

NIBLEY CITY COUNCIL
CITY COUNCIL MEETING THURSDAY, August 2, 2007
The following motions were made during the meeting

Motion #1: Councilman Harrison made a motion to approve preliminary and final approval of the Archibald subdivision. Councilman Jacobsen seconded the motion. The motion passed unanimously.

Motion #2: Councilman Mickelson made a motion to approve final approval of the subdivision for the Maverik property. Seconded by Councilman Harrison. Motion as amended passed with Councilmen Jacobsen, Harrison, Hansen and Mickelson in favor and Councilman Larsen opposed to the motion.

Motion #3: Councilman Jacobsen proposed an amendment to the motion to grant an extension beyond the 12 months of the preliminary approval. Seconded by Councilman Hansen. Motion to amend passed with Councilmen Jacobsen, Harrison, Hansen and Mickelson in favor and Councilman Larsen opposed to the motion.

Motion #4: Councilman Larsen made a motion to approve ordinance 07-10, an ordinance establishing temporary zoning regulations which restrict subdivision approvals, with the addition of the following in the first therefore: after “made” in the last sentence the addition of “and fees paid” before prior. Seconded by Councilman Jacobsen. Motion as amended passed unanimously.

Motion #5: Councilman Larsen made a motion to amend to add an Item #4 to state “There will be no rezones”. Seconded by Councilman Jacobsen. Motion to amend passed unanimously with Councilman Mickelson taking a personal privilege.

Motion #6: Councilman Jacobsen made a motion to approve resolution 07-12, a resolution approving a protest to the cache county boundary commission of a proposed annexation of approximately 295 acres to Logan City along Highway 89-91. Seconded by Councilman Hansen. Motion passed unanimously.

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

Mayor Knight called the Thursday, August 2, 2007 Nibley City 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. City Manager Larry Anhder was also in attendance. The meeting took place at the Nibley City Hall, 625 West 3200 South.

Item #1: Approval of Minutes and Evening's agenda. Councilman Larsen moved to approve tonight's agenda and minutes for July, 5 2007 and July 19, 2007 meetings with the following changes: On the July 5, 2007 minutes: Item #3- include Rod Blossom was in favor of the vacation of the road. Item #4- Councilman Larsen pointed out that even though it was said it was the same cost to asphalt, there will be additional costs to the city to fill them with whatever the city decides, Mr. Anhder said that is true. Item #5- series of motions and amendments are incorrect, to Councilman Larsen recollection. Also when the Mayor breaks a tie, the motion passed needs to be stated.

On the July 19 2007 minutes: The ordinance or resolution needs to be stated for clarification. Item #3- added to the discussion some things Councilman Larsen pointed out: A-talking about not a cluster development it is just a regular one. B- that the council is not required to rezone property by law. C- 1200 West is in the master road plan and would already be going in there. Councilman Larsen said these minutes lack his presentation for the park property completely. Item 6- Need to make a change to Councilman Harrison motion on the sidewalk, which will read as follows: Councilman Harrison made a motion to approve sidewalks as proposed with the addition of the Ropelato to Ashbury properties on the south side of 3200 South west of 600 West and ends there. Item #7- Councilman Larsen added that by state law required notice and public hearing. Councilman Hansen seconded the motion, which passed unanimously.

Item #2: Approval of Archibald subdivision. This is the division of an existing parcel into two parcels; preliminary and final approval at 2915 South Main. Mr. Anhder said this is an R-2 zone on a ½ acre lot and the plat the council has received has been approved by the Planning Commission with just a few minor modifications. Mr. Archibald then showed the council the proposed concept. Mr. Anhder said there were no dedications that need to be made and no infrastructure that need to be put in and that is why it was on the agenda for preliminary and final approval.

Councilman Harrison made a motion to approve preliminary and final approval of the Archibald subdivision. Councilman Jacobsen seconded the motion.

During discussion Councilman Mickelson asked why preliminary and final approvals were on the same agenda. Mr. Anhder said there are no utilities required, there is no infrastructure being built, this is simply a lot split and they have UDOT approval.

Motion passed unanimously

Item #3: Ames Commercial subdivision: Final approval located at 3100 South Main. A two lot commercial subdivision including the Maverik Store. Councilman Larsen wanted clarification on this item, he stated that the council has never had preliminary approval and if they had it was not for this subdivision and if it was for the last one, it is expired. Mr. Anhder said they have now made the changes necessary and would like final approval. Councilman Mickelson asked if anyone has gone out to the site and measured to make sure they have put the building where they were supposed to. Mr. Anhder said that he and the Mayor have asked Bill Saunders and he said the building has been moved. Councilman Larsen said that the building pad has not moved from where it was before. Mayor Knight said he was told they had plenty of dirt placed around where the building was going to go and they did not need to add any additional from the back side.

Councilman Mickelson made a motion to approve final approval of the subdivision for the Maverik property. Seconded by Councilman Harrison.

During discussion Councilman Larsen asked how the city was going to enforce the pavement of the gravel access. Mr. Anhder said it is on the site plan approval of the carwash as being paved and that site plan is nearing approval. Councilman Jacobsen said it has been approved by the Planning Commission with city staff doing final review of the details. Councilman Larsen pointed out that he does not think the council is following the ordinances right now. Councilman Jacobsen said it bothered him also, so he looked through the ordinances and found ordinance 11-3-6, procedure for one year approval, which said that an extension can be granted. Councilman Jacobsen said the council has been talking about this issue for a year so it is not like it is a dead issue. Councilman Larsen said he does not agree with that.

Councilman Jacobsen proposed an amendment to the motion to grant an extension beyond the 12 months of the preliminary approval. Seconded by Councilman Hansen.

Councilman Larsen said it still does not fit the ordinance. Councilman Mickelson asked Councilman Larsen to propose what needs done if the council is not doing it right. Councilman Larsen said his interpretation was that preliminary has already been expired and the extension needs to be granted before it expires and the other problem is that on the agenda it states the council is giving final approval and was advertised wrong. Mr. Anhder said they do not have to subdivide the property and Councilman Larsen said they did to meet the design standard for landscape percentage. Mr. Anhder said if they landscaped the whole lot according to the standards then they would be fine. Councilman Larsen said the design standards say if there is a change in landscape more than a certain percentage then they have to come back through the process again. Councilman Mickelson said the council needs to figure out what needs to be done as rapidly as possible to move forward and that they are only talking about a lot split, not design standards.

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

Motion as amended passed with Councilmen Jacobsen, Harrison, Hansen and Mickelson in favor and Councilman Larsen opposed to the motion.

Item #4: Consideration of Ordinance 07-10 setting a 6 month moratorium on development pending the completion of the new General Plan. Mr. Anhder said he is not in favor of the moratorium but what he is in favor of is the council's decision to either abide by what is on the books as a current ordinance or put on a moratorium so that prospective developers know under what rules they are playing. Councilman Larsen asked Mr. Anhder to give an example where the council did not follow the ordinances. Mr. Anhder said that when the last developer came in under the ordinances on the books the council gave him too much grief. Councilman Larsen said he was the one that gave the most grief and never once went against the ordinances.

Commissioner Aaron Bliesner asked the council if the moratorium was just on new developments or rezones and Councilman Larsen said it was on approval of any new subdivision. Mayor Knight said the Advisory Committee could have the general plan update to the council by the end of August and approved by the first meeting in October. Councilman Hansen said he was in favor of the moratorium for a few reasons, first is that it makes the council's job easier by not treating one developer any different than another and allows time to focus on what needs to be completed. Second, it sends a message to the city that as a council, we really want to make sure that things are done the right way.

Councilman Larsen made a motion to approve ordinance 07-10, an ordinance establishing temporary zoning regulations which restrict subdivision approvals with the addition of the following in the first therefore: after "made" in the last sentence the addition of "and fees paid" before prior. Seconded by Councilman Jacobsen.

During discussion Councilman Mickelson needed clarification from Councilman Larsen as to what he was adding. Councilman Larsen said if a developer comes in and started the process and paid his fees, then he can continue. Councilman Mickelson asked Mr. Anhder how many developers there were in that situation right now. Mr. Anhder answered that there was one that has made his application and paid his fees. Councilman Hansen asked Mr. Anhder if there was a way to communicate to those that have made an attempt. Mr. Anhder said they had a meeting with a variety of developers and told them all that this was on the agenda.

Mayor Knight said that he was in agreement with Mr. Anhder that he does not like moratoriums and is reasonably confident that if the committee can get things tied up before the six month period, the council does not have to continue in the moratorium phase, it can be terminated whenever the process is completed. Councilman Harrison said they could make it a shorter time and that would cause the committee to be more active in getting the general plan done.

Councilman Larsen said this ordinance is just pertaining to residential subdivision, so in other words any commercial subdivision could come through and would like to add another therefore that states there should be no rezones.

Councilman Larsen made a motion to amend to add an Item #4 to state “There will be no rezones”. Seconded by Councilman Jacobsen.

During discussion Councilman Jacobsen said the rezone idea is a good idea because as the general plan is being looked at by the advisory committee, it seems like the best way to implement the idea of clustering. Commissioner Aaron Bliesner said it was the Planning Commissions discussion and consensus that there really isn't a need to have a moratorium because the councils are not obligated to rezone, if a rezone is not liked, it does not have to be rezoned.

Motion to amend passed unanimously with Councilman Mickelson taking a personal privilege.

Motion as amended passed unanimously.

Item #5: Consideration of resolution 07-12 protesting a proposed annexation of 250 acres to Logan City. Mr. Anhder said the deadline for filing a protest with the Boundary Commission of the annexation being proposed by Logan City was last week. A protest was filed to the annexation and the attorneys that filed the protest thought that a resolution by the City Council would be appropriate to support that protest.

Councilman Jacobsen made a motion to approve resolution 07-12, a resolution approving a protest to the Cache County Boundary Commission of a proposed annexation of approximately 295 Acres to Logan City along Highway 89-91. Seconded by Councilman Hansen. Motion passed unanimously.

Item #6: Discussion about the position of the City Planner.

Mayor Knight said the FYI that the council had received had the three options being proposed for the position of the City Planner. Councilman Harrison said that Mr. Anhder is expected to do a lot of different jobs and keep track of things and is wondering if having somebody assist with clerical duties, would Mr. Anhder still have enough time to make the decisions needed if there was no planner, just a clerical person. Mr. Anhder said that the clerical option would be continuing Shari Phippen in that position. Mr. Anhder said he has been impressed with how quickly Ms. Phippen has learned the things needed and is efficient in organizing her position. Mr. Anhder said he is very concerned about the financial well-being of the city and while a planner is wonderful, the city needs public works people and other clerical positions and with Option A, they would be used as a planner in training and could also do a variety of other assisting. Mr. Anhder said that with no matter who was hired there would be a training period and with Ms. Phippen it would already be over with.

Councilman Hansen mentioned the use of a consultant planner for other items and said it was great because you can find a planning firm that specializes in one area and use the experience of different groups and is a better use of money. Councilman Larsen said for him the greatest need is for a planner first and as we grow, the demand on the city manager needs to move away from

planning. Councilman Larsen sees the planner as more of an assistant manager and his thoughts are to get someone that is primary planning so that if in three or four years they are not seen as a city manager they can be kept as the planner. Councilman Larsen said he personally did not see Ms. Phippen being the future city manager. Councilman Mickelson said that the planner should not be hired expecting them to be a city manager.

Councilman Mickelson asked how the hiring process was handled and Mr. Anhder said that technically the city manager hires the staff but would ask for a committee decision. Councilman Hansen asked if it was necessary to have a full time planner in Nibley when Smithfield and Hyrum, which are larger cities, do not have full time planners. Councilman Larsen said they have not experienced the same growth as Nibley has and their staffs are larger than Nibley's. Councilman Larsen said that if the city spends \$30,000.00 this year for the general plan and \$30,000.00 next year for a recreational plan and so on, then things in-between have been missed and would rather have a planner than go out and get help from these other sources to accomplish what is needed to be done.

Commissioner Bliesner said that regarding the planner position he would argue that it is likely the city manager makes a better planner than a planner makes a city manager. Mr. Bliesner said that problems with the previous planner are beside the point and his job description was part of the problem. Mr. Bliesner said that in his experience, the city planner guides the staff, the clerical people, and coordinates and facilitates the projects for the people the city has hired and in his opinion the city's manager has been spread too thin and in reality a planner needs to be afforded.

Mayor Knight asked if for Option A, could there be a compromise by sending Ms. Phippen to training, whether it is workshops or conferences, to get the experience needed. Mr. Anhder said that she has received a masters degree in Public Administration, which is something similar to what would be a required, but what she does not have is experience. Councilman Larsen said he would like to see what other options are out there before making a decision. Councilman Mickelson said he was in favor of Option B but wondered if the dollar amount will get what the city needs. Councilman Hansen said that he thinks a person with three to five years planning experience will take that kind of money. Councilman Larsen is also in favor of Option B.

Councilman Jacobsen said he is worried about Mr. Anhder succession and thinks the solution would be to find someone with planning experience that could move into a city manager position. Councilman Mickelson said that a whole different set of skills are needed for the city manager and city planner. Mayor Knight said the last thing he would want to do is under hirer and that is why he would like Option C, however, there needs to be some transition. Councilman Harrison said he agreed with Councilman Mickelson and thinks there is two separate skills that are required. Councilman Harrison is for Option B also.

Mr. Anhder said he has been very up front with Ms. Phippen about her position and guaranteed her work until at least the first of September and told her that it would be discussed with the city council and the council would pick the direction. Ms. Phippen knows she can apply for whatever

is agreed by the council and also know that clerical is very important. Mr. Anhder said his point of view was that he would rather have two people for \$30,000.00 a year than one for \$60,000.00.

Councilman Jacobsen asked if the council could think about this issue a little more. Mr. Anhder said there was one more option to consider and that would be postponing this motion for six months and try Ms. Phippen for those six months and see how it works out. Councilman Larsen and Councilman Mickelson both disagree with this option. Mr. Anhder said he is confident that it would work out because of the production that has already been seen. Councilman Jacobsen said that also speaks volumes to him as well. Mayor Knight said that last summer when the city hired Ms. Phippen as an intern, Mr. Anhder's productivity went up considerably. Councilman Larsen said he does not doubt Ms. Phippen's skills but she is not a planner and would be a great assistant to the City Manager.

Mayor Knight said his proposal was to postpone discussion on this issue for four weeks and give the council a chance to take a longer look at the options and gives four more weeks of trial with Ms. Phippen. Councilman Mickelson said he does not want to go away from the meeting giving Ms. Phippen the impression the council is giving her the position and Mayor Knight said that is not the case it would be giving the council a chance to think about the issue some more.

Item #7: Manager's Report:

Mr. Anhder said the Hollow Road signs that Councilman Jacobsen had made have been approved by the county, without the Nibley logo, to put up on the other side of Hollow Road. Mr. Anhder said the school district has agreed to pay for the sidewalk in front of their property on 3200 South.

Mr. Anhder said that Nibley City is the only community in Cache County that has qualified for the Gold Award for the Healthy Community Award. This means that Nibley has ordinances and structures in place that meet their guidelines for a healthy community. There will be an award ceremony on October and suggested that since Lawana Olsen did most of the work, she should go.

Mr. Anhder asked the council to confirm registration for the League of Cities meetings. Councilman Jacobsen said he ran into a conflict and will work it out. Mayor Knight asked the council if there were any items that they would like to address with a planner. Mr. Anhder said that they have not offered that this year so far and will look into potential offers from other planners in the area. The council would like to discuss irrigation agreements, sewer issues, recreation and an emergency plan.

Mr. Anhder said Nibley applied for and received a \$2500.00 tree grant from the Utah Division of Forestry and used it for the trees that were planted in the Heritage Park.

Mr. Anhder said there has been discussion about allowing each of the candidates to put a small blurb in the newsletter and was wondering about the council's feelings towards that. Mr. Anhder said it could be considered as the candidates advertising space and suggests to keep it very short,

about 75 - 100 words. Mayor Knight said he is in favor of it because it is giving equal advertising space to each candidate and it is a great way to get to know each candidate. Councilman Larsen said he is not in favor of the newsletter but is alright with stating the candidate's names and does not want the city newsletter to be a platform for election candidates. Councilman Mickelson said his thoughts were that it would be a good encouragement to get people out to vote and is in favor of it. Councilman Harrison said he was also in favor of it. Councilman Jacobsen said as a candidate he would abstain. Mayor Knight said they will invite all candidates to put a 75 word blurb in the city newsletter.

Mr. Anhder said he had a suggestion for the council to consider in conjunction with the Logan protest of the annexation. Mr. Anhder said Logan City Municipal Council is holding a public hearing on August 21, 2007 and it would be extremely effective if the whole Nibley City Council, with the Mayor as spokesman, showed up to the public hearing. There will be a letter drafted for the Mayor to sign trying to encourage Logan City to give up the annexation.

Mr. Anhder said his last item had to do with the power outage the city experienced the night before. All of the city's water and sewage is pumped and without electricity they can not be used. Mr. Anhder said there wasn't any idea of how long the power would be out so he got on the phone and called in a crew. Mr. Anhder would like to commend the city's public works crew, they were up for most of the night monitoring generators and making sure things are working correctly. Mr. Anhder would like to thank Justin Pope, Brock Mauer, Rod Elwood and B.J. Nelson for rising to the occasion.

Item 8: Council Reports:

Councilman Mickelson :

Councilman Mickelson said he received a letter from a citizen about right-of-ways intruding on people's property in the master plan about coming down into the park on Hollow Road. The citizen stated that the plan for the trail to connect the park goes through their right-of-way for their machinery. Mr. Anhder said the city should talk with the citizens and ask them if they would sell a portion of their right-of-way to use for the city trail. Mayor Knight recommended to Councilman Mickelson to write a letter in response saying the council appreciates them and hopes to work with them, if and when, this trail gets developed.

Councilman Mickelson brought up the two incidents of chlorine spills that have happened in the last couple of weeks and Mr. Anhder said there were actually four. Mr. Anhder said the chlorinator malfunctioned and was thought to be repaired but a couple of days later it failed again. After consulting Justin Pope it was decided to buy a new chlorinator. Mr. Anhder said the chlorinating is being done by hand and the board of health is aware of what is being done and so far has approved it. Testing shows that there are the proper residuals. Councilman Mickelson said that chlorine is highly corrosive to everything but plastic and as a result there could be some bigger problems if things are not taken care of and cleaned off of the panels and circuit breakers. Mr. Anhder said that over time all three chlorinators will be replaced. Councilman Hansen suggested a chlorine gas sensor be put in to detect any leaks in the future. Mr. Anhder said that

harm or damage to anybody is very minimal because chlorine dissipates over such a large area. Councilman Harrison agreed that a sensor of some sort would benefit the citizens.

Councilman Mickelson asked Mr. Anhder if additional training needs to be done for emergency situations like the chlorine spills. Councilman Mickelson said he was unaware of what to do and even if there were the proper gas masks available. Mr. Anhder said it has been talked about in the past and assignments have already been made. Councilman Larsen asked if employees went through a safety training when hired. Mr. Anhder said no. It was suggested that training should be done. Councilman Mickelson brought up the night time answering machine and asked if it could be changed to have the emergency numbers on first. Mr. Anhder said that only one message could be put on the machine at a time but he will look into it.

Councilman Mickelson asked Mayor Knight for clarification on the article in the Herald Journal. Councilman Mickelson wanted to know why the Mayor felt there was lack of leadership on the council and just because somebody has a different opinion, doesn't mean there is lack of leadership. Mayor Knight said that it was his opinion that they did lack leadership and that is why he said what he said. Councilman Mickelson said that when a decision is made as a Nibley City body, whether he voted for it or not, he stands behind it. Mayor Knight said that is Councilman Mickelson opinion and he is entitled to it. Councilman Jacobsen said he was also quoted in the paper with the opposite point of view and he felt that it was a good healthy debate and did not mind disagreeing on it.

Mayor Knight said the reason he made the comments he made is that he goes to meetings where he represents the City, including the council, and it is his job to come back from those meeting and address the council as best he can with the information he has and when he does that and a month or two months later the council asks him the same questions that he has already answered and explained. Councilman Mickelson said he did not have questions on the matter but he had an opinion.

Councilman Larsen read to the council from the minutes of July 19, 2007 and said that he took the Mayor's statements to mean the council should take a stand one way or another instead of leaving it to the voters. But when he read it in the newspaper article, they made it sound like the Mayor thought the council did not have leadership. Councilman Mickelson said that is also the way he took it and the worst thing people can do in a city is to show a front to the world that there is no way of coming from a solid front after a decision is made. Mayor Knight said there was no decision made, it was a decision to not make a decision. Councilman Jacobsen said he would have had more sway with him if the Mayor had said there was a lack of leadership sooner and encouraged the Mayor to say those things more often.

Councilman Mickelson said he was under the impression that the mayor had a personal interview after the last council meeting and the mayor reassured Councilman Mickelson that whatever the paper got, they got it from the actual meeting.

Councilman Mickelson's last issue was about the discussion of the purchase of property from Paul Leishman and was the decision taken care of. Mayor Knight said they were to go to Mr.

Leishman and tell him that his property could not be purchased because it could not be annexed into the city. Councilman Mickelson said he was under the impression that he was never approached as to what the outcome was. Mayor Knight said he had talked to him after the fact.

Councilman Hansen:

Councilman Hansen asked if everyone had gotten their invitations for the party and if they were planning on coming and bringing their spouses. All said they were.

Councilman Hansen wanted to know if there was any more information on the graffiti in the parks and was anybody caught. Mr. Anhder said nobody has been caught yet. Mr. Anhder said he had some paperwork from the courts to fill out in order to assess a penalty for the person that started the fire at the park.

Councilman Harrison:

Councilman Harrison asked what ordinance was used for the trailer park, that he has had some calls as to whether it could be expanded. Mr. Anhder said that person was in the office the other day and was told that currently there is not an ordinance that allows a mobile home park in Nibley City. Councilman Harrison said it would be an expansion of an existing one and Mr. Anhder said that did not matter because it is a legal non conforming use and can not be expanded. Mr. Anhder said he told that person that if they wanted to expand they would have to approach the planning commission and propose an ordinance change to allow a mobile home courts in the city. Councilman Harrison asked Commissioner Bliesner what the planning commissions view would be and Mr. Bliesner said he could only speak for himself and he did not think it was a good idea and that the city needs affordable housing not a trailer park.

Councilman Jacobsen:

Councilman Jacobsen thanked Commissioner Bliesner for being present at the meeting for the discussion of the City Planner. Councilman Jacobsen said the most significant thing that came from the Planning Commission meeting was that maybe an ordinance needs to be written for an alternate Planning Commissioner. Councilman Larsen said that about two years ago there was the same discussion and he had acquired information from other cities and based on that he is opposed to it. Mr. Anhder said he supports having alternates. Councilman Jacobsen said that if there is an alternate, the alternate needs to make the same commitment to be at every planning commission that they can be at just like the real commissioners and do everything but vote. Mr. Anhder said that state law allows for alternates. Councilman Larsen said there needs to be more discussion as a council before it goes to Planning Commission. Mr. Anhder said he will put it on the agenda accordingly.

Councilman Jacobsen said he met with Mr. Tory, a teacher at Nibley Elementary, who is working out the walking trail plan and it looks like a good plan, one that the city can get along with. Councilman Jacobsen said there will be some requests for crosswalks and he told Mr. Tory the city would be able to participate in that. Nibley Elementary will be educating the parents at back to school night about the new walking plan.

Councilman Larsen:

Councilman Larsen has asked to be put back on the list for the Planning & Zoning agenda and minutes and asked the council if it was okay to email his changes of the minutes and they all said it would be okay.

Councilman Larsen brought up Shadowbrook Park and said he talked to the people who wanted to help with the park and want to seed it the first part of September and still needs to talk with Kim Datwyler to see if she is okay for the citizens to be finishing it up. Mr. Anhder said she is okay with it.

Councilman Larsen told the Mayor that he appreciates him getting the cardboard recycling bin back.

Councilman Larsen said he would like a copy of the new general plan and Mr. Anhder said it is a public document and he can view it whenever he would like. Mayor Knight said the advisory committee is making quite a few changes and Councilman Larsen should wait until they are a little further along.

Councilman Larsen said he has been working on an urban forestry plan and it should be coming this fall sometime.

Councilman Hansen said the League of Cities proposed that every city bring a flag to the meeting and was wondering if they could get a new flag to bring. Mr. Anhder said he will check into getting a new one made up.

Item #9: Mayor's Report:

Mayor Knight said that Councilman Mickelson is on track, the council does need to show unanimity or civility and there are those that get after him regularly on his approach to outside issues relative to Nibley and the lack of effect on the recycling efforts and will get the same results with the annexation. His approach is that he will do it all from a very diplomatic negotiating type stand versus jumping in and raising cane. Mayor Knight said he is not here to sell out Nibley in any way, shape or form. He loves Nibley and has a responsibility and is committed to his duty. Mayor Knight said that good planning practice overrides most everything and what is proposed is not a good plan and, as such, he will fight, with the council's support, to prevent it from happening. Mayor Knight said that is one of the reasons they had Miles Jensen draft up an initial protest. Mayor Knight said that the council, at all cost, should be civil and sensitive and there are those that will disagree with him.

Mayor Knight said they were sent an updated letter that says the Municipal Council held two meetings in July to consider the plan and prematurely adopted the plan on July 17, 2007. Mayor Knight said that came about because in the negotiations with them it was pointed out that there were some inconsistencies and discrepancies in the noticing.

Mayor Knight said that a letter that was sent to Logan by Nibley City was read in their city council meeting and it has not had a good reception from any of the council members and is trying to work out an acceptable solution.

Item #10: Adjourn- Adjournment by general consent at 9:30 p.m.

Signed _____ Attest _____
Mayor Gerald Knight Assistant Deputy Recorder