

NIBLEY CITY COUNCIL
CITY COUNCIL MEETING THURSDAY, July 19, 2007
The following motions were made during the meeting

Motion #1: Councilman Harrison made a motion to select Wiggins & Co. for the city auditor. Seconded by Councilman Hansen. Motion was approved unanimously.

Motion #2: Councilman Harrison made a motion to 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 Hansen. Motion passes with Councilmen Mickelson, Hansen, Harrison and Jacobsen approving and Councilman Larsen opposing the motion.

Motion #3: Councilman Larsen made a motion that before any trade of land takes place the council will hold a public hearing on said trade. Seconded by Councilman Jacobsen. The motion fails with Councilman Larsen in favor and Councilmen Jacobsen, Harrison, Hansen and Mickelson opposing the motion.

Motion #4: Councilman Mickelson made a motion to accept the current concept plan for the Zollinger Acres subdivision on 3200 South between 1200 West and 1500 South as presented. Seconded by Councilman Hansen.

Motion #5: Councilman Larsen moved to amend concept to have 66 foot roads exiting at 3200 South and 1500 West, by recommendation of the City Engineer and City Manager. Seconded by Councilman Mickelson. The motion fails with Councilman Larsen in favor and Councilmen Jacobsen, Harrison, Hansen and Mickelson opposing the motion.

Motion #6: Councilman Jacobsen made a motion to amend to have road widths worked out by the time concept comes back for preliminary approval with the proponent's engineer working with the city's engineer. Seconded by Councilman Mickelson. Motion to amend passes with Councilman Jacobsen, Harrison, Hansen and Mickelson in favor and Councilman Larsen opposed to the motion.

Motion #7: Councilman Jacobsen made a motion to approve resolution 07-11,. Seconded by Councilman Harrison.

Motion #8: Councilman Jacobsen made a motion to amend to strike whereas #1 and whereas #2 from the resolution. Seconded by Councilman Mickelson. The motion fails with Councilmen Jacobsen and Harrison in favor and Councilmen Hansen, Mickelson and Larsen opposing the motion.

Motion #9: Councilman Jacobsen made a motion to amend by replacing Items 1, 2 and 3 with the following: Nibley City Council supports the Cache County Council to place a 0.25% sales tax initiative on the next ballot to support road improvements in Cache County. Seconded by Councilman Hansen. Motion to amend passes with Councilmen

Jacobsen, Hansen and Harrison in favor and Councilmen Larsen and Mickelson opposing the motion.

Motion #10: Councilman Harrison made a motion to put medians on 3200 South where the engineer deems appropriate. Seconded by Councilman Hansen. The motion passes with Councilmen Jacobsen, Harrison, Hansen and Mickelson in favor and Councilman Larsen opposing the motion.

Motion #11: Councilman Harrison made a motion to approve sidewalks as proposed with the addition of Ropelato to Ashbury properties on the south side of 3200 South west of 500 West. Seconded by Councilman Hansen.

Motion #12: Councilman Larsen made a motion to amend to remove the sidewalk in front of the school property between 800 West and 1000 West and move it across the street and go from 800 West to 1100 West. The motion dies for lack of a second.

Motion #13: Councilman Larsen made a motion to amend to extend the sidewalk on 3200 South from Ashberry Estates entrance to the existing sidewalk of Dave Oblock. Seconded by Councilman Mickelson. Motion to amend passes unanimously.

Motion #14: Councilman Harrison made a motion to approve the petition to annex approximately 13 acres into Nibley at 3400 South and 1200 West. Seconded by Councilman Mickelson. Motion passes unanimously.

Motion #15: Councilman Harrison made a motion that the city, without spending money, can figure out what is wrong with the flood plane map and how it can be corrected. Seconded by Councilman Hansen. Motion passes with Councilmen Larsen, Jacobsen, Harrison and Hansen in favor and Councilman Mickelson opposing the motion.

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

Mayor Knight called the Thursday, July 19, 2007 Nibley City Council Meeting to order at 6:03 p.m. Those in attendance include City Council Members Jay Harrison, Larry Jacobsen, Scott Larsen and Thayne Mickelson. City Manager Larry Anhder and interim assistant to City Manager Shari Phippen were also in attendance. The meeting took place at the Nibley City Hall, 625 West 3200 South.

Item 1: Minutes and Evening's agenda. Councilman Harrison made a motion to approve the evening's agenda with an ending time of 10:00 p.m. Seconded by Councilman Hansen. Motion was approved unanimously.

Item 2: Selection of Auditor for the annual audit. City Manager Anhder recommends the selection of Wiggins & Co. that has done the City's audits for the last couple of years.

Councilman Harrison made a motion to select Wiggins & Co. for the city auditor. Seconded by Councilman Hansen.

During discussion Councilman Mickelson asked if it was wise to have the same auditor year after year. City Manager Anhder said it is not uncommon and it is nice to have somebody that knows the city's system. Councilman Mickelson suggested a change of auditors every five years.

Motion was approved unanimously.

Item 3: Consideration of Ordinance 07-09 to change the zone of 42 acres on 3200 South between 1200 West and 1500 West.

Councilman Harrison made a motion to approve Ordinance 07-09. Seconded by Councilman Hansen.

During discussion Councilman Larsen said he still feels the council should wait until they have the general plan finished. Councilman Larsen said he thinks it unwise to rezone this property on grounds the rezone is 1/3 acre lots and that might not necessarily be the direction to go; properties currently adjacent to this property are 1/2 acre. Councilman Harrison asked how long it would be until they had a general plan. Mr. Anhder said that the advisory committee has made the decision not to be rushed with the intent to move expeditiously. He said as a council they are moving forward with the concept of the cluster development. This allows them to have smaller lots sizes and larger open spaces. Councilman Larsen pointed out that the proposed subdivision is not a cluster development but a regular 1/3 subdivision.

Councilman Jacobsen said he would feel more comfortable not moving forward on this if the council had taken a step to enact a moratorium on any rezones while the council is working on the general plan. Councilman Larsen said if a property is zoned a certain way, then we have to allow it to develop that way and right now it is annexed as agricultural. We are not required by law to rezone any property. Councilman Mickelson said this is the best opportunity to straighten

up 1200 West. Councilman Larsen brought up 1200 West is on our master road plan and will go there. The city will not allow building to take place on it now that it is in the city. He also asked about contacting Bob Stott and Mr. Anhder told him he had talked to Mr. Stott and he knew about the meeting.

The motion passes with Councilmen Mickelson, Hansen, Harrison and Jacobsen approving and Councilman Larsen opposing the motion.

Item #4: Review of concept plan for Zollinger Acres subdivision on 3200 South between 1200 West and 1500 West. Mr. Anhder had three points for the proposal: 1- Plan has been proposed to maximize view shed along 1200 West. 2- Plan with the proposed land trade provides for a north/south road through their development that will access future developments to the south. 3- Also provides for a much nicer park and limits the number of homes that back onto the park. Mr. Anhder said the concept plan for the city property that the council was given was not meant to plan a single thing, it just shows what is possible. Mr. Anhder said that they will lose actual park space with this trade as proposed because some of that property will be used for 1200 West. But it does preserve the corridor of 1200 West for the future. Steve Edwards wanted to clarify to the council that the developer is not getting anything for the slue, plus they are giving up another 1/2 acre to make it an even trade.

Councilman Mickelson said in this situation you can not require a road because there is already an existing road. Mr. Anhder said they can only require from a developer that which is consistent with the impact he makes. So how much could the city require them to do of 1200 West, especially when 1200 West would not go through?

Councilman Larsen said he disagrees with the trade because not only is the city paying for land by giving a trade for land purchased, but we are also going to pay the cost of the entire road on 1200 West and half a road by the park. Mayor Knight said there is some value because the section of ground they have currently and that is proposed to trade, does front 1200 West and would require the developer to front costs. It is very advantageous to the developer.

Councilman Jacobsen said the chunk of property where 1200 West is suppose to realign puts a heavy burden on the owner of that piece of property. The city's realignment plan pretty much makes that property worthless in terms of development.

Steve Edwards said one of the reasons they switched this around was they felt it was a little cleaner. There are two ways to look at the trade, square footage for square footage or value for value. Also on the concept of 1/3 acre lots, they have advertised it twice, went through Planning & Zoning and they don't have any problems with it, and they have sent letters out to all the neighbors and nobody opposes to the 1/3 are lots. Mr. Edwards said they have tried to work with the city from the very beginning and they felt they have gotten direction from the city that is going to give and take on it.

Councilman Larsen said he has talked to nine people and they are all opposed to a land trade, granted it is based on different factors. The land the city is giving up verses the land the city is gaining, value of land is not the same.

Councilman Larsen made a motion that before any trade of land takes place the council will hold a public hearing on said trade. Seconded by Councilman Jacobsen.

During discussion Councilman Harrison said this is a win/win situation for both parties. A lot of effort has gone into this and it works for the city. Councilman Jacobsen asked Councilman Larsen if any of the parks people and citizens he has talked to considered the contiguous piece of land, albeit the wetlands, and have they given any thought to how their desire for the fields might fit into this plan. Councilman Larsen responded that he did not see that concept until tonight's meeting and was not sure what the city's property was. The part that Councilman Larsen liked about his plan was all the parks were together and didn't have a bunch of different parking lots, just one central parking lot and the sport fields were not on a busy street

Councilman Jacobsen asked the Mayor and City Manager if the concept proposal is green lighted, does that constitute approval by the City Council for the trade of land. Both the Mayor and City Manager answered that in their opinion, it would.

Councilman Hansen said that he does not think there is a very good master plan from a park's perspective and it is important to look at the property. The wetlands really have a lot a value because you can use it for a trail system and walking. It is something that is unique.

The motion fails with Councilman Larsen in favor and Councilmen Jacobsen, Harrison, Hansen and Mickelson opposing the motion.

Councilman Mickelson made a motion to accept the current concept plan for the Zollinger Acres subdivision on 3200 South between 1200 West and 1500 South as presented. Seconded by Councilman Hansen.

During discussion Mr. Anhder said he would like to recommend the road coming in on off 1500 West be a 66 foot cross section and the road coming off 3200 South also be a 66 foot cross section and the intersection be realigned to flow instead of two right angles, radius to be determined later.

Councilman Larsen asked the developer Steve Edwards why they redesigned the plan from the last meeting's plan? Mr. Edwards said they gave up all the ground and didn't have roads coming in off 1200 and feels this is a subdivision not a thoroughfare. According to the ordinances the road can be a 60 foot road as long as it does not have 25 or more homes on it. They feel, for the safety of the subdivision, 60 feet is wide enough. They have also left the walk space, about the equivalent of one lot space, for residents to walk to the park.

Mayor Knight asked Mr. Anhder to give his reasons for his recommendation of a 66 foot road in those areas. Mr. Anhder said that while the area does not service that many homes now it will in the future.

Councilman Larsen brought up the issue of storm water and the detention ponds. Councilman Larsen said they have a stronger issue with the water coming off the wetlands and how is it

going to be handled. Mr. Edwards said his engineer has the plans for all of that. Councilman Harrison said this issue comes in later.

Mayor Knight reminded the council that the current motion does not take into consideration the City Manager's recommendations. Councilman Jacobsen said he would like to have the city engineer weigh in on the concept of the 60 to 66 foot roads and they can green light the concept plan without stating road widths of the roads. Mr. Anhder said these recommendations came by way of the city engineer.

Councilman Larsen moved to amend concept to have 66 foot roads exiting at 3200 South and 1500 West, by recommendation of the City Engineer and City Manager. Seconded by Councilman Mickelson.

During discussion Steve Edwards said they are looking at lots and would lose around four or five lots. For this reason they are against widening the roads. Councilman Hansen said his feelings on the concept were that people living in the subdivision would want to have narrower roads to slow traffic. Mr. Anhder said the standard is 25 to 79 homes should have a 66 foot right-a-way, there is also another paragraph that says not to look at one subdivision as itself, but look at what can happen around it, the road needs to be designed for access to the neighboring properties. Sixty-six feet makes a bigger impact on the developer than it does on traffic flow. When the next property comes in, Mr. Anhder said he would encourage the city to purchase the property. Councilman Jacobsen said the city engineer is not here to rebut the discussion. Why not have the two engineers, instead of the committee, design a concept plan. Mr. Edwards would be glad to move forward if approved as is and will meet with engineers.

The motion fails with Councilman Larsen in favor and Councilmen Jacobsen, Harrison, Hansen and Mickelson opposing the motion.

Councilman Jacobsen made a motion to amend to have road widths worked out by the time concept comes back for preliminary approval with the proponent's engineer working with the city's engineer. Seconded by Councilman Mickelson

Councilman Larsen said the amendment is vague because the recommendation of the city engineer is already to have 66 foot roads. Councilman Jacobsen said that he did not think the city engineer had the benefit of additional discussion that the council has.

Motion to amend passes with Councilman Jacobsen, Harrison, Hansen and Mickelson in favor and Councilman Larsen opposed to the motion.

Item 5: Consideration of Resolution 07-011 in support of the County's position that a tax increase for roads needs is more important than an increase for public transit. Councilman Harrison asked how this impacts the State looking at raising the gas tax for roads. Mayor Knight said there is a lot of money needed for roads. Mr. Anhder said the increase would be for the development of new and upgrade for existing roads. Mr. Anhder then said the legislature has given counties the opportunity to enact an additional, local, option of 1/4 of one percent for road projects. The citizens will have the opportunity to vote on the transit issue.

Councilman Jacobson said he needed clarification on Whereas #3, he said this is a decision already made by the council and should it not read "to fund the development"? Mr. Anhder said that was put in there as a clarification just to make sure people know they still would participate in the election. Mayor Knight said if the council passes this resolution, one thing it would do is throw their weight behind what the county is proposing.

Councilman Jacobsen made a motion to approve resolution 07-11. Seconded by Councilman Harrison.

During discussion Councilman Mickelson asked for clarification on if every time there is an increase in tax for gas, they receive more in taxes for roads. Mr. Anhder told the Councilman that it is a set amount per gallon.

Councilman Jacobsen made a motion to amend to strike whereas #1 and whereas #2 from the resolution. Seconded by Councilman Mickelson.

Mayor Knight asked Councilman Jacobson why he felt that #1 and #2 should be stricken. Councilman Jacobsen said that he had not heard the proposal and doesn't know if he supports the sales tax increase. Mayor Knight said at the CMPO and CTAC meetings the professionals say this is what we are going to need in roads in Cache County in the next 20 years and then we identify and support the various hierarchy of funding. In the next 20 years the county will need \$800 million for roads to support the increased traffic. Mayor Knight suggested bringing in Jeff Gilbert, CMPO Director, to make a presentation.

Councilman Jacobsen said that he wants the County Council to sell it to the Nibley citizens in a true democratic fashion by initiative, but he is not OK with saying that he knows enough about this proposal to say what the needs are and where the money is going to be spent. The two proposals have not been aired in front of the citizens where he thinks they ought to be aired. Mayor Knight said his interpretation of the resolution is that Nibley City Council can show a minute amount of leadership by saying the city does not have enough money, currently, to build the roads that need to be built.

The motion fails with Councilmen Jacobsen and Harrison in favor and Councilmen Hansen, Mickelson and Larsen opposing the motion.

Councilman Jacobsen made a motion to amend by replacing Items 1, 2 and 3 with the following: Nibley City Council supports the Cache County Council to place a 0.25% sales tax initiative on the next ballot to support road improvements in Cache County. Seconded by Councilman Hansen.

Motion to amend passes with Councilmen Jacobsen, Hansen and Harrison in favor and Councilmen Larsen and Mickelson opposing the motion.

Item 6: Consideration of design options for 3200 South. Mayor Knight said it was the recommendation of staff that east of 500 West the sidewalk be on the south side of the road and

west of 500 West sidewalks be on the north side of the road and the planter medians will be placed where ever they can be safely and reasonably engineered. Mr. Anhder said the engineers are waiting on these two decisions to be made to move on with their plans.

Councilman Larsen said his idea is to connect the sidewalks as much as possible, even though it might cost a little more. Dave Oblock asked if there will be any kind of cross walk or crossing guard, something to let traffic know.

Councilman Mickelson asked why doesn't the council go to the school board and say Nibley City will put the sidewalk in now and when it comes time for the school to be built, the school district will reimburse the city for that sidewalk. Mayor Knight said it would be about four years until the school will be here. Mayor Knight said that Councilman Mickelson could ask the school board but not hold up this concept waiting for their answer.

Councilman Larsen gave some ideas as to where to put the sidewalk and there priorities.

Councilman Harrison made a motion to put medians where the engineer deems appropriate. Seconded by Councilman Hansen.

During discussion Carrie Cook had a question as to whether farming equipment would have enough room with the medians. The council reassured Ms. Cook that there would be plenty of space.

The motion passes with Councilmen Jacobsen, Harrison, Hansen and Mickelson in favor and Councilman Larsen opposing the motion.

Councilman Harrison made a motion to approve sidewalks as proposed with the addition of Ropelato to Ashbury properties on the south side of 3200 South west of 500 West. Seconded by Councilman Hansen.

During discussion Councilman Mickelson said the council should make every effort to collect from the school district and he would like to approach the school district.

Councilman Larsen made a motion to amend to remove the sidewalk in front of the school property between 800 West and 1000 West and move it across the street and go from 800 West to 1100 West. The motion dies for lack of a second.

Councilman Larsen made a motion to amend to extend the sidewalk on 3200 South from Ashberry Estates entrance to the existing sidewalk of Dave Oblock. Seconded by Councilman Mickelson. Motion to amend passes unanimously.

Item 7: Consideration of a petition to annex approximately 13 acres into Nibley city at 3400 south and 1200 west (Jay Nelson/Nibley City property).

Councilman Harrison made a motion to approve the petition to annex approximately 13 acres into Nibley at 3400 South and 1200 West. Seconded by Councilman Mickelson.

Councilman Jacobsen said the council needs a separate resolution to authorize the land trade. Councilman Larsen pointed out that with a resolution the council does not have to take public comment and he feels that state law requires notice and a public hearing.

Motion passes unanimously.

Item 8: Discussion about the design and desirability of private roads in Nibley City.

Councilman Harrison asked Mr. Anhder if he had looked at other cities ordinances. Mr. Anhder said that he did not. Mr. Anhder said he went in front of the Planning Commission with this idea and they had a discussion on it and came up with another idea for it. Councilman Jacobsen said the Planning Commission's other idea was if curb and gutter and sidewalk makes for a more attractive street, why exclude those four acre developments. The idea of the Planning Commission was that even on private roads at least require a sidewalk where a house fronts on the street.

Councilman Larsen talked about the 20 feet of asphalt required with the requirement in the past being 24 feet, and is more comfortable with the 24 feet. Carrie Cook stated that she thinks the council should account for house numbers serviced on the road not necessarily acreage.

Councilman Jacobsen wanted to make the point that on any private road in spite of the best intentions of the road's owner there is a real possibility that the citizens will eventually own that road someday. Councilman Mickelson agrees with Councilman Jacobsen.

Mayor Knight asked Councilman Jacobsen what the Planning Commission's opinion was on the matter. Councilman Jacobsen said the Commission's opinion was that in spite of the best of intentions, we may own private roads someday. Mr. Anhder said to make the decision now as to what this council would like and suggested four lots or less on 38 feet with no curb and gutter and sidewalks on lots that front the roads for a private road.

A consensus of the council is if the private road is limited to four lot accesses, then no sidewalks are required.

Councilman Harrison suggested having a smaller cross section that meets all the standards. Carrie Cook asked the council to take into account the people dividing the smaller acreages that have no budget. A smaller cross section would be more beneficial to the smaller subdivision. Councilman Larsen said that if they do not allow private roads for the future then existing ones will become public.

A consensus of the council is to have private roads with four lots or less and a 50 or 60 foot cross section.

Item 9: Discussion about pursuing changes in the flood plain map of Nibley City. Mr.

Anhder said the flood plain follows an old spring bed that no longer exists. Everybody's home that is on that flood plane gets hit with the mortgage companies. Mr. Anhder said the city can initiate a change and that FEMA is suppose to be doing one also. Mayor Knight asked Mr. Anhder if FEMA or the County could be asked to come in and reevaluate an area that is at least 30 years old. Mr. Anhder said they could but with evidence of a problem.

Councilman Jacobsen said he wanted to stress the point that the benefactors of the service should be the ones paying for the service, not the city. Councilman Larsen said the council should pursue other avenues. Mayor Knight said the city could pursue the overall avenues.

Councilman Harrison made a motion that the city, without spending money, can figure out what is wrong with the flood plane map and how it can be corrected. Seconded by Councilman Hansen.

During discussion Councilman Mickelson said he did not think it is the City's responsibility to work on flood zone map, as it opens the city to liabilities, this should be FEMA's and the landowners responsibility

Motion passes with Councilmen Larsen, Jacobsen, Harrison and Hansen in favor and Councilman Mickelson opposing the motion.

Item 10: Council reports:

Councilman Mickelson: said there have been some problems in Ashbury Estates with them moving forward on some things that have not been cleared with Nibley Blacksmith Fork Canal Company. As he understands, the runoff water will go into a canal and when it does it ends up in Riggs' field. Mr. Anhder said that the water does not go into the canal, it was designed to first to go into a retention basin and then if it overflows from there, it will go into a ditch. Councilman Mickelson said the canal has been cut through four times, which means that there have been farmers without canal water from time to time. Councilman Mickelson said he would give a list of concerns to Mr. Anhder.

Councilman Mickelson said he also had a couple of calls about low water pressure and one thing that needs clarified to people as they are building, is with more people on the system, there are going to be times when we have low pressure and design their systems so they can to work with low pressure.

Councilman Hansen- said he too was approached about the water system. He said he thinks there is a strong handle on the water needs. Mr. Anhder said the problem has not been the volume of water available; the problem is trying to tweak the pressure reducing stations so that the stations hold enough pressure up top and not too much at the bottom.

Councilman Larsen - Councilman Larsen said his coordinators over the different sports lack field space in Nibley, both soccer, baseball and for soft ball. There is interest in starting a flag football program. Mr. Larsen said when they first looked at the property there was talk about a future park there.

Councilman Larsen said that currently the city does not have a Pony League because Nibley does not have a field big enough. The two fields on the west property that have been proposed for the trade would fit two Pony League size fields as well as an adult size soccer field. The parking lot would fall to the south preserving the wetland.

Councilman Larsen thanked Becky Jacobsen for putting the celebration questionnaire online. Councilman Larsen recommended putting back the cardboard and glass recycling bins on 3200 South. Councilman Harrison also said there is a large demand for the cardboard bin. Mayor Knight said he will pursue the cardboard bin but the demand for glass is not high enough.

Councilman Larsen mentioned the City Center Community Development grant and maybe it is an option for Nibley City. Mr. Anhder said that CDA's and RDA's are funded by the development that they create.

Councilman Larsen brought up the vandalism in the parks and asked if lighting could be provided. Mr. Anhder said the lightening was already on the list. Councilman Larsen then brought up the issue of the minutes. Mr. Anhder said that the deputy recorder is getting the schedule down and will be worked out soon. Shari Phippin is also helping on the past minutes. Councilman Larsen would also like the agenda out earlier and would like the Council to get more input from the citizens.

Larry Jacobsen- presented signs he designed for Hollow Road for the council's approval and asked the council if there were problems hanging them. Councilman Hansen asked if was possible to use the hanging of the signs as a possible Eagle Project along with fundraising for the cost of the signs and a article in the newspaper explaining multi-use roads and the safety.

Jay Harrison: house on 800 West, is it ever going to be finished. Mr. Anhder said they have talked and talked to them and short of going to court can not do anything; only under nuisance ordinance could they do anything. Councilman Harrison asked about the status on the 800 West and about 2800 South park that Kim Datwyler is finishing. Mr. Anhder said that Ms. Datwyler is working on getting it finished. Councilman Larsen said that one of the girls from the pageant is from that neighborhood and would like to see if volunteers could finish the park.

Item 11: City Manager report: Mr. Anhder mentioned the Utah League of Cities and Towns web site which puts a different light on the role of the city with the developers. Mr. Anhder asked the council for confirmations on the League of Cities meeting in September for reservations. Mr. Anhder said that Spring Creek Irrigation is holding a members meeting and would like someone to represent Nibley City.

Mr. Anhder asked Councilman Mickelson who the USDA and NRCS are representing on the drain study. Councilman Mickelson said the grant came through the NRCS. Mr. Anhder said they will help locate and map the cities land drains and they need a local cash match of \$2,000.00

Mr. Anhder asked the council if before next council meeting would be a good time for the suggested city tour and he will schedule the bus from Hyrum. Councilman Jacobsen said to make sure there is a public notice to invite the public. Mr. Anhder would like to suggest the council that all subdivision has an entrance to the subdivision.

Mr. Anhder asked the council if it wants to consider a moratorium on any new subdivision to work under today's rules. Councilman Harrison said the council has to do it properly or the city

will be in trouble. Mayor Knight said it would be nice to tell a potential developer when they come in and say they are looking at this piece of land for this; the staff can tell them there is a moratorium until this date. Mr. Anhder said considering a new general plan is a reasonable reason for a moratorium.

Councilman Larsen moved to extend the meeting by 30 minutes. Seconded by Councilman Harrison. Motion passes with Councilmen Hansen, Harrison and Larsen in favor and Councilmen Mickelson and Jacobsen opposing the motion.

Councilman Hansen made a motion to reconsider extending the meeting. Seconded by Councilman Harrison. Motion fails with Councilmen Harrison and Hansen in favor and Councilmen Larsen, Jacobsen and Mickelson opposing the motion.

Item 12: Mayor's report: Mayor Knight said he talked to the Post master about getting a Post Office drop box and what the requirements are for a city Post Office in Nibley and has not heard back yet. The Mayor will give the council an update when that comes in The Mayor said there is a meeting with Logan City tomorrow night.

Item 13: Executive Session.

Councilman Larsen made a motion to move into Executive Session to discuss litigation. Councilman Mickelson made a second to the motion, which was approved unanimously. The council closed the Executive Session at 10.25

Item 14: Adjourn- Adjournment by general consent at 10:25 p.m.

Signed _____
Mayor Gerald Knight

Attest _____
Assistant Deputy Recorder