

A Meeting of the Nibley City Council held at Nibley City Hall, 455 West 3200 South, Nibley, Utah, on Thursday, August 6, 2026.

OFFICIAL MINUTES OF THE MEETING
City Recorder Cheryl Bodily took minutes

Opening Ceremonies

Councilmember Garrett Mansell said he'd been thinking about the shooting that occurred in Twin Falls and he discussed current politics and the divisiveness and hate in the country. He said the opposite of hate was love and encouraged trying and showing love and respect in all that they did. He said the Nibley City Council did a good job of this and hoped State and Federal leaders could take a lesson from disagreeing and still getting along. Councilmember Mansell quoted Mary Ann Williamson:

"Our deepest fear is not that we are inadequate. Our deepest fear is that we are powerful beyond measure. It is our light, not our darkness that most frightens us. We ask ourselves, 'Who am I to be brilliant, gorgeous, talented, fabulous?' Actually, who are you not to be? You are a child of God. Your playing small does not serve the world. There is nothing enlightened about shrinking so that other people won't feel insecure around you. We are all meant to shine, as children do. We were born to make manifest the glory of God that is within us. It's not just in some of us; it's in everyone. And as we let our own light shine, we unconsciously give other people permission to do the same. As we are liberated from our own fear, our presence automatically liberates others."

Councilmember Mansell led the meeting in the Pledge of Allegiance.

Call to Order and Roll Call

Mayor Larry Jacobsen called the Thursday, August 6, 2026, Nibley City Council meeting to order at 6:33 p.m. Those in attendance included Mayor Larry Jacobsen, Councilmember Nathan Laursen, Councilmember Erin Mann, Councilmember Garrett Mansell, and Councilmember Nick Kenczka. Justin Maughan, Nibley City Manager, Levi Roberts, Nibley City Planner, Cheryl Bodily, Nibley City Recorder, and Chad Wright, Nibley City Recreation Director was also present.

Councilmember Randy Spaulding was excused from the meeting.

Approval of the Previous Meeting Minutes and Current Agenda

Councilmember Mansell moved to approve the July 16, 2026, meeting minutes and the evening's agenda. Councilmember Kenczka seconded the motion. The motion passed unanimously 4-0; with Councilmember Mansell, Councilmember Kenczka, Councilmember Laursen, and Councilmember Mann all in favor.

Public Comment Period

Mayor Jacobsen gave direction to the public present and opened the Public Comment Period at 6:37 p.m.

Frank Smith of 3760 S 1500 W said he was curious about the RM zone. He recalled the Planning Commission has recommended no RM zone. He said RM would be in the middle of an entire group of detached housing. Mr. Smith asked if the City did biological assessment on properties. He noted the Ute Ladies Tresses, and he asked if the City had seen this plant or if someone had brought this to the City's attention. Mayor Jacobsen summarized the grant funding that had led to the discovery and protection of the Ute Ladies Tresses. Mr. Roberts said if there were open spaced to be preserved there was often an assessment of the surroundings. Mr. Smith asked about the process of developers buying properties. Councilmember Mann described her understanding of buying and annexing property through the administrative process.

Courtney Metzler on 1000 W had a couple questions about what the City was expecting with the upcoming traffic and the starting school year. She said that watching her child cross 3200 S gave her anxiety. She wondered the City's thoughts on hiring crossing guards. Mr. Maughan described the process Nibley City conducted to determine when a crossing guard was warranted. Mayor Jacobsen also described working with schools to determine the safest routes to school. Ms. Metzler also asked about a property issue. Mayor Jacobsen asked Ms. Metzler to discuss this with Nibley's City Planner.

Seeing no further public comments, Mayor Jacobsen closed the Public Comment Period at 6:47 p.m.

Planning Commission Report

Mr. Roberts reported that the one item that was addressed on the most recent Planning Commission agenda was on the current City Council meeting agenda.

Discussion: Judge Hulbert

Judge John Hulbert was present at the meeting. He presented that he represented Hyrum, Nibley, Paradise, and Mendon and his job was to protect the rights guaranteed under the Utah State Constitution, explain the charges the individuals were facing, and lay down penalties. Justice courts were the judicial mechanism that allowed them to make change in communities. Judge Hulbert said he appreciated working with Nibley's prosecutor, John Jenkins, and that he was excellent.

Judge Hulbert described his background and introduced his wife, who was present. He said they had 5 children and lived in the County between Wellsville and Mendon.

Judge Hulbert described that he strove to incentivize behavior. The Utah Sentencing Commission had recommended they look at the charges and recommend the fine that was the highest in a given set, because if someone had committed the offence they should

be responsible for the fine for that offence. He encourages plea and obedience, which was a way to avoid reporting infractions to an insurance company.

Councilmember Laursen asked what infractions Judge Hulbert saw the most from Nibley, or the most improvement. Judge Hulbert said most infractions had been driving related but had seen a few animal abuse or cruelty cases. He said the vast majority of things he dealt with were misdemeanors. He said there was nothing Nibley City had a disproportionate amount of. Councilmember Laursen asked if it was a common process to require service in the plea and obedience process. Judge Hulbert said it was not. This was at the discretion of the prosecutor.

Judge Hulbert offered that he could serve Nibley in land use regulations and served as Hyrum City's appeal authority for land use. He said he would be happy to provide these services for Nibley City.

Discussion: FY 26/27 Budget Amendments - Development Code, Code Enforcement and Software

Mr. Maughan described the reason for potential amendments to the 26/27 budget that staff may be bringing to the Council for approval.

Councilmember Kenczka asked about money in excess from the previous budget and possibly using the excess funds to review development code. He asked staff to provide a list of projects that staff would like to spend additional funds on, to give the City Council options to choose from. Councilmember Mansell said one of the main reasons he wanted to do the development code was because of Nibley's new general plan and wanted their codes in line with the new general plan. Because they'd had an overage in the last budget year, he felt it was a worthy cause to get their codes in alignment.

Mr. Wright left at 7:00 p.m.

Discussion and Consideration: Resolution 26-10—Agreement with the Cache County Sheriff's Office for Code Enforcement (First Reading)

Mr. Maughan said the City had been dealing with Code Enforcement issues for some time and had tried different things and different ways to enforce Nibley City's code. The Cache County Sheriff was interested in facilitating a full-time Code Enforcement Officer, who would provide code enforcement for Hyrum, Nibley, unincorporated Cache County and Wellsville. The amount of the contract for code enforcement was around \$25,000 and reflected a bit of a cost savings to Nibley City. He said the position would work similarly to Nibley's Animal Control officer. Nibley City was not looking to make money or swing a big stick with enforcing Nibley's code. The goal was to change behaviors.

Councilmember Mansell asked if Nibley's code was in a place where they wanted it to be enforced? Mayor Jacobsen said it was the City Council job to make code. Mr. Roberts and Councilmember Mansell discussed if a Nibley City code review would include all Nibley

City code, including nuisance code. Mr. Roberts didn't feel this was included in the code review contract. Mr. Roberts said nuisance code was a continual process of improvement. Councilmember Mann asked how the cost per hour for code enforcement compared to the cost per hour Nibley had in place. Mr. Maughan said it was a cost saving and felt they would get more hours through the Sheriff's department. Mr. Maughan said it was similar hours and a little bit cheaper. Mayor Jacobsen asked who the code enforcement officer would answer to in Nibley City. Mr. Maughan said for the foreseeable future, he would like to be the contact on code enforcement. He felt it would, in the long-term, slide back to the City Planner. Mayor Jacobsen said he felt Mr. Maughan was the right person to be responsible for how this person acted in Nibley and how the contract was carried out. Councilmember Laursen asked for clarification on the scope of hours. He specifically questioned if the officer were asked to come to court.

Mayor Jacobsen said the Sheriff was going to make the position a new hire and Mr. Maughan had been invited to sit on the hiring committee. Mr. Maughan described that the Sheriff's department had good response to the job posting. Councilmember Laursen reviewed the internal direction that may be given to the officer. Mr. Maughan said for now it would be complaint based and then moving forward the City would come up with a top 3-4 issues they'd like the officer to tackle and enforce. Mayor Jacobsen informed the City Council that they'd made an expenditure on software to track code enforcement, but this software would not be used to enforce Nibley's code. They would be using the software used by the Sheriff's office.

Councilmember Laursen moved to approve Resolution 26-10—Agreement with the Cache County Sheriff's Office for Code Enforcement and waived the second reading. Councilmember Mann seconded the motion.

Voting on the motion to approve Resolution 26-10 was as follows:

Councilmember Laursen voted in favor.

Councilmember Mann voted in favor.

Councilmember Mansell voted in favor.

Councilmember Kenczka voted in favor.

The motion to approve Resolution 26-10, passed unanimously 4-0; with Councilmember Laursen, Councilmember Mann, Councilmember Mansell, and Councilmember Kenczka all in favor.

Discussion and Consideration: Annexation Agreement with K Holdings LLC, Setting Forth Terms and Conditions for the Nielson-Ropelato Annexation

Mr. Roberts addressed Mr. Smith's questions presented during the Public Comment Period.

Mr. Roberts led the presentation of this item. He used electronic slides to share information with the City Council and the public present. His slides were titled, Nibley City

Council, August 6, 2026; Nielson-Ropelato Annexation. The topics included in his presentation included the following: Background, Update for 8/6/26, the annexation plat map, the land as viewed from the Cache County Parcel Viewer, the land as designated in the Nibley City General Plan, Annexation Agreement, and Staff and Planning Commission Recommendation.

"Staff Recommendation

"Approval of the Annexation Agreement with K Holdings LLC setting forth terms and conditions for the Nielson-Ropelato Annexation

Approval of Ordinance 26-06-Annexation and Zoning Assignment of Parcel 03-049-0010 & 03-049-0013 Located at Approximately 3600 South 1500 West, Containing 42.81 Acres and Assigning Zoning of R-2A (Residential) to Parcel 03-049-0010 and R-M (Mixed Residential) to Parcel 03-049-0013

Planning Commission Recommendation

Recommend zone designation for Parcel 03-049-0010, located at approximately 3600 S 1500 W, to Residential (R-2A) and 03-049-0013, located at approximately 3701 S 1200 W to Residential (R-2A), in conjunction with proposed annexation"

Dan Larsen, representing K Holdings, was present at the meeting. Mr. Larsen described the pioneering agreement, where they were annexing past parcels, when those parcels were developed that they were planning to be reimbursed for cost, just in front of those parcels.

Councilmember Laursen and staff discussed and clarified the pioneering agreement as referenced by Mr. Larsen. Councilmember Mansell said he felt the RM zone was preceded on the corridor coming in on east-west and he wondered if this would happen in his lifetime. He questioned if they would have an island of townhomes. He questioned if they could require, if the Council gave the RM zone, that all the residential would be detached, single-family with the same density as the RM. He asked if they could require this? Mr. Roberts said he believed it was in the Council's discretion as a condition of approval and the applicant would have to agree with it or pull their application. Mr. Larsen said with current Nibley City code, they could not get the same density. He said he doubted they could get half the density. Mr. Roberts summarized the zoning requirements for single-family higher density zoning. Councilmember Mansell asked for an update of development of the east-west corridor and 4400 S. The Council discussed that 4400 S was not proposed to be a State road. Mayor Jacobsen said the east-west corridor would be a slow-moving project in part because it was a money limited project.

Councilmember Laursen moved to approve the Annexation Agreement with K Holdings LLC, Setting Forth Terms and Conditions for the Nielson-Ropelato Annexation, as presented. Councilmember Mann seconded the motion.

Councilmember Mann restated that she believed that Councilmember Mansell and Councilmember Spaulding might feel attached housing might feel out of place if it were

stuck at this location. Councilmember Mann said she did not feel the attached housing was far out of way from Nibley Meadows and the parcel was right next to 1200 West and she felt this was a good parcel to put high density housing on. She wouldn't mind seeing the high-density housing broken up with single-family homes to break up the rows and rows of high-density homes. Councilmember Laursen agreed with Councilmember Mann's statement and stated the parcel could be a great example of detached RM housing. Councilmember Mansell countered that high-density housing was typically best in a corridor with mass transit and the type of people that typically purchased a townhome versus detached single-family housing.

Councilmember Mansell made an amendment to approve the annexation agreement with the Planning Commission's recommendation of R2-A on both parcels. Councilmember Kenczka seconded the motion.

Councilmember Kenczka said he agreed with Councilmember Mansell on this and was disappointed that he did not see any commercial use on the parcel. In describing the vision of Nibley and how they wanted it to grow, this fell in line. Mayor Jacobsen questioned if they wanted Hyrum to take care of the parcel for them and that Hyrum believed the parcel belonged in Hyrum. Mayor Jacobsen discussed the effect of high-density housing on Nibley City where Nibley City had no tax benefit from the housing. The meeting participants discussed and debated affordable housing. Mr. Larsen committed that there would be some single-family home mixed into the RM zone. Councilmember Laursen discussed that the City Council had put RM zoning in place and felt they were confident in the zoning code the Council had produced. He noted there were no other single-family homes in the area and that this was a good place to test their RM code. Mayor Jacobsen corrected that there was one single-family home in the area.

The amendment failed 2-3; with Councilmember Mansell and Councilmember Kenczka voting in favor. Councilmember Mann and Councilmember Laursen were opposed and voted nay. Mayor Jacobsen broke the tie and was opposed.

The motion to approve the annexation agreement with K Holdings, LLC passed 3-2; with Councilmember Laursen and Councilmember Mann in favor. Councilmember Kenczka and Councilmember Mansell were opposed and voted nay. Mayor Jacobsen broke the tie and voted in favor.

Discussion and Consideration: Ordinance 26-06—Annexation and Zoning Assignment of Parcel 03-049-0010 & 03-049-0013 Located at Approximately 3600 South 1500 West, Containing 42.81 Acres and Assigning Zoning of R-2A (Residential) to Parcel 03-049-0010 And R-M (Mixed Residential) to Parcel 03-049-0013 (Second Reading)

Councilmember Laursen moved to approve Ordinance 26-06—Annexation and Zoning Assignment of Parcel 03-049-0010 & 03-049-0013 Located at Approximately 3600 South 1500 West, Containing 42.81 Acres and Assigning Zoning of R-2A (Residential) to Parcel

03-049-0010 And R-M (Mixed Residential) to Parcel 03-049-0013. Councilmember Mann seconded the motion.

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

Councilmember Laursen voted in favor.

Councilmember Mann voted in favor.

Councilmember Mansell voted in favor.

Councilmember Kenczka was opposed.

Ordinance 26-06 passed 3-1; with Councilmember Laursen, Councilmember Mann, and Councilmember Mansell all in favor. Councilmember Kenczka was opposed.

Seeing no objection, Mayor Jacobsen called for a meeting recess at 8:26 p.m. The meeting resumed at 8:34 p.m.

Public Hearing: Ordinance 26-10—Development Agreement for the Dove Creek Subdivision, a 14-Lot Open Space Subdivision, Located at Approximately 3450 S 450 W, Setting Forth Terms and Conditions for the Development, Including Exceptions to Nibley City Code for Open Space Parcel Size and Trail Requirements

Mr. Roberts led the presentation of this item. He used electronic slides to share information with the City Council and the public present. His slides were titled, *Nibley City Council, August 6, 2026; Dove Creek Subdivision – Development Agreement*. The topics included in his presentation included the following: Background.

The proponent, Ben Johnson distributed an amended plat map (included in the official meeting minutes) which showed a different alignment as previously presented, for the trail proposed on the property to the north of the property's housing development.

Mayor Jacobsen asked Mr. Roberts if he felt the trail modification that had been given to the City Council made the trail compliant with Nibley City's Trails Master Plan. Mr. Roberts stated that, "it did."

Mayor Jacobsen opened the public hearing at 8:39 p.m.

Mr. Johnson read a comment from resident, Taylor Heart of 3510 S 550 W, which was also emailed to the members of the City Council:

"My name is Taylor Hart. My address is 3510 S 550 W.

In the last city council meeting I made a comment about my opposition to requiring the developer to install a path on the northwest corner of the development. I omitted my intent of being the purchaser of the open space.

I would like to address that now. My wife owns and operates a floral and landscape design business. We are currently trying to expand that business, particularly in growing as many of the flowers

ourselves and provide opportunities to showcase landscape designs. As long as we can agree with the developer on purchase price, we will purchase building lots to build a home and the Open Space parcels (both) on the north side.

We plan on growing a small orchard, flowers, and produce. We would also like to build a greenhouse to enable plant starts to grow earlier than the Cache County weather typically allows. We would also like to host community classes that focus on topics such as flowers, landscape design, and similar topics. I believe these improvements all fall under acceptable land use for Open Space per city code.

I am not opposed to the path existing along the north border as it relates to location. I do not however want that path to result in a loss of the tree stand that grows along that slope. Additional any path that runs along the east side of the slope would be undesirable as it relates to our preliminary plans.

While I feel strange making a request for my own personal benefit, I do believe it would be generally seen as the best decision for the community. I believe my family would be able to make this space truly beautiful and a gem to the community. If the path is installed cutting across the open space (rather than border it), I would no longer be interested in being the owner of it. If I do not purchase it, I am unaware of any other interest to do so, leaving it to a Home Owners Association. I do not believe an HOA would put the care and effort into it ultimately leaving it a dry barren landscape.

My plea is that the developer be allowed to proceed with the original submitted request: no path be required to be installed. The original proposed path provides enough continuity to satisfy the community.

Thank you for taking into consideration the wellbeing of the community and our open spaces."

Betsy Stromberg of 535 W 3500 S said she agreed with Mr. Heart's comments and felt the trail gave exactly the purpose and connected one area to another. She said they were still able to get from one place to the next.

Seeing no further public comment, Mayor Jacobsen closed the public hearing at 8:45 p.m.

Mr. Roberts described that there had been a modification to the existing agreement. The previous agreement noted maintenance by an HOA and the edited agreement noted maintenance by a private property owner.

Discussion and Consideration: Ordinance 26-10—Development Agreement for the Dove Creek Subdivision, a 14-Lot Open Space Subdivision, Located at Approximately 3450 S 450 W, Setting Forth Terms and Conditions for the Development, Including Exceptions to Nibley City Code for Open Space Parcel Size and Trail Requirements (Second Reading)
The developer, Ben Johnson, was present at the meeting. He said anyone living directly by the area would be most affected by this trail. He said the residents clearly preferred the previously presented trail alignment. Mayor Jacobsen asked if Mr. Johnson was under contract for the sale of property to Mr. Heart. Mr. Johnson said he was not under contract.

Councilmember Mansell discussed that he had met with Mr. Johnson on his property and had discussed the property. He noted there were a lot of kids using the property with motor bikes. After seeing Mr. Johnson's plan and hearing the public comment, Councilmember Mansell asked if it would make sense to put another connection through. He questioned if the trail proposal between lots 4 and 5 meet code.

Councilmember Mann asked if Mr. Johnson felt they would need to cut down trees and pipe the canal with his new trail proposal. He felt strongly that he would have to. Councilmember Mann asked if Mr. Johnson had discussed any provisions with the canal company. Mr. Johnson said he had not. Councilmember Mann asked if Mr. Johnson had discussed a different trail alignment with Shawn Dustin. Mr. Johnson said he had not because at that last meeting he had felt there was little chance of a trail being there. Councilmember Kenczka asked if the new proposal would need to go back to the Planning Commission. Mr. Roberts said he didn't believe so. Councilmember Kenczka asked about fence height regulations for the trail that touched private property. Mr. Roberts said he would need to research the provisions for a fence. Councilmember Kenczka asked how they would connect to the existing trail easement to the west? Mr. Roberts said one of the conditions of approval for the subdivision was they would need to get an easement from Mt. Vista to connect the trail. Councilmember Laursen received clarification of what the City Council was being asked to approve.

Councilmember Laursen said he had a hard time with the southern open space and not really meeting the intent of open space. He felt that shifting everything down and consolidating open space made much more sense. Councilmember Mann expressed why she disagreed with the southern open space piece. She said the property was not programable, it wasn't possible to put a playground there, there was no visibility, and there was no access or parking there. Mr. Johnson said the property would be held privately. Councilmember Laursen stated he didn't like getting in the habit of created open space, private or public, that buffered people from new development to a small degree. He also stated that if a private entity were interested in putting a trail there, they didn't need to talk about what was to the north.

Councilmember Mann moved to approve Ordinance 26-10—Development Agreement for the Dove Creek Subdivision, a 14-Lot Open Space Subdivision, Located at Approximately 3450 S 450 W, Setting Forth Terms and Conditions for the Development, Including Exceptions to Nibley City Code for Open Space Parcel Size and Trail Requirements. Councilmember Kenczka seconded the motion.

Voting on the motion to approve Ordinance 26-10 was as follows:

Councilmember Laursen voted in favor.

Councilmember Mann voted in favor.

Councilmember Mansell voted in favor.

Councilmember Kenczka voted in favor.

Ordinance 26-10 passed unanimously 4-0; with Councilmember Mann, Councilmember Kenczka, Councilmember Laursen, and Councilmember Mansell all in favor.

Councilmember Laursen said Nibley City's open space requirements to not cut down trees and the canal company's preference to cut down trees were conflicting. He requested staff ask legal counsel which would win.

Discussion and Consideration: Ordinance 26-11—Development Agreement for the 4150 Hollow Road Subdivision, a 2-Lot Standard Subdivision, Setting Forth Terms and Conditions for the Development, Including Exceptions to Nibley City Code 21.12.050(D) Curb, Gutter and Sidewalks (First Reading)

Mr. Roberts led the presentation of this item. He used electronic slides to share information with the City Council and the public present. His slides were titled, *Nibley City Council, August 6, 2026; 4150 S Hollow Road Subdivision*. The topics included in his presentation included the Background and Staff & Planning Commission Recommendation:

"Approval of Ordinance 26-11: Development Agreement for the 4150 Hollow Road Subdivision, a 2-Lot Standard Subdivision, Setting Forth Terms and Conditions for the Development, Including Exceptions to Nibley City Code 21.12.050(D) Curb, Gutter and Sidewalks with the following condition:

- The applicant be required to pay a fee-in-lieu of required improvements in accordance with NCC 21.12.050(D)(3)"*

Michael Rigby was present at the meeting. He said staff had recommended a fee in lieu, which city could do. He felt it was still in question if they would ever do a sidewalk on that property. He questioned if there should be a fee in lieu and if there was a fee in lieu, he requested it be held for Hollow Road for improvements along Hollow Road and the applicable development.

Councilmember Mansell said he and Councilmember Kenczka had met with Mr. Rigby. He said a fee in lieu had to be used in the area for which it was taken. Mr. Roberts said the fee in lieu could be used somewhere else if both parties came to an agreement. Mr. Roberts said he felt the fee could go for something else to get another benefit, but they'd communicated with the applicant that the fee would be tied to the development agreement. He felt this was in spirit of the fee in lieu. Councilmember Mansell asked if there was a code in State law that said how long fees could be held? He didn't ever see a sidewalk being constructed on Hollow Road. Mr. Roberts said he was not a legal expert on this question. The Mayor and City Council debated if the sidewalk should be required, if a fee in lieu should be required, or if nothing should be required. The Mayor and City Council generally agreed that they should not require a sidewalk be built. Mr. Roberts felt it would be a good idea to get a legal opinion of if the fee in lieu had to be used on the lot, for the purpose of a sidewalk, and when it would need to be used. Councilmember

Mansell requested this between first and second reading and said this was the crux of his decision.

Councilmember Mann moved to approve Ordinance 26-11—Development Agreement for the 4150 Hollow Road Subdivision, a 2-Lot Standard Subdivision, Setting Forth Terms and Conditions for the Development, Including Exceptions to Nibley City Code 21.12.050(D) Curb, Gutter and Sidewalks, for first reading. Councilmember Mansell seconded the motion.

Mayor Jacobsen directed staff to answer the legal question of space and time regarding fee in lieu, before second reading. Mr. Roberts clarified that fee in lieu was okay and could be required in front of the new lot. The Ombudsman was clear on this. Councilmember Kenczka asked if there was something in Nibley code that led staff to believe that they could require fee in lieu along both lots and questioned if this needed to be addressed. Mr. Roberts said he felt they should look at this in the future and not hang up the current applicant. The code could need to be clarified.

The motion to approve Ordinance 26-11 for first reading passed unanimously 4-0; with Councilmember Mann, Councilmember Mansell, Councilmember Laursen, and Councilmember Kenczka all in favor.

Discussion and Consideration: Ordinance 26-09—Amending 19.24.250 Accessory Dwelling Unit Standards, Including Impact Fee Provisions, Lot Size Requirements and Conversion of Existing Accessory Buildings (Second Reading)

Mr. Roberts led the presentation of this item. He used electronic slides to share information with the City Council and the public present. His slides were titled, *Nibley City Council, August 6, 2026; ADU Ordinance Update*. The topics included in his presentation included Background.

Councilmember Kenczka said if it was reasonable and if they were getting a good product, he was willing to go less than 10,000 square feet on the lot size. Councilmember Laursen questioned if they needed the language or if setbacks handled Accessory Dwelling Unit (ADU) location. He would rather have the zoning dictate where ADU could go. The Council discussed if setback requirements made the lot size discussion irrelevant. Mr. Roberts felt the State would not allow the City to restrict ADU by zone.

Chad Wright came back at 9:58 p.m.

Councilmember Laursen asked if they limited internal accessory dwelling units to lot size. Mr. Roberts said they called internal ADUs, two-family units and allowed them anywhere Residential.

Councilmember Mansell moved to approve Ordinance 26-09—Amending 19.24.250 Accessory Dwelling Unit Standards, Including Impact Fee Provisions, Lot Size Requirements

and Conversion of Existing Accessory Buildings as recommended by the Planning Commission. Councilmember Laursen seconded the motion.

Voting on the motion to approve Ordinance 26-09 was as follows:

Councilmember Laursen voted in favor.

Councilmember Mann voted in favor.

Councilmember Mansell voted in favor.

Councilmember Kenczka voted in favor.

The motion passed unanimously 4-0; with Councilmember Mansell, Councilmember Laursen, Councilmember Mann and Councilmember Kenczka all in favor.

Discussion and Consideration: Resolution 26-09—Amending the Consolidated Fee Schedule; Including Waste Management, Accessory Dwelling Units, and State Water Rates, and County Fire Inspections (First Reading)

Nibley City Treasurer, Amy Johnson was present for this discussion.

Ms. Johnson summarized that Nibley's Consolidated Fee Schedule was typically updated annually, but with some fees being increased at a more frequent rate, such as trash services, 911 communication fees, and water rates, staff was bringing the Consolidated Fee Schedule to the City Council. The Council may find themselves updating the Consolidated Fee Schedule on a more frequent basis.

Ms. Johnson reviewed and summarized each proposed amendment to Nibley City's Consolidated Fee Schedule. Mayor Jacobsen asked for the logic of an external ADU that brought them impact fees that were related to multi-family impact fees. He questioned how they remembered the logic of an external ADU having impact fees related to multi-family impact fees; when they changed one, they had to change the other. Ms. Johnson said if it was in Nibley Ordinance, they followed the ordinance. Mayor Jacobsen asked if there were any reason the City Council should waive the second reading of the Resolution. Ms. Johnson felt it was important the City Council pass the changes as soon as possible so that staff could start collecting the \$.0165 fee (about \$9,000/year).

Councilmember Kenczka moved to approve Resolution 26-09 and waived the second reading. Councilmember Mansell seconded the motion.

Voting on the motion to approve Resolution 26-09 was as follow:

Councilmember Laursen voted in favor.

Councilmember Mann voted in favor.

Councilmember Mansell voted in favor.

Councilmember Kenczka voted in favor.

The motion passed unanimously 4-0; with Councilmember Kenczka, Councilmember Mansell, Councilmember Laursen, and Councilmember Mann all in favor.

Discussion and Consideration: Resolution 26-15—Authorizing Reallocations in the Fiscal year 2025-26 Budget (First Reading)

Ms. Johnson said while the general fund was balanced as a whole, Nibley City had three departments that had budget expenditures that outpaced their revenues during the last week of June 2026. Nibley City was budgeting more closely and had a smaller margin for error for anything unexpected that came up. Ms. Johnson said Nibley's accountant and auditor had requested they reallocate unspent fund from one area of the general fund budget to the three areas where they could use the funds. Ms. Johnson summarized the accounts in the previous 2025-26 budget that staff was requesting be reallocated.

Councilmember Kenczka moved to approve Resolution 26-15—Authorizing Reallocations in the Fiscal year 2025-26 Budget and waived the second reading. Councilmember Laursen seconded the motion.

Voting on the motion to approve Resolution 26-15 was as follows:

Councilmember Kenczka voted in favor.

Councilmember Mansell voted in favor.

Councilmember Mann voted in favor.

Councilmember Laursen voted in favor.

The motion passed unanimously 4-0; with Councilmember Kenczka, Councilmember Laursen, Councilmember Mann, and Councilmember Mansell all in favor.

Council Reports

Councilmember Kenczka had a discussion with a resident regarding an open horse pasture idea. Mayor Jacobsen said he'd suggested to Councilmember Kenczka that he would reach out to Council members on the property and individually discuss about how they felt on the specific proposal and how they felt about "surplussing" public land. Based on this straw-poll, they could bring a proposal on the specific property to the Council. He didn't feel they were ready for an agenda item yet and wanted to find out more about what the resident wanted to do.

Councilmember Mann wondered if a date was known for the opening of the Stokes Nature Park. She also asked for an update on the celebration of life property and where the developers were in that process. Mr. Roberts gave an update on the mortuary property.

Councilmember Mann reported the historic crack willow tree had split and there was branch that was hanging down and may be a hazard. Mr. Maughan said he would report this to the Parks department.

Councilmember Mann asked for and got an update on the status of the Solicitation ordinance process.

Councilmember Laursen asked for an update from residents on 1080 and the properties possibly being purchased.

Councilmember Laursen said he had been nominated to serve on the committee at the County level for indoor recreation. He reported the nomination approval had been set for the next County Council meeting.

Mayor Jacobsen reported on meetings regarding the creation of the Cache County Fire District.

Ms. Bodily asked the Council to let her know if they intended to attend the Fall Utah League of Cities and Towns conference, happening October 27-28.

Ms. Bodily reported the Nibley City's annual Day of Service would be on Saturday, September 12, 2026, and described a flag retirement ceremony that was slated for 8:30 a.m. on that day.

Ms. Bodily reminded the City Council of the upcoming Nibley City Summer Employee party at Sportsman's Paradise on Monday, August 17 at 6:00 p.m.

Mr. Wright thanked Councilmember Laursen for being willing to represent Nibley on the County committee.

Mr. Wright shared that Mariah Smith was active and motivated in gathering people across the south end of Cache Valley to move forward with indoor recreation.

Mr. Wright said they'd been approached by an event company about hosting a regional-national level athlete, pump track competition. He and other staffers had a phone call with the organization, and the event company was interested in putting this on their schedule next year.

Mr. Wright said the Maple View Middle School was having a grand opening and invited the City Council and Mayor to attend.

Mr. Maughan reported on meetings regarding the South Cache Fire District.

Seeing no objection, Mayor Jacobsen adjourned the meeting at 10:42 p.m.

Attest:


City Recorder