

The Meeting of the Nibley City Council held at Nibley City Hall, 625 W. 3200 S. Nibley, Utah, on Thursday, October 15, 2009.

**The following actions were made during the meeting:**

**Councilman Mickelson motioned to approve the preliminary and final plat of Todd Fenton's property at 4220 Hollow Road. Councilman Hansen seconded the motion.**

**Councilman Dustin motioned to amend the plat to remove the boundary and the designation of the shed. Councilman Hansen seconded the motion. The amendment passed 4-1; with Councilman Dustin, Councilman Hansen, Councilman Jacobsen, and Councilman Mickelson in favor. Councilman Larsen was opposed.**

**The amended motion passed 4-1; with Councilman Mickelson, Councilman Hansen, Councilman Jacobsen, and Councilman Dustin in favor. Councilman Larsen was opposed.**

**Councilman Dustin motioned to deny approval of the Pleasant Haven subdivision preliminary plat. Councilman Hansen seconded the motion. The motion passed unanimously 5-0; with Councilman Dustin, Councilman Hansen, Councilman Mickelson, Councilman Jacobsen and Councilman Larsen all in favor.**

**Councilman Jacobsen made a motion to approve final plat for phase 3 of Zollinger Acres subdivision. Councilman Dustin seconded the motion.**

**Councilman Mickelson motioned to amend that they approve this final plat with the stipulation that they switch the retention basin to lot 32 and adjust the lines on lots 32, 33, and 34 to make them conforming and if it can't be done then it must come back. Councilman Hansen seconded the motion. The amendment failed 2-3; with Councilman Hansen and Councilman Mickelson in favor. Councilman Larsen, Councilman Dustin, and Councilman Jacobsen were in opposed.**

**Councilman Larsen motioned to amend that the driveway on lot 32, at the point of 90.05, be on the left side and come out on the 1471 side and be worked out before the plat is signed. Councilman Jacobsen seconded the motion which passed unanimously 5-0; with Councilman Larsen, Councilman Jacobsen, Councilman Dustin, Councilman Hansen, and Councilman Mickelson all in favor.**

**The amended motion passed 4-1; with Councilman Jacobsen, Councilman Dustin, Councilman Larsen and Councilman Hansen in favor. Councilman Mickelson was opposed.**

**Councilman Larsen motioned to adopt alternative two of the policy for minutes of the meetings of public bodies. Councilman Jacobsen seconded the motion. The motion passed 3-2; with Councilman Dustin, Councilman Mickelson, and**

**Councilman Larsen in favor. Councilman Jacobsen and Councilman Hansen were opposed.**

**Councilman Dustin made a motioned that they consider the proposal for 3200 South landscaping for future study. Councilman Jacobsen seconded the motion. The motion passed unanimously 5-0; with Councilman Dustin, Councilman Jacobsen, Councilman Mickelson, Councilman Hansen, and Councilman Larsen all in favor.**

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OFFICIAL MINUTES OF THE MEETING

Minutes were taken and prepared by Assistant City Recorder Cheryl Bodily

Mayor Gerald Knight called the Thursday, October 15, 2009 Nibley City Council meeting to order at 6:00 p.m. Those in attendance included Mayor Gerald Knight, Councilman Scott Larsen, Councilman Shaun Dustin, Councilman Larry Jacobsen, Councilman Bryan Hansen, and Councilman Thayne Mickelson. Also in attendance were Larry Anhder, City Manager, and Shari Phippen, City Planner.

**6:00—Call to order, approval of the evening’s agenda, and minutes of the October 1, 2009 meeting.**

Councilman Larsen proposed they strike the 7:00 hour for consideration of a subdivision plat on the agenda. Councilman Jacobsen made a motion to approve the minutes from the last meeting and the evening’s agenda with the 7:00 proposed time removed. The motion was seconded by Councilman Mickelson and passed 3-0 with Councilman Jacobsen, Councilman Mickelson, and Councilman Hansen all in favor. Councilman Larsen abstained from the vote.

**Meet at City offices and board van for tour of City parks, trails, and 3200 South proposal**

Mayor Knight dismissed the meeting for a van tour of the city’s parks, trails and 3200 So. Area at 6:05.

The meeting reconvened at 6:54 at the city offices. Councilman Dustin arrived with the returning Council.

**Consideration of Preliminary and Final Plat for a 2 lot subdivision of Todd Fenton property at 4220 Hollow Road**

Mr. Todd Fenton was present at the meeting. Mr. Fenton said he had been here a few times so they knew as much as he did. It was a four acre lot he is dividing into two, two acre lots. The area is zoned for 2 acres.

Councilman Mickelson made a motion to approve the preliminary and final plat of Todd Fenton’s property at 4220 Hollow Road. Councilman Hansen seconded the motion. Councilman Larsen questioned where the frontage was calculated at on lot two. Mr. Fenton said an amendment to the ordinance (09-13) was passed two weeks ago that said

allowed a 20 ft. width road to go back to the second lot and give the frontage off that road in that zone. Councilman Mickelson asked for a copy of the ordinance. Councilman Larsen asked if they are saying lots no longer require frontage. Mayor Knight said on gravel road lots, yes. Councilman Jacobsen said lots on a private road that serves on lot in the RE zone. Councilman Dustin asked if that meant in a RE zone someone can classify a driveway as a private road and is exempted from any frontage requirements in the future. Councilman Larsen stated they didn't need frontage anymore on Hollow Rd. Councilman Dustin said the ordinance reads what it reads and asked if this subdivision complied with the ordinance. Mr. Anhder said it did. Councilman Larsen said the plat in front of them said they had a shed, on lot one, in the setback and asked if they were creating a non-conforming lot. Mayor Knight asked if it was a portable shed. Mr. Fenton said it was. Mr. Fenton said that Ms. Phippen and the Planning & Zoning Commission had had no problem with the shed. Mr. Fenton said the shed was on wooden skids and was 16 ft. from the property line. Councilman Jacobsen said he needed to know how many feet the shed was from the property line. Mr. Mark Fenton said the shed was 36 ft. from the old property line and 16 ft. from the new property line. Councilman Mickelson suggested they approve it with the condition that the shed meet the setback requirement. Councilman Larsen said the shed needed to be 25 ft. from the street and that a private lane was a street. Mr. Fenton said he had been working for over 13 months on subdividing this lot. Mr. Fenton said they were treating that road as a public highway. Councilman Mickelson said the terminology may be wrong and he didn't see the shed as an issue. Councilman Dustin said he did not want to reopen the question of the ordinance but they had a problem with this property on the plat being delineated as a shed, it is possible that it was shown in the wrong place and at the wrong scale. The final plat needed to clarify the shed. Mr. Anhder said there is no requirement on their ordinance that buildings and structures be shown. There is also a question of if the lane is even defined as a street. Mr. Anhder said it is clearly the intent of the ordinance to deal with public road and the side yards on public streets. Councilman Jacobsen asked for the record, if lot 2 would be on the sewer. Mayor Knight said the lot was within 300 ft. of their property line and is required to be connected to the sewer. Councilman Jacobsen stated emphatically that lot 2 needed to be connected to the sewer.

Councilman Dustin made a motion to amend the plat to remove the boundary and the designation of the shed. Councilman Dustin said if it is a skid mounted shed it is not permanent and is not required to be on the plat. Councilman Hansen seconded the motion. There is discussion on the definition of the road. The amendment passed 4-1; with Councilman Dustin, Councilman Hansen, Councilman Jacobsen, and Councilman Mickelson in favor. Councilman Larsen was opposed.

The amended motion passed 4-1; with Councilman Mickelson, Councilman Hansen, Councilman Jacobsen, and Councilman Dustin in favor. Councilman Larsen was opposed.

**Consideration of Pleasant Haven Subdivision—Preliminary Plat approval for a Conservation subdivision west of 450 West at 3600 South**

Mr. Bill Matthews is present at the meeting. Mr. Matthews showed a computer

presentation to the Council and the public present. Mayor Knight addressed the public present and stated this was not a public hearing but was a public meeting. They could sit back and listen. Mayor Knight gave the public 10 minutes to give their opinions

Bruce Rigby asked the Council to consider the traffic patterns and ingress and regress of the project. The traffic flow was his question and if it dumped all the traffic onto one road and if that road could handle the traffic. He asked if financing was in place for this. He would be shocked if with the current economy they had the financing available.

Brian Hickman said he was concerned with the lot size and the ingress and regress. He said the lot size would detract from the value of their homes. He would like to see the city stick to the master plan on this. He said the Council needed to decided it this added to the community.

Robert Sidwell said the quarter acre lots were a concern and though it set a bad precedence in Nibley. Concerning the conservation easement, he said once a year weed spraying would not be adequate and asked if there would be maintenance on the fence.

Mark McNeil said he lived in Logan City for several years and lived on two major roads and moved to Nibley City for the lot size. The congestion flow on the road would probably cause him to move.

Dave Forbush said the conservation subdivision did not specify the objective of this particular type of development. How do they evaluate the degree to which the proposed development meets the objectives of a conservation development? There are big questions: What are the quality indicators, what degree did the developer seek input from the community, etc. He did not see any level of detail on that tonight.

Carl Fredrickson said he is concerned they did not need the other road on 3400 S. until phase 5 which puts all the traffic on and construction access on 3575 S and 250 W. There are a lot of children on that road and he is concerned for their safety. He did not see the community benefit of the open space.

Rob Mayland said he wanted to see a neighborhood that 20 years from now would still look nice, with nice homes, nice families that are stable. He sees that with less homes on larger lot sizes.

Corlyss Drinkard said this is a future slum. She said this looked like track housing. She is opposed to lowering the lot limit.

Michael Sheen said he did not see the community benefit from the farm land. He did not see the open space but saw it as land that would be hard to sell. He did not see the community benefit.

Joe McKibbin said he did not know the rental status in Nibley but if they start to get two families on these lots they would be overloading the place.

Kurt Jenkins said this is a back door approach to establish something that wasn't supposed to be established. It is hidden with the conservation term. It did not add to the value of the community, it detracts from the value of the community.

Shawn Platt said he understood that the Council required a clear definition of what the open space was and what it would be used for and the presentation did not meet their requirements.

John Stucky said they it appeared were going to use the open space as a rental community. He asked who they were going to rent it to and if it was a farmer they would have more weeds as the crops begin to harvest because it is being used as farmland.

Tony McKibbin said that conservation can be changed and asked if there was anything that would keep set so that it stays conservation. Mayor Knight said he would address that later.

Jenelle Winward said one of the laws of value is conformity and considered a buffing to maintain the value of the half-acre subdivisions.

Susan Hepworth was also opposed to the density and was also concerned with water and wondered how they would balance that with the other homeowners. Mayor Knight said they only required one water share per acre of developed ground.

Jenelle Winward said if this were to go through they could maintain value through a CCNR that gave certain requirements to help maintain the value.

Ray Howser said why change it?.

Mayor Knight said the conservation easement was a way to try and get more open space in the community which was an overriding concern of the Nibley residents when the general plan was make. He said it was a great planning tool to deal with the development that is coming and give the community something they value, which is open space. The key to not having conservation easements change in the future is to give three legs to the stool so the only way to change the conservation easement in the future is to get the three legs to agree; the residents, the easement holder, and the property owner. Mayor Knight said this ordinance was put in place to get open space the residents do not have to pay for.

Mayor Knight addressed the council and said they could reject this proposal legally, because it did not provide one or more of the purposes outlined in chapter 18, the Ordinance that authorizes conservation subdivision or they could make suggestions to make it worth passing. Councilman Jacobsen said the Council did have a plan that addressed the open space uses and maintenance. Councilman Larsen addressed the public and described the traffic changes that had been put in place on the plat that could alleviate concerns about traffic and construction concerns. Councilman Mickelson wanted to know the difference in density between half acre lots and the number of lots proposed. Ms.

Phippen said there was a difference of 10-12 lots. Mayor Knight said they received a petition by 160 people saying they desired half-acre lots.

Councilman Dustin made a motion to deny approval of the Pleasant Haven subdivision preliminary plat. Councilman Hansen seconded the motion.

Councilman Dustin said he is not against conservation subdivisions but that this proposal had specific requirements that did not meet the city's objectives and did not persuade them to change the density. He said lot 12 was going to be a problem with the existing fence ordinance. He said he was concerned with ownership of the open space. He is concerned with the open space rights being maintained by the property owner along with the development rights and along with the ability to operate that open space; that open space should be controllable and accessible to the community. Councilman Dustin said the people who are giving up that density and space should have some say on how that space is utilized. He would like to see the "three legged stool" in place. He would like to see that separated out so the community had some ability to have some direction of the implementation of the open space, through CCNR's, etc. Councilman Dustin said he is concerned with the development plan itself and that there is no requirement to do anything with the open space until the last lot in phase 7 is sold. He would resolve that as a condition of final plat approval that the open space is in place from day one. He would expect to see a developed site plan for the open space so the people would see exactly what they were getting and the city could know what it was approving up front. Councilman Dustin said as it is presently constituted with the landowner holding the development rights—how do the residents come back and enforce maintenance in the open space? He said working it out as a developer need to be hammered out before it could be approved.

Councilman Larsen said he had issues that there had to be agreement with adjacent property owners. According to his count there were 3 property owners they did not have agreements with; Ropelato, Anhder, and Johnson. Mr. Matthews said they had agreements with 2 of the three and the third they did not have to have because the land had been changed. Councilman Larsen said he wanted the intersection at 3400 S and 450 W to be a good intersection, not a half. Mr. Anhder said that needed to be reconciled before final plat. Councilman Larsen said he is concerned with the canal at 3400 South. Councilman Larsen said the grade for 3400 S and the grade of the canal needed to be addressed for him to give approval. Councilman Larsen said he had issues with the undeveloped section in the middle. Councilman Larsen said the drainage they have proposed will go onto agricultural land. He has a problem with the phasing. He said the drainage could not be phased for him to give approval. He did not see that as a compatible use. Mr. Anhder said the topography did not require a basin because it naturally sat on a basin. Mr. Anhder said phasing for storm drainage existed on nearly every subdivision they do. He said it was quite debatable if they use the entire area as storm water retention. Councilman Larsen said if he gives a approval for a conservation subdivision he wants to know what he is getting and he wants to get it upfront, he does not want it phased in. Councilman Larsen wanted to know whose meter the water spigot

at the pavilion would be attached to. Mr. Matthews said theirs. Councilman Larsen wanted specifics on the maintenance of the weeds, gravel path, and fence.

Councilman Jacobsen said he believed in their vision for the city that was put in the general plan which said: Nibley is a well planned community that encourages the preservation of open space and the rural heritage of Cache Valley. He said there had to be a way to conserve open space in the community that is more user friendly to the adjacent community. Councilman Dustin said his biggest concern with the plan was that there was not enough detail. Councilman Jacobsen said that was a valid concern. Councilman Jacobsen said they are at preliminary approval and they either have to approve it or say what they do require to give approval. Councilman Jacobsen said the engineering details they are giving tonight are valid but they are details that need to be worked out after they have given the green light to go ahead. Councilman Dustin said his biggest issues are that 80% of the homes will not have direct access or even visual access to the open space and the “three legged stool” issue. Councilman Jacobsen said the conservation easement cannot be held by the landowner. Councilman Jacobsen asked Mr. Matthews if it was the landowners intent to dedicate the open space to some other organization. Mr. Matthews said it could be dedicated. Councilman Jacobsen asked if there was some way to get the open space dedication to address the needs of the community. Mr. Matthews said they have addressed them just as farmland because it was given to them as right to do. They did not go any further than that. Councilman Jacobsen said that maybe the farmland was not a palatable use of the open space but four weeks ago they voted that it was. Councilman Jacobsen asked if there were some more community friendly ways to use this open space.

Councilman Hansen said it is up to the developer to provide that vision for them and he did not feel that had been done. Councilman Hansen said the development did not compliment the adjacent neighborhood. The conservation easement was really up to the City Council; it is a judgment call that is not set in stone and that is the beauty of it. The developers need to sell it to the Council Councilman Hansen said it really isn't a true master plan of the open space—he is not selling it. Right now it sounds like agricultural land space and Councilman Hansen did not know if it would be a great space that he would want to bring his family to. Councilman Hansen said the intersection at 3400 S. and 450 W. was an accident waiting to happen. Councilman Hansen said he strongly felt that there should be a steward for the land.

Councilman Mickelson said it may seem like a good idea but as they go through the process they find problems. He was excited to preserve farmland but a farmer would be discouraged with this farmland because of the access. The farmer would have to go through a very dense community to access the land. Councilman Mickelson said his biggest issue was the redirection of the road that was taken off the master plan. He said before they move forward with putting in more houses they need to address the road plan. He said it was as legitimate concern that the citizens that live next to the development sense the need for a buffer. He said the fencing issue would be another problem. Councilman Jacobsen said if they were going to conserve farmland then they were going to have to live with it. Mr. Anhder said this had a wider access than the Schiess access by

40 ft. Councilman Larsen and Councilman Jacobsen debated the accessibility of farm vehicles with Councilman Mickelson. Councilman Larsen suggested that lots 1-5 be made larger lots to blend them more appropriately with the bordering community. Councilman Larsen said they do gain public access if they have the walking trail because they have no public access now but he did not know if it was something that would be utilized. He noted this was still zoned R2 so all those agricultural uses still applied. Councilman Mickelson said a future Council could come back and allow infill and increase the density. Councilman Larsen said this was their first conservation easement and encouraged the Council to proceed cautiously. He said if they truly want conservation subdivisions they should give direction as to what they want this to be and have it come back for preliminary. He said it is their responsibility to mold which way their community develops. Councilman Jacobsen said he is willing to admit that he thinks he is smarter than he is. He said the conservation subdivision fit their community but the biggest flaw with this proposal it that they have not gained public approval and for that reason he will vote in favor to deny but he does think there is a solution. He is frustrated that they may be losing open space over 12 lots. Mayor Knight suggested Mr. Matthews get with the residents and see if this was a possibility. He said he thought there were options that could be done properly and would benefit the community. Councilman Larsen said he did think agriculture could work here. The Council gave direction to the developer.

The motion passed unanimously 5-0; with Councilman Dustin, Councilman Hansen, Councilman Mickelson, Councilman Jacobsen and Councilman Larsen all in favor.

### **Consideration of Final Plat approval for phase 3 of Zollinger Acres subdivision at 1300 West 3200 South**

Mr. Jeremy Wilcox was present. Mr. Wilcox said the 3<sup>rd</sup> phase was 11 lots to move forward on Zollinger Acres. Councilman Larsen asked how many lots they had remaining in the other two lots. Mr. Wilcox said they had 2-3 lots remaining. He said it was growing quite rapidly with the current economy.

Councilman Jacobsen made a motion to approve final plat for phase 3 of Zollinger Acres subdivision. Councilman Dustin seconded the motion.

Councilman Dustin noted they had another instance of a lot that could not be fenced or would be difficult to fence. Councilman Dustin asked where they were with lot 32—a triple fronted lot. Councilman Jacobsen said they blew it when they gave preliminary approval. Councilman Dustin asked if they could trade lot 32 for 33 and make 32 a non-buildable lot. Councilman Larsen said if they were to do that they would have to change engineering designs. Councilman Larsen said with the issues at hand he did not feel it was in their best interest to approve this.

Councilman Mickelson made a motion to amend that they approve this final plat with the stipulation that they switch the retention basin to lot 32 and adjust the lines on lots 32, 33, and 34 to make them conforming and if it can't be done then it must come back. Councilman Hansen seconded the motion.

Councilman Jacobsen said he liked what they were doing but are only able to do it because they have a friendly proponent. They gave preliminary approval and now they are asking them to make a change. Councilman Larsen questioned that if someone presented a final plat to them that they would have to approve it. Councilman Jacobsen said the changes that would be from preliminary to final are those that resolve the issues they identified at preliminary. Councilman Mickelson said he viewed this as a minimum change. Councilman Hansen said he thought this was in the proponent's best interest to do this. Mr. Wilcox said he was the accountant and did not have the knowledge to give an opinion about doing this. Mr. Wilcox was given the go ahead to call someone with that information.

Mayor Knight called for a five minute recess at 9:50. The meeting reconvened at 9:55.

Mayor Knight addressed Mr. Bill Burr while Mr. Wilcox was using the phone. Mr. Anhder said Mr. Burr had written a letter to the Council stating his concerns with 3200 S. Bill Burr read from the letter he had sent to the Council and wondered about having the mail delivered and his proposal was to put the ditch in. Councilman Larsen said he felt the road was designed with the swell to handle runoff water. When they first got the money for 3200 S they were going to do curb and gutter the entire distance and when they ran out of money, UDOT required that they have the swells. Mr. Anhder said they were overdesigned on that side and that they could leave some swell and gave some alternatives. He said the great bulk of the storm water would just seep in. Councilman Dustin said he would not be in favor of doing anything until they have an opinion that says they will not damage the investment they have made in that road. Mr. Anhder said that brought a good point that they needed to have the city engineer look at it. Mr. Burr said he had tried hard to maintain his property for 35 years and since the road came in it had never look worse.

Mayor Knight returned to the Zollinger Estates approval. Mr. Wilcox said the biggest concern was a sewer line that went right through lot 33 and would interfere with 3200 S. Zollinger Acres proponents figured it would be thousands of dollars in engineering costs. Councilman Dustin said at this point it did not seem like a reasonable thing to do but he would like to see this issue addressed in ordinance so it did not come up again.

The amendment failed 2-3; with Councilman Hansen and Councilman Mickelson in favor. Councilman Jacobsen, Councilman Dustin, and Councilman Larsen were opposed.

Councilman Larsen made a motion to amend that the driveway on lot 32, at the point of 90.05, be on the left side and come out on the 1471 side and be worked out before the plat is signed. Councilman Jacobsen seconded the motion which passed unanimously.

Councilman Mickelson asked if they wanted to address some allowances on the fence of lot 33. Mayor Knight said they will take that up at a later date. Councilman Mickelson said he would encourage the proponent to just look at options to address the three sided lot.

The amended motion passed 4-1; with Councilman Jacobsen, Councilman Dustin, Councilman Larsen and Councilman Hansen in favor. Councilman Mickelson was opposed.

**Consideration of Ordinance 09-14—Amending the City’s policy for minutes of meetings of public bodies**

Councilman Larsen made a motion to adopt alternative two of the policy for minutes of the meetings of public bodies.

Mayor Knight said this alternative stated the minutes will posted only after formal approval by the public body. Councilman Larsen said according to Utah Code, when draft minutes are made available to the governing body then they must be available to the general public. Councilman Larsen said based on legal they got from the mosquito abatement district; being available to the public does not necessarily mean being posted on the web. Legally if a member of the public requests them then legally they must be given access but they did not need to be posted. He thought they had decided on it and came up with this amendment to the policy. Mayor Knight said the other alternative was to have draft minutes posted to the city website when they were made available to the Council.

Councilman Jacobsen seconded the motion. He agreed with Councilman Larsen’s assessment of Senate Bill 26. There is no doubt that they are public documents before they are approved by the council the question is if they are given freely to the public. He prefers alternate 1. Councilman Dustin asked why anything beyond the first sentence was necessary. Councilman Dustin said that this was an administrative decision and did not need to be codified. He would rather not have their hands tied. Councilman Mickelson asked if any of them had been misquoted by the paper. Councilman Mickelson thought they needed to be open but if they had things that had been misunderstood or misquoted the damage is done if they are made public. Councilman Jacobsen made a motion for previous question. Councilman Hansen seconded which passed unanimously. The motion passed 3-2 with Councilman Mickelson, Councilman Larsen, and Councilman Dustin in favor. Councilman Jacobsen and Councilman Hansen were opposed.

Corlyss Drinkard said the only difference is that they were inconveniencing the citizen who has to come in and pick them up. The only thing that could be misconstrued is the finite details of the argument. She asked the Council to reconsider. Mrs. Drinkard said she would also like the proposed ordinances to be posted so the public had time to review and study them before the meeting and decided on comments before they get to the meeting. Councilman Dustin asked if by codifying this they inadvertently invalidate everything they did that day if the wrong thing gets posted on the website. Mrs. Drinkard said a clerical error is a clerical error and does not remove the “nots from the Ten Commandments”. A Nibley citizen said it was a nice benefit and kept them from cutting a tree down. Mr. Shawn Platt said they are taking away the openness of government and damaging the perception of the Council. Councilman Mickelson said he would not be opposed to sending out the outcomes to votes without the discussion and summary.

Councilman Larsen said he would be alright with the bullets being posted. The Council discussed motioning to reconsider. Councilman Dustin said he did not have a problem with having everything being put up there but has a problem with legally binding themselves to do it. The more they replicate themselves the more chances they have to mess up.

### **Consideration of proposal for 3200 South landscaping**

Mr. Anhder said the Council had received a proposal for 3200 S. Mr. Anhder reviewed what was proposed He said it also included an active encouragement of the residents along 3200 S. to maintain their properties. It would be helpful if they had a plan for trees along that area. Mr. Anhder said they have a wonderful asset in how Nibley looks in the medians along 3200 S. He proposed getting volunteer groups to care for, plan, plant, and maintain those areas. He recognized there were some safety issues but felt that could be addressed properly. He said they would make it like the Adopt-a-Highway program minimizing the cost to the city while maximizing the visual aspect of the medians. Councilman Jacobsen said they could make it a competitive event. Mr. Anhder said most importantly he proposed an aggressive tree planting program all along 3200 S. He suggested a spring snow crabapple. They can spend between \$20,000-80,000 for trees. He anticipates 500 trees planted 50 ft. apart. He did not know how to pay for it but with direction he can. Ms. Phippen said there were a lot of grants that involved tree planting. Mayor Knight asked the Council for a motion. Councilman Larsen suggested alternatives to the spring snow crabapple. Sean Platt suggested they use more efficient, low maintenance, water conservative landscape.

Councilman Dustin proposed they move forward with a caveat that all items in the proposal are subject to review. Councilman Dustin said he is worried about budget and is concerned that they have done a great job in meeting the city's needs for parks but have not allocated that same amount of importance to public safety. He said they need to make sure that their priorities are where they need to be. He is deeply concerned with residents adopting the medians and the safety issues that would bring.

Councilman Dustin made a motion that they consider the proposal for 3200 South landscaping for future study. Councilman Jacobsen seconded the motion. Councilman Dustin said he would like to get a budget. Councilman Larsen reviewed all the items on the proposal and the budget that would be required beyond the \$20,000-80,000 for trees. He is concerned with giving the residents along 3200 financial incentive to maintain their property. He said he wants everyone to maintain and landscape their park strips. He thought they needed more thought on how they were going to accomplish those things and is not willing to give a green light. Councilman Mickelson thanked city staff for their great ideas.

The motion passed unanimously 5-0; with Councilman Dustin, Councilman Jacobsen, Councilman Mickelson, Councilman Hansen, and Councilman Larsen all in favor.

### **City Manager Report**

**Council Reports**

Councilman Larsen noted the Halloween Bonanza flyer and asked the Council to encourage their neighbors to attend.

Councilman Mickelson said he would still like to put the outcomes of their actions on the internet. The Council discussed the action that would be necessary to do this. Councilman Larsen made a motion to adjourn. The motion died due to lack of second. Councilman Mickelson said he would like this addressed next time.

Mr. Anhder said he needed direction with Pleasant Haven. Mayor Knight said his understanding was that they must seek out resident buy in. Councilman Hansen said he will not get by with the minimum requirements but that he needed to sell it to them. Mr. Anhder said it was a great pleasure to work with such a great Council.

The meeting was adjourned at 11:05 p.m.

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

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