

NIBLEY CITY COUNCIL  
CITY COUNCIL MEETING THURSDAY, July 5, 2007  
The following motions were made during the meeting

**Motion #1: Councilman Harrison made a motion to give the preliminary approval of the Hideaway Estates subdivision. Seconded by Councilman Jacobsen.**

**Motion #2: Councilman Jacobsen made a motion to amend Hideaway Estates preliminary subdivision to require private road be built to the 60 foot residential road cross section even if it remains private. Seconded by Councilman Thayne Mickelson. The motion passes with Councilmen Mickelson, Hansen and Jacobsen voting in favor of the motion and Councilmen Harrison and Larsen voting against the motion.**

**Motion #3: Councilman Larsen made a motion to amend the cross section of the road to state that there will be 24 ft of asphalt, 8 ft on both sides, swales & shoulder on both sides & 5 ft sidewalks on both sides totaling 52 ft. 1 ft to property. Motion died for lack of second.**

**Motion #4: Councilman Jacobsen made a motion to amend the original motion to include the following: Contingent on verification of this proposal is in the R-2 or R-2-A zone. Seconded by Councilman Larsen. Motion fails.**

**Motion #5: Councilman Scott Larsen made a motion to postpone preliminary approval indefinitely until issue of zoning is resolved. Seconded by Councilman Mickelson. The amendment passed with Councilmen Larsen, Jacobsen, Harrison and Hansen in favor and Councilman Mickelson opposing the amendment.**

**Motion #6: Councilman Larsen made a motion to not approve ordinance 07-09, an ordinance changing the zone of approximately 42 acres to residential (R-2-A) south of 3200 South and west of 1200 West. Seconded by Councilman Jacobsen. The motion fails with Councilman Larsen voting in favor and Councilmen Harrison, Jacobsen and Hansen voting against the motion and Councilman Mickelson abstaining.**

**Motion #7: Councilman Jacobsen made a motion to approve ordinance 07-09 to change zone of Zollinger property. Seconded by Councilman Harrison.**

**Motion #8: Councilman Mickelson made a motion to postpone indefinitely until next Council meeting. Seconded by Councilman Larsen. The motion passes with Councilmen Mickelson and Larsen voting in favor and Councilmen Harrison and Jacobsen voting against the motion. Councilman Hansen took a personal privilege. Mayor Knight voted in favor of the motion.**

**Motion #9: Councilman Hansen made a motion to rescind resolution 07-08, a resolution approving a ballot measure allowing the citizens of Nibley to vote on**

**whether an increase in sales tax is needed to expand public transportation.  
Seconded by Councilman Mickelson. The motion fails.**

**Motion #10: Councilman Larsen made a motion to adopt resolution 07-08 with the following changes: Strike “hereby formally approves of and” eighth paragraph, first sentence. Councilman Jacobsen made a second to the motion. The motion passes with Councilmen Larsen, Harrison and Jacobsen in favor of the motion and Councilmen Hansen and Mickelson opposing.**

OFFICIAL MINUTES OF THE MEETING  
Minutes taken and prepared by Deputy Recorder Jessica Lawes

Mayor Knight called the Thursday, July 5, 2007 Nibley Council Meeting to order at 6:05 p.m. Those in attendance include City Council Members Jay Harrison, Larry Jacobsen, Scott Larsen and Thayne Mickelson. Councilman Bryan Hansen arrived at 6:15 p.m. City Manager Larry Anhder was also in attendance. The meeting took place at the Nibley City Hall, 625 West 3200 South.

Prior to the official opening of council meeting, Mayor Knight recognized Jay & Vellys Nelson as citizens of the year. Jay Nelson has given Nibley City 27 years in office. Mayor Knight would also like to thank Vellys Nelson for her work on the history book.

**Item 1: Minutes and Evening's agenda. Councilman Jay Harrison made a motion to approve the evening's agenda. Seconded by Councilman Scott Larsen, which was approved unanimously.**

**Item 2: Healthy Community.** A status report by Nibley City representative, Lawana Olsen: A meeting was held with Bear River Health Department, which has an information packet with a list of criteria, some areas include general community, healthy behaviors, safety and preventative services, nutrition and physical activity. Three areas of action: Policy, infrastructure and outcome. Nibley has added Healthy Links to their website which qualifies Nibley for the gold medal.

**Item 3: Discussion about proposed 1100 West Street.** Mayor Knight familiarized council that this pertains to the subdivision concept approved two weeks ago where 1100 West is on the west side of the subdivision and wanted the city engineer's perspective as to whether to build that road or not. City Manager Larry Anhder wants a discussion with the council so that the subdividers would know how to plan when they came in. Mr. Anhder said that he talked with the adjacent property owner and that he was unable to come.

Rod Blossom, city engineer, states that the overall plan is that 1200 West does not have any utilities in it because subdivisions would not front on the road. Councilman Larsen asked Mr. Blossom's opinion, should we have vacated that road? Mr. Blossom said that his opinion was no. Mr. Blossom's recommendation is a road every two blocks. Mayor Knight said that he would like to push two things: a nicely planned community as well as an efficient one relative to infrastructure costs. He said that somebody pointed out that on this current design of the new subdivision is every home has a road on each side with the exception of a few, and in his mind that is not necessarily the most desirable situation.

Mayor Knight asks Mr. Blossom if what he is saying is that we need this road for utility purposes? Mr. Blossom responds that they need it for fire access. Rob Blossom said that they need to require roads every two blocks and the other roads you can let fill in but make sure that the utilities and the roads tie into each other. Councilman Jacobsen said that one of the things they are trying to do with the senior adult living PUD is to tie this whole thing together in a

cohesive unit. And he thinks that abandoning the road adds to that and adds to the whole idea of this PUD. His question to the City Engineer is “Can you make it work without that road”? Jay Harrison said that it was not too late to require that road. Councilman Larsen asked Mr. Blossom if he would recommend vacating 2730. Mr. Blossom said it has already been done, but no he wouldn’t have. Mr. Blossom said that he would let this guy come in with his development and see what he comes up with, but he needs to have some continuity. Mr. Anhder said that he thinks that is a good idea.

**By general consent 1100 West will stay as previously planned.**

Councilman Mickelson wanted to discuss the issue of the development on Hollow Road with Fronk’s property and asked Rod Blossom if there needed to be any kind of review. Mr. Blossom said that he had met with Councilman Jacobsen on whether or not they were meeting their requirements. Mr. Blossom said that right now it appears that they are meeting the requirements that they were put under. The only other things would be voluntary things like keeping the dust down and not working on Saturdays. Councilman Mickelson also asked if it was required to cover their loads. Mayor Knight said that is state law but only if they extend above the bed and to call the sheriff if it is seen.

**Item 4: Discussion about design options for the reconstruction of 3200 South.** Councilman Larsen asked City Manager Larry Anhder if they had an updated plan from the open house. Mr. Anhder said that an email was coming and that that was all he had. Mr. Anhder said the only change was the cross section east of 250 West would have left hand turn medians only as you approach 250 West and 3200 South. Bike lanes will be done away with in favor of on-street parking, just east of 250 West, and the center median will be done away with except as it balloons out as it approaches Highway 165 and 250 West.

Mr. Anhder said the next thing was raised planted medians: approx. 11 feet wide according to the cross section. Mr. Anhder pointed out a variety of places that planted medians could be built. Councilman Larsen asked the question of how much all this is costing us. Mr. Anhder said that they think it is about the same as asphalt to build. Councilman Larsen pointed out that it will be an added cost to the city because the city will need to fill them with what ever is decided. Mr. Anhder said that is true. Councilman Larry Jacobsen asked for the public’s opinion. He then asks for council to go through it again so that the citizens know what they are talking about.

Bryan Anderson said that he didn’t know if the jury was in his perspective but if it saves an injury or a life then they are worth it forever. He also liked the idea of how it slows traffic down. He said that he could live with it either way.

The discussion then went to the issue of sidewalks along 3200 south. Mayor Knight said that city ordinances require sidewalks on all new developments but we can only afford sidewalks on one side of the road. He said that they are doing the side that is the most developed. The majority will be on the north side of the road; it will cross over at about 500 west and will end at 1600 west. Carrie Cook said that she was worried about upkeep of the medians. Mayor Knight said that it is the city responsibility for upkeep.

LaRay Wilden asked what will happen to the parking for the park on the street when the new road is built. Mr. Anhder said it is still a problem that they are working on. One of the options is to try and put a separate parking area and put in angle parking. Another option is parking directly off of 3200 south like we do now, but it would be at 45 degree angle not the 90 that we have now. Councilman Jacobsen asked if there was a safety opinion on the 45-degree angle parking. Mr. Anhder said that 45 degree angle parking is safer than 90-degree angle. Councilman Harrison suggests that maybe the city needs to purchase some land to expand the parking lot.

Councilman Larsen asked if there had been a discussion about certain spots in the city where we could leave gaps in the sidewalks. The sidewalk west of 800 West will be on the north along the undeveloped that will soon be developed. He said that they talked about the possibility of pushing it to the south side, which it is still undeveloped and may never be developed if Riggs' are able to accomplish the agriculture preservation they desire. The school district would be able to put in that portion of the sidewalk so we would actually have one on both sides. Mayor Knight suggested to council members to mark the map where they would like to see the sidewalk for future discussion. LaRay Wilden asks whether the safety of the children crossing has been considered and suggests that they keep the sidewalk on one side of the road. Mayor Knight said that the hope is that eventually they will have a sidewalk on both sides of the road.

**Item 5: Public Hearing and preliminary approval of Hideaway Estates subdivision at 1231 West 3200 South.** City Manager Larry Anhder said that Carrie Cook is the proposed developer of Hideaway Estates. The development will be a seven-lot subdivision with a private road. Mr. Anhder said that the Planning Commission approved this with the stipulation that there be a sidewalk on the road and that no basements be built. Mr. Anhder recommended against both of the ideas, he doesn't think that the council should get into requiring or not requiring basements. We have language that the city attorney has suggested that we put on plats about high ground water.

Mr. Anhder said that the idea of sidewalks has been debated among the council and is not sure that he has a clear idea of that, but in a seven-lot subdivision the only traffic are those that live there. Mr. Anhder used the Rigby's subdivision as an example of one that works. Carrie Cook agrees with Mr. Anhder on the sidewalk issue because with only six homes facing the road it will never be a through road and will always be a private road. There will be a Home Owners Association so this will be something that can be controlled and regulated. Ms. Cook said that she likes the rural look and does not want the issue of who really takes care of the swale. Ms. Cook said that the only other thing that was brought up was moving the fire hydrant to the end of the lane.

Councilman Harrison said that when they approved it for her house they were going to help and get rid of all the stuff. Ms. Cook said that she two brothers are appointed to clearing and maintaining, stating that they have already cleared off about fifteen loads of stuff. Ms. Cook also said that with her parents getting up in age that they are trying to get everything cleared up, fenced and contained within their half acre.

Mayor Knight asked if anybody had any comments on this subdivision. Bryan Andersons asked for a landmark of the property. Council responds by saying that the home of Willy Floyd would be the east corner of the subdivision.

With no other comments from the public Mayor Knight closed the public hearing.

**Councilman Harrison made a motion to give the preliminary approval of the Hideaway Estates subdivision. Seconded by Councilman Jacobsen.**

During the discussion, Councilman Mickelson asked if the lots were required to have 100 foot frontage and do these meet that 100 foot requirement. Carrie Cook said yes. Councilman Mickelson then asked if there were any non-conformity with the development that this does not meet. Mr. Anhder said that the side yard set back is a legal non-conforming use because it has been there for 25 years. Mayor Knight said the subdivision needs to include established house. Councilman Jacobsen said that in the ordinance there is something about a legally, non-conforming use can stay that way as long as nothing changes, but something's changing here. There is a change of use of this land. Mr. Anhder said the other option would then be that they don't subdivide the rest of the land, but they have already gone part that way and given Ms. Cook permission to build her home there. Councilman Larsen notes that the house sets too close to the property line, but we have already allowed them to build a home, otherwise subdividing the lots. Mayor Knight said why it is hard to extend the subdivision line over. Councilman Larsen said it was because that they do not own the property to the east, and that Willy Floyd built his home prior to any setbacks. Mayor Knight said that they could go the adjacent property owner and buy the conforming setback needed, and that is typically what is done. Councilman Harrison said that it is a pre-existing condition and that it is not bothering anybody and isn't going to change anything except that it is going to divide the rest of the property with the opportunity to have a cleaner looking property with a subdivision is a win for the city.

Councilman Mickelson said that he has another question to do with water. Having seen years where it is nearly all underwater, what are they planning to do for storm water? Mr. Anhder said that the Gibbs's property to the west is the low spot; they will have a storm water plan like any other subdivision does for their property. The City has improved the problem of the water coming from the east with our work on 1200 West. Carrie Cook said that they were planning on bringing up lot 2. Lot 3 has some standing water but when it is all leveled, that dirt would bring it up. Lot 7 has already been brought up at least four feet prior to the survey, leaving the only low spot the Gibbs's area. Ms. Cook said that the Planning & Zoning was very concerned about water and that they would like to see it slab on grade and is willing to do whatever is required of her.

Councilman Larsen said that he was in favor of a sidewalk. He thinks that it is nice to have a sidewalk because of the kids. Carrie Cook said that if you look at her circle, it is a 100-foot circle, if sidewalks were required and the only place that she would have to put one would be directly on her property and would loose 14 feet to sidewalk. Carrie Cooks said that the way it shows is that they have a 30-foot for the right-a-way and 20 foot utility easement, what we are going to do is go to the typical road where the utilities are underneath the asphalt. That is what

will be showing on the next plans along with the storm water and all of that. Ms. Cook would like to have a really firm idea of what the council expects of her so that she can move forward if this is approved.

Councilman Jacobsen asked Ms. Cook why she did not want this to be a public road. Ms. Cook said that her father at some point did not want to deed anything to Nibley and he felt that he just wanted to keep the land his. Basically she is here at her dad's will. Mr. Anhder said that in the first discussions she was encouraged by the city staff to do a private road because up until this point, at least, the council agreed that private roads are not only acceptable, but also desirable, in appropriate locations. Councilman Jacobsen said that one of the reasons he asked was that he would hate to see private roads be used as a way to fit more lots into a smaller space. He has in the past gone along with private roads when the private road was built to city specs, which means a 60-foot right of way. He said that the most effective planning tool is controlling density and setting standards. Mr. Anhder said that on her preliminary plat that her acreage and square footage does not include the road and they are ½ acre lots.

Councilman Jacobsen said what do we do in the future when the road falls in disrepair and the people that live there plead with the city council to take it as its own, there is no way we can do it because the road doesn't meet our road standards, what do we do then? Mr. Anhder said that they do require that the road, except the width, be built to city standards. Carrie Cook said that she is here now and whatever is in the ordinances now is required of her not what the council would like in the future. How is she supposed to follow an ordinance that is not on paper or updated. Mayor Knight said the debate is not whether or not she is following what is on the books, it is whether a private road will be allowed in this subdivision.

Discussion then went into whether or not sidewalks will be required. Councilman Mickelson said that it is important to make these things conform or later they will come back to cost you. Councilman Hansen said that as a council they need to decide if we allow private roads, and if they also feel the need to have sidewalks and gutters? Councilman Jacobsen then quotes the ordinance, "permitted only where the terrain and geographical conditions allow it, with one exception that in the rural estate zone states that curbs and gutters can be done without". Councilman Larsen said that there was a second interpretation that could be made "sidewalks, curbs and gutters and roads shall conform to the standards set" in other words, if we require a sidewalk and curb, then they have to meet the standards set in this ordinance.

**Councilman Jacobsen moved to amend the motion Hideaway Estates preliminary subdivision to require the road be built to the 60 foot residential road cross section even if it remains private. Seconded by Councilman Mickelson.**

During the discussion on the motion to amend Mr. Anhder asked if it was with curb, gutter and sidewalk. Councilman Jacobsen said yes. Councilman Harrison said that he agrees with what the ordinance says, but if we are not going to have a private road then let's inactivate it until we fix it.

**Councilman Larsen made a motion to amend the cross section of the road to state that there will be 24 ft of asphalt, 8 ft on both sides, swales & shoulder on both sides & 5 ft sidewalks on both sides totaling 52 ft. 1 ft to property. Motion died for lack of second.**

**Councilman Jacobsen made a motion to amend the original motion to include the following: Contingent on verification of this proposal is in the R-2 or R-2-A zone. Seconded by Councilman Larsen. Motion fails.**

**The motion to amend passed with Councilmen Mickelson, Hansen and Jacobsen voting in favor of the motion and Councilmen Harrison and Larsen voting against the motion.**

**Councilman Scott Larsen made a motion to postpone preliminary approval indefinitely until issue of zoning is resolved. Seconded by Councilman Mickelson. The amendment passed with Councilmen Larsen, Jacobsen, Harrison and Hanson in favor and Councilman Mickelson opposing the amendment.**

**Item 6: Public Hearing – Request to change a zone of approximately 42 acres from Agriculture to Residential R-2-A for the Zollinger property between 1200 West and 1500 West and south of 3200 South.**

**Councilman Mickelson made a motion to move into public hearing. Councilman Harrison made a second to the motion. Motion voted unanimous.**

With no comments from the public Mayor Knight closed the public hearing at 8:40 p.m.

**Item 7: Consideration of Ordinance 07-09 to change the zone of 42 acres on 3200 South between 1200 West and 1500 West.**

**Councilman Larsen made a motion to not approve ordinance 07-09. Seconded by Councilman Jacobsen.**

During the discussion, Councilman Larsen said that he would like to wait until the general plan has been resolved. Councilman Larsen said the current general plan does not have a plan for that property and he feels that it is premature to make the decision. Mr. Anhder said that the annexation was started last February and at that time everything west of 800 West that had been requested for a rezone to R-2-A had been granted and so the process was started of annexation. When the Bertolio request was proposed they were told of that and as staff we did not know which way the council was going, but that there was a general plan in the works. At what point do we freeze in time what we are doing and put everything on hold? Developers have been extremely cooperative in offering trading property for open space.

Mayor Knight asked if the trade that is being proposed benefits the developer by getting 50 percent more than what the city gets and the city gets the slue. Mr. Anhder said that it is square foot for square foot and does not count the slue. Councilman Jacobsen said that they should do a poll and look at the way the general plan update is heading and hope that they are committed to cluster developments.

Councilman Hansen said the other item here is that there is a trail network that goes along the canal system that connects up with the park area, which to him is a huge benefit to the whole area. He then said that if they do go to clustering it could add more space around the existing park areas and create a nicer area than they already have. Councilman Larsen said it is only a proposed park now and the portion of the slue would be preserved open because they couldn't develop there. He looks at this property; one has wetlands that could be preserved without giving up the portions for the other 18 lots and could build soccer fields etc. and build a parking lot on the other plus have a walking area without giving up too much in the swap. In his position over parks and recreation he sees a need for walking trails and such and sports facilities and if he gives up a small portion then he gives up potential park land that is centered on the homes where people could walk to watch their kids play.

Mr. Anhder asked Councilman Larsen if he would have that in the property north of the slue. Councilman Larsen said no because he won't be able to build. Only certain people will walk that route. Councilman Jacobsen said that according to the map the Stott property is part of the rezone and asked if they had verification that the Stotts want to be rezoned. Mr. Anhder said no and they should have received a notice. Councilman Jacobsen said that he would like to hear what they have to say on the rezone. Mr. Anhder said a moratorium has not been put in place so one could continue to think that they could proceed under the ordinances on the books.

Carrie Cook asked the council how they could rezone the Stotts without their approval or without any public hearing on their behalf. She then asked how long before the general plan would be done. Mayor Knight said that the general plan was almost done that they had a draft plan. Ms. Cook said that she agreed with Mr. Anhder that the council needs to go with what is on the books now, how can you do other wise. Councilman Larsen said that they are doing what is on the books, which they do not have to rezone to allow for this type of development. Councilman Jacobsen said he wants to know if all of the property owners that they are considering a rezone for are in favor of this rezone. Ms. Cook agrees with Councilman Jacobsen and is concerned about what the Stotts will think. Mr. Anhder said that a property owner does not have to agree to a rezone and the city has followed the proper noticing procedures.

**The motion fails with Councilman Larsen voting in favor and Councilmen Harrison, Jacobsen and Hansen voting against the motion and Councilman Mickelson abstaining.**

**Councilman Jacobsen made a motion to approve ordinance 07-09 to change zone of Zollinger property. Seconded by Councilman Harrison.**

During the discussion Councilman Mickelson said would like more information before he can make a decision. He would like to see the surrounding properties, the general plan and more information.

**Councilman Mickelson made a motion to postpone indefinitely until next council meeting. Seconded by Councilman Larsen. The motion passes with Councilmen Mickelson and Larsen voting in favor and Councilmen Harrison and Jacobsen voting against the motion. Councilman Hansen took a personal privilege. Mayor Knight voted in favor of the motion.**

**Item 8: Concept plan for Zollinger Acres subdivision south of 3200 South between 1200 West and 1500 West.** During the discussion the question was brought up that if the council continues one then they need to continue the other, just wasting time if talking concept and the developer doesn't even know what zone they will be approved for. Councilman Larsen said that they gave concept to Foxborough before the council ever did R-2-A. Councilman Jacobsen said that this concept only makes sense if it is zoned R-2-A.

Mayor Knight said the council members lack understanding and need time to consider all of the things that pertain to this action. Mr. Anhder said that one item could help in the planning process is the swap, if it is thrown out by the council then the developers do not have to wait 2 weeks to hear that. Mr. Anhder said that it is his recommendation to make the swap. His reason is open space is not meaningful open space if it can not be seen and by doing a swap it bring all the property up to 1200 West and increases the city's frontage of open space. Mayor Knight said it would help him to have all the square footage on the swapped portions.

Councilman Hansen said that a slue or wetland area is best maintained by the city and would have a better chance of being included in the overall park design than if it were left up to the developer. He believes that the slue would be part of the overall plan of the park and that parks are not just for sport facilities and should have a variety of parks. This is a unique location.

**Item 9: Reconsideration of Resolution 07-08. A resolution approving a ballot measure allowing the citizens of Nibley City to vote on whether an increase in sales tax is needed to expand public transportation.** Mayor Knight said that he and Mr. Anhder have been in contact with Cache County council member, they did not approve this resolution, and they continued the discussion indefinitely for two weeks. The Cache Council member will ask for another measure which would allow 1/4of one percent sales tax to be used for roads in general which, in our discussion, we feel would be a more appropriate use of money. He has asked that we not act on this until after they act on it next week Councilman Larsen said the motion to reconsider is not allowable, the motion to rescind would be. Mayor Knight said that maybe the appropriate thing would be to rescind the resolution that we passed a month ago and wait for the Cache County Council's decision. Councilman Jacobsen said the motion to reconsider is the whole process that got it on tonight's agenda.

**Councilman Hansen made a motion to rescind resolution 07-08. Seconded by Councilman Mickelson.**

During the discussion Councilman Jacobsen said they do not need to follow the lead of the County Council. His biggest compliant with the resolution passed is the "where as" statement made it sound like the council endorsed the tax increase. He is still in favor of letting the citizens decide if they want to increase their taxes. Mayor Knight said the bottom line is that you can only tax the citizens so much. There are only four options available right now for taxing the citizens; we can only implement three of the four.

**The motion fails.**

**Councilman Larsen made a motion to adopt resolution 07-08 with the following changes: Strike “hereby formally approves of and” eighth paragraph, first sentence. Seconded by Councilman Jacobsen. The motion passes with Councilmen Larsen, Harrison and Jacobsen in favor of the motion and Councilmen Hansen and Mickelson opposing.**

**Item 10: 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 11:25 p.m.

**Item 11: City Manager Report-** City Manager Anhder asked if the council was agreed they need to have a discussion on their philosophy on private roads when it can be on a future agenda. Once it is understood what the feelings are then an ordinance can be written. Mayor Knight suggested that they do a workshop, not just for private roads, but also for subdivision design and talk about what is rural. Mr. Anhder then said if a majority can agree what defines rural, then we can guide developers. Councilman Harrison said that they need to focus on one thing at a time, the more they have to talk about the more they will not resolve anything. Mayor Knight said that he would like to have a bunch of successive workshops to define what is rural and what makes a good subdivision. This information is critical in helping Mr. Anhder do his job properly. Mr. Anhder said that the whole general plan is driven on the basis that we are going to attempt to keep some rural amenities. Mayor Knight said they need to address a smaller cross section. Mr. Anhder said the first question is “are we going to allow private roads”, if we don’t that will end it. Mr. Anhder said that on the next agenda they will discuss whether they will have private roads.

Mr. Anhder said that the Utah Local Government Trust safety and liability inspection came last week and went through the city building. It was very laudatory of our record keeping and our sewer maintenance program. Written recommendations will be received and will need to work towards implementing them. Mostly very minor stuff.

Mr. Anhder said that Connelly Thompson has resigned effective Monday July 9, 2007 he will receive his rate of pay and insurance until the first of November as part of that resignation. The proposal is that the office will be covered on an interim basis, former interim Shari Phippin, and would like to talk about it in detail with the council on how we proceed.

**Item 12: Council reports:**

Councilman Hansen- asked the council if, for the August party, do they want to have Iron Gate Gill cater or do they want someone else. Councilman Larsen said that he had some negative complaints from citizens about their meal at Nibley Heritage Days and suggested Culinary Concepts as an option. Councilman Hansen left meeting at 11:45 p.m.

Councilman Mickelson- said that he was grateful for the support that they gave to the Civil Air Patrol. They had a very good time and it was very successful.

Councilman Harrison- would like to mention the signs where new 900 West road comes in to Nibley. Maybe put some signs that point to Nibley so that people know the new road is a way in. Lighting is also an issue.

Councilman Jacobsen- started off with a report from the Planning Commission about the Chris Cokinos request of the modification of the conditional use permit issued to Hal Fronk for site preparation. Mr. Cokinos was asking for limited hours during the weekdays, no work on weekends, a dust control plan and access to the site with his own geo tech engineer. The issue was tabled by the Commission, however, in the process of the discussion Hal Fronk agreed to the geo tech inspection paid for by Mr. Cokinos, no weekend work unless he gave Cokinos a 48 hour notice and agreed to be serious about dust control.

Councilman Jacobsen said that a number of citizens approached him about the Wasatch Back Relay that came through Nibley and the impact that it had on Hollow Road. Councilman Jacobsen said that as a councilman he would like to send a letter to the director and if the Council would like to join him. Mayor Knight said that he would like the letter to be sent and that he would be a co-author.

Councilman Larsen- said he thinks it would be good to take a tour of the city with all the new things coming up even if it is a workshop. Councilman Jacobsen said that would have to be publicly noticed and invite the citizens.

Councilman Larsen said that he has asked the chairman for the Heritage Day celebration to meet with the committee and discuss some of the things that were positive and negative and please let him know of any comments they have heard from citizens.

**Item 13: Adjourn- Councilman Jay Harrison made a motion to adjourn. Motion passed by general consensus at 12:00 p.m.**

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

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