

A Meeting of the Nibley City Council held at Nibley City Hall, 455 West 3200 South, Nibley, Utah, on Thursday, May 2, 2024.

OFFICIAL MINUTES OF THE MEETING
City Recorder Cheryl Bodily took minutes

Opening Ceremonies

Councilmember Nathan Laursen summarized the history of the National Military Appreciation month as designated on April 30, 1990. He also described that the first Thursday in the month of May had been designated by Congress as a National Day of Prayer and in 2003 other groups had started the Day of Reason. In embracing of all three observances Councilmember Laursen had invited an army veteran to offer a prayer to start the meeting. He encouraged those at the meeting to reflect on their appreciation for the military and the role that reason played in their lives.

Veteran and former Nibley City Judge, Jack Stevens offered a prayer.

Call to Order and Roll Call

Mayor Larry Jacobsen called the Thursday, May 2, 2024, Nibley City Council meeting to order at 6:32 p.m. Those in attendance included Mayor Larry Jacobsen, Councilmember Norman Larsen, Councilmember Nathan Laursen, Councilmember Kay Sweeten, Councilmember Erin Mann, and Councilmember Garrett Mansell. Justin Maughan, Nibley City Manager, Levi Roberts, Nibley City Planner, Cheryl Bodily, Nibley City Recorder, Tom Dickinson, Nibley City Engineer, and Steve Eliason, Nibley City Public Works Director was also present.

Approval of the Previous Meeting Minutes and Current Agenda

Councilmember Sweeten moved to approve the evening's agenda and the minutes from April 11, 2024. Councilmember Larsen seconded the motion. The motion passed unanimously 5-0; with Councilmember Sweeten, Councilmember Larsen, Councilmember Laursen, Councilmember Mann, and Councilmember Mansell all in favor.

Public Comment Period

Mayor Jacobsen gave direction to the public present and opened the Public Comment Period at 6:36 p.m.

Matt Jensen, a Nibley resident of 182 West and 3550 South, just east of the Cottages, told the City Council that the noise pollution from SR 165 was quite loud from the time of approximately 7:00 p.m. to 9:00 a.m. He questioned if there had been discussion of changing the speed limit of SR 165 through Nibley. He wondered if this could be a factor with the noise. Mayor Jacobsen discussed the City's communications with the Utah

Department of Transportation (UDOT) regarding the speed limit on SR 165. Mayor Jacobsen also discussed the lack of foliage on the trees that might be affecting the noise levels. Councilmember Sweeten encouraged Mr. Jensen to contact UDOT himself. She also encouraged him to reach out if he wanted to discuss the issue further.

Seeing no further public comments, Mayor Jacobsen closed the Public Comment Period at 6:41 p.m.

Planning Commission Report

Mr. Roberts described that there had been three items on the Planning Commission agenda. The first being the Nibley Coach Assisted Living Center site plan and concept plan. This did pass the Planning Commission and was the area just north of Logan Coach. Mr. Roberts said the Planning Commission had discussed the Nibley Marketplace, which was the first item on the current City Council agenda. Mr. Roberts said that lastly the Planning Commission had discussed the open space subdivision and looking at an open space subdivision inside of an R-2A zone and allowed for smaller lot sized in that context. Mr. Roberts said the Planning Commission would hold a public hearing on this issue at their next meeting and the item would likely be on the next City Council agenda. Mr. Roberts said a Commissioner had requested that the land use parking ordinance be reviewed. The Planning Commission was intending to have a workshop agenda discussion on this item and there may be potential changes recommended for the ordinance.

Workshop – Nibley Marketplace, a Commercial Development at approximately 1501 W 2600 S

Mr. Bill Gaskill participated during the meeting using an electronic link. Mr. Roberts presented information regarding this workshop discussion. He used a PowerPoint presentation entitled *Nibley Marketplace Concept Plan* (a printed version of the presentation is included in the written meeting minutes). The topics included in his presentation included the following: Background, a concept map, Planning Commission Action, and Findings.

Mr. Gaskill described that the plan was just conceptual, and they didn't have any specific tenantry set. Mr. Gaskill said he'd been through the parking, landscaping, and architectural code and said they would abide by those standards and meet any requirements. Mr. Gaskill discussed 2500 South and discussion with property owners regarding providing the right-of-way at 2500 South and the access at Highway 89/91. Mr. Dickinson discussed the Heritage Drive alignment. He said there were advantages with the curvature of the road, and it would act as some traffic calming; the curvature wouldn't sustain a 45-mph drive. Mr. Dickinson said staff had discussed connectivity on the trail through bulb outs near Heritage Drive. Mr. Maughan described an issue with the sewer master plan that the sewer along Highway 89/91 was undersized. They'd had discussions with Mr. Gaskill about putting in a spitter box and upsizing the sewer line along Heritage Drive. There was a good opportunity to cover the cost of upsizing the

pipe instead installing a whole new pipe sometime in the future. Mr. Gaskill, the City Council and staff discussed Nibley's current parking requirements and current standard parking code. Mayor Jacobsen expressed his concerns with the commercial design standards and that they had never "been tested." He said he would be interested to hear whether Mr. Gaskill felt the standards would be workable. Councilmember Mann suggested they talk with Cache Valley Transit District (CVTD) about rerouting the Route 11 through the proposed development and they ought to be thinking of a safe spot for bus passengers to get off and on.

Discussion & Consideration: Resolution 24-08—Amending the Nibley City Consolidated Fee Schedule (Green Waste, Community Room Reservation Fees, Sewer/Water Modeling Fees, Miscellaneous Land Use Fees, Water/Sewer Penalties, and Miscellaneous Recreation Fees) (Second Reading)

Mr. Maughan described that staff wanted to include an asterisk on the right-of-way permit fee so that they could give the City Engineer flexibility to ensure that they were covering costs. Councilmember Laursen asked if it would be easier to charge \$150 and then charge the engineer's hourly rate. Mr. Dickinson redescribed that fiber companies were currently coming in with 6-9 blocks at a shot. They would be big, big projects and \$150 just wouldn't cut it. He felt they should sit down with larger applicants and negotiate the fee; they should have this ability.

Mayor Jacobsen explained the data included in a spreadsheet provided to the City Council in the meeting packet. The spreadsheet showed the current rates owed to Waste Management for greenwaste removal, the fund shortfall if the greenwaste rate were not increases, and other fee assessment scenarios.

Councilmember Laursen moved to approve Resolution 24-08—Amending the Nibley City Consolidated Fee Schedule (Green Waste, Community Room Reservation Fees, Sewer/Water Modeling Fees, Miscellaneous Land Use Fees, Water/Sewer Penalties, and Miscellaneous Recreation Fees) with the following amendments:

- Increase 1 extra 96 gal can to \$15.99*
- Increase 2 extra 96 gal can to \$30.00*
- Increase 3 extra 96 gal can to \$50.00*
- Increase 1 extra 64 gal can to \$10.00*
- Setting the rate charged for a greenwaste can to \$9.50*

and accepting all other changes. Councilmember Sweeten seconded the motion.

Councilmember Laursen explained his reasoning for his motion and that he was trying to incentivize greenwaste. The Council discussed what actions they wanted to incentivize. Mr. Maughan reported on the number of residents who had signed up for greenwaste and the number of residents who had canceled their greenwaste service since the proposed rate had been released to the public.

Councilmember Laursen made a substitute motion to approve Resolution 24-08—Amending the Nibley City Consolidated Fee Schedule (Green Waste, Community Room Reservation Fees, Sewer/Water Modeling Fees, Miscellaneous Land Use Fees, Water/Sewer Penalties, and Miscellaneous Recreation Fees) as presented. Councilmember Larsen seconded the motion. The motion passed unanimously 5-0; with Councilmember Laursen, Councilmember Larsen, Councilmember Sweeten, Councilmember Mann, and Councilmember Mansell all in favor.

Voting on the motion to approve Resolution 24-08 was as follows:

Councilmember Larsen voted in favor.

Councilmember Laursen voted in favor.

Councilmember Mansell voted in favor.

Councilmember Sweeten voted in favor.

Councilmember Mann voted in favor.

The motion to approve Resolution 24-08 passed unanimously 5-0; with Councilmember Laursen, Councilmember Larsen, Councilmember Sweeten, Councilmember Mann, and Councilmember Mansell all in favor.

Mayor Jacobsen noted that County Councilmember Kathryn Beus had joined the meeting. He noted a request from Councilmember Laursen to take public comments from Councilmember Beaus and general consent was given to suspend the agenda and take Ms. Beus' comments.

Kathryn Beus of 386 Sheridan Ridge in Nibley thanked the City for setting aside the funds for the additional athletic fields that were put in. Ms. Beus requested to be on the Nibley City Council agenda in June to do a goal session to touch base and see what Nibley might need from the County.

Seeing no objection, Mayor Jacobsen called for a meeting recess at 7:54 pm. The meeting resumed at 8:05 p.m.

Discussion & Consideration: Resolution 24-05—Accepting an Update of the Nibley City Wastewater Management Plan for Nibley City (Second Reading)

Mr. Maughan said the City Council had requested track changes be included for review. Staff had included the track changes and Mr. Maughan reviewed the changes that had been made to the Wastewater Management Plan.

Councilmember Laursen said he had also provided a document that included grammatic changes.

Councilmember Larsen moved to approve Resolution 24-05—Accepting an Update of the Nibley City Wastewater Management Plan for Nibley City as presented with grammatical corrections. Councilmember Sweeten seconded the motion.

Voting on the motion to approve Resolution 24-05 was as follows:

Councilmember Larsen voted in favor.

Councilmember Laursen voted in favor.

Councilmember Mann voted in favor.

Councilmember Mansell voted in favor.

Councilmember Sweeten voted in favor.

The motion to approve Resolution 24-05 passed unanimously 5-0; with Councilmember Larsen, Councilmember Sweeten, Councilmember Laursen, Councilmember Mann, and Councilmember Mansell all in favor.

Discussion & Consideration: Ordinance 24-05—Amending 11.02.040 Parking Regulations—Including Adjustments to Limited Winter Parking and Parking-At-Curb Regulations (Second Reading)

Mr. Roberts presented information regarding Ordinance 24-05. He used a PowerPoint presentation entitled *Parking Regulation Changes* (a printed version of the presentation is included in the written meeting minutes). The topics included in his presentation included the following: Updates.

Councilmember Sweeten moved to approve Ordinance 24-05—Amending 11.02.040 Parking Regulations—Including Adjustments to Limited Winter Parking and Parking-At-Curb Regulations; the version with updates from staff. Councilmember Larsen seconded the motion.

Councilmember Sweeten thanked staff for the work and notes that had been taken after the public hearing and discussion from the City Council and for the updates to the document that had been made.

Councilmember Laursen made a motion to amend strike word “impoundment from C.3. Councilmember Mann seconded the motion. The motion to amend passed 5-0; with Councilmember Laursen, Councilmember Mann, Councilmember Larsen, Councilmember Sweeten, and Councilmember Mansell all in favor.

Voting on the motion to approve Ordinance 24-05 was as follows:

Councilmember Larsen voted in favor.

Councilmember Laursen voted in favor.

Councilmember Mann voted in favor.

Councilmember Mansell voted in favor.

Councilmember Sweeten voted in favor.

The motion to adopt Ordinance 24-05 passed unanimously 5-0; with Councilmember Sweeten, Councilmember Larsen, Councilmember Laursen, Councilmember Mann, and Councilmember Mansell all in favor.

Workshop: Resolution 24-10--Amending the Budget for the Various Funds of Nibley City for the Fiscal Year 2023-24, and Adopting the Budget for the Various Funds of Nibley City and Other Budgetary Matters for Fiscal year 2024-25 and Adjusting Certain Fees and Payments for Services

Mr. Maughan led this workshop. He discussed the current year budget and the projection that the only budget line from the 2023-24 budget that would go over was in the sewer rate that was paid to Logan City. He reported that the City was seeing a lot more infiltration into the sewer system. Mr. Maughan discussed property tax and the amount projected to move over to Nibley City's Capital Projects fund. Mr. Maughan discussed the upcoming budget schedule, sales tax projections, construction growth, cost of living adjustments, fleet management, interest income, inflation, fuel, fire, rental houses, street lights, and grants totaling just over 5 million. Mr. Dickinson reported that Nibley City was the recipient of a grant for just over \$750,000 from the Utah Outdoor Recreation for the park at Ridgeline Park, Phase 2 and a bicycle track and skills course. Mr. Maughan reported on additional grant monies received by or anticipated to be received by Nibley City, the GFOA Budget and finance award and the work that was being put together by City Treasurer, Amy Johnson. Mr. Maughan showed the City Council the detailed budget spreadsheet. Mr. Maughan discussed capital projects.

Council and Staff Reports

Councilmember Larsen reported on his participation at Nibley Fit.

Councilmember Laursen questioned a house being built on 1271 West and 3200 South and water that was flowing out of a box there. Mr. Eliason believed it was a water leak coming up out of 3200 south. They had an outfit coming out of Salt Lake to find the leak for them.

Councilmember Laursen started discussion of a recreation district.

Councilmember Mann reported on a second grader who was hit by a car walking to Nibley Elementary school. She said she was very interested in pedestrian safety measures that they could put money towards.

Councilmember Mann asked if they knew when the Stokes Nature Center park construction was slated to begin. Mayor Jacobsen said he believed Stokes Nature Center was in fund raising mode.

Mayor Jacobsen reported on a meeting with Nibley City's crossing guards. Mr. Dickinson read from the Manual for Uniform Traffic Control Devices (MUTCD).

Councilmember Mansell discussed a letter the Council had received from a resident regarding a fence. He suggested some alternatives to a fence. Councilmember Sweeten shared information she'd gathered from a visit and discussion with the resident.

Mr. Roberts reported on his attendance at the National Planning Association conference in Minneapolis, Minnesota.

Ms. Bodily reminded the City Council of their invitation to the Nibley City staff's second quarter wellness lunch. Staff will be learning about fiscal wellness.

Ms. Bodily reported that Nibley City had extended an offer for a Code Enforcement Officer, which had been accepted.

Mr. Dickinson said he intended to bring the City Council a contract for the American Ramp Company. They were heavily involved with design and cost estimating. Mr. Dickinson reported that he also intended to bring a contract with DWA for Ridgeline Park, Phase 1 back to the City Council at their next meeting. The final contract he intended to bring back to City Council was for playground equipment. They had a bid for playground equipment and surfacing with Sontag.

Mr. Dickinson reported on 1200 West construction. He said the weather conditions were affecting things.

Mr. Eliason recognized Nibley City's Public Works team. The Public Works Team had been in shambles since December and looked like a "bunch of sheep that's been in a bur batch" but work was coming to an end, and they would be in their moved back into their newly updated facilities soon. Mr. Eliason commended Nibley City's Public Works team for their dedication.

Seeing no objection, the meeting was adjourned at 10:05 p.m.

Attest: _____
City Recorder