet and would permit a 20 foot set back. This plan would allow the developer to leave the store at the existing location. Mr. Murray said Maverik would angle the gas dispenser items under the canopy rather than have them face the store front. If they were angled there would be a couple of extra feet for landscaping. He said this plan calls for 30 feet of landscaping in other areas of the lot.

Following Mr. Murray's presentation Councilman Larsen presented a fourth to have Maverik comply to all of the ordinance and put in the thirty feet of landscaping as required while relocating the store to meet set back requirements. He acknowledged this option would require the relocation of tanks and the proper placement of the store. Councilman Larsen said he feels Maverik made the mistake by working off of a set of unproved plans and that their mistake does not justify action by the city that would break the law by not following the ordinance.

Mr. Murray asked that as a compromise the city consider option two, which would require the movement of the store pad and therefore meet set back requirements. He asked the city to consider waiving impact fees and to eliminate water share requirements should the city require Maverik to incur the cost of relocating the store pad. Mr. Murray claims Nibley City did not clarify the set backs were inadequate and that it was his understanding that the city approved a set of plans that did not have required set backs outlined. He said Maverik simply followed the construction map that was approved by the city.

Councilman Jacobsen said as a member of the planning commission at the time Maverik store representatives presented plans for development he recalls seeing a plan that included the proper thirty foot setback. While he does not place blame, he would like to defend the commission and city staff saying that Maverik was notorious for presented a variety of plans, including one set from their Heber City Store. While he admits there were plans presented during the process that did not have the proper setback outlined, Maverik representatives were fully aware of the ordinance requirement and had been told on several occasions that a plan would not receive final approval until the plan included a 30 foot setback. He said the P&Z Commission viewed and approved a plan with the required set backs.

Councilman Larsen added his comments and frustration stating that Marverik's representative Brad McDougal was well aware of the ordinance requiring the thirty foot setback. Mr. Larsen said he attended the Planning and Zoning meeting when Maverik representatives presented the wrong plans. He said he does not feel Nibley City should way any impact fees.

Mr. Murray said Maverik is being held accountable for the mistake and he asked the council once again to reconsider additional costs, such as impact fees and water share requirements. He also asked that a review of plans be expedited to help reduce costs that occur when a project is delayed.

Mr. Anhder said there is concern with proposals one and three in regards to noncompliance to the ordinance. He said aside from being embarrassed about the events that have occurred in this matter, Nibley City should not accept additional blame. He recommended the city consider requiring Maverik to do all they can to comply to the ordinance, which he said could only happen by requiring them to relocated the store pad and provide additional hardscape as part of the landscaping plan. Mr. Anhder said the city will expedite any additional plans as they arrive. He said the subdivision plans still need to recorded. While the law does allow for the waiving of impact fees Mr. Anhder said that is to be determined by the council.

Mr. Thompson was asked to share his thoughts on the matter. Mr. Thompson explained that Planning and Zoning does not have the right to approve a plan that does not meet ordinance requirements. Therefore, he questions Mavericks claim that a set of noncompliant plans was approved by the commission. He also said a resolution to the problem is difficult when it comes to allowing a variance. As far as he can tell, Utah Code does not allow for a variance in this case. Mr. Thompson said there is reason to believe the city could ask for the waiving of fees. But, at this point, Mr. Thompson said aside from Maverik going through the process to change the ordinance he would have to recommend option 2. Mr. Thompson said the burm along the front of the store could be reconsidered. Mr. Murray said Maverik would appreciate not having to be required to provide additional landscaping at this point.

Councilman Hansen asked where Nibley City's responsibility falls when it comes to allowing the process to go this far. Mr. Hansen wonders if the city needs to consider making adjustments to fees as a showing of good will and support for the project, recognizing that the city has limited responsibility for problem.

Mr. Anhder said in his opinion he is at the very least embarrassed. While this was a very long process with several different plans presented and required in order to meet new ordinance requirements, Mr. Anhder said the city has developed a refined process that requires multiple reviews of plans. In this instance, however, the plan was not presented to the group for a final review before construction was permitted. Mr. Anhder asked that the council to continue to show support and confidence in the staff and to not let this incident undermine their ability to oversee development projects.

Councilman Harrison said in his opinion, the city does have some responsibility and suggested waiving some of the fees as an appropriate move.

Councilman Jacobsen said personally he does feel some responsibility for what happened. He is trying to better understand how this happened and what his role was during the process. Having

said that, Councilman Jacobsen said he would like there to be a joint showing of responsibility and a joint solution.

Councilman Larsen said he recalls viewing a set of plans where the thirty foot frontage was outlined appropriately. He also recalls seeing plans presented by Maverik that were sent for another city and with other elevations. So, he said that was one situation where a set of plans was presented to the city that were totally wrong. He asked why he should support a variance in this instance when he has never support a variance before. He said moving the tanks would be very expensive and he understand that, but if the tanks aren't moved the city is already allowing for a portion of the project to be noncompliant. Councilman Larsen said he does not see any reason for having a discussion about options that do not meet the ordinance.

Councilman Mickelson said he would like to see some mitigation that would resolve a difficult situation. Councilman Jacobsen said it appears that option 2 is the only option that would comply to the existing ordinance. Councilman Harrison asked if the stamping of the gas tank pads would meet the landscape requirements. Mr. Thompson said it is his understanding that the council has the option of allowing for decorative hardscape as an alternative landscape consideration. Councilman Jacobsen said the city planner needs to include the letter of the law and a background in landscaping to determine if the padding would look all right in this instance. Mr. Thompson said he believes it would be a workable alternative.

Councilman Larsen moved to require Maverik to follow the Commercial Design Standards and allover building ordinance. The motion died for a lack of a second.

Councilman Hansen made a motion to require Maverik to comply to the ordinance while incorporating option 2:

1. 30 percent landscaping requirement to include landscaping around the gas tanks.
2. Stamped pads in a 15x40 area, which according to City Planner Conley Thompson is an approved landscape alternative.
3. compliance to ordinances when it comes to set back requirements because the store and canopy will be relocated.
4. gas tanks will not be moved but that there will be hard landscaping of the concrete surrounding the tanks.
5. The city will review and determine any changes in the landscaping and site plans .
6. The site plan to be reviewed by city staff before work on the site can begin.
7. The plan will waive water and sewer impact fees and water right requirements.

Councilman Harrison made a second to the motion.

Councilman Mickelson made a motion to amend calling for a change to require water shares to be issued to the city by Maverik. Councilman Larsen made a second.

During discussion on the motion to amend Councilman Mickelson said water is an important commodity and should not be absolved as a requirement.

The motion to ammend passed unanimously.

Councilman Mickelson made a motion to amendment to allow city staff to have the option to require an adjustment to landscaping along Highway 165 if it is determined that it is inadequate. Motion failed for lack of a second.

Councilman Jacobsen said this is a matter that can be addressed and required for review by city staff. He said he is interested in trying to resolve and fix the existing problem. There was discussion about the process and how the plan will be reviewed.

Councilman Larsen made a motion to amendment the original motion by requiring the landscape and site plans be presented to the council for review following staff review.

Councilman Jacobsen made a second to the motion.

Councilman Jacobsen asked whether the city can approve an option without seeing a full plan with the understanding that a plan needs to be presented . It was suggested that the council needs to see an updated final plan outlining the changes. He said waiving the fees would be a showing of an attempt to help resolve the problem.

Councilman Larsen said the problem comes when the council does not make final approval after the engineer reviews and approves the plans. He wants city staff to do their job with the council to serve as a reviewing body for final approval.

Mayor Knight asked for a vote on the motion to amend. **Motion passes with Thayne Mickelson opposing and all other members of the council in attendance voting in favor of the motion to amend.** Councilman Mickelson said he feels city staff should be allowed to review the final plans and determine if the project can continue.

Mayor Knight asked for a reading of the full motion as amended:

Councilman Hansen made a motion while Councilman Larsen amending the motion to require Maverik to comply to the ordinance while incorporating option 2;

1. 30 percent landscaping requirement to include landscaping around the gas tanks.
2. Stamped pads in a 15x40 area, which according to City Planner Conley Thompson is an approved landscape alternative.
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6. The site plan to be reviewed by city staff & the city council before work on the site can begin.
7. The plan will waive water and sewer impact fees.
8. Maverik will provide Nibley City with the required number of water shares.

Councilman Harrison made a second to the motion.

Final Motion passes with Scott Larsen opposing and all other council members in attendance voting in favor of the motion.

Item 3: Public Hearing- Request for Annexation of 42 acres south of 3200 South, west of 1200 West and east of 1500 West. Mr. Anhder outlined the proposal for Ordinance 07-06 Annexing 42 Acres South of 3200 South into Nibley City. Randy Feser owns land adjacent to the proposed property and wondered if plans for the property would impact his two acres. Mr. Anhder said it will not affect his property. Mr. Feser wondered what steps he might take to prevent the annexation. He said he does respect the property owners rights, but would rather not see the property developed in a way that will alter the lifestyle of neighboring landowners. Mr. Anhder said sharing his opinions during the public hearing was the best way to express opposition.

Mayor Knight asked for further discussion regarding the motion. Seeing none he closed the public hearing at 7:15 p.m.

Item 4: Ordinance 07-06 Annexing 42 acres south of 3200 South.

Councilman Harrison made a motion to approve Ordinance 07-06 annexing 42 acres south of 3200 south into Nibley City. Thayne Mickelson made a second to the motion which was approved with Council members Mickelson, Hansen, Harrison, and Jacobsen voting in favor and Councilman Larsen opposing the motion.

Concerned that annexation is being allowed in Nibley when a general plan is still being reviewed Councilman Larsen said he could not support the annexation. Councilman Larsen said the city also needs to consider that the annexed property is a wetland and there will be issues with water should

the city allow for development within that 42 acres. Mr. Larsen also informed Mr. Feser that there is still a master road plan to develop a road on 1200 West which will be moved next to his property. Councilman Larsen said there will be continued discussion about how the land should be developed. Councilman Jacobsen said that fact that the land contains wetlands is more appealing to him because Nibley has the opportunity to help protect those resources.

Item 5: Nomination of the Nibley City Citizen of the Year. The council review the requirements for nomination. Mayor Knight would like to select a citizen of the year by following a proposal that allows the mayor to present a nomination with the council's approval. Councilman Larsen said the Heritage Days Committee would like to continue to have a Woman of the Year, as well as someone to serve as Grand Marshall for the parade, in addition to honoring a Nibley City Citizen of the Year. Councilman Larsen said he would like to have nominations for the Citizen of the Year presented each year before May.

Mayor Knight asked for nominations to be considered.

The following names were presented Bill Saunders, Jay Nelson, Shannon Rhodes. Steve Mecham, Bob & Virginia Harris, Becky Yeager (Councilman Jacobsen noted a conflict of interest), and Todd Hansen. Mayor Knight recognized each of the individuals as citizens who have contributed, however he suggested naming Jay and Phyllis Nelson as Citizens of the Year.

The council voted in full support of Jay and Vellys Nelson to be recognized as Nibley Citizens of the Year.

Item 6: Discussion about using a Hearing Officer to hear appeals of land use decisions rather than a Board of Adjustments. Councilman Mickelson wondered if it would be cost effect to have a hearing officer provide the service to Nibley. Mayor Knight said there would not be a retainer, but rather a fee of \$170.00 an hour for services to the city. Councilman Larsen said having someone not connected to the city could be beneficial because the decisions will be based on codes and ordinances while the person is distanced from citizen influence. However, Mr. Anhder said the hearing officer would be allowed interpretation rights and would deal with issues not covered by an ordinance. North Logan is interested in having an hearing officer as are some other surrounding cities. Mr. Anhder said he agreed with comments by some members of the council that not having a Board of Adjustment would allow for fewer opportunities for members of the community to provide voluntary service.

Mr. Thompson said he recommends a hearing officer who is familiar with the law. The hearing officer, he explained, would be the appeal authority and could issue a variance as allowed under ordinance. Councilman Harrison said having a hearing officer seems a fair way to deal with issues of appeal. Mr. Anhder thanked the council and said he would follow through on the possibility of the city contracting to have a hearing officer deal with land use issues.

Item 7: Report on the 3200 South construction project. Mr. Anhder said there are two meetings scheduled to discuss road improvements to 3200 South. **One meeting is scheduled for May 17 and the other for May 24.** The May 17th meeting is a workshop/public meeting with council members and civil engineers. Councilman Jacobsen asked the city to extend an invitation to the planning and zoning commission to attend this meeting. The May 24th meeting is slated as an open house to present and discuss draft plans.

Mr. Anhder said there is currently a plan for the road that would consist of a two lane road from Highway 165 to 1600 West. Where turning is necessary a third land will be constructed. He said the plan calls for sidewalks on the south side of the street from Highway 165 to 500 West where the sidewalk will then cross over to the north side of the street from 600 West to the end of the street near 1600 West. The original plan calls for a five foot sidewalk, but the city is requesting an eight foot sidewalk. Councilman Larsen said he feels a six foot sidewalk would be sufficient and more cost effective. Mr. Thompson said he recommends an eight foot sidewalk as a way to promote a more walkable community. Councilman Hansen said he wants to make sure there is a bike lane. Mr. Anhder said there will not be any piping of the canal in order to comply to federal standards. There will be limited curb and gutter with the remainder being swelled. Mr. Thompson said the largest impact to residents living along 3200 South will be the realignment of driveways.

Item 8: Consideration of Ordinance 07-05 Establishing purchasing system for Nibley City. Mr. Anhder presented a revised ordinance for the council's review. Mayor Knight asked for a motion on the proposed ordinance.

Councilman Thayne Mickelson made a motion to approve Ordinance 07-05 Establishing purchasing system for Nibley City. Bryan Hansen made a second to the motion.

Councilman Larsen moved to amend the motion to allow for changes in section "F" of the ordinance to allow the city to seek specifications for a brand or a style to better determine the best cost and still require a bid. Councilman Hansen made a second to the motion which was approved. Councilman Thayne Mickelson opposed the motion.

Mayor Knight called for a vote to approve the amended motion which reads....

Councilman Thayne Mickelson to approve Ordinance 07-05 Establishing purchasing system for Nibley City and to allow for changes in section "F" of the ordinance to allow the city to seek specifications for a brand or a style to better determine the best cost and still require a bid. Bryan Hansen made a second to the motion. The amended motion as approved unanimously.

Item 8: Consideration of Resolution to agree to the transfer of State Road 238 to Cache County Corporation to make it a county road. Mayor Knight said the recommendation is to help encourage the Utah Department of Transportation to take over responsibility of 2500 North and all of 10 West from highway 91 to Highway 89-91. The road swap will allow for the county to own State Road 238. Councilman Larsen asked if there was reason to believe the exchange would have a negative impact on the residents of Nibley. None could be given.

Councilman Harrison made a motion to approve Resolution 07-04. Councilman Jacobsen made a second to the motion which was approved unanimously.

Item 9: Approval of easement purchase.

Councilman Scott Larsen made a a motion to approve an easement purchase agreement between Nibley City and Clair Peterson to locate a water line on Mr. Peterson's property at the cost of \$600,000. The amount will cover the cost of the easement as well as for two years of crop damage. Councilman Jacobsen made a second to the motion which was approved unanimously.

Item 10: Presentation of proposed budget for fiscal year 2007-2008.

Mr. Anhder would like to hold a budget workshop Thursday, May 10, 2007 beginning at 5:00 p.m.

He presented a packet of information outlining a proposed budget for the council's review. The proposal includes a pay increase to both members of the council and the mayor. Mr. Anhder said the council and mayor need to consider changing to a travel voucher to outline expenses for travel. Mayor Knight said he would like to have the city require the council and others who receive a travel expense to document that payment properly. Some members of the council said they would prefer just having the travel expense included in the salary as taxable income.

Mr. Anhder said because of improvements to 3200 South the city needs to come up with a \$6000.00 match since Cache County will not be participating in the project. Mr. Anhder said the council needs to be prepared to consider revisions to the current year budget and the projected future year budget. Mr. Anhder said a detailed review of the budget indicates the city is not operating off of funding from current development.

Item 11: City Managers Report- Mr. Anhder said near Shadow Brook Subdivision there is an easement for Qwest cable boxes and there has been a request for an additional foot on each side to meet the demands of the request for services. Councilman Larsen reminded the council that action

on this item could not take place at this time. The council requested a formal request for a additional easements before reviewing the request.

Mr. Anhder said there will be a budget hearing for the upcoming fiscal year budget on Thursday, June 7, 2007.

Item 12: Council Reports:

Councilman Scott Larsen- Mr. Larsen said there is a need for additional help from volunteer to organize the Heritage Days pageant. There will be t-shirts for the fun run. The council agreed to allow for the t-shirts to include an altered version of the city logo. The council was asked to help serve dinner on June 23, 2007. The council agreed.

The 800 West Park is not complete to the point of holding an open house. It is projected the open house will be held in the fall when the pavilion is complete. A proposal for the naming of the park will be presented during an upcoming city council meeting. Councilman Jacobsen inquired as to whether or not the city needs to be concerned about a possible liability threat if there was to be an accident because of use on unfinished playground equipment at the park. Councilman Larsen said he will contact public works about taping off access to the equipment.

Councilman Jacobsen: Mr. Jacobsen said he met with the Planning and Zoning Commission to discuss how to improve communication between the commission and the council. The planning commission would like to be more involved in helping to plan the community for example, in areas of parks and trails. They would also find it helpful to be involved in planning for 3200 South and on the general plan update. There was also a request that the commission be involved in matters of annexation. Mr. Anhder said there involvement is the establishment of the annexation declaration and beyond that there is not much to add to the process. Councilman Larsen said by making the commission aware of proposed annexations there would be better understanding of what is taking place before a development plan comes before P&Z. Councilman Hansen suggested the commission better participate in the general plan process by attending open house meetings. Councilman Mickelson said it needs to be understood that the commission does not have the same responsibilities as a legislative body, but members are always welcome to give recommendations and suggestions.

Mr. Jacobsen also addressed the question about whether or not a representative from each group should attend each of the meetings. Mayor Knight said he would not assign a member of the council to attend the planning and zoning commission meetings. Councilman Jacobsen asked if it would be appropriate for him to meet with the commission chairman to determine if there is an agenda item that requires more coordination between the two groups. If so, he would be willing to attend those meetings. Mayor Knight said he feels comfortable with that proposal.

Councilman Jacobsen suggested the mayor and council better utilize Mr. Thompson as a representative for both groups to better coordinate land use issues. He would like to see Mr. Thompson present matters of planning and zoning to members of the council and the public at the council meetings as the Nibley City Planner.

Another area of concern when it comes to coordinating the planning and zoning commission and the city council deals with quick approval of requests regarding land use issues. Councilman Jacobsen said in matters where there are unanswered and opposing views on land use decisions it would be appropriate to involve a discussion between both bodies to better address opposing decisions. Councilman Jacobsen said at times it appears to members of planning and zoning that some decisions by the council are made allowing for some land use matters to be decided without proper procedure.

The need for ordinance books by members of planning and zoning was also discussed. The mayor asked that each commission members be issued a copy of the planning and zoning as well as subdivision ordinances.

Safety is another assignment Councilman Jacobsen will be addressing as a member of the council. He said he plant to attend meetings held by the School Community Council to help open a dialogue between the city and the community.

Signs identifying Nibley's Hollow Road as an access welcoming walkers, riders, and drivers for recreating would be a nice addition and should be placed at each end of the road according the Councilman Jacobsen. While Councilman Mickelson questioned the suggestion as a means of encouraging safe travel Councilman Jacobsen said the signs might provide awareness that this road is used for multi purposes and could encourage safety. It was suggested that exact wording for a proposed sign be drafted for consideration by the council.

Councilman Harrison: Mr. Harrison attended a road school and will submit necessary information to Bill Saunders.

Councilman Hansen: Mr. Hansen presented an overview prepared by consultants regarding the general plan update. There will be a community open house Saturday, May 16 to allow for public review and discussion of the general plan.

Councilman Hansen said he understands there has been some discussion between city staff and the Cache County School District for a possible elementary school and high school in Nibley. Councilman Hansen said he would like to see a high school built to help anchor the community.

Councilman Mickelson: Mr. Mickelson has had discussions with a representative from the Department of Environmental Quality regarding sewer treatment plant alternatives that the councilman said should be considered by Nibley City. Councilman Mickelson would like to have this individual address the council and share some other options for sewer treatment in Nibley.

Councilman Mickelson requested an update on progress of the Hal Fronk Development. Mr. Anhder said he will get the information. Mr. Mickelson also suggested that representatives from different groups and organizations be invited to provide training and updates to the council each month.

Item 12: Mayor's Report- Mayor Knight encouraged members of the council and city staff work to solve problems and not own problems that come before the city. Mayor Knight expressed appreciation for the work done by the council and others who deal with city matters.

Item 13: Adjourn Thayne Mickelson made a motion to adjourn at 10:30 p.m. Councilman Bryan Hansen made a second to the motion which was approved unanimously.

Signed _____
Mayor Gerald Knight

Attest _____
Assistant Deputy Recorder