

A Meeting of the Nibley City Council held at Nibley City Hall, 455 West 3200 South, Nibley, Utah, on Thursday, March 12, 2026.

OFFICIAL MINUTES OF THE MEETING
City Recorder Cheryl Bodily took minutes

Opening Ceremonies

Councilmember Garrett Mansell discussed finding balance and quoted Albert Einstein:

"Life is like riding a bicycle. To keep your balance, you must keep moving."

Councilmember Mansell said the quote was given on February 5, 1930, and Einstein was speaking to his son Edward, who was struggling with emotional and physiological challenges. He was writing letters of encouragement to gently remind him to keep moving forward emotionally, intellectually, because balance helps maintain stability and balance requires motion.

Councilmember Mansell read, *"If Einstein were sitting across from you today, trying to juggle work, relationships, service and general chaos of being human, he probably wouldn't hand you any formula. That was never his style. He would lean in and simply say 'balance, isn't something you find. It's something you continually create, through motion, curiosity, and honest reflection.'"* Councilmember Mansell said he thought as they tried to find balance, they needed to create the balance that we wanted, in order to continue to find the balance they were hoping. It was created and not found.

Councilmember Mansell led the meeting in the Pledge of Allegiance.

Call to Order and Roll Call

Mayor Larry Jacobsen called the Thursday, March 12, 2026, Nibley City Council meeting to order at 6:31 p.m. Those in attendance included Mayor Larry Jacobsen, Councilmember Nathan Laursen, Councilmember Erin Mann, Councilmember Garrett Mansell, Councilmember Nick Kenczka, and Councilmember Randy Spaulding. Justin Maughan, Nibley City Manager, Levi Roberts, Nibley City Planner, Tom Dickinson, Nibley City Engineer, and Cheryl Bodily, Nibley City Recorder was also present.

Approval of the February 19, 2026, Meeting Minutes and Current Agenda

Councilmember Mansell moved to approve the February 19, 2026, meeting minutes with clerical corrections and the evening's agenda. Councilmember Kenczka seconded the motion.

Mayor Jacobsen made a motion to amend the 2-19-26 meeting minutes to include the word "board member" on page 4, line 13, and received no objection to the amendment.

The motion passed unanimously 5-0; Councilmember Mansell, Councilmember Kenczka, Councilmember Laursen, Councilmember Mann and Councilmember Spaulding 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.

John Reynolds of 3515 S 550 W had documentation of communication he'd emailed to the City Council and City staff (a printed copy of this documentation is included in the printed meeting minutes) Mr. Reynolds described that he'd received a notice of violation regarding the shed on his property that sat in the utility easement, and as he had learned, the defined setbacks. Mr. Reynolds had suggestions of how to update setback laws. He thought there should also be an owner's risk policy regarding easements. Mr. Reynolds described that he knew he'd put his shed in an easement but understood there was the risk of needing to remove his shed if the easement were needed and that it would be his responsibility to move the shed. Mr. Reynolds told the City Council that he'd been given 45 days to comply. Mayor Jacobsen said the City Council would discuss holding off moving forward on enforcement in their code enforcement workshop.

Leslie Maughan of 3337 S 1380 W also wanted to talk about sheds. She described talking with a code enforcement officer about her shed being too close to her house. She also described her conversations and the time she'd taken with City staff and Mayor Jacobsen. She described how it had been determined that her shed was not out of compliance. Ms. Maughan said she was asking the City Council to consider why this had happened, the chain of events that had led to the code enforcement officer to come to her house. Ms. Maughan asked the City Council to consider what could be done to make building a shed a much friendlier process and had suggestions to make the process easier, like the Nibley City fence code.

Dylan Hunter at 905 W 2450 S thanked the City Council and Mayor for their time. He proposed the City Council build a skate park in Nibley City of approximately 17,000 ft.² to 22,000 ft.² He'd done calculations that a 17,000 ft.² park would cost roughly \$850,000 while a 22,000 ft.² square-foot skate park would cost upwards of 1.1 million. Mr. Hunter described the lack of options for recreation for individuals his age and the benefits of a skate park. He requested the City Council have skate park built before he graduated in 2030.

Arriane Murray of 619 3430 S, and phase 1 of the Mount Vista subdivision, said she was there about a shed too. Ms. Murray requested a review and revision of the current city code and public mapping systems to ensure residents could accurately perform their due diligence and follow the city code within reasonable limits. Ms. Murray described the process undertaken in October 2025 to construct their shed and said they'd received

a courtesy notice ticket the previous day that stated they hadn't met the city code for their shed. Ms. Murray said they believed they acted in good faith and had done their due diligence. Ms. Murray requested the following: 1-a stay on enforcements for residents who can prove they relied on incomplete or inaccurate mappings or information from the City, 2-updating public facing plat maps so that blanket easements are clearly labeled on the Nibley City website, and 3-update to invisible or vague city codes on the municipal code website, so that citizens could exercise fully informed due diligence.

Seeing no further public comments, Mayor Jacobsen closed the Public Comment Period at 6:56 p.m.

Planning Commission Report

Mr. Roberts reported that, other than a rezone on the current City Council agenda, the Planning Commission had heard a conditional use permit for Nibley City for a utility substation for the City's well house. This was reviewed and approved as presented.

Acceptance of a Contract with Method Consulting for Completion of the Nibley City Transportation Master Plan Update

Mr. Dickinson reviewed that the Transportation Master plan was last adopted in 2019 with an update to the Streets plan in 2021. Staff had publicly advertised in RFP to update the Nibley City Transportation Master plan and received four proposals, one of them from AE Com, who'd done the previous Transportation Master plan, one from Galloway, Jones and DeMille, and Method Consulting. Mr. Dickinson described the ranking process taken by the team assembled to evaluate the proposals. The fee was not weighted heavily because they had \$50,000 in the current year's budget and a \$50,000 matching grant. All proposals came in right under the hundred thousand dollars. Method Consultants had been unanimously chosen at a contract price of \$99,976.

Councilmember Kenczka questioned the general costs of a master plan and referenced the General Plan. Mr. Roberts said the cost of the General Plan was \$80,000. Mr. Dickinson described components of the Transportation Master Plan.

Councilmember Mann moved to accept the Contract with Method Consulting for Completion of the Nibley City Transportation Master Plan Update. Councilmember Kenczka seconded the motion

Councilmember Mann clarified discrepancies she'd found in the compensation amounts.

The motion passed unanimously 5-0; with Councilmember Mann, Councilmember Kenczka, Councilmember Laursen, Councilmember Mansell, and Councilmember Spaulding all in favor.

Discussion and Consideration: Ordinance 25-36—Amending NCC 21.10.020 Open Space Subdivision, Including Requirements for Setbacks, Lot Size Standards, and Variation (Second Reading-Continued)

The City Council and staff discussed the proposed Open Space Subdivision code with the R-2A zone taken out, as removed by the City Council at their previous meeting. Mr. Roberts said that previously, within the code, open space subdivisions were allowed in an R-2A zone, but there wasn't really much incentive to do it. A proponent could still do a cluster subdivision in an R-2A zone if they wanted to preserve space. That essentially accomplishing the same thing as the open space subdivision and the direction the Council was going.

*Voting on the motion to approve Ordinance 25-36 was as follows:
Councilmember Laursen voted against.
Councilmember Mann voted against.
Councilmember Mansell voted in favor.
Councilmember Kenczka voted in favor.
Councilmember Spaulding voted in favor.*

The motion passed unanimously 3-2; with Councilmember Kenczka, Councilmember Mansell, and Councilmember Spaulding in favor. Councilmember Laursen and Councilmember Mann were opposed.

Public Hearing: Ordinance 26-02: Rezone Parcel 03-017-0019, Located at 1405 W 3200 S, from Residential (R-2) to Residential (R-2A)

Mr. Roberts gave an informational presentation to give context to the City Council and public present. He used a PowerPoint presentation titled *1405 W 3200 S Rezone* (a printed copy of this presentation is included in the written meeting minutes). The topics Mr. Roberts discussed included the following: Background, a view of the parcel using the Cache County Parcel Viewer, Applicant Statement, Site Context, a view of the Nibley City Zoning Map, General Plan Guidance, and Planning Commission & Staff Recommendation:

"Approval of Ordinance 26-02: Rezone Parcel 03-017-0019, Located at 1405 W 3200 S from Residential (R-2) to Residential (R-2A) with the findings noted below

Staff Recommended Findings

- 1. The application is in support of the Nibley City General Plan and Future Land Use Map.*
- 2. The zoning is compatible and consistent with zoning and development in the surrounding area."*

Mayor Jacobsen opened the public hearing to receive comment regarding Ordinance 26-02 at 7:15 p.m.

Seeing no comments, Mayor Jacobsen closed the public hearing at 7:15 p.m.

Discussion and Consideration: Ordinance 26-02: Rezone Parcel 03-017-0019, Located at 1405 W 3200 S, from Residential (R-2) to Residential (R-2A) (First Reading)

Josh Low, representing the developer was present at the meeting.

Councilmember Mansell asked if the applicant applied for an open space subdivision, if they would fall under the old regulations or be held to the open space regulations the City Council had just approved. Mr. Roberts said the applicant was not vested under any application they'd submitted. The last rezone was denied and by extension the subdivision was denied because the rezone was a condition of approval.

Councilmember Mansell moved to approve Ordinance 26-02: Rezone Parcel 03-017-0019, Located at 1405 W 3200 S, from Residential (R-2) to Residential (R-2A) for first reading. Councilmember Kenczka seconded the motion.

Councilmember Laursen said the area was not what he'd hoped they would get. He said the Council had taken the easy route. He assumed the development will be pretty similar to Heritage Crossing and had noticed that that specific development was raised significantly. He asked if it was going to be a similar experience. He questioned if they were going to have to bring in quite a bit and almost be elevated compared to development to the west and north. Mr. Dickinson said the road that came through and looped to 1200 W. on a previous plan was raised about 4-feet and would imply that the other lots would need to be raised to meet that elevation.

Mr. Low said this property rezone had been going since 2023. He felt like they'd kicked the tires on open space long enough. He thought everyone could agree that it was reasonable to go from the R-2 zone to R-2A. He said they'd tried their best to do stuff for the community and thought this was a very reasonable request. He hoped the Council would see that they'd tried their hardest to look at every angle. They were trying, as private landowners, to get the same benefits to their land as everyone else around them.

Mayor Jacobsen asked Mr. Dickinson about water covering that area at certain times. He asked Mr. Dickinson if he could anti-gravity the issue for them. Mr. Dickinson said this could be done through a rezone agreement with the developer. They had codes to guide this through a rezone agreement or a development agreement. Mr. Dickinson discussed the opportunity they had to address groundwater at the previous application and described how the groundwater would have flowed.

The motion to approve Ordinance 26-02 for first reading passed unanimously 5-0; with Councilmember Mansell, Councilmember Kenczka, Councilmember Laursen, Councilmember Mann, and Councilmember Spaulding all in favor.

Councilmember Laursen directed staff to engage with the proponent in a possible rezone agreement to discuss groundwater.

Public Hearing: Ordinance 26-03—Adding Nibley City Code 5.06.040 Transient Room Tax

Mr. Maughan reported that Nibley City was one of the few cities that didn't charge transient room tax. It was a 1% tax that was put on short-term rentals such as VRBO's and anything that was a less than 30-day kind of hotel stay. Staff had run the ordinance through the attorney, and he'd checked off on it. Mr. Maughan recalled that Nibley City only had approximately 12 short-term rental properties in the City, so this ordinance was really getting them set up for the future. Those 12 people have been notified by email that this was coming before the Council. Mr. Maughan described that one of the things staff was doing now with business licenses, was ensuring that business owners agree that email was their official correspondence with the City. Mayor Jacobsen asked how this tax would be collected. Mr. Maughan believed the tax was handled the same as sales tax.

Mayor Jacobsen opened the public hearing to receive comment regarding Ordinance 26-03 at 7:31 p.m.

Seeing no comments, Mayor Jacobsen closed the public hearing at 7:32 p.m.

Discussion and Consideration: Ordinance 26-03—Adding Nibley City Code 5.06.040 Transient Room Tax (First Reading)

Councilmember Kenczka moved to approve Ordinance 26-03—Adding Nibley City Code 5.06.040 Transient Room Tax for first reading. Councilmember Mann seconded the motion.

Councilmember Kenczka said he was in favor of this tax. He didn't think the tax impacted Nibley's citizens and put Nibley in line with everyone else in the State. They lived in a beautiful valley and people wanted to visit it. Councilmember Spaulding asked what other cities around Nibley were doing with this topic. Mayor Jacobsen believed the 1% rate was established by State code. Mr. Maughan thought 1% was the maximum and was not sure if they could charge less. He said he would figure this out before the second reading of the ordinance. Councilmember Mann asked if Nibley had guidelines about short-term rentals in Nibley City code. Mr. Roberts said this had been discussed at the Planning Commission, who'd decided not to put strict guidelines because Nibley hadn't had a big problem with short-term rentals and didn't see a big problem coming. Mr. Roberts described that Nibley required a fire inspection and they could only have one short-term rental per household. Councilmember Mann reported on short-term rentals she'd researched in Nibley.

The motion passed unanimously 5-0; with Councilmember Kenczka, Councilmember Mann, Councilmember Laursen, Councilmember Mansell, and Councilmember Spaulding all in favor.

Discussion and Consideration: Resolution 26-06—Adoption of the Nibley City Storm Water Master Plan (Second Reading)

Councilmember Laursen moved to approve Resolution 26-06—Adoption of the Nibley City Storm Water Master Plan. Councilmember Mansell seconded the motion.

Voting on the motion to approve Resolution 26-06 was as follows:

Councilmember Laursen voted in favor.

Councilmember Mann voted in favor.

Councilmember Mansell voted in favor.

Councilmember Kenczka voted in favor.

Councilmember Spaulding voted in favor.

The motion passed unanimously 5-0; with Councilmember Laursen, Councilmember Mansell, Councilmember Mann, Councilmember Kenczka, and Councilmember Spaulding all in favor.

Seeing no objection, Mayor Jacobsen called for a meeting recess at 7:40 p.m. The meeting resumed 7:53 p.m.

Discussion and Consideration: Ordinance 26-01—Adoption of the Nibley City General Plan (Second Reading-Continued)

Mr. Roberts gave an informational presentation to give context to the City Council and public present. He used a PowerPoint presentation titled *Nibley General Plan Update: Nibley Forward* (a printed copy of this presentation is included in the written meeting minutes). The topics Mr. Roberts discussed included the following: Update for 3/12, the existing Land Use Map, Future Land Use Map, Future Land Use: Policy Direction, Annexation, Transportation, Economic Analysis: Summary, and Economic Recommendations: Policy Direction.

Councilmember Kenczka referred to page 37 of the proposed plan and suggested a correction to code 10.21.201, referenced under Housing Analysis. Councilmember Kenczka asked if anyone had seen a published ratio on what a healthy city looked like as far as development types. He questioned what a benchmark ratio of all things like that would be for Nibley in general. Councilmember Spaulding asked for the percentage of attached versus detached housing in Nibley City. Mr. Maughan estimated that it was 15-20%. Councilmember Spaulding said the citizens had expressed they wanted to keep a small-town feel and questioned at what point it was not. In his research he'd concluded that 20-25% was the threshold, but there was no real data. Mr. Roberts said some of the bigger subdivisions that had been approved had a mix of single-family and attached housing. He thought it was healthy to respond to the market and keep housing mixed.

Consensus was given to correct a potential incorrect reference to State code.

Mayor Jacobsen felt they had a disconnect between some of the public input they'd received and what was planned in the General plan. Mayor Jacobsen presented potential language to be included in the Housing section of the General Plan

"This plan considers how we will grow housing opportunities in the coming years. An equally important question, and one that was discussed while writing this plan, is if Nibley should grow by increasing housing opportunities. As shown by the citizen outreach, many of us value our small-town heritage and wish for the Nibley that we were either born in or moved to. Because we value the Nibley of today, we resist changing the Nibley of tomorrow, even if our moving here changed the Nibley of yesterday.

Utah and Cache County are in the middle of a housing crisis, and lack of affordable housing puts home ownership beyond reach for many of our children and grandchildren. Should our community help solve that housing crisis? If not, then who will? Each year, the State Legislature shows an increased willingness to make land-use decisions that were previously reserved for local municipalities. Most of us could not afford the houses we currently own if we had to re-purchase them at today's prices. That seems to imply that maintaining the status quo cannot solve the housing problem.

This plan tries to balance individual property rights with the rights of our community. We desire open space, including agricultural fields. However, it is a struggle to buy that open space outright or to buy the development rights of that open space. Cache County and the State of Utah embrace a "right to farm". If a farmer decides to stop farming or a farmer's heirs don't want to farm, does that family have the "right not to farm" and sell their land?

Changes are difficult. It can be even more difficult if we ignore it and allow somebody else to shape that change. Nibley has already been impacted by development on our northern border by a neighboring city. The same possibility exists on our southern border.

For these reasons, this plan admits to the inevitable pressure for growth. It attempts to honor and preserve our heritage while managing change to create a Nibley we can continue to be proud of."

Councilmember Spaulding said he liked what the Mayor had proposed, but he felt there was a disconnect. The data and comments didn't reconcile with the plan. He suggested they remove some of the mixed housing on the zoning map and make it detached housing. He said they could recognize the mixed housing but say they wanted more detached housing. Councilmember Mansell asked for more information regarding a

meeting with neighbors from the south. He asked if there was more information to drive from the meeting? Mayor Jacobsen reported there was a meeting, coordinated by JUB Engineering, between Nibley City and Hyrum City to talk about the 4400 south corridor. He couldn't predict where the meeting would go. Mayor Jacobsen had reached out to JUB and said Nibley City's involvement in the corridor process depended on whether Nibley was north of the road or whether the road was encapsulated in Hyrum.

Councilmember Spaulding said there was too much zoning mixed-residential use and attached housing. They had too much mixed-residential as they moved inland. He wanted to see them try smaller detached housing and wanted to put this on the future land use map, keeping a threshold of 20% detached housing. He suggested they plan for the City Council to look at the future land-use map, annually. The City Council and Mayor held discussion debating single family detached homes versus attached housing, keeping a small-town, rural feel, agricultural zones, and transfer of development rights.

Councilmember Kenczka said he had proposed wording for a description of Residential Mixed:

"Residential Mixed Description

This designation provides the flexibility to apply any of Nibley's residential zoning categories, allowing areas to develop as traditional detached single-family neighborhoods, mixed-form areas, or a blend of both. By applying the specific residential code that best fits the local context, this category supports long-term adaptability and housing choice while maintaining a cohesive community character. It accommodates a wide range of formats—including various single-family lot sizes, duplexes, townhomes, cottage clusters, and low- to medium-density multifamily housing—depending on which zoning standards are most appropriate for the specific site and its surroundings.

Add all residential zones to related zoning"

Mayor Jacobsen talked about the use of development agreements.

Councilmember Laursen referenced additional training such as communication plans and workshops on page 41 of the proposed General Plan. He discussed the learning process and constantly engaging the entire community and getting community input on some of the City's strategies and some of the other aspects of the City. Councilmember Mann directed staff to a grammatical error on page 42, under Strategy 6. General consent was given for Mr. Roberts to make grammatical corrections to this section. Councilmember Spaulding discussed incorporating more deed restrictions to provide affordable housing. The Mayor and City Council discussed and debated deed restrictions.

Councilmember Laursen made a motion to amend Ordinance 26-01, to insert Mayor Jacobsen's suggested wording, at the very beginning of the "V. Housing" section before the "Demographics and Analysis" section and including the heading, "Introduction and Background ". Councilmember Kenczka seconded the motion. The amendment passed 5-0; with Councilmember Laursen, Councilmember Kenczka, Councilmember Mann, Councilmember Mansell, and Councilmember Spaulding all in favor.

Councilmember Laursen moved to continue Ordinance 26-01—Adoption of the Nibley City General Plan. Councilmember Mansell seconded the motion.

Mr. Roberts questioned if the City Council wanted to continue red lining the proposed document or if they wanted a clean version to consider? Councilmember Laursen and Mayor Jacobsen directed that red-lined copy was fine. Councilmember Kenczka directed that there were a couple parcels on the zoning map that had zonings that the map contradicted with. Mr. Roberts clarified that Mixed Residential could allow for detached housing and the same uses the properties had been zoned, but the Council could adjust those areas to be more appropriate for sure. Mayor Jacobsen asked the City Council to focus on the plan's proposed zoning for their discussion at their next meeting. Councilmember Laursen suggested they put the next consideration of the General Plan on a very light agenda and said he was leaning towards an additional City Council meeting. Councilmember Mann requested follow-up regarding a meeting being held with Hyrum and engineering consultants, JUB.

The motion to continue Ordinance 26-01 passed unanimously 5-0; with Councilmember Laursen, Councilmember Mansell, Councilmember Mann, Councilmember Kenczka, and Councilmember Spaulding all in favor.

Discussion and Consideration: Denial of the Nielsen, Albertson, Ropelato Annexation Petition for Real Property into the Municipal Boundaries of Nibley City for Parcels 03-049-0010, 03-049-0011, and 03-049-0013, Located at Approximately 3600 South 1500 West

Mr. Roberts described a former annexation petition at which there was no action taken. A portion of the annexation had already been annexed in another annexation petition. Further reading of State code showed that action needed to be taken on the annexation before another annexation could move forward. The City Council was asked to deny the petition so they can consider another annexation.

Councilmember Mann moved to approve the denial of the Nielsen, Albertson, Ropelato Annexation Petition for Real Property into the Municipal Boundaries of Nibley City for Parcels 03-049-0010, 03-049-0011, and 03-049-0013, Located at Approximately 3600 South 1500 West. Councilmember Mansell seconded the motion.

Voting on the motion to deny Resolution 26-06 was as follows:

*Councilmember Laursen voted in favor.
Councilmember Mann voted in favor.
Councilmember Mansell voted in favor.
Councilmember Kenczka voted in favor.
Councilmember Spaulding voted in favor.*

The motion passed unanimously 5-0; with Councilmember Mann, Councilmember Mansell, Councilmember Laursen, Councilmember Kenczka, and Councilmember Spaulding all in favor.

Discussion and Consideration: Acceptance of the Nielsen-Ropelato Annexation Petition-for further consideration for Real Property into the Municipal Boundaries of Nibley City for parcel 03-049-0010 and 03-049-0013, Consisting of 38.66 Acres, Located at Approximately 1500 W 3600 S (Applicant: Dan Larsen)

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

Mr. Roberts gave a presentation to the City Council and public present, to give context to the application and discussion. He used a PowerPoint presentation titled *Nielson, Ropelato Annexation Petition* (a printed copy of this presentation is included in the written meeting minutes). The topics Mr. Roberts discussed included the following: Background and Staff Recommendation:

"Accept the Nielsen-Ropelato Annexation Petition for further consideration"

Mayor Jacobsen said the City Council might consider an annexation agreement. In particular, he suggested they might figure out what was going to happen along a long stretch 1500 north. Mayor Jacobsen and Mr. Roberts discussed creation of an unincorporated peninsula or island.

Councilmember Laursen moved to approve the Nielsen-Ropelato Annexation Petition-for further consideration for Real Property into the Municipal Boundaries of Nibley City for parcel 03-049-0010 and 03-049-0013, Consisting of 38.66 Acres, Located at Approximately 1500 W 3600 S (Applicant: Dan Larsen). Councilmember Kenczka seconded the motion.

Councilmember Laursen said they needed to consider an annexation agreement that addressed the road. Mr. Dickinson reported that there were some master planned utilities that were in the 1500 west area: an 18-inch sewer and a 12-inch water line and a 12-inch water line on 1200 west. With the recently adopted Stormwater Master plan, they might negotiate a cost share to upsize those utilities. Mayor Jacobsen and Mr. Roberts discussed the timeframe associated with an annexation petition.

Councilmember Laursen made a substitute motion to continue approval of the Nielsen-Ropelato Annexation Petition-for further consideration for Real Property into the Municipal Boundaries of Nibley City for parcel 03-049-0010 and 03-049-0013, Consisting of 38.66 Acres, Located at Approximately 1500 W 3600 S (Applicant: Dan Larsen) to the next City Council meeting and with direction to staff to work towards an annexation agreement with the proponent. Councilmember Kenczka seconded the motion.

Councilmember Laursen made a substitute, substitute motion to accept the Nielsen-Ropelato Annexation Petition-for further consideration for Real Property into the Municipal Boundaries of Nibley City for parcel 03-049-0010 and 03-049-0013, Consisting of 38.66 Acres, Located at Approximately 1500 W 3600 S (Applicant: Dan Larsen), instructing staff to work towards an annexation agreement with the proponent. Councilmember Mansell seconded the motion. The motion passed unanimously 5-0; with Councilmember Laursen, Councilmember Mansell, Councilmember Mann, Councilmember Kenczka, and Councilmember Spaulding all in favor.

Workshop: Code Enforcement

Evan Bigelow, Nibley City Code Enforcement was present at the meeting.

Councilmember Spaulding said he was in favor of code enforcement but there had to be a human element or touch. Mr. Roberts gave “props” to Mr. Bigelow on the amount of time he spent having difficult conversations with people and coming to resolutions. Mr. Bigelow was doing a great job and spending more time in communication with people. Nibley didn’t have the bandwidth to do this before there was dedicated code enforcement. It was a very difficult job.

The City Council discussed the resident’s complaints about shed enforcement. Mr. Roberts said code enforcement tried to do proactive enforcement but prioritized complaints. He said they approached code enforcement a little differently than before and would sometimes focus on an issue and would sometimes come across other issues. They tried to balance. Mayor Jacobsen discussed a code enforcement approach to a perceived code violation and discussed Mr. Bigelow’s use of a body cam. Mayor Jacobsen said to use the body cam all the time to clear up perceived differences in approach or opinion. Mayor Jacobsen and Mr. Bigelow discussed what was taught in code enforcement training.

Mr. Maughan discussed a process of testing Nibley City’s code. He said they needed to buckle down and go through Nibley City’s code.

Mayor Jacobsen asked the City Council if they endorsed putting a surveying together to ask people, who were not perpetrators, about how they felt about code enforcement in Nibley City and asking for Nibley resident’s thoughts regarding their support regarding code enforcement. Mayor Jacobsen said he would work on a survey with assistance from staff. There were unanimous head nods that the Council supported this. Mayor

Jacobsen said he would let the City Council review the survey before it was put out to the residents.

Mayor Jacobsen suggested the City had heard of a success story with how the City handled fence permits. He suggested the City could provide a no charge code review for residential sheds.

The City Council decided they wanted to review Nibley City code regarding the placement of sheds and put a suspension on the code enforcement issues regarding sheds. Mr. Roberts said he would put shed regulations on the Planning Commission agenda. The City Council and staff discussed components of a code enforcement survey.

Councilmember Mansell suggested the Council and staff create a committee, similar to the animal land use committee, to find the “gremlins” in Nibley City code. Mr. Bigelow reported that there were things that he and Mr. Roberts were working on to bring to the City Council such as winter snow removal and trailers. They were working on it slowly to not overwhelm the City Council. Councilmember Mann asked Mr. Bigelow what the most common complaint issues were versus things he saw as most egregious and being out of compliance. Mr. Bigelow said he saw obstruction of private right-of-way and parking in the front yard, and parking in general. Parking on the sidewalk was huge and was against State law.

Mayor Jacobsen, the City Council, and staff discussed educating the public about code issues and common codes to follow.

Councilmember Laursen said most ordinances they had bumped into so far, initially had come because there was a problem of some sort and as he’d worked on some of them, he felt they fell under the vague assumption of health and safety, but some were aesthetic. He felt they’d worked on the aesthetic issues. He felt they need to look at Nibley’s nuisance ordinance and said when he’d communicated with residents, he’d posed 6 questions:

- 1- Suspension of Enforcement: Stop enforcing parking, snow removal, and nuisance ordinances to see if the community can resolve these issues internally.
- 2- Reactive Enforcement: Move to a strictly complaint-based system where we only act when an official concern is submitted. Complaint based only.
- 3- Service Reduction: Cease these specific services in exchange for lower taxes.
- 4- Policy Adjustment: Remove specific provisions, such as those regarding sidewalk obstructions.
- 5- Weather-Dependent Parking: Only enforce parking regulations when snow is active or forecasted (recognizing the challenge of unpredictable weather timing).
- 6- Language Updates: Rewrite the code to better reflect current community standards.

Councilmember Laursen thought they ought to consider these questions as they considered the General Plan and believed a hand full of residents, a few members of the Planning Commission, and the City Council should tackle the questions and then provide suggestions to the residents. Mr. Roberts suggested Councilmember Laursen could present his scenarios, explaining the pros and cons of each approach, because this would be helpful to understand the implications of each approach and give the whole picture. Councilmember Mann didn't think a survey was as good as taking the most frequently mentioned problems, looking at those codes, updating them and then taking those codes to the residents. She thought they would get a more positive response this way. She thought a survey would allow them to keep getting beat up by the residents. The City Council discussed what they considered had the largest negative impact on the City as a whole.

The City Council directed staff to not enforce sheds until the code was figured out. Mr. Roberts asked the City Council to consider that Mr. Bigelow was charged to enforce all of Nibley City Code. His job description was to enforce everything in code and enforce the code in general. He questioned if it was feasible to put a stop on code to everything that bubbled up and discussed that if this were the case, the City Council might consider a full-time code enforcement officer. Mr. Bigelow described that there were 7 known mechanics throughout Nibley City that were operating businesses illegally. He described the time needed to build a case and said working it part-time was rough. Councilmember Laursen said these were the types of things he would rather see them working on as a City.

Mr. Roberts said he would get a workshop regarding placement of sheds on the next Planning Commission agenda with recommendations brought back to the City Council in a couple of months.

Council & Staff Reports

Councilmember Mann reported that she's met with Angie Olsen a new City Council member in Wellsville and had a great discussion about Wellsville City Council's desires about joining a recreation district.

Councilmember Mann reported that she had neighbors pumping heavily out of a sump pump who had found a clogged land drain. She questioned if the City could help get the land drain cleared. Mr. Dickinson reported on his understanding of the situation and said they were collecting data. He summarized the steps that had been taken so far. Mr. Maughan said he felt the City would need to start dealing with the land drains as they found them.

Councilmember Kenczka reported he'd sent an email to every single City Council member, in every City on the southern end of the Valley to see if there was interest in having a quarterly, non-quoeremed meeting. He hoped they could get a meeting done.

He invited that if anyone would like to join, or if the meeting became popular, they could rotate attending.

Councilmember Kenczka reported on meeting with the Government's Office of Economic Opportunity. They'd come with an economic assessment, and some plans were put together to strategize an action plan that Nibley City could take to help formalize economic opportunity.

Councilmember Spaulding said he believed there was budget money to include on rumble strip down the middle of 1200 west to separate the lanes. He'd received several complaints from citizens regarding the noise rumble strips would potentially make. Mr. Dickinson described the items that were still included in that budget and doubted that there would be sufficient money to put in the rumble strips. Mr. Dickinson said he would report back to the City Council before any other action item were taken.

Mayor Jacobsen reported on his potential participation in the Cache County Library Board.

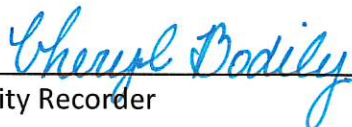
Ms. Bodily reported on statistical data from the Utah Public Notice website.

Ms. Bodily asked for the Council's RSVP on their participation at the upcoming Utah League of Cities and Town conference.

Mr. Maughan discussed doing staff reports at the beginning of a meeting versus at the end of the City Council meeting and asked the City Council to consider this and share their recommendation.

Seeing no objection, Mayor Jacobsen adjourned the meeting at 10:55 p.m.

Attest:


City Recorder

