

The Meeting of the Nibley City Council held at Nibley City Hall, 625 W. 3200 S. Nibley, Utah, on Thursday, June 2, 2011.

The following actions were made during the meeting:

Councilman Mickelson motioned to accept Steve Stowers for the Nibley Grand Marshall and Betty Anderson Burr for Nibley's Citizen of the Year for 2011. Councilman Hansen seconded the motion. The motion passed 3-0; with Councilman Mickelson, Councilman Hansen, and Councilman Jacobsen in favor. Councilman Larsen abstained from voting.

OFFICIAL MINUTES OF THE MEETING

Minutes were taken by Assistant City Recorder Cheryl Bodily

Mayor Gerald Knight called the Thursday, June 2, 2011 Nibley City Council meeting to order at 6:25 p.m. Those in attendance included Mayor Gerald Knight, Councilman Larry Jacobsen, Councilman Bryan Hansen, Councilman Thayne Mickelson, and Councilman Scott Larsen. Ms. Phippen, the City Planner was also in attendance.

Call to order; approval of March 5th and 12th 2011 meeting minutes and evening's agenda

Councilman Hansen made a motion to approve the 5-5-11 and 5-12-11 meeting minutes and the evening's agenda. Councilman Mickelson seconded the minutes. The motion passed unanimously 3-0; with Councilman Hansen, Councilman Mickelson and Councilman Jacobsen in favor.

Discussion with Cache County Councilmember Gordon Zillies

Mayor Knight told the Council the Mr. Zillies had requested that this discussion be postponed and would not be at the meeting tonight. Mayor Knight said this discussion would be on another agenda.

Discussion and consideration of the 2011 Nibley Citizen of the Year

Mayor Knight said he had only received one recommendation and asked for others. Councilman Mickelson asked if they had considered a list of things they should look at when they consider Nibley's Citizen of the Year. Mayor Knight said they had not. Councilman Hansen suggested Lynn Welker; who had served the community for several years as Mayor and on the City Council. Mayor Knight noted the Ms. Phippen had suggested Golden Forsberg for Grand Marshall. Councilman Mickelson said they could choose it by service, service to the City, or has brought recognition to the City. Councilman Hansen suggested Bill Saunders.

Councilman Larsen arrived at 6:35.

Councilman Mickelson said they could also consider their city manager since this was supposedly his last year. Councilman Larsen said the committee had always picked the Grand Marshall for the history of the parade. Ms. Phippen said they decided when they wanted citizens to make recommendations for Citizen of the Year that they should also have recommendations for Grand Marshall. Councilman Hansen asked if they needed a Citizen of the Year and a Grand Marshall. Ms. Phippen said they could have the Citizen of the Year be the grand Marshall. Councilman Larsen said in his opinion the Grand Marshall should come from the committee. Mayor Knight said he thought that the Citizen of the Year should be the Grand Marshall for the parade. Councilman Larsen said he thought they should have multiple ones because they had a lot of citizen they could recognize and it gave them a chance to recognize more people.

Mayor Knight said a person had been recommended by a citizen, Betty Anderson Burr. He then read that recommendation. Councilman Jacobsen said that recommendation sounded good to him and that he was won over. The Council discussed the definition of a Grand Marshall and other recommendations for Citizen of the Year. Councilman Mickelson suggested Steve Stowers. The Council discussed and decided on Steve Stowers for the Grand Marshall and Betty Anderson Burr for Citizen of the Year.

The Council asked Ms. Phippen to compile a list of people who had served as Grand Marshall/Citizen of the Year in the past and a copy of the requirements required to be considered.

Councilman Mickelson made a motion to accept Steve Stowers for the Nibley Grand Marshall and Betty Anderson Burr for Nibley's Citizen of the Year for 2011. Councilman Hansen seconded the motion. The motion passed 3-0; with Councilman Mickelson, Councilman Hansen, and Councilman Jacobsen in favor. Councilman Larsen abstained from voting.

Council Reports

Councilman Mickelson said he was to be the representative in the relationship between the canal Company and Nibley City. He thought there was a long way to go to close the gaps and misunderstandings. He said the idea of a mediator had recently surfaced. Councilman Mickelson thought they needed to have a meeting between the City Council, Planning & Zoning Commission, and the canal board to formulate a plan and a timeline to come to an agreement. The Council discussed if this issue had already gone to litigation if they could proceed in that way.

7:00—Mobile tour to see progress on the new Nibley City Community building

The Council left to tour and see the progress at the new City Hall at 7:04.

The Council returned at 8:04.

Discussion and consideration of the updated Nibley Planned Unit Development (PUD) ordinance

Mayor Knight said Ms. Phippen emailed a copy two weeks ago but it was the same version they had that last time they discussed the planned unit development ordinance. Councilman Larsen did not recall seeing the email. Mayor Knight said there had been questions in the past about whether they should have a planned unit development ordinance. He asked what the Council wanted to do; he wanted to know the opinion of the members present.

Councilman Jacobsen said they had gone to all the trouble of making a land use ordinance and then had thrown it out the window with a planned unit development ordinance. Councilman Hansen said it was like spot zoning and could be thrown anywhere and there didn't seem to be any real plan to it. It didn't follow their specific plan. Councilman Mickelson said if he was a citizen and had done his homework and had bought a home with the assumption they were in a 1 acres zone and then someone had come in with a planned unit development and raised the density; he didn't know if that was fair because the citizens had bought property under those assumptions. Councilman Mickelson also wanted to know if the ones they had worked. Councilman Larsen said he was of the opinion that they did not need the planned unit development ordinance. With the last Neighborhood Non-Profit Housing Corporation they had come in under a planned unit development but were asked to do a conservation subdivision which he still thought it was a planned unit development. The conservation subdivision had taken the place of the planned unit development and he had the same concerns Councilman Mickelson had with them. Councilman Larsen said so far their experiences with planned unit development had not been completed. Ms. Phippen said the current planned unit developments would be "grandfathered in". Councilman Hansen said it was a plus that with a conservation easement they had to comply with their road standards.

Councilman Jacobsen tried to come up with advantages to PUDs; it allowed for a more agile response for a request to a type of housing that their standard ordinance might not have anticipated or foreseen; the city did get something out of a planned unit development with density bonuses. Councilman Jacobsen said the conservation subdivision accomplished some of the things they were trying to accomplish with PUDs by clustering houses and setting aside space. Councilman Jacobsen said they had a mechanism in the town to fund parks which was their park impact fee and he wondered if citizens where a park was given would have to right to dispute the park impact fee because a park had been given from their subdivision. Councilman Mickelson said he thought something like that was defensible in court. Ms. Phippen said everything that would be accomplished by a planned unit development could also be accomplished in a conservation subdivision.

Mickelson said one thing he liked was the focus on their desire to keep their community open, rural, and the country feel so he liked the conservation subdivision much better as a way to manage those types of developments. Councilman Jacobsen said his number one problem with planned unit developments was he feared proposals were rated on the merits of who was making the proposal and not the merits of the proposals themselves. It gave the opportunity for them to make what appeared to him to be arbitrary decisions. Councilman Jacobsen said he thought planned unit developments had a better chance of

succeeding on a much, much larger scale. Daybreak was a great planned unit development but was a planned unit development on a much larger scale; he didn't know if that could happen in Nibley.

Mayor Knight said Phil Utykanski, who was their representative for the Cache Valley Transit District (CVTD), was resigning and was moving. Mayor Knight said he had done a great job and was very diplomatic. He asked the Council for suggestions on a replacement person which he noted.

The Council directed staff to prepare an ordinance repealing the current planned unit development ordinance.

Council Reports (continued)

Councilman Hansen gave an update on the progress made at the community garden. He said they had 10 rented out. Mayor Knight asked for the total number they could handle. Councilman Hansen said 40. Mayor Knight asked Councilman Hansen to have his son come in and discuss the project with the Council.

Councilman Jacobsen reported on the South Corridor Study Plan. The consultants and the technical committee would be refining the draft and there would be another meeting with the steering committee mid-July. They had also discussed the consultants attending City Council meetings.

Councilman Jacobsen expressed his appreciation that the speed limit sign had been moved on 800 West.

Councilman Larsen reported on mosquito abatement and that in past years they had contracted with Bear River Health and through this year that would continue; they may get to a point where they would need to take care of that independently. So far it had been too cool but when it did warm up they expected a boom.

Councilman Larsen said the pageant girls were meeting this weekend to update and renovate the float to get ready for the float season. It would be their responsibility to get to the different parades; a city truck would be available to pull the float.

Staff Report

Ms. Phippen reviewed Heritage Days events and the Council's responsibilities for Heritage Days.

The meeting was adjourned at 9:17 p.m.

Attest _____
Assistant Deputy Recorder