

A Meeting of the Nibley City Council held at Nibley City Hall, 455 West 3200 South, Nibley, Utah, on Thursday, November 6, 2025.

OFFICIAL MINUTES OF THE MEETING
City Recorder Cheryl Bodily took minutes

Opening Ceremonies

Mayor Jacobsen discussed the recent municipal election. He compared the Federal level government to local level government and how invasive local government was. He felt people put up with this because local government provided services to residents that more directly affected their way of life, than any other form of government. Mayor Jacobsen then led the meeting in the Pledge of Allegiance.

Call to Order and Roll Call

Mayor Larry Jacobsen called the Thursday, November 6, 2025, Nibley City Council meeting to order at 6:32 p.m. Those in attendance included Mayor Larry Jacobsen, Councilmember Norman Larsen, Councilmember Nathan Laursen, Councilmember Erin Mann, and Councilmember Garrett Mansell. Justin Maughan, Nibley City Manager, Levi Roberts, Nibley City Planner, and Cheryl Bodily, Nibley City Recorder was also present. Councilmember Kay Sweeten was excused from the meeting.

Mayor Jacobsen recognized that Nick Kenczka, Nibley City Planning Commission Chair was in the meeting audience.

Approval of the Previous Meeting Minutes and Current Agenda

Councilmember Laursen moved to approve the October 16, 2025, meeting minutes and the evening's agenda. Councilmember Mansell seconded the motion. The motion passed unanimously 4-0; with Councilmember Laursen, Councilmember Mansell, Councilmember Larsen, and Councilmember Mann all in favor.

Public Comment Period

Mayor Jacobsen gave direction to the public present and opened the Public Comment Period at 6:34 p.m.

Nathan Welker of 4300 Hollow Road thanked city staff, the Mayor and City Council. He talked about the South Cache Valley Recreation Special Service District. Mr. Welker talking about the best time to plant a tree. His said if the district were approved and executed it would doubtlessly take several years to come to fruition. His family would mostly be grown and would likely have little direct benefit from the district but would have the indirect benefit of the added opportunity and services for those that came behind them.

Kendal Welker of 4300 Hollow Road said she felt along the same lines as her husband (Nathan Welker) as far as the South Cache Valley Recreation Special Service District. She

said the City Council was doing a great job and appreciated the time and effort staff and the City Council put in for Nibley citizens. Mrs. Welker told the City Council that she served on the Nibley City Parks and Recreation Advisory Committee and was frequently asked when indoor recreation was coming to the south end. She hoped the district passed and that she could tell citizens that "Nibley was on the way." She said the creation of the district would benefit others in the future and she was willing to support the district.

Seeing no further public comments, Mayor Jacobsen closed the Public Comment Period at 6:38 p.m.

Planning Commission Report

Nick Kenczka reported that during the last Planning Commission meeting they'd held another workshop on the R-2A Open Space subdivision code and felt they would have one more meeting with a full commission to finalize their standing on that Nibley City code and to finalize their recommendation. Mr. Kenczka reported the Planning Commission had a workshop on fencing standards and had given the City Planner their direction. He felt they would have a recommendation on fencing standards in their next meeting or two. Mr. Kenczka reported that the Planning Commission would have a general plan open house in the following week. He invited members of the City Council and Mayor to come to this open house and interact with the public at the open house.

Discussion: Representative Casey Snider

Mayor Jacobsen recognized State Representative Casey Snider who was present at the meeting.

Representative Snider said he had served the area in the last several years. He had recently been elected the majority leader at the State level, and he had additional responsibilities. Representative Snider felt the most pressing issues facing Cache County were water, energy, education, and housing. On the budget side, and as of last look, they were about \$500 million "in-the-hole" going into the next legislative session and a large portion of the imbalance was because of some changes with the Big Beautiful Bill and because of things the State now had to cover because the Federal government had withdrawn their support. Representative Snider said they had been building a long-term plan as to how water issues were funded. There would be discussion in the next month of a potential water fee. There was a need for \$1.1 billion for State water infrastructure having to do with replacement and growth. They felt the bulk of this money could be generated by local entities. The other thing that was also top-of-mind was the Governor's stance on zoning. Representative Snider said was opposed to what the Governor was pushing. He believed that fundamentally there was a need for local opinion. He felt the frustration was that they were not able to drive the price of housing down in the State. Representative Snider thought a better discussion should be around entitled lots and a more robust discussion of commercially owned homes and second and third, and fourth homes and how the market addressed them

from a taxing policy perspective. He said the Governor believed that they were not building fast enough.

Councilmember Mansell asked Representative Snider about zoning and why the Governor felt they should get rid of zoning. He thought they might see more sky rises and didn't think the State should be making decisions for Cache Valley. Councilmember Mansell said most surveys showed people wanted a detached, single-family home with a small private space and he didn't feel builders were providing this. Councilmember Mansell wanted to see more teamwork with less mandated zoning. Representative Snider felt the Governor was looking at Texas as a model, which had rather loose zoning requirements. He thought there would be some discussion of moving from a stick approach to a carrot approach. He felt transportation dollars might be freed up as a community promoted housing. Mayor Jacobsen felt the cities got away with less and less and he felt residents were resistant to change and residents were not happy when the city tried to solve the housing crisis. He didn't feel Nibley residents felt they were part in solving the housing crisis. He felt anger was being manifested in the polls. Mayor Jacobsen asked who would solve the housing problem? Representative Snider didn't think it would be either local government or the State. He felt it would be people who decided to subdivide their property and develop their property in a certain way. Mayor Jacobsen hoped the State would form a strategy to make sure that taxpayer investment got to the end of the road in terms of affordability; that tax-payer investment didn't reward developers, simply for developing. He wanted tax benefit to go to people who wanted to buy a house. Representative Snider said they leaned on the League [of Cities and Towns] quite a bit. He encouraged the City officials to work with League representatives.

Councilmember Laursen thought Representative Snider had represented Cache County well and looked forward to him being majority leader and continuing to represent Cache County. Councilmember Laursen wanted to see the State take harder more creative approaches to first-time home buyer things and changing mortgage rates to encouraging selling and not just developing. He felt Representative Snider's work on water and the budget would be interesting and tough. Councilmember Laursen offered help from Nibley City on the local level.

Councilmember Mann asked if Representative Snider could give them an overview about Utah Fits All (UFA) scholarships and funding of private schools instead of public-school options. Representative Snider said they were favoring more options but might be counterbalanced with a court ruling that was saying it was unconstitutional. He said the current scholarship funding was having more applications than they had money for. Representative Snider said the State needed to have discussion on what a private school was. He discussed skewed data regarding the number of private schools in the State. He also discussed how the money was being spent and that "people were spending money on stupid crap and it was the State's money" and that the money needed to be audited better. Representative Snider said he was worried that more and more they were seeing

parents abdicate their responsibility and that more and more the schools were involved in things that didn't involve education. Councilmember Mann said there was a huge contingency of women in Nibley that were home schooling and there was a division of approaches as to why and how people were home schooling.

Councilmember Mansell asked what the plan was with the battle between the legislature and the courts about the redrawing of maps. Representative Snider said there were those in the legislature that felt very strongly that the court had overstepped its bounds and that the legislature was the only body that had the power to draw maps and with how constitutional amendments were made. There was concern that the judge had set herself up with the position of failure. She had allowed plaintiffs in the case the opportunity to present their own maps, with no public input, and that she would pick. Representative Snider hoped the judge would make a ruling and select the begrudgingly redrawn maps and they would continue to sue the courts, who would decide the separation of powers issue and the legislative versus judicial powers. If the judge did not select the map that they had redrawn, Representative Snider suggested the City Council should "buy popcorn" because they would take extraordinary measures at that point.

Councilmember Larsen left the meeting at 7:14 p.m.

Mayor Jacobsen asked about taxes and believed that most every tax had inflationary pressures based into the taxing strategy. The notable difference was property tax and in order for Nibley City to keep up with inflationary pressures, they had to go through the onerous truth in taxation processes. He asked if Representative Snider was interested in building inflationary measures into the property tax without going through truth in taxation. Representative Snider replied that he didn't know what the appetite would be. The Legislature was feeling significant push back from huge swings in property tax. If they were going to have a discussion about how much they would allow in any one particular year, they should have a discussion of what they should relative to inflation. Mayor Jacobsen said this might encourage school districts to keep up with the process and have truth in taxation more often. Representative Snider said the House was encouraging an across the board 5% cut and encouraged the City to consider doing the same.

Representative Snider said he would be interested in meeting with the City Council more often. Mayor Jacobsen thanked Representative Snider for his availability and for helping the City drill a new well.

Public Hearing: Notice of intention to establish the South Cache Valley Recreation Special Service District

Nibley City's Attorney, Eric Johnson, participated in the meeting electronically.

Mr. Maughan briefed the City Council and public that the recreation special service district would consist of Nibley City's limits and would create an entity or framework to

invite other municipalities join and try to construct some sort of recreation facility. Nibley City was trying to set the foundation or framework to have others join them and answer some questions, and at some point in the future take a plan to the citizen to vote to make the decision to move forward and be taxed for a recreation facility. If no one joined the district, then the district meant nothing. This would set up the framework and allow the process to happen Mr. Maughan said the public had a certain amount of time to file a protest. If enough protests were filed, then the establishment of the district was not possible. Mr. Johnson added that people already had the opportunity to file a protest, and the public had another 60 days to file a protest and at the end of the 60 days the City Council would see if it was still in the discretion of the City Council to move forward. The creation of the district did not grant the district any taxing authority. The district had to be created and then the question would be presented to the citizens of whether to grant the district taxing authority.

Mayor Jacobsen opened the public hearing at 7:24 p.m.

Mariah Smith who lived in Nibley near Anhder Park. She said she was in favor of the creation of the special service district and felt the area which the recreation center would serve would involve more than just Nibley City. Ms. Smith asked the timeframe to have other municipalities collaborate with Nibley City. Mr. Johnson said there was not a statutory deadline but they needed to hear from other municipalities in the next 6-8 months so they would know who was “in the boat” and they could make decisions of what the recreation district would do based on who joined.

Nathan Balstead, a resident of Providence, asked what other municipalities were involved in the district. Mayor Jacobsen summarized that Nibley City had engaged with Providence, Millville, Hyrum, Wellsville, and Paradise and shared that they’d surveyed those towns and described future public meetings with Hyrum and Wellsville. Mr. Balstead said he was in favor of a recreation district. Councilmember Laursen encouraged Mr. Balstead to let his local officials know.

Caitlyn Madsen said indoor rec was what spurred her to join the Nibley Parks and Recreation Advisory Committee and that being part of the process had been interesting. If they really wanted to do a rec center a special service district was what needed to happen. She said if they could get with surrounding communities this gave more opportunities and more to work with in a rec space. She said Nibley would need to keep leading the way. Ms. Madsen said she was in favor of the special service District.

Seeing no other public comment, Mayor Jacobsen closed the public hearing at 7:31 p.m.

Discussion and Consideration: Ordinance 25-31—Amending NCC 11.02.020 and 11.02.040 Parking Regulations for Non-motorized Equipment, Unregistered and Inoperable Vehicles (Second Reading)

Mr. Roberts was the lead on this discussion. He summarized an electronic presentation titled, *Parking Regulation for Non-motorized Equipment, unregistered and Inoperable Vehicles* (please see the printed meeting minutes to reference the presentation). The topics he discussed included the following: Update for 11/6/25.

Councilmember Laursen discussed visibility of trailers parked on Nibley City streets. He'd proposed language that included time, place, manner type restrictions of when one might not be able to see a trailer. He felt they were going too far saying a resident couldn't park a trailer on the road in the middle of the day while doing work in the yard. His language was trying to balance these things.

Councilmember Laursen moved to continue Ordinance 25-31—Amending NCC 11.02.020 and 11.02.040 Parking Regulations for Non-motorized Equipment, Unregistered and Inoperable Vehicles to the next City Council meeting. Councilmember Mann seconded the motion.

Mr. Roberts showed the wording that had been proposed by Councilmember Laursen:

"Parking of Non-Motorized and Uncoupled Equipment:

No person shall park, place, or allow to remain any Non-Motorized Equipment or Uncoupled Trailer on any Public Street, Public Right-of-Way, or Public Parking Facility during the period when motor vehicle headlights are required to be lighted as defined by state law. This period is defined as one-half hour after sunset to one-half hour before sunrise, and at any other time when there is not sufficient light to render clearly discernible persons and vehicles at a distance of five hundred (500) feet.

This prohibited equipment includes, but is not limited to: trailers unhitched from a motorized vehicle, All-Terrain Vehicles (ATVs), personal watercraft (PWC), and unattached snow plows or implements. Any equipment violating this section is hereby declared a public nuisance and shall be subject to immediate citation and impoundment."

Councilmember Laursen felt staff and the City Council should follow up on, and put some thought into, 11.02.04 (B), which referenced parking provisions contained in the Utah State code. He asked for clarity on the rules the City had to have that were similar to State code and whether just referencing State code was enough. He wanted to know where State law stopped, and Nibley City ordinance stepped in. Mr. Roberts said he was very certain there was a provision in Utah code for parking restriction that applied to all public streets, and not just highways. Mr. Roberts thought it was sometimes helpful to be redundant with State code.

Councilmember Laursen referenced the definitions section of the code and said “lawfully operate” was still too vague and felt there was an opportunity to defer to some State traffic code definitions.

Councilmember Laursen referenced 11.02.04 C.1. and removing the phrase “two or more right” because the language above referred to parking along streets being parallel and that it should be in the direction of traffic unless it was a one-way street.

The motion to continue Ordinance 25-31 passed unanimously 3-0; with Councilmember Laursen, Councilmember Mann, and Councilmember Mansell all in favor.

Discussion and Consideration: Resolution 25-35—2026 City Council Meeting Schedule (First Reading)

Ms. Bodily was the lead on this discussion. She presented an annual calendar showing the proposed 2026 City Council meeting schedule. The calendar proposed 15 City Council meetings in 2026. The calendar included holidays, local school breaks, and conferences the City Council members typically took part in. Ms. Bodily discussed why some meetings on the calendar did not follow sequentially with holding a City Council meeting every three weeks. Ms. Bodily reminded the City Council that the presented calendar was only a draft, and the City Council had every opportunity to suggest alternate meetings or could go through the process to hold a special meeting during the upcoming calendar year. Ms. Bodily said the Resolution kept the City Council meeting time at 6:30 p.m.

Councilmember Laursen moved to approve Resolution 25-35—2026 City Council Meeting and waived the second reading. Councilmember Mann seconded the motion.

Mayor Jacobsen described the cadence of a meeting every three weeks and noted that they ended up with 15 meetings.

Voting on the motion to approve Resolution 25-35 was as follows:

Councilmember Laursen voted in favor.

Councilmember Mann voted in favor.

Councilmember Mansell vote in favor.

The motion passed unanimously 3-0; with Councilmember Laursen, Councilmember Mann, and Councilmember Mansell all in favor.

Seeing no objection, Mayor Jacobsen called a meeting recess at 7:54 p.m. The meeting resumed at 8:03 p.m.

Public Hearing: Ordinance 25-33—Amending NCC 7.04 Modifications to Weed, Grass and Brush Height Restrictions

Mr. Roberts was the lead on this discussion. He summarized an electronic presentation titled, *Weed Ordinance Modifications* (please see the printed meeting minutes to reference the presentation). The topics he discussed included the following: Summary of Recommended Changes, and Questions for consideration

Mayor Jacobsen opened the public hearing at 8:12 p.m.

Angelica Gardner of 2617 South Main asked how the ordinance would apply regarding ditches. She had a ditch that ran on the other side of her fence, and the weeds were always high. Mr. Roberts said it would depend on if the ditch were along an area of agricultural production or if it were close to a roadway. If the ditch was within 5 feet of a roadway the weeds would need to be maintained to under 12 inches. Mayor Jacobsen said it seemed the way the ordinance was written that it wouldn't apply to ditches or fences.

Seeing no other public comments, Mayor Jacobsen closed the public hearing at 8:14 p.m.

Discussion and Consideration: Ordinance 25-33—Amending NCC 7.04 Modifications to Weed, Grass and Brush Height Restrictions (First Reading)

Councilmember Mansell questioned if section C could be extended from 24 hours to 48 hours.

Councilmember Mansell moved to approve Ordinance 25-33—Amending NCC 7.04 Modifications to Weed, Grass and Brush Height Restrictions with the amendment of section C being changed to 48 hours, for first reading. Councilmember Laursen seconded the motion.

Councilmember Laursen questioned enforceability and asked how they tried to enforce agricultural land. He asked if notifications were mailed. Mr. Roberts agreed that in most instances the notifications were mailed. The onus was put on the property owner and not on a potential tenant that may live on the property. Councilmember Laursen asked about language that referenced agricultural production and encouraged staff to recognize how they would determine this and perhaps by zone. Mr. Roberts felt they should define this and that they could broaden the language. Councilmember Laursen said he was concerned mostly with private conservation areas. He encouraged staff to drive around and anticipate how they would apply these codes.

The motion passed unanimously 3-0; with Councilmember Mansell, Councilmember Mann and Councilmember Laursen all in favor.

Discussion and Consideration: Acceptance of an Annexation Petition for further Consideration for Real Property into the Municipal Boundaries of Nibley City at approximately 5325 S Hollow Road, Nibley, with parcel numbers 01-003-0010, 01-003-

0011, 01-003-0028, and 01-003-0029, totaling 28 acres (Applicant: Rachel S. Hansen and Trevor D. Hansen)

The applicant, Trevor Hansen, Lance Anderson, with Cache Landmark Engineers, and Nathan Balstead were present for this discussion.

Mr. Roberts was the lead on this discussion. He summarized an electronic presentation titled, *Hansen Annexation Petition* (please see the printed meeting minutes to reference the presentation). The topics he discussed included the following: Background and Recommendation. Mr. Roberts presented conditions of approval that City Council should consider with a recommendation:

1. *"The creation of the unincorporated peninsula must be approved by the Cache County Council*
2. *The applicant must pay the cost of running the City's water model to evaluate the adequacy of water pressure in the proposed annexation area."*

The City Council and Mr. Roberts discussed the boundaries of the annexation and a road connecting the proposed annexation area to Nibley City. The City Council and Mr. Anderson discussed the Rural Estate zone and utilizing the Cluster subdivision code.

Councilmember Mann moved to approve Acceptance of an Annexation Petition for further Consideration for Real Property into the Municipal Boundaries of Nibley City at approximately 5325 S Hollow Road, Nibley, with parcel numbers 01-003-0010, 01-003-0011, 01-003-0028, and 01-003-0029, totaling 28 acres (Applicant: Rachel S. Hansen and Trevor D. Hansen). Councilmember Laursen seconded the motion.

General consent was given to include staff's recommendations in the motion.

1. *"The creation of the unincorporated peninsula must be approved by the Cache County Council*
2. *The applicant must pay the cost of running the City's water model to evaluate the adequacy of water pressure in the proposed annexation area."*

The motion passed unanimously 3-0; with Councilmember Mann, Councilmember Laursen, and Councilmember Mansell all in favor.

Workshop: Discussion on Utility Rates for Detached Accessory Dwelling Units

Mr. Maughan described that Nibley's Treasurer and Assistant Recorder had come to him and reported that Nibley City had unintentionally not been following current code regarding utility fees for detached accessory dwelling units (ADU). Staff was seeking the City Council's direction before amended code was brought back to the City Council for approval. Mr. Maughan summarized that current code required detached accessory dwelling units are charged a base rate for water and sewer rates, but no other utility rates were referenced. Staff had the idea to charge half a base rate for accessory

dwelling units. Mr. Maughan said there were 8 detached accessory dwelling units in Nibley City.

Councilmember Mansell and Mr. Maughan discussed that the primary dwelling often added an additional garbage can to their utilities as a less expensive way of getting garbage service for an ADU. Mr. Maughan summarized additional fees that could be assessed to an accessory dwelling unit, which included a stormwater fee, 911 communication fee and an EMS fee which added an additional \$44/mo. He said Current Nibley City code stated the ADU would be charged a base sewer and water rate, but these were the only bills in the current code.

Mayor Jacobsen felt ADUs were a great idea. Mr. Maughan noted that state code prohibited collecting impact fees or additional fees for internal ADUs. The Council discussed the number of internal versus external ADUs in Nibley City. Councilmember Mann said she was leaning towards not charging fees. They discussed that it would be difficult to retroactively charge these fees in the future if there to be a great number of ADUs. Councilmember Laursen asked for clarification of billing on townhomes and condos. Mr. Maughan described how this was continually debated. Current staff does everything they can to supply an individual meter for every individual unit. Nibley had gone to every unit having a 1" meter and were charged a reduced impact fee and monthly base rate fee. Mr. Roberts said another issue with ADUs was that a lot of them were guest houses and were not occupied often. There was a provision in code that allowed a rebate of impact fees for ADU if it was rented affordably and no one had approached the City for the rebate.

Councilmember Laursen said he was second guessing their decisions and would think about how it would be addressed. Mr. Maughan suggested staff would bring back proposed code that would make it clear there would be no fees for detached ADU.

Mr. Maughan and Councilmember Laursen discussed the cons of individual meters on ADU. Mr. Roberts said ADU is allowed the option of a separate meter after paying a full impact fee. Mayor Jacobsen said he was thinking they didn't charge a utility fee for a detached ADU.

Council and Staff Reports

Councilmember Laursen said he had been getting more engaged with 1200 west and there had been a lot of frustrations with bike lanes being used by city staff, construction crews and even "randos." They needed to eliminate vehicle travel on those lanes. He'd gotten a lot of good suggestions from citizens that he would share with staff.

Councilmember Laursen recalled the City Council had specifically asked for follow up in December and felt this would be a good time to address these issues.

Ms. Bodily asked the City Council to plan on a meeting to Canvass the results of the 2025 election on Monday, November 17 at 12:00 p.m. There would be a way to participate electronically.

Ms. Bodily asked the City Council to RSVP for their provided Thanksgiving Turkey.

Mr. Maughan reported that the annual meeting for the Nibley Blacksmith Fork Irrigation Company was coming up. Changes to bylaws would be considered which should be posted on a newly constructed website for the company. The meeting should be the first week or two in January. He felt things had improved in the organization and things felt more amicable.

Mr. Maughan reported he'd reached out to individuals regarding snakes in a resident's yard. He's been unable to connect with the individuals but would keep working on this issue.

Mr. Maughan reported on working with the Nibley City Public Works staff and asked the City Council to express their appreciation to the Public Works staff. They had a great Public Works crew.

Seeing no objection, Mayor Jacobsen adjourned the meeting at 9:39 p.m.

Attest:



Cheryl Bodily
City Recorder