

A Meeting of the Nibley City Council held at Nibley City Hall, 455 West 3200 South, Nibley, Utah, on Thursday, January 27, 2022.

The following actions were made during the meeting:

Councilmember Beus moved to approve the preliminary plat for Nibley Meadows Preliminary Plat, containing 273 residential units (mix of single-family and townhome units), located at approximately 1000 W 3200 S; applicant, 7 Point Royal, LLC as presented. Councilmember Larsen seconded the motion.

Voting on the motion to approve was as follows:

Councilmember Bernhardt voted yes.

Councilmember Beus voted yes.

Councilmember Larsen voted yes.

Councilmember Laursen voted yes.

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

Councilmember Bernhardt moved to continue recommendation for Ridgeline Park East Preliminary Plat, containing 333 residential units (mix of single-family, townhome and condo units), located at approximately 250 W 3200 S; applicant, Visionary Homes, to the next City Council meeting. Councilmember Larsen seconded the motion. The motion passed 4-0; with Councilmember Bernhardt, Councilmember Beus, Councilmember Larsen, and Councilmember Laursen all in favor.

Councilmember Laursen moved to approve Resolution 22-04: Amending Rules of Procedure and Order for the Nibley City Council with grammatical and typographical corrections. Councilmember Laursen seconded the motion.

Voting on the motion was as follows:

Councilmember Bernhardt voted yes

Councilmember Beus voted yes.

Councilmember Larsen voted yes.

Councilmember Laursen voted yes.

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

Councilmember Larsen moved to approve Ordinance 22-02: Updating Nibley City Code in Reference to the Nibley City Consolidated Fee Schedule.

Voting on the motion was as follows:

Councilmember Beus voted yes.

**Councilmember Larsen voted yes.
Councilmember Laursen voted yes.**

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

Councilmember Beus made a motion to approve Resolution 22-01: Annual Amendments to Nibley City's Consolidated Fee Schedule. The motion was seconded by Councilmember Larsen.

**Voting on the motion was as follows:
Councilmember Beus voted yes.
Councilmember Larsen voted yes.
Councilmember Laursen voted yes.**

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

Councilmember Laursen moved to approve Resolution 22-06: A Resolution Appointing the Nibley City 2022 Planning Commission Chair and Vice-Chair and waived the second reading. Councilmember Larsen seconded the motion.

**Voting on the motion was as follows:
Councilmember Beus voted yes.
Councilmember Larsen voted yes.
Councilmember Laursen voted yes.**

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

Councilmember Beus moved to approve a contract with People + Place, LLC for a Transfer of Development Rights Study & Ordinance. Councilmember Larsen seconded the motion. The motion passed unanimously 3-0; with Councilmember Beus, Councilmember Larsen, and Councilmember Laursen all in favor.

OFFICIAL MINUTES OF THE MEETING
City Recorder Cheryl Bodily took minutes

Opening Ceremonies

Hindu statesman, President Rajan Zed gave an invocation for the opening ceremonies via a Zoom meeting link. He first prayed speaking Sanskrit, then translated to English. He said:

Many thanks to the great city of Nibley City it's Mayor, Larry Jacobsen for this great opportunity and for donating this time to him. He said he was reading from Indian scripture in Sanskrit. He asked those present to arise.

*Om
bhur bhuvah svah
tat Savitur varenyam
bhargo devasya dhimahi
dhiyo you nah prachodayat*

We meditate on the transcendental glory of the deity supreme, who is inside the heart of the Earth, inside the life of the sky and inside the soul of the heaven. May He stimulate and illuminate our minds.

*asato ma sad gamaya
Tamaso ma lyotir gamaya
Mrityor mamrtam gamaya*

*Lead us from the unreal to the real.
Lead us from darkness to light.
Lead us from death to immortality.*

*tasmadasaktah satatam karyam karma samacara
asakto hyacarankarma paramapnoti purusah*

Strive constantly to serve the welfare of the world; by devotion to selfless one attains the supreme goal of life. Do your work with the welfare of others always in mind.

*Om saha naavavatu
Saha nau bhunaktu
Saha viiryan karavaavahai
Tejasvi naavadhiitamastu
Maa vidhvishhaavahai*

*May we be protected together.
May we be nourished together.
May we work together with great vigor.
May our study be enlightening.
May no obstacle arise between us.*

*samani va akutih
samana hrdayani vah
samanam astu vo mano
yatha vah susahasti*

*United your resolve, united your hearts,
may your spirits be at one,
that you may long together dwell
in unity and concord!*

Om Shanti, Shanti, Shanti

Peace, Peace, Peace be unto all.

Om

Call to Order and Roll Call

Mayor Larry Jacobsen called the Thursday, January 27, 2022, Nibley City Council meeting to order at 6:34 p.m. Those in attendance included Mayor Larry Jacobsen, Councilmember Kathryn Beus, Councilmember Norman Larsen, and Councilmember Nathan Laursen. Levi Roberts, Nibley City Planner, Darren Farar, Nibley City Engineer, and Steve Eliason, Nibley City Public Works Director was also present.

Councilmember Bernhardt joined the meeting remotely.

City Attorney, Rob Patterson was also participating remotely.

Mayor Jacobsen said Councilmember Kay Sweeten was not present at the meeting.

Approval of the January 13, 2022 Meeting Minutes and Current Agenda

Councilmember Larsen moved to approve the January 13, 2022, meeting minutes. Councilmember Beus seconded the motion. Passed unanimously 4-0; with Councilmember Bernhardt, Councilmember Beus, Councilmember Larsen, and Councilmember Laursen all in favor.

Mayor Jacobsen requested the City Council strike item 13 from the agenda because the proponent was not present and had asked that the item be removed.

Item 13 from 1-27-22 proposed agenda: Granting Access for Development of a Single-Family Home at Parcel 03-069-002 from 4870 South Hollow Road

Councilmember Beus moved to approve the January 27, 2022, meeting agenda, striking item 13 from the agenda. Councilmember Larsen seconded the motion.

Councilmember Laursen asked for clarification on item 12 of the agenda which appeared incomplete in the printed agenda. Mr. Roberts stated that the agenda wording should read, "Approving a Transfer of Development Rights Contract with

People + Place, LLC.” Chad Wright confirmed that the agenda posted to the Public Notice website included the correct wording.

Mayor Jacobsen asked for unanimous consent to include this wording in the motion to approve the agenda. The City Council gave no objections to including the wording.

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

Public Comment Period

Mayor Jacobsen gave direction to the public present and opened the Public Comment Period at 6:38 p.m.

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

Planning Commission Report

Mr. Roberts described that the only item on the previous Planning Commission agenda that was not included on the evening’s City Council meeting agenda, was Planning Commission goals. He reported that goals were briefly discussed but were continued to the next Planning Commission meeting.

Discussion and Consideration: Recommendation for Nibley Meadows Preliminary Plat, containing 273 residential units (mix of single-family and townhome units), located at approximately 1000 W 3200 S. (Applicant: 7 Point Royal, LLC)

Mayor Jacobsen said the project the City Council was considering was already bound by an adopted development agreement and a concept development plan. The goal of the preliminary plat was to agree with proponent on the placement and general design of lots, streets, utilities, amenities and other items and to ensure those items can satisfy the requirements of the development agreement along with city code and design standards. Once the preliminary plat is approved the City Council is limited when asking for additional concessions at final plat. He said the “heavy lifting” happened during consideration of preliminary plat. The proponent must bring a final plat that follows the preliminary plat and conditions tied to the preliminary plat approval must be resolved before the final plat is approved. The City Council must require enough design and engineering to establish and agree to a preliminary plat without requiring all the work and expense to have all the final engineering completed for the final plat.

Mr. Roberts gave a presentation regarding this proposal. He utilized an electronic presentation intitled *Nibley Meadows Preliminary Plat* (a printed version of this presentation is included in the printed copy of the meeting minutes). The topic Mr. Roberts included in his presentation included the following: Summary, preliminary plat maps, one which included a modification of a proposed trail, Background on density, lot sizes, until split, layout, sewer, water, stormwater, canals, and transportation.

Mr. Farar described the reason staff was asking that the open spaced be owned and maintained by the development's HOA. He described the location of retention basins and that in speaking with the developer, they were comfortable either way; with the HOA maintaining ownership or the city taking ownership. Nibley City field staff were concerned with the extra equipment and staff time that were required to maintain a retention basin. Councilmember Bernhardt asked which equipment was needed to maintain a retention basin; particularly one that was wet. Mr. Farar described the needed equipment and said staff didn't feel they had the necessary equipment. Councilmember Bernhardt asked for the cost of the needed equipment, which Mr. Farar did have at that time.

Finally, Mr. Roberts presented the Planning Commission Recommendation.

"The preliminary maintenance plan be amended so that the 1.14 acre stormwater basin adjacent to the City Park be owned and maintained by the HOA."

Councilmember Beus clarified that the existing ag access road would be left as it currently stood, with the road's current use, until the southmost portion of the development was complete. Mr. Roberts said this was correct and until a road was built in the 10th phase, the ag road would be maintained as was. Councilmember Beus said she owned land further south of the development and needed ag road access for farm equipment.

Travis Taylor with 7 Point Royal, LLC was present for the discussion. Mr. Taylor said they were asking for clarification on ownership with the stormwater basin next to the development proposed park. He said they were okay either way on that property.

Councilmember Beus moved to approve the preliminary plat for Nibley Meadows Preliminary Plat, containing 273 residential units (mix of single-family and townhome units), located at approximately 1000 W 3200 S; applicant, 7 Point Royal, LLC as presented. Councilmember Larsen seconded the motion.

Councilmember Larsen felt the city should own the 1.8 acres. This would be the city's first splashpad on the property next to the acreage and ought to have control over what that area looked like. Councilmember Beus and Mr. Farar discussed projected water retention to the basin. Councilmember Bernhardt agreed with Councilmember Larsen and suggested taking over the basin with the condition that the city have the understanding of the equipment that would need to be acquired and if the developer would be willing to pay a fee in lieu of the equipment or buy the equipment once it was built out. Mr. Taylor said the Planning Commission had suggested they could see how the basin functioned and if at some point the city wanted to take over the basin, then he felt confident the HOA would be willing to hand over the basin. Mr. Taylor said the area was in a funny place being between two city owned parcels. Mayor Jacobsen clarified

that he hadn't heard Mr. Taylor say he was willing to buy equipment for the City. Councilmember Laursen agreed with what Mr. Taylor had suggested. Councilmember Laursen clarified the agreement that was in place for the splashpad; that the city would receive the money to do the splashpad from the developer, but the developer was not installing the splashpad. Mr. Roberts said Mayor Jacobsen clarified that the motion in place included the condition that the 1.8 parcel in question was adopted as owned and maintained by the HOA. Councilmember Bernhardt questioned including a condition that the city had X number of years to express interest in the property and then either purchase or take over the property at current property values.

Councilmember Bernhardt made a motion to amend the Nibley Meadows development agreement that the city would have the option to buy the 1.8 acre retention basin within 6 years of development of the basin, based on 2022 land valuations. The motion died for lack of second.

The City Council debated taking ownership of the 1.8-acre retention basin on the Nibley Meadows property.

Councilmember Laursen said he was ready to vote which Mayor Jacobsen interpreted as a call to question, which terminated debate. Seeing no objection to the call to question, Mayor Jacobsen called for the vote to proceed.

Voting on the motion to approve was as follows:

Councilmember Bernhardt voted in favor.

Councilmember Beus voted in favor.

Councilmember Larsen voted in favor.

Councilmember Laursen voted yes.

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

Discussion and Consideration: Recommendation for Ridgeline Park East Preliminary Plat, containing 333 residential units (mix of single-family, townhome and condo units), located at approximately 250 W 3200 S. (Applicant: Visionary Homes)

Ben Steele, representing the applicant Visionary Homes, was present at the meeting.

Mr. Roberts gave a presentation regarding this proposal. He utilized an electronic presentation intitled *Ridgeline Park East Preliminary Plat* (a printed version of this presentation is included in the printed copy of the meeting minutes). The topics Mr. Roberts included in his presentation included the following: Summary, a schematic of the concept development plan, a plat map showing phasing, Background including density, lot sizes, unit split, lay-out, sewer, water, stormwater, Geotech, canals, sensitive land, parking, open space and maintenance, and transportation.

The meeting had technical difficulties at 7:40 and the Zoom connection was lost. Mayor Jacobsen called for a meeting break at 7:41 while Mr. Roberts' computer rebooted.

The meeting resumed at 7:48 p.m.

Mr. Farar reviewed his presentation (included in the printed meeting minutes) entitled *Ridgeline Park East Preliminary Plat*. He discussed the proposed development connectivity to 3200 South and highway 165. Mr. Farar said the City Council would need to discuss the proposed connection at highway 165 and 2900 south. Mr. Farar gave study statistics regarding road connectivity and level of service (LOS) for each proposed connecting road. Mayor Jacobsen asked if Mr. Farar was comfortable moving forward with any recommendations he would make with the level of information he currently had. Mr. Farar recommend they continue to work on the traffic study until they have a final approved traffic study. Mr. Farar discussed the proposed development of 2900 south, the requirements of the developer, and that the road was a deeded gap of 26-27 feet between property that contained a gravel road that had been maintained by the city for 15+ years. The Nibley City attorney had suggested the city had standing in owning the road and should be able to go forward with the developer paving the 26-27 feet. He's suggested an indemnification to Visionary which essentially meant the City would side with Visionary should issues arise with residents along the 2900 right-of-way. Mr. Farar suggested a certified survey be completed by Visionary. He discussed the appropriate time for the development of the road, as discussed with staff and Visionary Homes, was determined to be construction with first development that happened in either phases 7, 8, or 9. Mr. Roberts discussed that the Planning Commission had recommended the road be completed before the final plat approval of the third phase within the development. Mayor Jacobsen read the recommendation of the Planning Commission. Councilmember Bernhardt asked for clarification on development of commercial property on the Ridgeline Park property. Mr. Roberts described that the development agreement said the connection would be made either when commercial was developed, or after 250 West was improved, the city would reconsider the need for the 2965 connection. Mayor Jacobsen read staff's recommendation for 2900 south. Mr. Farar clarified there were unique things on the property that needed to be addressed in traffic impact, geotechnical, sewer, stormwater studies and other supporting materials and went into detailed discussion about a sewer lift versus gravity sewer system and stormwater retention. He suggested a condition to a motion that these needed to be provided and addressed as determined by the City Engineer. Councilmember Beus felt there was so much unknown that they were not ready to have a motion on the plat. Mayor Jacobsen reread "The proponent must bring a final plat that follows the preliminary plat and conditions tied to the preliminary plat approval must be resolved before the final plat is approved." Mayor Jacobsen said there were questions that remained, but a final plat had to agree with the preliminary plat and if they listed conditions that needed to be resolved, they were on the proponent and not on the city.

Mayor Jacobsen asked for Commissioner Mansell's recommendation representing the Nibley City Planning Commission. Commissioner Mansell said the Planning Commission biggest concern was that all the traffic was being pushed to 3200 south. They felt there would be 471 units before the 2900 south connection was completed and had been concerned for the existing residents. He felt the split that had been proposed since the Planning Commission's discussion was fair. Commissioner Mansell said the Planning Commission was also concerned with the traffic study, when it had been conducted, and if it was sufficient study.

Benjamin Steele, representing Visionary Homes and resident of 2754 East Marion Whitney Drive in Whitney, ID, had an electronic presentation (printed and included in the printed meeting minutes) entitled *Visionary Homes Ridgeline Park East Pre-Plat*. He spoke to concerns with regards to sewer, storm drain, and access points with the expectation that there were a lot of things to still work out. He was concerned that staff was requiring more than was required at a pre-plat. He felt there was a viability sufficient to move forward with a pre-plat and potential issues would be vetted out. Having to vet out all the issues would require a substantial cost in engineering cost. Mr. Steele said Visionary's traffic engineer was present at the meeting and could address the City Council questions. Councilmember Laursen asked for clarification of why the commercial portion of the development was pulled. Mr. Steele said it was a matter of timing and feasibility. He felt there may be additional platting necessary when those lots were developed. They wanted to leave the commercial open for future use and demand for commercial use. He discussed the sewer going through those plats had been rerouted

Councilmember Bernhardt moved to continue recommendation for Ridgeline Park East Preliminary Plat, containing 333 residential units (mix of single-family, townhome and condo units), located at approximately 250 W 3200 S; applicant, Visionary Homes, to the next City Council meeting. Councilmember Larsen seconded the motion.

Councilmember Larsen asked for clarification that the motion could be continued or even denied. Mr. Patterson said there were two intertwined parts to the approval: amending the prior approved development agreement and the preliminary plat. Theoretically they could deny the preliminary approval; however, the city would have to identify how the preliminary plat didn't satisfy code and be specific in those findings. Mr. Farar added that in looking at the recommendations that had been given, staff had worked out several of them. He reviewed some of the items that would need more than two weeks' time to work out. Staff felt they were at a point they could move forward. There would be changes and risk but this was something the developer had agreed to take on. Mr. Farar said staff didn't have the ability to request the commercial property be included in the current preliminary plat. There had been concern the developer would sell the property off. According to Nibley's attorney, if the property were sold off it would have to be developed to the R-PUD standard. Mr. Roberts said there were several recommendations that illuded to the engineering studies

recommended by Mr. Farar. The remaining issues relayed back to the development agreement. There were really two issues; getting engineering studies to the point that Mr. Farar was comfortable to sign off on them and then street connection issues and the timing of those. Mayor Jacobsen said he felt a motion to continue needed to include some clarity on what the City Council was not seeing that they needed to see so staff knew what they needed to work on. Councilmember Bernhardt shared that the size of the project that the developer was biting off didn't seem as tidy as the previous applicant and he said there seemed to be hesitation from city staff that there were enough small details that could be cleaned up. Mr. Farar said he'd provided a document that listed staff's comments regarding the reports provided and where staff stood regarding those reports, that could affect the preliminary plat. Councilmember Beus said there was a lot of information to "chew on" and digest and referred to alignment of roads. Mr. Steele felt the list of conditions boiled down to the timing of 2900 and the others were just a matter of course as far as development went. He would like to turn their engineer loose and put more hours into the construction drawings.

Mr. Steel asked for deliberation from the City Council on items 1 and 6: Development Agreement to be amended, striking requirement for 2965 S roadway connection to be continuous without need to turn onto another roadway; and 2900 S and 250 W must be completed before final plat approval of a third phase within phases 4-9). The City Council, staff and applicant discussed and debated the road alignment from the development agreement versus the road alignment as proposed. They discussed amending the current development agreement and discussed the development of the Ridgeline Park proposed commercial property. Mr. Steel requested a vote be taken on the amendments to the development agreement.

Councilmember Beus motioned to call to question. Seeing no objection to the call to question, Mayor Jacobsen called for a vote.

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

Discussion & Consideration – Resolution 22-04: Amending Rules of Procedure and Order for the Nibley City Council (Second Reading)

Recorder Bodily reviewed the changes that had been made to Resolution since the City Council's review at the 1-13-22 meeting.

Councilmember Laursen moved to approve Resolution 22-04: Amending Rules of Procedure and Order for the Nibley City Council with grammatical and typographical corrections. Councilmember Laursen seconded the motion.

Councilmember Laursen said he needed clarification on the rules and procedure and why they were adopted in addition to Nibley City ordinance. Mayor Jacobsen felt Robert's Rules were too formal and the origin of the Rules of Procedure came from

David Church in the Utah League of Cities and Towns Powers and Duties Handbook. Mayor Jacobsen said the City Council was free to adopt whatever rules they wanted. Councilmember Laursen said he had objections to the Nibley City ordinance and requested the ordinance be reviewed. He said he would have suggestions when the ordinance was reviewed.

Voting on the motion was as follows:

Councilmember Bernhardt voted yes

Councilmember Beus voted yes.

Councilmember Larsen voted yes.

Councilmember Laursen voted yes.

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

Councilmember Bernhardt left the meeting at 9:36 p.m.

The City Council determined that the City Attorney, Rob Patterson had also left the meeting.

Discussion & Consideration – Ordinance 22-02: Updating Nibley City Code in Reference to the Nibley City Consolidated Fee Schedule (Second Reading)

Nibley City Treasurer was present for this discussion via Zoom.

Amy Johnson reported that the consolidated fee schedule that was posted on the Nibley City website was outdated, and staff wanted to update the consolidated fee schedule and generalize the ordinance to refer to the consolidated fee schedule rather than have specific dollar amounts within the ordinance. There were still some ordinances that would require they have actual dollar amounts. The goal was to generalize the ordinance and list all fees on the consolidated fee schedule so staff wouldn't have to change ordinance all the time to make small fee changes.

Mr. Roberts directed the City Council to any fees that were changed from the previous reading of the ordinance.

Councilmember Larsen moved to approve Ordinance 22-02: Updating Nibley City Code in Reference to the Nibley City Consolidated Fee Schedule.

Voting on the motion was as follows:

Councilmember Beus voted yes.

Councilmember Larsen voted yes.

Councilmember Laursen voted yes.

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

Discussion & Consideration – Resolution 22-01: Annual Amendments to Nibley City’s Consolidated Fee Schedule (Second Reading)

Mayor Jacobsen asked Nibley City Recreation Director, Chad Wright to update the City Council on recreation fees. He followed up on comments from residents made regarding Nibley City’s field rental fees.

Mayor Jacobsen said the goal was the need to be fair and the need to be sustainable and striking that balance. There had been extra scrutiny on the recreation fees because of Mrs. Bradford’s comments. Mr. Wright said they welcomed the scrutiny of residents. He had a discussion with Nibley Parks Superintendent about Nibley City’s field grooming process and the elements they’d discussed were addressed in the proposed fees being charged. Mr. Wright described that one of the best ways to address fees was to look at their athletic fields as if it were a passive park and use this as a baseline. Then look at the additional costs to bring the “passive parks” to an athletic field level.

Councilmember Beus made a motion to approve Resolution 22-01: Annual Amendments to Nibley City’s Consolidated Fee Schedule. The motion was seconded by Councilmember Larsen.

Voting on the motion was as follows:

Councilmember Beus voted yes.

Councilmember Larsen voted yes.

Councilmember Laursen voted yes.

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

Discussion & Consideration – Resolution 22-06: A Resolution Appointing the Nibley City 2022 Planning Commission Chair and Vice-Chair (First Reading)

Mayor Jacobsen reported that the Planning Commission had recommended that their alternate, Ryan Werner act as the Chair of the Planning Commission. Mayor Jacobsen said Ryan was committed to the Planning Commission and was attending meetings. He wouldn’t vote as an alternate unless one of the other Commissioners were absent. The responsibilities of the Planning Commission chair were well within Ryan’s reach, and he had talked to him about meetings being less contentious and less energetic by following rules. Mayor Jacobsen said the Planning Commission Vice-Chair would be Tyler Obray.

Mr. Roberts said the Planning Commission Chair set the agenda, but the dynamic of the Planning Commission was that the agendas were set by the applications that came in, goals that had been set, and the discussion in previous Planning Commission meetings. He typically put the agenda together and the Chair signed off on the agenda. Mr.

Roberts reminded the City Council that they could also set items on the Planning Commission agenda.

Councilmember Laursen moved to approve Resolution 22-06: A Resolution Appointing the Nibley City 2022 Planning Commission Chair and Vice-Chair and waived the second reading. Councilmember Larsen seconded the motion.

Councilmember Larsen asked Mr. Roberts report back to the City Council if it got weird. Mr. Roberts said Mr. Werner's attendance was as high as any other Commissioner.

Voting on the motion was as follows:

Councilmember Beus voted yes.

Councilmember Larsen voted yes.

Councilmember Laursen voted yes.

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

Discussion & Consideration – Approving a contract with People + Place, LLC for a Transfer of Development Rights Study & Ordinance

Mr. Roberts said the contract was for \$25,000 and was mostly paid for by a UDOT Technical Assistance planning grant. The remainder would be paid for out of the General Fund for \$2,000. The project would study the feasibility of a transfer of development rights ordinance, recommend the appropriate application in the city, and provide a draft ordinance. People + Place provided additional expertise than what staff currently had. Mr. Roberts described the goal of a transfer of developments rights ordinance and the preservation of open space.

Councilmember Beus moved to approve a contract with People + Place, LLC for a Transfer of Development Rights Study & Ordinance. Councilmember Larsen seconded the motion.

After clarification from Councilmember Laursen, Mr. Roberts agreed that staff needed the expertise, time and ability of an outside source to develop an ordinance. Mr. Farar said he'd met with People + Place and they'd expressed concern with ordinances that hadn't succeeded and felt they had a depth of experience that Nibley City didn't have.

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

Council and Staff Report

Councilmember Laursen discussed some of his experience using Teams software. He asked that the City Council have access to the Planning Commission's meeting materials.

Councilmember Larsen asked to start working on a concept for Morgan Farm. He wanted to present something to the Parks and Rec Committee and perhaps start soliciting for private funds.

Councilmember Beus reported on attending Local Officials Day which was sponsored by the League of Cities and Towns with the Nibley Youth Council. She discussed Nibley City's relationship with the League of Cities and Town. Mayor Jacobsen suggested if they were unhappy with the League, before they abandoned them, they ought to put effort into letting them make them happy. He said his time on the Planning Commission and City Council had been greatly influenced by the League of Cities and Towns.

Mr. Farar reported that the hammerhead at Stonebridge had been substantially constructed. There was still some paving that needed to be done. He said there were some smaller subdivision developments that would be going through the Planning Commission approval process in the coming weeks.

Mr. Farar reported that work was being done in the Public Works building. They were building offices which were almost ready to paint. There would also be two additional office spaces built where the old City Council dais once sat.

Mayor Jacobsen reported that he wouldn't be reporting a lot during Council reports. He would report mostly to the City Council through his Mayor's Journal, which was posted on the Nibley City website.

General consent was given to adjourn at 10:15 p.m.

Attest: _____
City Recorder