

A Meeting of the Nibley City Council held at Nibley City Hall, 455 West 3200 South, Nibley, Utah, on Thursday, September 25, 2025.

OFFICIAL MINUTES OF THE MEETING
City Recorder Cheryl Bodily took minutes

Opening Ceremonies

Councilmember Erin Mann described her experience with Heritage Elementary school's recent 2nd grade field trip to City Hall. She described things her children have been learning at school. Each year they have one overarching question they discuss throughout the year. This year the question they were discussing the question, what is the hero's journey? Councilmember Mann said it was so cool to get kids thinking about big questions and what their rolls and places in the world where. Councilmember Mann talked about her experiences on the Youth Council in community.

Call to Order and Roll Call

Mayor Larry Jacobsen called the Thursday, September 25, 2025, Nibley City Council meeting to order at 6:34 p.m. Those in attendance included Mayor Larry Jacobsen, Councilmember Norman Larsen, Councilmember Kay Sweeten, Councilmember Erin Mann, and Councilmember Garrett Mansell. Justin Maughan, Nibley City Manager, Levi Roberts, Nibley City Planner, Tom Dickinson, Nibley City Engineer, and Cheryl Bodily, Nibley City Recorder was also present. Mayor Jacobsen recognized Chad Wright, Nibley City Recreation Director and Evan Bigelow, Nibley City Code Enforcement Officer who were present in the audience. Councilmember Nathan Laursen was excused from the meeting.

Approval of the Previous Meeting Minutes and Current Agenda

Councilmember Mann moved to approve the September 10, 2025, and September 18, 2025, meeting minutes and the evening's agenda. Councilmember Larsen seconded the motion. The motion passed unanimously 4-0; with Councilmember Mann, Councilmember Larsen, Councilmember Sweeten, and Councilmember Mansell all in favor.

Public Comment Period

Mayor Jacobsen gave direction to the public present and opened the Public Comment Period at 6:36 p.m.

4-H members who had kept animals at Nibley City Morgan Farm, Jacob Harper, Enoch Rassi, Hannah Rassi, and Emma Rassi spoke. They presented a collage of pictures from their experiences. Jacob Harper said he got to participate with his horse and a 4-H market steer. Enoch Rassi said he raised a pig and steer. Hannah Rassi said she got to raise a pig and Emma Rassi said she got to raise a pig. Mr. Harper reported that Adam Harper raised a pig and Zack Waterson also raised a pig.

Annedelyn Rassi expressed her thanks for her children's opportunities to raise farm animals that they might not have had the opportunity to raise. She described the confidence the experience had given her children. She bragged about the awards her children had gotten for their pigs at the Cache County Fair.

Seeing no further public comments, Mayor Jacobsen closed the Public Comment Period at 6:40 p.m.

Planning Commission Report

Mr. Roberts reported that there was a joint meeting held between the Nibley City Planning Commission and the Nibley City Council. He described the Utah State University Landscape Architecture and Environmental Planning department have given introductions of their projects regarding a town center and other projects with housing. Students were present at the meeting and had presented on their projects. They were likely to do another joint meeting at the December Planning Commission meeting. Mr. Roberts said the Planning Commission held a workshop on the General Plan and specifically the Future Land Use map. This project was likely to wrap up in December with the Planning Commission. Mr. Roberts reported there was a site plan approval for the Church of Jesus Christ of Latter-Day Saints building that was on the current City Council meeting agenda and the Planning Commission had held workshop on the R-2A Open Space subdivision ordinance.

Mayor Jacobsen said the Parks and Recreation Advisory Committee held a meeting the previous evening. He and Councilmember Mann would update the City Council on this meeting during Staff and Council reports.

Presentation: Report on 2025 Children's Theater

Emily Rigby, Nibley Children's Theatre Production Manager and Director and Lori Hopkin, Nibley Children's Theater Director were present for this portion of the meeting.

Mrs. Rigby gave a presentation, using an electronic slide deck (a copy of this presentation is included in the 9-25-2025 printed meeting minutes). The title of her presentation was *Nibley Children's Theater 2025 The Pharoah's Quest* The following topics were included in Mrs. Rigby's discussion: The Pharoah's Quest, pictures of the Pharoah's Quest play, Citizen Involvement, Funding (2025 Season in-Kind Donations), Expenses; How We are Good Stewards!, Additional Funding, Stars & Stripes Forever; The Story of Old Glory, and Thank You!

Discussion and Consideration: Ordinance 25-29—Development Agreement for the Apple Creek Subdivision Phase 1 First Amendment, Amending Lot 35, Creating an Additional Building Lot and Amending the Conservation Area, Including Modifications to Development and Zoning Standards (Third Reading)

Mr. Roberts updated the City Council on this topic. He used an electronic slide deck titled *Nibley City Council; September 25, 2205; Apple Creek Amendment 1 Development*

Agreement & Preliminary Plat (a copy of this presentation is included in the 9-25-2025 printed meeting minutes). The topics included in Mr. Robert's discussion included the following: Update

"Staff met with developer to follow up on previous City Council meeting, including motion to require \$37,000 toward trail construction. Developer has provided more detail and justification for proposal."

Mr. Roberts also showed a map showing the conservation space, specifically showing the additional conservation space that was a net increase of approximately 2/3 acre, Project Wins Summary: Draft Development Agreement for Apple Creek Subdivision, and Cultural Value Impacts.

The developer, Shaun Dustin was present at the meeting as well as Clay Shaffner with Civil Solutions Group.

Mr. Shaffner provided clarification on the net benefit of the additional conservation area to Nibley City. Mr. Shaffner described the information provided on the electronic slide "Project Wins Summary: Draft Development Agreement for Apple Creek Subdivision."

Mr. Dustin provided clarification on the net benefit of the additional conservation area to Nibley City. Mr. Dustin described the information provided on the electronic slide "Cultural Value Impacts."

Councilmember Larsen asked about ownership of the newly formed conservation area. Mr. Dustin said he didn't care but he felt it should be deed restricted and attached to one of the proposed building lots (36 or 37). He did not have strong feelings about it. Councilmember Larsen disclosed that he was friends with Shaun Dustin and had hired him to do some work on one of his properties. He did not feel this would affect his vote. Councilmember Larsen asked about a dedicated easement on the property. Mr. Dustin said in the details of the proposed development agreement was the conversion of the right of way would not affect the existing setbacks requirements of the lot. The easement that was proposed was 10 feet. Councilmember Larsen suggested a land swap with a subdivision to south. Mr. Roberts said he didn't feel a land swap was necessary. The City could require a dedication of any or all of that space to the City, of the property to the south, if they did an open space subdivision, which the property owner had submitted.

Councilmember Larsen moved to approve Ordinance 25-29—Development Agreement for the Apple Creek Subdivision Phase 1 First Amendment, Amending Lot 35, Creating an Additional Building Lot and Amending the Conservation Area, Including Modifications to Development and Zoning Standards as originally presented by staff. Councilmember Sweeten seconded the motion.

Councilmember Larsen said it would be nice if they had a maintenance plan for the conservation space. Mayor Jacobsen said the nuisance ordinance would be enforced as well as the requirements of private conservation space. Councilmember Mansell said you could argue that the non-buildable area around was a benefit to the landowner because they wouldn't have any neighbors. He said the value to the community was the trail and was the real benefit to the public. This did give the City an easement. He said they had missed the boat on this because none of the trails that had been planned for the development had been put in. Mr. Dustin said in fairness to the City Council and the Planning Commission, at the time the real benefit of the trail was the connection to the Mt. Vista subdivision, which was just a glimmer at the time and no one knew how that would develop. Councilmember Mann said the sidewalk that went to Mt. Vista was really steep and any trail considered would need to be ADA compliant and perhaps curve.

Voting on the motion to approve Ordinance 25-29 was as follows:

Councilmember Larsen voted in favor.

Councilmember Sweeten voted in favor.

Councilmember Mann voted in favor.

Councilmember Mansell voted in favor.

Councilmember Laursen was absent and did not vote.

The motion passed 4-0; with Councilmember Larsen, Councilmember Sweeten, Councilmember Mann, and Councilmember Mansell all in favor.

Discussion and Consideration: Ordinance 25-17—Annexation and Zoning Assignment of Parcel 03-049-0011 Located at Approximately 3601 S 1200 W, Containing 9 Acres and Assigning Zoning of R-2A (Residential) Applicant: Heritage Land Holdings, LLC (Second Reading)

Mr. Roberts updated the City Council on this topic. He used an electronic slide deck titled *Nibley City Council; September 25, 2205; Annexation & Zoning Assignment for 3602 S 1200 W* (a copy of this presentation is included in the 9-25-2025 printed meeting minutes). The topics included in Mr. Robert's discussion included the following: Update

Blaine Hamblin was present at the meeting representing Heritage Land Development.

Mr. Roberts showed the City Council the future land use map that was being considered as part of Nibley City's general plan update. He said the proposed area was currently being considered as detached residential which would be in support of the current application. Mr. Roberts reminded the City Council of the Planning Commission Recommendation and Staff Recommendation.

“Approval of Ordinance 25-29: Development Agreement for the Apple Creek Subdivision Phase 1 First Amendment, Amending Lot 35, Creating an Additional Building Lot and Amending the Conservation Area, Including Modifications to Development and Zoning Standards”

Mr. Roberts showed a preliminary plat map showing the road connections associated with the development.

Councilmember Larsen moved to approve Ordinance 25-17—Annexation and Zoning Assignment of Parcel 03-049-0011 Located at Approximately 3601 S 1200 W, Containing 9 Acres and Assigning Zoning of R-2A. Councilmember Mann seconded the motion.

Councilmember Mann said she knew Councilmember Laursen had a concern with the recommended assigned zoning, but she hadn’t heard anything from him and the proposal seemed make sense to her and was a good use of the space.

Voting on the motion to approve Ordinance 25-17 was as follows:

Councilmember Larsen voted in favor.

Councilmember Sweeten voted in favor.

Councilmember Mann voted in favor.

Councilmember Mansell voted in favor.

Councilmember Laursen was absent and did not vote.

The motion to approve Ordinance 25-17 passed unanimously 4-0; with Councilmember Larsen, Councilmember Mann, Councilmember Sweeten, and Councilmember Mansell all in favor.

Public Hearing: Resolution 25-30—Amending the Nibley City Fiscal Year 25/26 budget to include the purchase of software for the purpose of Code Enforcement and Asset Management. Funds for the expenses are proposed to be taken from reserve accounts from the Stormwater, Sewer, Water Departments, and a reduction in the amount of money that is transferred from the General Fund to the Capital Projects Fund

Mr. Maughan gave a presentation to the City Council and the public present called SEP 2025 NIBLEY CITY FY 25/26 ANNUAL BUDGET AMENDMENTS (a copy of this presentation is included in the 9-25-2025 printed meeting minutes). The topics included in Mr. Maughan’s discussion included the following: 3 MEANINGFUL CHANGES + BLANCE FUNDS, a snapshot of an Excell spreadsheet workbook showing changed funds, PURCHASE CODE ENFORCEMENT, PURCHASE ASSET MANAGEMENT, and BALANCING FUNDS SUMMARY.

Councilmember Larsen got clarification of the terms of the contracts for the software. Councilmember Sweeten asked for a summary of what the proposed software

accomplished for the City. Mr. Maughan described the benefits of the both the asset management software with assistance from the Mayor and Mr. Maughan summarized the benefits of the code enforcement software with assistance from Mr. Roberts.

Mayor Jacobsen opened the public hearing at 7:55 p.m.

Seeing no public comments, Mayor Jacobsen closed the public hearing at 7:56 p.m.

Discussion and Consideration: Resolution 25-30—Amending the Nibley City Fiscal Year 25/26 budget to include the purchase of software for the purpose of Code Enforcement and Asset Management. Funds for the expenses are proposed to be taken from reserve accounts from the Stormwater, Sewer, Water Departments, and a reduction in the amount of money that is transferred from the General Fund to the Capital Projects Fund

Councilmember Sweeten moved to approve Resolution 25-30—Amending the Nibley City Fiscal Year 25/26 budget to include the purchase of software for the purpose of Code Enforcement and Asset Management. Funds for the expenses are proposed to be taken from reserve accounts from the Stormwater, Sewer, Water Departments, and a reduction in the amount of money that is transferred from the General Fund to the Capital Projects Fund. Councilmember Mann seconded the motion.

Councilmember Mansell said he appreciated that they were trying to be efficient and felt the software would make them that much more effective. Mayor Jacobsen said code enforcement was the most difficult job in the City because it was hard to tell people when they have messed up and do it in a way that helps them to understand where they'd made a mistake in code and helps them understand, from an education point of view, why the City Council had enacted those codes, and why the City Council were asking code enforcement to ensure those codes were followed. Mayor Jacobsen said he firmly believed in code enforcement, and they were taking a more active role with current City staff, and this was the right direction. He also worried that buying code enforcement software that made code enforcement more efficient would mean would receive more complaints from citizens that have gotten code enforcement warnings or citations. Mayor Jacobsen said what they really wanted was to modify behavior, so they had a happy, healthy place to live. Mayor Jacobsen said their education process was missing an opportunity the explain the intent of the code. He said sighting the code that had been violated didn't help individuals understand why the City Council had enacted particular code in the first place and the education needed to be in place to help individuals understand why a code was in place.

Mr. Roberts gave a history or the warning letters he and code enforcement had written and the way their were written. A couple years ago, it was prescribed in city code how they were written. They've since added details on the "why" and the education but a lot of times it was buried. He felt they could do better with that. It was a tough balance because the individual did need to know the code they were breaking. They wanted to

remain clear that the individual was getting a warning but if the behavior continued, there would be a citation.

Mr. Bigelow said the software would give them the ability to differentiate between the warning and the citation. Mayor Jacobsen stressed that the number one priority code enforcement should have was to keep themselves safe while they were on the City's errand on code enforcement. He urged them to always be aware of their own safety.

Voting on the motion to approve Resolution 25-30 was as follows:

*Councilmember Larsen voted in favor.
Councilmember Sweeten voted in favor.
Councilmember Mann voted in favor.
Councilmember Mansell voted in favor.
Councilmember Laursen was absent and did not vote.*

The motion to approve Resolution 25-30 was unanimous 4-0; with Councilmember Sweeten, Councilmember Mann, Councilmember Larsen, and Councilmember Mansell all in favor.

Mayor Jacobsen called for a recess at 8:18 p.m. The meeting resumed at 8:27 p.m.

Discussion and Consideration: Site Plan approval of a Religious Meetinghouse for the Church of Jesus Christ of Latter-Day Saints located at 3420 S 1200 W

Mr. Leif Harris from BHBR Architects and representing the applicant was participating in the meeting via an electronic Zoom link.

Mr. Roberts gave a presentation to the City Council and the public present called Church Meetinghouse Site Plan (a copy of this presentation is included in the 9-25-2025 printed meeting minutes). The topics included in Mr. Roberts presentation included the following: Architectural Design, Landscaping, Parking & Access, Signage, Utilities, and Canals. Mr. Roberts said the Church of Jesus Christ of Latter-Day Saints had proposal for a 20,000 square foot meeting house. Mr. Roberts gave the location of the meeting house. Planning Commission approved the site plan and the conditional use permit for the meeting house. Mr. Roberts showed a Vicinity Site Plan for the building. Mr. Roberts showed a rendering of the proposed building. Mr. Roberts reviewed the Planning Commission & Staff Recommendation:

""Approval for the Site Plan of a Religious Meetinghouse for The Church of Jesus Christ of Latter-day Saints, Located at 3420 S 1200 W with the Findings and Conditions Listed Below

Findings

1. *The application is sufficiently compliant with Nibley City Design Standards for Commercial and Institutional Uses with an appropriate justification to modify requirements for minimum fenestration on the primary building façade.*
2. *The application is compliant with minimum parking standards of NCC 19.24.160 at the time of application.*
3. *The proposed signage complies with NCC 19.24.150.*
4. *The proposed utility plan complies with Nibley City Engineering Design Standards and Specifications with the exception of minor comments that may be verified by the City Engineer prior to construction.*
5. *The proposed use is a conditional use in the Residential (R-2) Zone.*

Conditions

1. *Any future additions or development of the site beyond the proposed meetinghouse supportive parking and landscaping is subject to further site plan review.*
2. *The applicant must obtain approval from the Nibley-Blacksmith Fork Irrigation Company for modification to canals on the property prior to construction.*
3. *Water shares or rights must be provided to the City in accordance with NCC 21.12.020 prior to construction.*
4. *A Public Utility Easement must be recorded along the frontage of 1200 W in accordance with Nibley City Standards to provide for utilities.*
5. *A Conditional Use Permit for the proposed use must be approved prior to construction.*
6. *The applicant must receive final approval from the City Engineer for the construction drawings.*
7. *The applicant must obtain a fence permit prior to constructing any fences on the property to ensure compliance with Nibley City Code.*
8. *Applicant to install a transfer switch at the meeting house to allow connection of a power generator. (New from Staff, agreed by applicant)*

Mr. Harris had nothing to add

Councilmember Mansell moved to approve the Site Plan approval of a Religious Meetinghouse for the Church of Jesus Christ of Latter-Day Saints located at 3420 S 1200 W with conditions 1-4 and 6-8 as listed. Councilmember Sweeten seconded the motion. The motion passed 4-0; with Councilmember Mansell, Councilmember Sweeten, Councilmember Larsen, and Councilmember Mann all in favor.

Discussion and Consideration: Resolution 25-29—A Resolution of the City Council of the City of Nibley, Utah, Cancelling the November 4, 2025 Municipal Mayoral Race and Declaring the Unopposed Candidate, Larry E. Jacobsen, Elected to Office (First Reading)

Councilmember Larsen motioned for Councilmember Kay Sweeten to act as Mayor Pro-Tem for the action item. Councilmember Mann seconded the motion.

Ms. Bodily described her correspondences with Cache County Elections, who were helping facilitate Nibley City's 2025 municipal election. Ms. Bodily described the need for the City Council to pass Resolution 25-29 per new State election code, which took effect on May 7, 2025. Ms. Bodily asked the City Council to waive the first reading of the Resolution to meet the deadline for submission required by the State. Ms. Bodily told the City Council that she had all other election cancellation notifications ready for posting once the City Council had approved the Resolution.

Councilmember Mansell asked if this would save the City money. Ms. Bodily described that it would not. Councilmember Mann asked if about the write-in process. Ms. Bodily described that the write-in process deadline had expired.

Councilmember Larsen moved to approve Resolution 25-29—A Resolution of the City Council of the City of Nibley, Utah, Cancelling the November 4, 2025 Municipal Mayoral Race and Declaring the Unopposed Candidate, Larry E. Jacobsen, Elected to Office and waived the second reading. Councilmember Mann seconded the motion.

Voting on the motion to approve Resolution 25-29 was as follows:

Councilmember Larsen voted in favor.

Mayor Pro Tem Sweeten voted in favor.

Councilmember Mann voted in favor.

Councilmember Mansell voted in favor.

Councilmember Laursen was absent and did not vote.

The motion to approve Resolution 25-30 was unanimous 4-0; with Councilmember Larsen, Councilmember Mann, Mayor Pro Tem Sweeten, and Councilmember Mansell all in favor.

Mayor Jacobsen resumed his position on the dais and began chairing the meeting at 8:47 p.m.

Council and Staff Reports

Councilmember Mansell asked for the plans for the field trip the City Council had been invited to the following day. Mr. Maughan updated Councilmember Mansell.

Councilmember Mansell said he had a land swap idea. Mayor Jacobsen and Mr. Maughan asked Councilmember Mansell to speak with them. They could do any follow up that was advisable and the item may be brought to the City Council.

Councilmember Mann said she would not be participating in the field trip.

Councilmember Mann said she was excited about the new crosswalk at Anhder Park and 3200 South.

Councilmember Mann asked for follow up regarding announcement being placed for winter parking and wanted to ensure this was done during October.

Councilmember Mann questioned potential flip your strip projects on City property and asked for an update on this. Mr. Maughan committed to providing an update.

Councilmember Sweeten said an individual had approached her about contracted to create a flow chart on how residents could better understand how to better obtain information from the City and navigating ordinances. Mr. Maughan said he was interested in talking to the individual.

Councilmember Sweeten reported that she and Councilmember Laursen had received letters from Nathan Cureton regarding a gravel pathway. Their home backed onto the gravel pathway. It was their understanding that it was supposed to be a paved pathway and wanted to know if this was on the City's agenda to pave the pathway and if there were something they could do to facilitate the process. Mr. Maughan said he recollected that the intent was for the trail to remain gravel. Mr. Roberts said it was in their active transportation plan as a paved trail. Councilmember Sweeten asked if the City Council could get more information on what the project would cost so they'd have a better idea of what it would take to prioritized the project.

Mayor Jacobsen updated the City Council on indoor recreation feasibility studies, both Cache County's and Nibley City's.

Mayor Jacobsen described the Community Development Block Grant process and said applying for these at the Federal level had been problematic.

Mayor Jacobsen reported to the City Council about his first steps in finding a solution for speeding bicycles and scooters on sidewalks. He decided to put information in the City newsletter.

Mr. Roberts updated the City Council on winter parking reminders.

Mr. Roberts said there was another USU landscape architect and environmental planning course that would focus on the design of the park at Nibley Meadows and the surrounding area. There was a concept plan in the Parks and Rec Master plan but space had been added with Nibley Meadows that was not included and they felt they could consider more things. The students would present their ideas at USU, beginning to mid December.

Mr. Dickinson updated the City Council on development submittals including Ridgeline Park, Hawk Hollow, Heritage Parkway, and Nibley Meadows.

Mr. Dickinson updated the City Council about capital projects including the 3200 beacons and Heritage Parkway.

Mr. Dickinson updated the City Council on Phase 5 of 1200 west. The plan was a pave date of Wednesday, Thursday and Friday of the following week. They still wanted to keep the intersection at Nibley Park Avenue closed so they could work in barriers and bulbs until the 13th of October. The entire project should be done October 20th.

Mr. Dickinson updated the City Council on sample drilling at the new Nibley City well site.

Ms. Bodily reported on Meet the Candidates night on Monday, October 20th.

Ms. Bodily reported on the notification on winter parking in the October Nibley Newsletter.

Ms. Bodily discussed preferences for Open and Public Meeting Act training.

Mr. Wright reported on his excitement for the crossing at 3200 South and Anhder Park and felt would be well used.

Mr. Wright commented on indoor recreation and his communication with Hyrum City elected officials. He encouraged the City Council members to have discussions regarding collaborative efforts at the upcoming League of Cities and Towns conference.

Mr. Wright reported on the Northern Utah Recreation and Parks Association (NURPA) meeting held at Nibley City Hall that same day.

Seeing no objection, Mayor Jacobsen adjourned the meeting at 9:32 p.m.

Attest: Cheryl Bodily
City Recorder