

The Meeting of the Nibley City Council held at Nibley City Hall, 455 W. 3200 S. Nibley, Utah, on Thursday, December 1, 2011.

The following actions were made during the meeting:

Councilman Hansen motioned to approve Katherine Beus and Mark Louver as appointment to the Nibley City Planning & Zoning Commission. Councilman Dustin seconded the motion. The motion passed 5-0; with Councilman Hansen, Councilman Dustin.

Councilman Dustin motioned to approve the transportation master plan adopting option C for the 450 W./250 W. corridor; adopt option B for 1200 West truck route designation; and include and add on page 23 item number 7 that said “Circular/combined driveways are required for all new construction/reconstruction on collectors and arterials where new access is permitted”; on page 35 add bullet number “Develop plan for realignment of 3200 South with SR165 to provide a 4-way intersection with pedestrian crossings”; at page 35 add a last bullet to state “Improve coordination with County for future improvement of County portions of 3200 South and 800 West; and on page 23 add section 3.4.a.3, Pedestrian, Cyclist, and Public Transportation Concerns and Special Considerations: The ready driving access provided by US 89/91 and US 165 from Nibley to the business and recreational centers of Cache Valley is arguable a significant factor fueling the growth of the City. These roads create unintended barriers, however, for key demographics in the City by isolating the residential core of the City from the neighboring communities where resources not currently available in Nibley (shopping, employment, commercial entertainment/recreation) are located.

For example, Logan City’s Logan River Trail and Golf Course are located less than a mile from some Nibley residents. This trail system could provide safe pedestrian access between the two communities, but the lack of access to a safe walking path along Highway 89 and for the short County-maintained section of 800 West between Nibley City limits and the Logan City limits eliminates that possibility. On Highway 165 near 3200 South, there is no legal pedestrian access between the center of the population on the West die of the Highway and Nibley’s single retail outlet on the East side. Similarly, while the Cache Valley Transportation Districts runs an express bus with a stop in Nibley, there is no legal access to reach the bus stop from the center of population, requiring potential riders to jaywalk across a five lane highway during peak traffic.

These conditions are unacceptable to the City. One of the key objectives of our transportation system is to provide access to resources. To promote connectivity and to provide equal access for all citizens, the City’s goals for improvement of our multi-modal transportation systems are as follows:

#1. Foster connectivity between neighborhoods by requiring developers to provide dedicated ROW for pedestrian access between al cul-de-sac or dead-end streets and adjacent streets or subdivisions at the time of subdivision approval.

ROW should be provided between streets including cul-de-sacs and dead-ends and public or private facilities with community functions (schools, churches, government buildings, parks, etc.) at not less than 660 foot intervals for streets and at the ends of all cul-de-sacs and dead-ends contiguous with public streets or rights-of-way or properties contiguous with public streets or rights of way.

#2. Work with Logan City and UDOT to provide a safe pedestrian access along the south side of Hwy 89 from 800 West to the existing crosswalk at 600 West.

#3. Work with Cache County to consider pedestrian usage of 800 West from the Nibley City border to the Logan City border as improvements are made to this road.

#4. Work with UDOT to develop safe pedestrian access across Hwy 165 at 3200 South and 2600 South.

#5. Work with UDOT, Millville City, and CVTD to develop Park-and-Ride facilities to improve legal access for residents to their public transportation system.

Councilman Hansen seconded the motion.

Councilman Jacobsen motioned to amend to motion to read on #1 “Foster connectivity between neighborhoods by providing dedicated right-of-way for pedestrian access . . . “ striking “requiring developers to provide”. Councilman Mickelson seconded the motion. The amendment passed 4-0; with Councilman Jacobsen, Councilman Mickelson, Councilman Hansen, and Councilman Dustin in favor. Councilman Larsen was opposed.

Councilman Mickelson motioned to amend to alter the section of 3200 South and 1200 West not be realigned and take the truck route directly out to 3200 south. Councilman Dustin seconded the motion. The amendment failed 0-5; with Councilman Mickelson, Councilman Dustin, Councilman Hansen, Councilman Jacobsen, and Councilman Larsen all opposed.

Councilman Larsen motioned to amend the roadway map pertaining to 450 West; to include from 3850 South to 4000 South using option D on 450 West and north of 3200 South take option B on 250 West. The amendment failed 1-4; with Councilman Larsen in favor. Councilman Mickelson, Councilman Dustin, Councilman Hansen, and Councilman Jacobsen were in opposed.

Councilman Jacobsen motioned to amend on the following; on page I, Table of Contents 3.4 there was more space between “future” and “transportation” than between “transportation” and “network” than there ought to be; page 4 Objective 2 missing the word “to” between “tool” and “identify”; add a thirteenth objective to 1.3b Objectives reading “To work with other entities to implement a regional transportation plan.”; he asked to label 3200 South on the map on page 10; page 20, last sentence, first paragraph change to “From 2010 to 2024 Nibley’s population will have grown by 220%”; Page 30, noted the specific intersections that were identified as yield controls and asked that each of those

roads be labeled on each of their maps (2300 South and 3300 South); page 33, item 3.4d.1 #1, he thought table 2.6 did not exist and should be a reference to Figure 2.7; page 34, the Public Transit Map in Nibley City, he wanted a date added to that map. Councilman Mickelson seconded the motion. The amendment passed 5-0; with Councilman Jacobsen, Councilman Mickelson, Councilman Hansen, Councilman Dustin, and Councilman Larsen all in favor.

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

Councilman Jacobsen motioned to approve Ordinance 11-09—Regulating the Streetscape of Public Rights-of-Way. Councilman Hansen seconded the motion. The motion passed 4-0; with Councilman Jacobsen, Councilman Hansen, Councilman Mickelson, and Councilman Dustin in favor.

Councilman Dustin motioned to dismiss Resolution 11-12—Establishing a policy for council action and minutes. Councilman Larsen seconded the motion. The motion failed 1-3; with Councilman Dustin in favor. Councilman Jacobsen, Councilman Mickelson, and Councilman Hansen were opposed. Councilman Larsen did not vote.

Councilman Jacobsen motioned to approve Resolution 11-12—Establishing a policy for Council action and minutes. Councilman Hansen seconded the motion.

Councilman Larsen motioned to amend that a statement be included in item 1 that; an ordinance or resolution that fails to pass at the first reading shall not progress to a second reading. Councilman Jacobsen seconded the motion. The amendment passed 4-1; with Councilman Larsen, Councilman Jacobsen, Councilman Hansen, and Councilman Mickelson in favor. Councilman Dustin was opposed.

Councilman Jacobsen motioned to amend Resolution 11-12 on item 1 to read; Ordinances and resolutions shall be given two readings in two separate meetings before the City Council except as noted in item 2. Councilman Hansen seconded the motion. The motion passed 3-1; with Councilman Jacobsen, Councilman Hansen, and Councilman Mickelson in favor. Councilman Larsen was opposed. Councilman Dustin did not vote.

The amended motion passed 3-2; with Councilman Jacobsen, Councilman Hansen, and Councilman Mickelson in favor. Councilman Dustin and Councilman Larsen were opposed.

Minutes were taken by Assistant City Recorder Cheryl Bodily

Mayor Gerald Knight called the Thursday, December 1, 2011 Nibley City Council meeting to order at 6: p.m. Those in attendance included Mayor Gerald Knight, Councilman Thayne Mickelson, Councilman Shaun Dustin, Councilman Larry Jacobsen, Councilman Bryan Hansen, and Councilman Scott Larsen. Larry Anhder, the City Manager, and Shari Phippen, the City Planner, were also in attendance.

Call to order; approval of agenda and Minutes of November 17, 2011 read and approved

Councilman Jacobsen made a motion to approve the November 17, 2011 minutes and the evening's agenda. Councilman Dustin seconded the motion. The motion passed unanimously 4-0; with Councilman Jacobsen, Councilman Dustin, Councilman Hansen, and Councilman Mickelson all in favor.

Swearing in of Youth Council members

Judge Jack Stevens had the youth council repeat the following:

I do solemnly swear, that I will support obey and defend the constitution of the United states and the constitution of the state of Utah and that I will discharge the duties of my office of Nibley City Youth Council member with fidelity.

Youth Council members included: Karlie Swenson, Caston Banham, Ethan Hansen, Kelton Stephens, Jonas Johnson, Bradley Rigby, Brittney Hahne, Natalie Larkin, Morgan Bishop, Nathan Peterson, Jackie Zollinger, Caleb Wagner, Sterling Frandsen, Megan Maurer, Ashley Mohr, Lindsey Jenkins, Mary Briggs, Kami Winward, and Braden Card. Whitney Nelson, Danielle Johnson, Camilla Triana, Kayleee Farnsworth, Kiera Knight, Cassity Bishop, Vonnice Nelson were not present.

Councilman Larsen arrived at 6:05.

Presentation of annual audit from Fred Burr, Wiggins & Co.

Mr. Fred Burr with Wiggins & Co. was present at the meeting. Mr. Burr first reviewed financial highlights. Mr. Burr highlighted the significant changes on page six and explained those increases/decreases. He highlighted business type expenses in revenues and the one time transfer from the general fund to the municipal building fund to provide fund for the new city hall.

Mr. Burr explained that page ten was a statement that listed the expenditure categories in the city; showed those expenditures; and show how much revenue was generated by the city operations of each of those categories or departments; and how much of the city revenue came from the tax payer as a whole. Mr. Burr said page 18 was the cash flow statement from the utility funds and reviewed that statement with the Council.

Mr. Burr reviewed the management report; he said the first four pages were boilerplate audit reports the report on compliance and internal controls of the city. Mr. Burr then

reviewed the schedule of findings, recommendations, and responses for the year; there were findings on payroll processing, payments to employees, budgetary compliance, utility fund transfers, uniform building code reporting requirements, and justice court compliance. Mr. Anhder and the Council discussed finding number 11-02 on payments to employees.

6:30—Public hearing—to receive comments concerning Community Development Block Grant application

Mr. Anhder said Nibley City had agreed to sponsor a Community Development Block Grant (CDBG) application. In this public hearing they would like to receive comments from anybody that had ideas for a CDBG grant. Approximately \$700,000 was available in the Bear River region and \$450,000 of that was allocated to meet Housing and Urban Development projects that benefit low to moderate income individuals; any projects that displace low and moderate income persons are not likely to receive funding. Nibley City had participated in the extension of a water line along 3200 S. to 1600 W. was done in cooperation with Neighborhood Non-Profit Housing Organization.

Mayor Knight opened the public hearing at 6:36.

Lee Rulis, representing Habitat for Humanity in Cache Valley, said this was part of the International Habitat for Humanity; they provided housing for deserving families who are in need. He said the selected family is not just given the property; they participate in the building of the home and participate in sweat equity as part of their payment process. Once they receive, the home the mortgage is signed over to them and is funded by the Cache Valley Habitat for Humanity and they are liable for it. Mr. Rullis was asking for sponsorship from Nibley City for the CDBG to purchase one lot in Nibley for approximately \$50,000. Councilman Jacobsen said he would like to know what it specifically meant for the city to participate in a CDBG grant. Mr. Anhder said applications had to be made through a public agency and it meant they were liable to the grant organization (HUD); they typically work through this organization but that Habitat for Humanity usually did all the paperwork; Nibley city was responsible to make sure they do that. Mr. Anhder said fairly common for jurisdictions to do this and this would be the first time Nibley had sponsored and applicant; it was not a significant time commitment from staff.

Seeing no further comment, Mayor Knight closed the public hearing at 6:40.

Mr. Anhder passed a role around to the public present. He said it was a requirement for documentation of the public hearing.

Mayor Knight read a letter from Rocky Mountain Power. He noted they contribute to their Heritage Days every year.

Recommendation of appointments to the Nibley Planning Commission

Mayor Knight said he needed the Council's consent on this and would need a motion. He noted that he had formally asked for their advice on this matter two weeks ago during

Council meeting. He said he would like to appoint Katherine Beus; he said she ran for City Council and she was concerned about a well planned city and would work for that; she looked forward to planning for the community as it continued to grow, specifically the west side of the community. She is the mother of one child and expecting her second and is full of life and fire. The second candidate he wanted to appoint was Mark Louver; he ran for City Council but lost in the primaries. He also came without an agenda. He had lived in 3 different states and had seen a lot of what had gone on in the country. He was anxious to continue with the type of planning that had gone on in Nibley so far. Mr. Louver said his wife Becky taught at USU as a professor in Ag education; he has two children and they really liked it in Nibley.

Councilman Hansen made a motion to approve Katherine Beus and Mark Louver as appointment to the Nibley City Planning & Zoning Commission. Councilman Dustin seconded the motion. The motion passed 5-0; with Councilman Hansen, Councilman Dustin.

Mayor Knight said they would be sworn in the first meeting in January. Mr. Louver was to finish the two-year term for Commissioner Cook and Katherine Beus was for a full five-year term; she was replacing Commissioner Heidt.

Utah Daughters of Utah Pioneers presentation

Vellys Nelson with the Daughters of the Utah Pioneers was present at the meeting. She discussed the monument that sat at the public works office. She said it was first put up on the highway on May 23, 1941 with a fountain to get a drink of Nibley water; their site was put up and the rock on the monument came from the Rainbow quarry up in Blacksmith Fork Canyon. It was moved off the highway to the first city hall and then moved to the second city hall. They decided they wanted to leave the monument where it was but the plaque on it is very bad and hard to read. They had called several people and they would like the city to put up a sign somewhere to note a "Historical Monument". Mrs. Nelson would like a sign for passing traffic to take notice of. She said it was put up for the first pioneers that came to this valley; the first pioneers came to Nibley.

Mayor Knight said they would take that under advisement and address it in their budget hearing in January.

Mrs. Nelson said she believed the International Daughters of the Pioneers would help them with a new plaque to put on the front of the monument. Councilman Hansen asked what the camp in Nibley was called. Mrs. Nelson said it was the Sunflower Camp and described what was required to become a member of their camp.

7:15—Public Hearing—(continuation from previous meeting) to receive comments concerning the proposed Nibley Transportation plan

Mr. Kris Kvarfordt, a landscape architect and planner with Cache Landmark Engineering, Rod Blossom, the city engineer with Cache Landmark, and Joe Parrin, a professional transportation engineer with A-Trans Engineering in Salt Lake were present at the

meeting. They represented the Nibley City Mutli-Modal Transportation Master Plan Consultant Team.

Mayor Knight gave a history of the issues and processes that lead to this plan. Mayor Knight said the direction given to the consultants by him and the steering committee was to do a city wide transportation plan using a scientific approach; they were told of the 450 West situations but were not given all of the background; they were directed that they wanted connectivity, safety, and planning for the future. Mayor Knight said the politics were removed from the proposed plan; that the Council would deal with the politics. They were attempting to take the science and “massage” it with the public and let the politicians come up with the best plan. Mayor Knight said they were all impacted by roads; you do not want roads in front of your house but you also want a nice road to get places on. Mayor Knight noted there were roads on the plan that impacted him and also some councilmember’s and Planning & Zoning Commissioners; they were all impacted. He said there were no attempts to be underhanded or sneaky. Mayor Knight said the Council directed the consultants to look at the Boyd Scheiss 450 West, north on 450 and 250, an access to Hollow Road, and the truck route on 12th west.

Mr. Kvarfordt started with the 450/250 West corridor. He said their main concern was that there needed to be a collector between the railroad tracks and state road 165; at a minimum they needed one collector. They were trying to get people from the southern extent of the community to the northern extent of the community in as safe a manner as possible. The railroad was a barrier to the east/west traffic and 250 W. was acting as a collector and was currently built as a local road which they identified them as a safety concern in the future. He said the first alternative they presented was to shift south of 4000 S. to the east. They recommended that 450 be built as a collector road; it had historical precedent, it avoided existing structures, and it took advantage of a lot of already constructed road. This alignment was likely to be the most timely and least expensive alternative to alleviating the concerns of 250 West and providing the needed collector between the railroad and SR 165. This option designated 250 West as a connected, local road that would provide some additional north/south connectivity for local traffic.

Mr. Kvarfordt said option B which was the realignment of the collector to hit the 250 corridor as you went north of 3200 South. This did not allow for creation of a collector road built to the necessary standards; the alignment would impact a minimum of two existing residential structures and Nibley would have to incur the costs for the acquisition of that property to create the road and would likely take longer to complete.

Mr. Kvarfordt said the third option made 250 the collector and really did not provide connectivity. He said this option did not allow for the creation of a collector road built to the necessary standards without additional right-of-way acquisition along the existing 250 W. corridor; this cost would need to be assumed by Nibley City. He said without building a collector road to the necessary standard this alignment has the potential to perpetuate and exacerbate an un-safe condition. Mr. Kvarfordt said this option designated 450 West as a local road and limits the north/south connectivity of the road. Limiting the

north/south connectivity limits the ability of this road to alleviate any through traffic from the 250 West corridor.

Mr. Kvarfordt went through option D which he considered a compromise and was an attempt to plan for the functional roads and continuous open spaces. A connection along 450 West was necessary to ensure the safe and efficient flow of traffic through this section of Nibley City. Within the area between 3700 S. and 4000 S. a special circumstance to provide for the long term designation of open space exists; a detailed site scale roadway alignment would be designed along the west side of that property that would provide for a single parcel that was undivided by a public road. This option designated 250 W. as a connected, local road that would provide some additional north/south connectivity for local traffic.

Mr. Kvarfordt moved to alternatives for Hollow Road access. He noted the concerns with the current conditions. He said the most desirable scenario would provide a way for Hollow Road users to access a signalized intersection. Mr. Kvarfordt presented option A with a frontage road to 3200 South with alternative Hollow Road realignment; this option provided access from Hollow Road to a signalized intersection at 3200 South and provided an additional local road access to SR 165 which coincides with the existing corridor agreement. This option also showed an alternative for realignment of Hollow Road with 4000 South. This intersection alignment would provide better sight distances and would increase the likelihood for a signal warrant to occur but would require some property acquisition.

Mr. Kvarfordt discussed the 1200 West truck route. He said truck routes are designated so enforcement of non-truck routes can work to prevent truck through traffic on local roads. He said option A, the draft recommendation was an arterial road suitable for truck traffic. Mr. Kvarfordt said option B was the elimination of 1200 West truck route; the elimination of this designation may allow for enforcement of trucks traveling north/south on 1200 W. north of 3200 S. the city can control the designation and develop enforcement policies but restriction may have funding issues with money coming from the state or federal government; it was identified on the CMPO (Cache Metropolitan Planning Organization) 2035 plan.

Mayor Knight gave direction on the public hearing. He said he would like as much public comment relative to the whole plan as possible. He asked the public be as brief as possible and not state an opinion that had already been expressed. Mayor Knight limited the public to one minute and asked them to come to the podium. He insisted the public be respectful and said once everyone has had an opportunity he would allow a follow up opportunity of 30 seconds.

Mayor Knight opened the public hearing at 7:37.

David Johnson said he had concerns about the validity of the criteria they were using for collector roads and local roads. He lived less than a mile from the railroad tracks and less than a mile from SR 165 and he did not see that they needed a collector road. He said

most people did not use that road as a corridor; they go to the highway or the other direction; they do not use the inside the development as a corridor. He said he would hate to live where the Mayor did and would rather have the landfill for the County that the road they were proposing.

Linda Barns said she lived on 1000 West. She was concerned with the proposed truck route on 1200 West. She did not see the necessity of the truck route. It was a concern to her because of the children going to Heritage Elementary School. She thought the road at Hollow road would be opening it up to development which she thought would be a shame.

Dave Forbush said he believed the objective of the portion of the people present was to uphold Ordinance 9-11; the removal of 450 from the master plan map and the continued support of the Boyd Scheiss conservation easement. Mr. Forbush discussed pure science and that aesthetic values were typically hard to capture with a science. They currently have the interest to protect the aesthetic value of their community. He said he appreciated the efforts that had been made in terms of looking at a variety of different options.

Junelle Granton, Larry Slade, Darwin McFee, Dave Johnson, Martin Smith, Mike Swenson, Kevin Kennedy, Kendal Hendricks, Cathy Kennington, Roger Nelson, Gayla Rounds, Kendie Smothers, Jim Jensen, Mike Smith, Ken Jensen, Mike Shmidt, Barbara Wilden, Corlyss Drinkard, Lyle and Cathy Thornley, Gene McPhee, David Frandsen, Maughn and Marlie Criddle, Norm and Diane Edler, John and Aubrey Anderson, Shawn and Amy Platt, Jessica Platt, Reana Nelson, Craig Maughn, Ross Jacobson, Vaughn and Coleen Blanky, Mark and Jenna Oakie, Wes and Joan Shienk, Edwin Phillips, Boyd and Sheri Scheiss, Alan Smethurst, and Paul Howel all dittoed Mr. Forbush's comments.

Michelle Nelson dittoed having the Scheiss land as a conservations easement. She lived along the curve on 250 West and she would not want her front yard to be expanded onto a road and that people drove a lot faster than 25 mph around that curve.

Randy Feaser wanted to know the justification for 1200 west and curving over to 3200; he thought there was a home and existing acreage that would have to be purchased. He said he already had to deal with trucks driving past his house. He said there were children walking down that street every day. He said if they had that intersection lined up strait they would have vehicles shooting strait through; there would be T-bone accidents if it were lined up that way.

Carrie Cook said she was also opposed to 1200 west north of 3200 being a truck route. The people along 3200 South were used to the idea of a truck route. She did not ting the 12th west realignment was worth the money and there would be more accidents. It was a lot of money to realign that road and putting that truck route going north only benefited Hyrum and people going to Hyrum.

Paul Howel said he was a retired truck driver and had been through that intersection at 1200/3200 hundreds of times. He said they should not line those roads up. He said there

had been a number of accidents and he would leave it like it was. He said they did not need a truck route on 1200 going north of 3200; there was too much going on along there. He also suggested they take the medians out of 3200.

Wayne Anderson, a resident of 250 West, said it was a bad idea to make 250 West a collector route; they already have a lot of traffic and it bottlenecks on both ends. He said the Council and consultants had done an excellent job looking at the master plans and getting it done. He knew the Council would make a decision based on facts and not on emotion.

Corlyss Drinkard said she was opposed to anything that extended 450 South from the proposed 3750. She pulled a copy of the master road plan map that was passed in 2007 and noticed 250 West between 3200 and 4000 S was designated a collector road. It was not designed or built out as a collector road. 450 West was designated a local road; it has obviously been that way for a long time and there is no reason for that to change. She dittoed 250 West of 3200. She dittoed what Dave Johnson said about collector roads; she thought SR 165 and 89/91 were sufficient for going north. She saw no reason for making 450 a collector road going end to end in Nibley going north and south. Mrs. Drinkard talked about 4000 vs. 4400. She said 4000 south in the summer was pretty much a walking trail; she said they should make 4400 their target east/west route in Nibley because it was not developed yet. Mrs. Drinkard referred to an article about roundabouts and said she thought they were a swell idea.

Amy Platt dittoed her.

Mont Kriddle said as a member of this community he could get from his subdivision to many other places in the community within 2-3 minutes. He does not feel a need to get from one subdivision to another in a quicker more efficient manner. He liked the aesthetic value and right now it was easy to get from one place to another in the community. Several public present dittoed that comment.

Paul Rew said he agreed with Dave Johnson.

Darwin McFee said in 2009 there were about 200 people that met at the school on the conservation of land and Boyd Scheiss's land. He read the resolutions that were passed at that meeting. He said Mr. Scheiss had applied for conservation of that land. He also read a resolution signed by the Council that said they backed the conservation easement. He said it seemed from the people in this room that they did not want more land divided by roads in this community.

Shawn Platt said he was concerned with the intent that this was an objective study. He said information was purposefully withheld from the planners from the beginning. Mayor Knight said that was a misunderstanding that had been bantered about and not true. He said there cannot be an objective study with information withheld and that was a major flaw with the study.

Boyd Scheiss asked the city planner to express her feelings on the road going through his property and being taken off the master plan. Mayor Knight allowed Ms. Phippen to have the floor. Ms. Phippen said from a planning standpoint it did not make sense. In conversations with John Bennett two years ago, he did say it would be an impediment to getting a conservation easement if there was a road on the master plan planned through that property. Ms. Phippen suggested the Council adopt option C which removed that portion of 450 running through Boyd's property.

Mr. Scheiss asked the Council to take a vote tonight to remove 450 W. off the master plan so he could proceed with his plans to conserve land and make his land a conservation easement. He thanked the people that supported him. He said he was not clear why they were doing this again.

Judge Jack Stevens said he was curious if the conservation easement had been applied for and the status on the conservation easement as they were contemplating dead ending a street that served Nibley City. If that road was dead ended, the traffic on the south end will all come off of 250 which will go through the quarter circle drive area on a crooked road and extend out to 4400 South.

Gabe Little, who lived on 250 said he was new to the community and said if they eliminate 450 it would put a lot of traffic through his neighborhood. Also, he did not know how much growth thought they would see in the near future and why they needed arteries. There were plenty of opportunity for east/west roads but there were not many people willing to conserve their land. He wondered if they really anticipated that much growth.

Amy Platt said she supported Carrie Cook and Randy on the truck route through 1200; she thought it was ridiculous and they would be asking for a lot of problems. She said 250 did not need to be a main road; it has winds and curves and people drove way to fast and it was also planned to go through her parent's yard. She said there was already a developed road that Clair Peterson had that would reach the subdivisions they had planned that they could put on the Master plan as an alternative.

Mr. Scheiss distributed information to the Council on the conservation easement.

Sheri Scheiss said she wanted to address the extension of 250 past 4000 South. She said it would run through her road. She gave the aesthetics of her yard and the ways they used their yard. She said the proposed road extension would destroy all of that and would divide their home from their 13 acres of property. There was a road that already existed that served the Clair Peterson home and the other agricultural areas. She thanked the Council for their consideration of their requests.

Edwin Phillips said the overall plan based on his engineering perspective was the design seemed to take into account a fair amount of future growth and a denser community than they have. He believed most of the population of Nibley desired this stay a small community.

Joan Schenk said she had lived in Nibley since '72 and had seen a lot of changes. She said the people of Nibley had worked hard to keep their community a rural community. She asked the Council to carefully consider the things they did as they would impact the rest of their lives. They feel the property needed to stay as it was given the right to a couple of years ago. The other roads need to be things that work but they needed to be careful of what they do. She gave examples from Logan and truck routes.

Mr. Scheiss asked that the letter he distributed to the Council be read. Councilman Larsen said the first letter dated July of 2001, described Mr. Scheiss's desire to apply for the easement at a future time when more money was available. Councilman Mickelson said conservation easements were a combination of many pots of money that are pulled together and needed to be available; there is a certain portion that needed to be locally donated and that was usually by the landowner. Councilman Mickelson said there was also some State money available at times from the Lee Roy McCalister fund; this year there was such a little amount that it was understood it would be used for other purposes. This letter was written to let them know of their desire and took pressure off of them to be able to fund other things that had been applied for. Councilman Mickelson described the awarding process.

Brian B. Anderson said he lived on 3200 and asked that they continue to be mindful of 3200; there were a lot of things that intersect to 3200. He said not all the people along 3200 were used to truck traffic and they needed to be mindful of safety.

Seeing no further comment, Mayor Knight closed the public hearing at 8:23.

Consideration of Resolution 11-12—Adoption of Master Road Plan for Nibley

Councilman Dustin made a motion to approve the transportation master plan adopting option C for the 450 W./250 W. corridor; adopt option B for 1200 West truck route designation; and include and add on page 23 item number 7 that said "Circular/combined driveways are required for all new construction/reconstruction on collectors and arterials where new access is permitted"; on page 35 add bullet number "Develop plan for realignment of 3200 South with SR165 to provide a 4-way intersection with pedestrian crossings"; at page 35 add a last bullet to state "Improve coordination with County for future improvement of County portions of 3200 South and 800 West; and on page 23 add section 3.4.a.3, Pedestrian, Cyclist, and Public Transportation Concerns and Special Considerations: The ready driving access provided by US 89/91 and US 165 from Nibley to the business and recreational centers of Cache Valley is arguable a significant factor fueling the growth of the City. These roads create unintended barriers, however, for key demographics in the City by isolating the residential core of the City from the neighboring communities where resources not currently available in Nibley (shopping, employment, commercial entertainment/recreation) are located.

For example, Logan City's Logan River Trail and Golf Course are located less than a mile from some Nibley residents. This trail system could provide safe pedestrian access between the two communities, but the lack of access to a safe walking path along

Highway 89 and for the short County-maintained section of 800 West between Nibley City limits and the Logan City limits eliminates that possibility. On Highway 165 near 3200 South, there is no legal pedestrian access between the center of the population on the West side of the Highway and Nibley's single retail outlet on the East side. Similarly, while the Cache Valley Transportation Districts runs an express bus with a stop in Nibley, there is no legal access to reach the bus stop from the center of population, requiring potential riders to jaywalk across a five lane highway during peak traffic.

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#1. Foster connectivity between neighborhoods by requiring developers to provide dedicated ROW for pedestrian access between all cul-de-sac or dead-end streets and adjacent streets or subdivisions at the time of subdivision approval. ROW should be provided between streets including cul-de-sacs and dead-ends and public or private facilities with community functions (schools, churches, government buildings, parks, etc.) at not less than 660 foot intervals for streets and at the ends of all cul-de-sacs and dead-ends contiguous with public streets or rights-of-way or properties contiguous with public streets or rights of way.

#2. Work with Logan City and UDOT to provide a safe pedestrian access along the south side of Hwy 89 from 800 West to the existing crosswalk at 600 West.

#3. Work with Cache County to consider pedestrian usage of 800 West from the Nibley City border to the Logan City border as improvements are made to this road.

#4. Work with UDOT to develop safe pedestrian access across Hwy 165 at 3200 South and 2600 South.

#5. Work with UDOT, Millville City, and CVTD to develop Park-and Ride facilities to improve legal access for residents to their public transportation system.

Councilman Hansen seconded the motion.

Councilman Mickelson asked if there had been any research done on crime related issues on right-of-ways cutting through private areas like in cul-de-sacs. Councilman Dustin said he could not address that specifically but there were a couple of things that fueled this; one was the issuance of the new crossing guard at Nibley Elementary because kids were cutting through yards and some of the discussion on whether they funded that was center on the fact that those kids had to walk close to a half a mile to cover what was a 100 yard shortcut. He asked if they continue to support kids cutting through backyards or plan their neighborhoods so they could do that legally what they are going to do anyway.

Mr. Blossom thought Councilman Dustin ideas were good; they would have to consider whether some of those things were a taking where they were requiring someone to give property that was not benefit them directly. He suggested they put the comments in there as a recommendation so that they could study those issues. They needed to put some specifics in their subdivision process or planning process; instead of making it a requirement they make it an issue. Councilman Dustin said they were already requiring

this with certain developers, specifically the LDS church, and in order to not be arbitrary in the application then they needed to get this down and address it at some point. Mayor Knight said he read these as recommendations.

Councilman Jacobsen made a motion to amend to motion to read on #1 “Foster connectivity between neighborhoods by providing dedicated right-of-way for pedestrian access . . . “ striking “requiring developers to provide”. Councilman Mickelson seconded the motion.

Councilman Larsen said if that was struck then he would read it that the city was going to provide that; they needed something that said who was going to provide that. Councilman Dustin said he was thinking of instances in the city where they had done this; he gave a specific example and said a lot of this came back to subdivision design. He wanted to make sure they were not isolating people that were not driving. Mayor Knight said this was not actually an enforcing ordinance; it was a plan. Councilman Larsen countered that it did give direction. Councilman Hansen said he wanted to make sure the citizens knew this was not retroactive.

The amendment passed 4-0; with Councilman Jacobsen, Councilman Mickelson, Councilman Hansen, and Councilman Dustin in favor. Councilman Larsen was opposed.

Councilman Mickelson wanted discussion from the Council on not realigning 1200 West; he felt as though there were good arguments made on not aligning those. The Council discussed this alignment.

Councilman Mickelson made a motion to amend to alter the section of 3200 South and 1200 West not be realigned and take the truck route directly out to 3200 south. Councilman Dustin seconded the motion.

Councilman Dustin asked if he wanted words to say that they did not want these two roads to be realigned. Councilman Mickelson said the “verbage” would be to add words that the road remains strait to force trucks on to 320. Mr. Blossom said he thought 4400 South would eliminate all of that truck traffic and he did not know of anyone that did not try to line roads up. He suggested they leave it alone; it wasn’t going to happen now; plan out and design it later. Mr. Parrin said the truck route allowed them to force the other elements in the city. It could also affect their maintenance funding for their class B and C road funds. He said misaligning was a very bad idea and would affect the 300% population growth that was projected to happen in the next 20-30 years. He said misaligned intersections were dangerous and very inefficient. Councilman Larsen said alignment wise all the people that go to 10th west and need to access will go down 12th west and if they did not realign that there would be serious accidents there.

The amendment failed 0-5; with Councilman Mickelson, Councilman Dustin, Councilman Hansen, Councilman Jacobsen, and Councilman Larsen all opposed.

Councilman Mickelson discussed 450 West heading north being a collector and if they close the road at that point; if they have a need going north then why didn't they make it a collector going north. Mr. Parrin said if they have a collector that dead-ends then it is not classified as a collector; its service area and connectivity define it as a collector. Councilman Mickelson noted the difference in a collector road and a local road was the width. Councilman Larsen said he was inclined with Councilman Mickelson because $\frac{3}{4}$ of their community would empty to the north. Councilman Larsen said he liked a combination of a couple of collectors and gave his suggestions. Councilman Larsen questioned the other portion of 450 and shifting it over closer to the Platt house so there was connectivity. He said he had conversation with citizens that would like to do both; conserve and have the road. Councilman Larsen said he did not like designating 250 as the collector road.

Councilman Larsen made a motion to amend the roadway map pertaining to 450 West; to include from 3850 South to 4000 South using option D on 450 West and north of 3200 South take option B on 250 West

Councilman Larsen said he liked the realignment of 450 because as 250 developed they would have more regulation on how it developed as far as entrances and it did not bisect the property that Boyd was trying to get the easement in but still gave the opportunity for the future. Councilman Mickelson said he thought they were looking at pushing something through in an area that has no development coming there. He said it did not make sense to have something there and there was no reason to have it there. He said they needed to dead-end it at the easement in order to make the easement work. Councilman Dustin said one decision would impact one family and a 60-70 year history and on the other hand they are asking the people of 250 West to take the impact. Councilman Jacobsen asked Councilman Larsen if the rerouting of 450 to the east would require development on the property to make it happen; he asked if they would require the developer to build the entire road as there might not be any development on the other side. Councilman Larsen said if that portion were to develop then just as they did everything else they would require a half a road and then if they needed the full road they would require the citizens of Nibley to put it in or have a half a road. Councilman Larsen said Councilman Mickelson said he could not support the stuff going to the south of 3800 but Councilman Larsen said he could foresee that at some point that property will develop; there is going to have to be a road that goes to the South at some point in time he just did not know when.

Councilman Hansen thanked the public that came out. He said they had a Nibley City survey and listed the top things people liked about Nibley. He said their general plan said they as a city believed in keeping a rural community. He believed the property in question stood for what Nibley stood for. He thought this was considered a landmark in their city. Councilman Hansen said he was not in favor of reconnecting 450 West over to 250 W.

The Council discussed different roadway option and the amendment on the floor.

The amendment failed 1-4; with Councilman Larsen in favor. Councilman Mickelson, Councilman Dustin, Councilman Hansen, and Councilman Jacobsen were in opposed.

Councilman Jacobsen made a motion to amend on the following; on page I, Table of Contents 3.4 there was more space between “future” and “transportation” than between “transportation” and “network” than there ought to be; page 4 Objective 2 missing the word “to” between “tool” and “identify”; add a thirteenth objective to 1.3b Objectives reading “To work with other entities to implement a regional transportation plan.”; he asked to label 3200 South on the map on page 10; page 20, last sentence, first paragraph change to “From 2010 to 2024 Nibley’s population will have grown by 220%”;

Councilman Dustin editorialized that they did not intend to grow the city by 220% by 2024; they were projections from the state and so statistically they expected the population will grow by 220% no matter what they do.

Page 30, noted the specific intersections that were identified as yield controls and asked that each of those roads be labeled on each of their maps (2300 South and 3300 South); page 33, item 3.4d.1 #1, he thought table 2.6 did not exist and should be a reference to Figure 2.7; page 34, the Public Transit Map in Nibley City, he wanted a date added to that map. Councilman Mickelson seconded the motion. The amendment passed 5-0; with Councilman Jacobsen, Councilman Mickelson, Councilman Hansen, Councilman Dustin, and Councilman Larsen all in favor.

Councilman Larsen wanted to discuss the access on to Hollow Road and said as the motion stood they had the circular arrow going south which is what Councilman Mickelson didn’t want. Councilman Hansen and Councilman Larsen discussed this.

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

Councilman Mickelson left the meeting at 9:52.

Consideration of Ordinance 11-09 (2nd reading)—Regulating the Streetscape of Public Rights of Way

Councilman Jacobsen asked for clarification on the business license for an arborist which he received.

Councilman Mickelson returned at 9:55. Councilman Larsen stepped out at 9:55.

Councilman Jacobsen made a motion to approve Ordinance 11-09—Regulating the Streetscape of Public Rights-of-Way. Councilman Hansen seconded the motion. The motion passed 4-0; with Councilman Jacobsen, Councilman Hansen, Councilman Mickelson, and Councilman Dustin in favor.

Councilman Larsen returned at 9:56.

Resolution 11-11 (2nd reading)—Establishing a tree care plan for public rights of way in Nibley City

Councilman Jacobsen made a motion to approve Resolution 11-11. Councilman Dustin seconded the motion.

Councilman Mickelson asked who was on the committee that made these decisions. Mayor Knight reviewed the people who had contributed to the Resolution.

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

Consideration of Resolution 11-12 (2nd reading)—Establishing a policy for council actions and minutes

Councilman Dustin made a motion to dismiss Resolution 11-12—Establishing a policy for council action and minutes. Councilman Larsen seconded the motion.

Councilman Dustin said he thought they were plenty open before. Councilman Mickelson said it was not really concrete. Councilman Jacobsen said he had actually enjoyed the luxury of digesting these ordinances. He appreciated the additional time they give their citizens to give them input. He was in favor of doing this and opposed the motion.

The motion failed 1-3; with Councilman Dustin in favor. Councilman Jacobsen, Councilman Mickelson, and Councilman Hansen were opposed. Councilman Larsen did not vote.

Councilman Jacobsen made a motion to approve Resolution 11-12—Establishing a policy for Council action and minutes. Councilman Hansen seconded the motion.

Councilman Jacobsen said he was still unclear with section 4 and when things would make it to the city website when a public hearing was involved. The Council discussed the when these things would take place. Mayor Knight said this was establishing a time line. Councilman Dustin said he did not understand item number 1 and the way it was written they could do those two readings consecutively; they could do two readings in City Council one right after the other. Mr. Anhder said the intent was that occasionally there were not two readings; things needed to be done that were inconsequential, and did not need two readings because of its scope and nature. Councilman Dustin said if the intent was to have two meetings then it needed to be stated more clearly.

Corlyss Drinkard said she wanted to have a copy of the draft agenda available on the website the Friday before.

Councilman Larsen asked about the copy of the proposed ordinance being available on the website; with that regard he thought there should be a statement that said the ordinance could be stopped at the first reading.

Councilman Larsen made a motion to amend that a statement be included in item 1 that; an ordinance or resolution that fails to pass at the first reading shall not progress to a second reading. Councilman Jacobsen seconded the motion. The amendment passed 4-1; with Councilman Larsen, Councilman Jacobsen, Councilman Hansen, and Councilman Mickelson in favor. Councilman Dustin was opposed.

Councilman Dustin made a motion to amend to postpone Resolution 11-12 indefinitely. The motion died due to lack of second.

Councilman Jacobsen made a motion to amend Resolution 11-12 on item 1 to read; Ordinances and resolutions shall be given two readings in two separate meetings before the City Council except as noted in item 2. Councilman Hansen seconded the motion. The motion passed 3-1; with Councilman Jacobsen, Councilman Hansen, and Councilman Mickelson in favor. Councilman Larsen was opposed. Councilman Dustin did not vote.

Councilman Jacobsen made a motion to amend to add the following to Resolution 11-12 item 4 in the last sentence; Items that are noticed in the newspaper for public hearing shall be posted to the website at the time of publication of the notice or earlier, as required by item 3. Councilman Jacobsen withdrew his motion.

The amended motion passed 3-0; with Councilman Jacobsen, Councilman Hansen, and Councilman Mickelson in favor. Councilman Dustin and Councilman Larsen were opposed.

City Manager reports

Mr. Anhder said because of a conflict with Hyrum on using the Judge to swear in the new members; he proposed they meet at 5:45 on January 5th, 2012 to swear in the new candidates and then hold the meeting.

Council reports

Councilman Mickelson asked if at their next meeting they could address the reports from Wiggins & Co. He said as part of that review he would like to look at the long and short term obligations that start on page 28.

Councilman Hansen said on the survey with regard to the new citizen clubs he was trying to coordinate the groups and he would like to include a portion in the newsletter that included a contact for these clubs. He thought they could do something to make their corridor along 165 look better and to make the old city hall look better.

Councilman Jacobsen discussed the difficulty with putting the audio minutes on the website.

Councilman Jacobsen expressed his sincere appreciate in serving with Councilman Larsen and Councilman Dustin.

Councilman Dustin thanked everyone for their participation in the master plan; he said the document would be very beneficial for the people. Councilman Dustin quoted words from a song by Queen, “We Are the Champions”.

Councilman Larsen shared an email he got from a professor he respected, Dr. Slade. In 1787 James Madison wrote an article to citizens in New York and he read a couple of sections from that letter. He wished the Council and Mayor the best and said he had no doubt they would serve to the best of their abilities.

Mayor Knight complimented both Councilman Dustin and Councilman Larsen on the job they had done. He complimented Councilman Dustin on the time and passion he had put into the Master Road Plan. He said Councilman Larsen had put in more time than the rest of the Council combined.

The meeting was adjourned at 11:02 p.m.