

A Meeting of the Nibley City Council held at Nibley City Hall, 455 West 3200 South, Nibley, Utah, on Thursday, May 9, 2019.

The following actions were made during the meeting:

Councilmember Beus moved to adopt the 2018 Annual Wastewater Report. Councilmember Bernhardt seconded the motion. The motion passed unanimously 4-0; with Councilmember Beus, Councilmember Bernhardt, Councilmember Jacobsen, and Councilmember Larsen all in favor.

Councilmember Bernhardt moved to approve the appointment of Carter Hansen to the Nibley City Parks & Recreation Advisory Committee. Councilmember Larsen seconded the motion. The motion passed unanimously 4-0; with Councilmember Bernhardt, Councilmember Larsen, Councilmember Jacobsen, and Councilmember Beus all in favor.

Councilmember Bernhardt moved to approve Ordinance 19-03: Residential Planned Unit Development for first reading. Councilmember Larsen seconded the motion. The motion passed unanimously 4-0; with Councilmember Bernhardt, Councilmember Larsen, Councilmember Jacobsen, and Councilmember Beus all in favor.

Councilmember Beus moved to approve Ordinance 19-04: Highway 89/91 Setbacks and Commercial Node Definition for first reading. Councilmember Jacobsen seconded the motion. The motion passed 3-1; with Councilmember Beus, Councilmember Jacobsen, and Councilmember Larsen in favor. Councilmember Bernhardt was opposed.

Councilmember Jacobsen made a substitute motion to continue Ordinance 19-05: Amendments to Nibley City code, Title 21: Subdivision Regulations until the next City Council meeting in order to separate the issues. Councilmember Bernhardt seconded the motion. The motion passed unanimously 4-0; with Councilmember Jacobsen, Councilmember Bernhardt, Councilmember Beus, and Councilmember Larsen all in favor.

OFFICIAL MINUTES OF THE MEETING
Deputy City Recorder Cheryl Bodily took minutes

Noting that it was the appointed time to start the meeting, Councilmember Beus nominated Councilmember Jacobsen to act as Mayor Pro Tem for the meeting. Councilmember Bernhardt seconded the motion. The motion passed 3-1; with Councilmember Beus, Councilmember Bernhardt and Councilmember Larsen in favor. Councilmember Jacobsen abstained from voting.

Opening Ceremonies

Councilmember Jacobsen said he had bumped across a quote from Albert Einstein on the purpose of education:

“The aim [of education] must be the training of independently acting and thinking individuals who, however, see in the service to the community their highest life problem.”

Councilmember Jacobsen thought this was how they functioned as a council. They encouraged independent thinking and service to the community was the highest goal they were trying to achieve. Councilmember Jacobsen led the meeting in the Pledge of Allegiance.

Call to Order and Roll Call

Mayor Pro Tem Jacobsen called the Thursday, May 9, 2019, Nibley City Council meeting to order at 6:33 p.m. Those in attendance included Mayor Pro Tem Larry Jacobsen, Councilmember Kathryn Beus, Councilmember Norman Larsen, and Councilmember Thomas Bernhardt. Mr. Stephen Nelson, Nibley City Planner and Justin Maughan, Nibley City Public Works Director was also in attendance.

Approval of agenda; and approval of the April 11, 2019 meeting minutes

Councilmember Bernhardt moved to approve the minutes of the last meeting and the evening’s agenda as outlined. Councilmember Larsen seconded the motion. The motion passed unanimously 4-0; with Councilmember Bernhardt, Councilmember Larsen, Councilmember Jacobsen, and Councilmember Beus all in favor.

Public Comment Period

Mayor Pro Tem Jacobsen gave direction to the public present and opened the Public Comment Period at 6:35 p.m.

Angelica Gardner said she walked a lot and had been on the trails 800 N. She appreciated the trails and wondered when the trails would be completed at Virgil Gibbons Firefly Park. Mr. Maughan reported that the trails should be done by the end of the month. Ms. Gardner said the trails were beautiful

Decker Robison commended the City Council for planning out parks. He asked, as the population grew, what the City Council was doing to bring more businesses to Nibley, instead of just people. Councilmember Jacobsen discussed that Nibley City had a general plan that they used to shape Nibley, which included an economic development aspect. Councilmember Jacobsen discussed that it was sometimes hard to attract business until there was enough rooftops to make businesses feel like it was economical. He said it was encouraged but didn’t know how far to go in terms of incentives and so on; it was all part of the planning process. Mr. Nelson offered to discuss Nibley’s planning with Mr. Robison.

Councilmember Jacobsen closed the Public Comment Period at 6:38 p.m.

Planning Commission Report

Mr. Nelson gave this report. He said the Planning Commission had recommended an update to the subdivision code at their last meeting. He said the Planning Commission's next big project was updating the conditional use permit process and land use table. He said most of the Planning Commission's focus would be on updating the conditional use permit process. Mr. Nelson reported the Planning Commission was working on a town center plan and hoped to have a recommendation to the City Council in the next month.

Discussion and Consideration of an Annual Wastewater Report

Mr. Maughan gave this report. Mr. Maughan had the *Municipal Wastewater Planning Program (MWPP) Annual Report for the year ending 2018 for Nibley City* displayed for the City Council's review. He summarized the report.

Councilmember Larsen asked Mr. Maughan how the vac truck had been utilized. Mr. Maughan discussed that the vac truck was used almost daily on other projects and they were having a hard time getting to the sewer. He hoped to be able to get to the sewer in the next month or two. Councilmember Jacobsen asked if they were staying on top of the meter calibration at the pumping station for the sewage going to Logan. Mr. Maughan said this inspection was done weekly and Logan had an independent contractor who came out and calibrated the meter quarterly or bi-annually. Councilmember Jacobsen asked who monitored the data. Mr. Maughan said he looked at it often; particularly the night flows.

Councilmember Beus moved to adopt the 2018 Annual Wastewater Report. Councilmember Bernhardt seconded the motion. The motion passed unanimously 4-0; with Councilmember Beus, Councilmember Bernhardt, Councilmember Jacobsen, and Councilmember Larsen all in favor.

Discussion and consideration of the appointment of Carter Hansen as Nibley City Youth Council advisor to the Nibley City Park and Recreation Advisory Committee (PRAC)

Mr. Nelson presented this item. Mr. Nelson reminded the City Council that as part of the establishment of the Nibley City Park and Recreation Advisory Committee, part of the ordinance had required a member of the Nibley City Youth Council be appointed as an advisor to the PRAC with staff making the recommendation of the individual being appointed. Mr. Nelson said staff recommended Carter Hansen be appointed as Youth Council advisor to the Park and Recreation Advisory committee.

Councilmember Bernhardt moved to approve the appointment of Carter Hansen to the Nibley City Parks & Recreation Advisory Committee. Councilmember Larsen seconded the motion.

Councilmember Jacobsen asked if the members of the Youth Council had a say in selecting or recommending Mr. Hansen to the PRAC. Mr. Nelson didn't know this information.

The motion passed unanimously 4-0; with Councilmember Bernhardt, Councilmember Larsen, Councilmember Jacobsen, and Councilmember Beus all in favor.

A Public Hearing to receive comments regarding Ordinance 19-03: Residential Planned Unit Development (R-PUD)

Mr. Nelson presented this item. Mr. Nelson said he planned to review the main purposes and goals of the R-PUD and how the ordinance addressed the goals.

Goal 1—allow the creation of great communities. He noted there was pressure from the state and economically for a higher variety of houses to be built in the city. Mr. Nelson said the ordinance allowed a property owner to apply for special zoning that granted higher zoning but certain standards had to be met. The City Council had the right to reject the overlay zone application. Mr. Nelson reviewed definitions and standards included in the proposed ordinance.

Goal 2—help create open space with amenities and preserve open features. Mr. Nelson presented the amenities that would need to be provided based on density development.

Goal 3—provide for more affordable housing in Nibley. Mr. Nelson described current R-2A subdivisions. Mr. Nelson said the density of the proposed ordinance was similar to Nibley's current townhome area. Mr. Nelson reviewed calculations in the *Area And Density Regulations* section of the ordinance.

Goal 4—allow further ability for neighborhood commercial to be developed. Mr. Nelson said up to 30% of the developable area in a proposal could be developed as neighborhood commercial

Goal 5—control where these developments can happen. Mr. Nelson said this would be a legislative matter so the City Council had discretion as to when they approved an R-PUD. Mr. Nelson reviewed the map created by the City Council at previous meetings. Gave property owners guidance to where this overlay zone could be applied.

Mr. Nelson said Nibley City's attorney had reviewed the ordinance; he had made a few comments that had been addressed. Mr. Nelson shared the feedback given by the Planning Commission when they had discussed the City Council ordinance changes at their last meeting.

Councilmember Jacobsen opened the public hearing at 7:03 p.m.

Conner Stanger of 2040 South, Highway 89/91 asked to see the map of proposed areas.

Mayor Dustin arrived at 7:05 p.m.

Councilmember Jacobsen asked that a phone conversation that Mr. Nelson had with an individual be entered into the record:

Mr. Nelson reported on a phone conversation with Jared Bingham, who represented a property called Nelson Farms. Mr. Bingham's feedbacks was he recommended the City Council consider 12 units per acres and reduce the open space to 25% for the mixed use. He asked for more flexibility in phasing of the units and amenities. He also thinks the City Council should get rid of the pool requirement but was okay with a splash pad or clubhouse. Mr. Bingham commented on sight design standards saying he'd had some bad luck with pine trees and recommended the City Council not require an exact amount of pine trees. Mr. Bingham's last two comments were about expenses; he wanted vinyl siding allowed on the sides and back and thought the City Council should reconsider the fencing requirement

Councilmember Jacobsen paraphrased a letter provided by Representative Val Potter of the Utah House (this letter is included in paper copy of the meeting minutes).

Angelica Gardner of 2617 S Main asked that the map be pulled up again. She asked if the potential areas went all the way to 2600? Mr. Nelson said it did. Councilmember Jacobsen said the areas marked in blue were candidate areas so there was an application process that may end up as a yes or may end up as a no.

Travis Taylor of 95 South River Bend Way in North Salt Lake who had interest in developing property said that from a development standpoint, the comments made by Mr. Bingham made a lot of sense. He appreciated that review and those comments.

Seeing no further public comment, Councilmember Jacobsen closed the public hearing at 7:11 p.m.

Councilmember Jacobsen turned the meeting over to Mayor Dustin.

Discussion and Consideration of Ordinance 19-03: Residential Planned Unit Development (R-PUD) (First Reading)

Councilmember Bernhardt moved to approve Ordinance 19-03: Residential Planned Unit Development for first reading. Councilmember Larsen seconded the motion.

Councilmember Jacobsen thought the ordinance had been a heroic effort but it was hard to know if they were there or not. Councilmember Jacobsen thought the continual balance of what part of land use ordinance should be prescriptive versus what part of land use ordinance should be legislative when it came down to individual proposals. The

beauty of prescriptive zoning laws they were not thinking of a specific proposal. Councilmember Jacobsen said this could be a very challenging process for applicants to go through not know if they were going to get to where they wanted because it was up to the whims of the City Council; he thought they had made it as prescriptive as they could.

Mayor Dustin asked the City Council to think about two amenities in particular, a pool or splash pad. He felt they should tie the size of the pool or size of a splash pad to the size of the development. He'd asked Mr. Nelson to look into this and see if there were any standards. Mayor Dustin thought it was important for conservation of greenspace and for affordability in Cache Valley that they increase the housing supply. He was concerned how they integrated these residents in to the community. Mayor Dustin said he'd like to see what could be done to make these areas feel like they weren't driving in to a separate part of Nibley and were integrated in to the City. How could they make it look and feel like the Nibley they know and enjoy? He suggested this could be solved with more connectivity.

Councilmember Beus reviewed the process the ordinance had gone through and said she had really appreciated the process of how the ordinance had come about. She felt like it wasn't perfect but was a pretty good ordinance. Mayor Dustin said he'd personally like the ordinance hashed out and resolved by July 15 because he felt there was some urgency to it. Councilmember Bernhardt asked what urgency there was? Mayor Dustin said he felt there would be several proposals before the City Council in the next several months; he would rather have the ordinance driven by the Council and not by specific proposals that were in front of the Council. Councilmember Jacobsen said there wouldn't be pressure if there weren't an ordinance. Councilmember Larsen felt they were almost at a home run if they were down to which siding was best.

Councilmember Bernhardt said he was interested in Mayor Dustin ideas for integrating the R-PUD into the community. Mayor Dustin summarized some of his connectivity and integration ideas. Councilmember Bernhardt suggested a buffer could be parks on the peripheral of the development to act as the buffer between single family homes and the development.

Councilmember Jacobsen asked Mr. Nelson about owner occupied town homes. Mr. Nelson said he was not sure what regulations could be required at a city level. He didn't know how this would be enforced because ownership was tracked on individual homes. He said an HOA could potentially track this on Nibley's behalf. Councilmember Jacobsen wasn't sure it was worth Mr. Nelson's time to look into this.

Councilmember Larsen suggested he and Councilmember Beus hold another workshop on the proposed ordinance before second reading. He also suggested Mayor Dustin could attend and bring his suggestions. Councilmember Beus and Councilmember Larsen indicated they would like to meet together before the next City Council meeting.

The motion passed unanimously 4-0; with Councilmember Bernhardt, Councilmember Larsen, Councilmember Jacobsen, and Councilmember Beus all in favor.

A Public Hearing to receive comments regarding Ordinance 19-04: Highway 89/91 Setbacks and Commercial Node Definition

Mr. Nelson gave this presentation. Mr. Nelson reported that Nibley City and Logan City had been in discussion about doing a boundary line adjustment along highway 89/91. He showed the proposed boundary adjustment. Mr. Nelson said Logan City viewed highway 89/91 as a gateway to their city and had a desire to try and preserve and beautify the corridor and expected Nibley City to adopt a greater setback along the corridor. Mr. Nelson reviewed Nibley City's proposed setbacks and definition of a commercial node. The then reviewed the setbacks proposed by Logan City.

Mr. Nelson said Logan had reviewed Nibley City's Planning Commission meeting minutes and had paid close attention to their discussion. They had reached out and requested Nibley City adopts what Logan had adopted.

Mr. Nelson discussed that Nibley City had received significant feedback from residents along the highway, from a property owner's attorney and from Nibley City's attorney, which was private, and asked that the City Council keep this information in mind. Mr. Nelson said he didn't feel 25 feet was sufficient along the highway, especially considering growth along the highway. Mr. Nelson thought the boundary line adjustment was good planning and policy for the city but they also needed to consider that Highway 89/91 was one of Nibley's main commercial corridors and was most likely to commercial and industrial growth. Larger setbacks could use property that otherwise would have been used for tax generating revenue. Councilmember Jacobsen clarified wording within the public meeting packet. Councilmember Larsen asked if Mr. Nelson knew setbacks along the highway in the County and in Wellsville? Mr. Nelson said he wasn't familiar with the County's setback and knew that Wellsville had also been working with Logan city.

Mayor Dustin gave direction to the public present and opened the public hearing at 7:53 p.m.

Kenneth Hansen, who owned 18 acres in Nibley right along the highway (940 ft. of frontage). He asked why things couldn't be left the way they were and then when someone came to the City asking to built, then would be the time to consider setbacks. Mr. Hansen said he had paid tens of thousands of dollars in taxes every year and had allowed Nibley City to put a sewer across his property. He said this would impact his property by hundreds of thousands of dollars, which his attorney had called a "precondemnation" and would subject them to an adverse condemnation action. Mr. Hansen said the City Council needed to remember they represented Nibley. He had no other choice but to fight this. He said he had gone down the street and measured every

house which was not even 30 feet back. He shared other current setbacks along the highway. Mr. Hansen said they would be ruining this property and taking away the value. He called the setbacks an “unconstitutional regulatory taking.” He asked the City Council “to just wait.”

Scott Wells, Wellsville City Manager, 75 East Main said Wellsville’s setbacks were 150 foot setback with 40 foot setback on lighted intersections; lighted intersections being (Maverick and 4300 South).

Al Bingham, representing Nelson Farms said they had sat in negotiations with Logan for 1.5-2 years and Logan had proposed 200 feet setback and Logan had concurred at that they would make every effort to make an agreement between Nibley and them but had fought everything. Mr. Bingham felt the setback was trying to prevent his property from going into Nibley. Mr. Bingham recognized that there needed to be some setback but 150 feet was unacceptable. Mr. Bingham said they had about half-mile along highway 89/91. He discussed that his family didn’t want to build right up to the road. Mr. Bingham said they had been negotiating with the R-PUD and discussed developing his property. Mr. Bingham asked that the Mayor negotiate and get the property out of Logan.

Conner Stanger of 2640 South, Highway 89/91, said his property had been zoned commercial and the setback would have an economic impact. Commercial could be done on his property with a 30-foot setback but with a 150-foot setback nothing could be done on his property. He would want to keep it as was because he would want to keep the existing structures grandfathered in. Mr. Cinder said 150 feet was excessive. He discussed traffic that had come in to his property but said at most they had gone in to his property 15 feet.

Blake Parked with Parker Real Estate said he was concerned about sales tax revenue. He said this was one of Nibley’s few shots to get this. He felt Logan City’s approach was hypocritical; that the vast majority of Logan’s highway frontage, that had utilities available, were zero setback and yet Logan was suggesting Nibley observe 100 ft. A lot of the small properties would hold out forever because their properties would had been rendered worthless because of the proposed setback and Nibley would end up with a checkerboard kind of a thing. Mr. Parker discussed the information he would get in said two weeks when he attended a shopping center convention. He said the City Council would be saddling the property owners with a minimum of 100 feet of landscaping; the businesses that would come along the highway would go elsewhere because they wouldn’t be saddled with that type of expense. Mr. Parker said there were businesses that were very interested but if Nibley “didn’t fit the mold”, they would move on. He suggested that Logan was saying, “now that we got our ours, lets close the gate.”

Gordon Zilles who lived in the County echoed what Mr. Parker had said. He noted the expansion of the highway in the undeveloped area and the small setback in Logan. He

said this was the craziest thing he had ever heard; Logan was using all the area out front for visual business. Mr. Zilles described Taco Bell and wetlands in Logan. Mr. Zilles said the City Council was doing wrong by letting Logan influence them. He said he would never go into Nibley because of these setbacks. He had plenty of well rights and had rights to put in septic tanks. Mr. Zilles discussed that firefighters from Logan wouldn't respond to a fire in Nibley unless called in by the Hyrum fire department. He said this was a concern because Logan could get to Nibley faster because they had full-time people.

Mr. Zilles said the County had hired four new full-time fire fighters, two of which would be in Hyrum and two of which would be in Mendon, so this should help with Nibley's response time.

Mr. Bingham reported that a Logan City Councilmen had said that Logan's fire department were no longer going to be offering services to Nibley. Mr. Bingham said he was disappointed in Logan's leadership; he said it was unacceptable.

Seeing no further public comment, Mayor Dustin closed the public hearing at 8:26 p.m.

Discussion and Consideration of Ordinance 19-04: Highway 89/91 Setbacks and Commercial Node Definition (First Reading)

Mr. Nelson summarized the Planning Commission decision and discussion regarding the proposed ordinance.

Councilmember Beus moved to approve Ordinance 19-04: Highway 89/91 Setbacks and Commercial Node Definition for first reading. Councilmember Jacobsen seconded the motion.

Councilmember Bernhardt said he felt Nibley was between a rock and a hard place. He felt this was a countywide issue; was corridor important and how they properly compensated the people for their property? Councilmember Bernhardt said he was currently not in favor of the ordinance.

Councilmember Larsen said he valued the farm and the open space and if you are going to take it, you had to compensate them. He felt they should incentivize for the open space. Councilmember Larsen said he was not on board with demanding 150 feet.

Councilmember Jacobsen discussed the previous south-corridor working group and the south-corridor study had come out with the kinds of setbacks recommended by Logan. Logan adopted the south-corridor study but no one else had. Councilmember Jacobsen summarized the setbacks of the south Taco Bell versus the setback of the south Karl's Jr. and concluded that the setback that were being proposed had not historically been in place. He said this was a more aggressive taking of setbacks than what had been in practice. Councilmember Jacobsen clarified the building permit process for Mr. Hansen.

Mayor Dustin discussed that fire services were an interesting side note because it showed the leveraging that could happen in city politics. Mayor Dustin said this setback was in front of the City Council in an effort to clean up the boundaries between Nibley and Logan. He said this was being held over their heads for leverage in getting the boundary line straightened out. Mayor Dustin said his argument for proceeding with something was that this was a critical, important part of their city; it was 100% of their frontage along the highway. Mayor Dustin said the landowners would probably get more personal attention from Nibley than from any other entity. Mayor Dustin clarified Nibley's proposed ordinance was 100 ft. and the setback could be used for other development requirements. Mr. Nelson described that the proposed setback was very similar to what was in place at CampSaver. He also noted that the proposed setback in commercial nodes was 30 ft. and that according to the proposed commercial node definition there were commercial nodes on all arterial roads along highway 89/91 except for 2200 south. Mayor Dustin said if the City Council passed the ordinance and Logan didn't immediately "play ball" then he would have it brought right back on to the next City Council agenda and the setback would be switched back to previous setbacks. Mayor Dustin said 100 feet for large parcels was acceptable; 150 feet just started to get crazy. Mayor Dustin said he wouldn't be held hostage on fire. He wouldn't be held hostage on sewer and he wouldn't be held hostage on the setback.

Councilmember Beus said she was inclined to pass the ordinance to second reading so Mayor Dustin could take the proposed ordinance and hold a meeting with Logan to see if anything changed.

Mayor Dustin discussed that there was a small parcel issue. He proposed at second reading that if there were parcels that had a significant impact (more than 20 feet or more than 20% of the land area) was impacted that they can appeal to the land use authority for a variance to be set back to standard commercial setbacks.

Councilmember Jacobsen said he didn't like the feeling they were being leveraged by Logan and also didn't like the feeling that a landowner would leverage Logan versus Nibley to shop around for the best deal. They needed to avoid both of those situations or they wouldn't end up with a good product. He thought they were being leveraged by Logan and needed to think about how they could cooperate so they didn't end up like the north end of Logan. Mayor Dustin said Nibley could be a great steward of the land along the highway because they were most impacted by what happened to it. Councilmember Jacobsen said he would vote yes on first reading because he had a lot to think about and a lot to discuss with staff and the members of Council.

The motion passed 3-1; with Councilmember Beus, Councilmember Jacobsen, and Councilmember Larsen in favor. Councilmember Bernhardt was opposed.

Mayor Dustin said he would schedule a meeting with Mayor Daines and whoever else wanted to attend. He invited Nibley's Council members to also attend, noting that if enough wanted to attend then they would notice the meeting publicly.

Discussion and Consideration of Ordinance 19-05: Amendments to Nibley City code, Title 21: Subdivision Regulations (First Reading)

Mr. Nelson gave this report. He utilized a PowerPoint presentation entitled "*Nibley City Subdivision Code Update; City Council 5/9/2019*" (a printed version of the presentation is included in the printed written minutes).

Mr. Nelson summarized the current subdivision application process and that it took 3-5 months for final plat approval. Mr. Nelson then reviewed the proposed subdivision application process and land use authority; followed by a summary of the phasing approval process. Mr. Nelson presented some key questions for the City Council to consider. Mr. Nelson presented an additional section (21.12.060) that included road changes and traffic calming measures. Mr. Nelson presented potential changes to the blocks, cul-de-sac, and trails sections of the proposed subdivision ordinance (21.12.060(F)) and then presented access requirements (21.12.060 (D)) as proposed. Mr. Nelson proposed the City Council consider updating the subdivision ordinance with street tree and landscaping requirements, as well as having a developer pay for first asphalt treatment.

Mr. Nelson suggested the City Council discuss the proposed changes in sections through the next few City Council meetings then Mayor Dustin suggested the City Council separate the changes into two separate ordinances; pulling the stuff one that is largely cleanup and procedure and then workshop the remaining changes.

Councilmember Jacobsen questioned the public hearing requirements. He questioned if the public hearing would be heard at both the City Council and Planning Commission or if it were just with the approval authority? Mr. Nelson believed the wording clarified that a public hearing would be held with both bodies. Councilmember Jacobsen questioned a key question, "how long should they give a developer to bring in new phasing?" He questioned, or else what? What did leverage did the City Council have regarding phasing? Mr. Nelson said the previous code had no deadline on phasing. If they wanted larger developments to happen they should have more open phasing requirements. Wider phasing periods allowed for more confidence to a developer who wanted to develop larger properties.

Councilmember Jacobsen moved to deny approval of Ordinance 19-05: Amendments to Nibley City code, Title 21: Subdivision Regulations for first reading with the intent of separating the process into once which was clerical and a second ordinance that allowed them to deal with more substantive issues. Councilmember Beus seconded the motion.

Mr. Nelson believed denying the ordinance meant the ordinance would have to go back to the Planning Commission. Mr. Nelson suggested they could make a proposal to separate the ordinance into two separate ordinances (19-05 and create 19-06), one with procedural changes and one as policy changes. Mayor Dustin ruled the motion in order.

Councilmember Jacobsen made a substitute motion to continue Ordinance 19-05: Amendments to Nibley City code, Title 21: Subdivision Regulations until the next City Council meeting in order to separate the issues. Councilmember Bernhardt seconded the motion. The motion passed unanimously 4-0; with Councilmember Jacobsen, Councilmember Bernhardt, Councilmember Beus, and Councilmember Larsen all in favor.

Mayor Dustin said he would also like to get the ordinance done by the first City Council meeting in July primarily so it didn't become election fodder.

Council and Staff Reports

Mayor Dustin thanked those City Council members that were able to make it to the League of Cities and Towns meeting.

Mayor Dustin discussed the sewer situation in Millville. The State had asked Millville to look into a sewer district and Mayor Dustin had indicated to Mayor Hair that he "would go along for the ride."

Councilmember Larsen said the experience in St. George was good.

Councilmember Beus said there was lots of talk about housing in St. George and it was good to see how others felt about what the legislature had given them.

Councilmember Beus asked Councilmember Beus for the process of where stop signs are placed. Mr. Maughan said he and the Nibley City Engineers had standards and would look at the area.

Mr. Nelson reported that the ULCT was doing trainings on the update to the moderate housing plan and on the referendum process. He reported there was also scheduled training on Saturday

Mr. Nelson reported that Nibley City qualified as a city that was required to update their general plan and affordable housing plan. Mr. Nelson said Nibley City was required to do three items out of 24 qualifications listed. Mr. Nelson said this needed to be done by December 1, 2019 or there was risk that Nibley City would lose road funds.

There was general consent to adjourn the meeting at 9:50 p.m.

Attest: _____
Deputy City Recorder