



COMMUNITY REINVESTMENT AGENCY and MUNICIPAL BUILDING AUTHORITY
and NIBLEY CITY COUNCIL MEETING AGENDA
Wednesday, June 19, 2023 – 6:30 p.m.

In accordance with Utah Code Annotated 52-4-207 and Nibley City Resolution 12-04, this meeting may be conducted electronically. The anchor location for the meeting will be Nibley City Hall, 455 West 3200 South, Nibley, Utah. The public may also participate in the meeting via the Zoom meeting link provided at www.nibleycity.com. Public comment should be submitted to cheryl@nibleycity.com by 6:30 p.m. and will be read into the public record.

Meeting of the Community Reinvestment Agency

1. Call to Order
2. Call to Order and Ratification of the June 8, 2023, Meeting Minutes and approval of Agenda
3. **Discussion & Consideration** – Resolution CRA 24-01: A Resolution Adopting the Fiscal Year 2024-2025 Budget

Adjourn to Municipal Building Authority Meeting

Meeting of the Municipal Building Authority

1. Call to Order and Ratification of the June 8, 2023, Meeting Minutes and approval of Agenda
2. **Discussion & Consideration** – Resolution MBA 24-01: A Resolution Setting the Officers of the Nibley City Municipal Building Authority and Adopting the Fiscal Year 2024-2025 Budget

Adjourn to Nibley City Council Meeting

Meeting of the Nibley City Council

1. Opening Ceremonies (Councilmember Sweeten)
2. Call to Order and Roll Call (Chair)
3. Approval of the June 6, 2024, Meeting Minutes and the Current Agenda (Chair)
4. Public Comment Period¹ (Chair)
5. Planning Commission Report
6. **Discussion & Consideration:** Ordinance 24-07— An Ordinance Providing for the Compensation of Elected, Statutory Officers and Department Heads of Nibley City (Second Reading)
7. **Public Hearing:** 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 (Second Reading)
8. **Discussion & Consideration:** 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 (First reading)
9. **Discussion & Consideration:** Resolution 24-14 – Adopting Nibley City Civility Policy
10. Council and Staff Report

Adjourn

Nibley City's next scheduled Council meeting will be on Thursday, July 11, 2024, at 6:30 p.m.

¹ *Public input is welcomed at all City Council Meetings. 15 minutes have been allotted to receive verbal public comment. Verbal comments shall be limited to 3 minutes per person. A sign-up sheet is available at the entrance to the Council Chambers starting 15 minutes prior to each council meeting and at the rostrum for the duration of the public comment period. Commenters shall identify themselves by name and address on the comment form and verbally for inclusion in the record. Comment will be taken in the order shown on the sign-up sheet. Written comment will also be accepted and entered into the record for the meeting if received prior to the conclusion of the meeting. Comments determined by the presiding officer to be in violation of Council meeting rules shall be ruled out of order.*

In compliance with the Americans With Disabilities Act, reasonable accommodations for individuals with disabilities will be provided upon request. For assistance, please call (435) 752-0431

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Agenda CRA #1

Description	Discussion and Consideration--Resolution CRA 24-01: A Resolution Adopting the Fiscal Year 2024-2025 Budget
Presenter	Justin Maughan, Executive Director
Recommendation	Move to approve Resolution CRA 24-01--A Resolution Adopting the Fiscal Year 2024-2025 Budget
Reviewed By	Chairperson, Executive Director

Background:

The Nibley City Council established the Community Reinvestment Area (CRA), to incentivize economic development within Nibley. The Agency is a separate legal entity, that is charged with collecting tax revenues generated within the project area, and redistributing those funds to infrastructure projects in the area. This lowers the cost of development, stimulates economic development, which in turn, brings in even more tax revenue.

The CRA is required to approve an annual budget. The minutes to be ratified are those from the 6-8-23 CRA meeting.

The budget is included in the FY 2024/2025 Annual Budget document. At this point it is uncertain, when the agency will start receiving revenue, so it is mostly just a place holder. There was some money that was transferred from the General Fund as seed money to pay for professional consultant fees, to get the agency up and running.

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RESOLUTION CRA 2-01

A RESOLUTION ADOPTING THE FISCAL YEAR 2024-2025 BUDGET

WHEREAS, the Nibley Community Reinvestment Agency (the “Agency”) has been created by the Nibley City Council to transact the business and exercise all of the powers provided for by Title 17C of the Utah Code Ann. (Limited Purpose Local Government Entities — Community Reinvestment Agency Act); and

WHEREAS, it is necessary to adopt an annual budget for fiscal year 2023-2024.

NOW, THEREFORE, BE IT RESOLVED, by the Nibley Municipal Building Authority that:

1. The 2024-2025 Fiscal Year Community Reinvestment Agency Budget is hereby approved, as included in the Nibley City Budget for Fiscal Year 2024-2025, and

This resolution shall take effect immediately upon passage.

Dated this _____ day of _____, 2024.

Larry Jacobsen, Chairperson

ATTEST: _____
Cheryl Bodily, Secretary

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Agenda MBA #1

Description	Discussion and Consideration --Resolution MBA 24-01: A Resolution Setting the Officers of the Nibley City Municipal Buidling Authority and Adopting the Fiscal Year 2024-2025 Budget
Presenter	Justin Maughan, Secretary
Recommendation	Move to approve Resolution MBA 24-01: A Resolution Setting the Officers of the Nibley City Municipal Buidling Authority and Adopting the Fiscal Year 2024-2025 Budget
Reviewed By	Chair, Secretary

Background:

The Nibley City Council established a Municipal Building Authority as a separate legal entity as the financing body through which bonds were issued to pay for the construction of Nibley City Hall. The MBA is the legal entity that owns City Hall and Nibley City pays lease payments to the MBA. The MBA is required to have an annual meeting during which it updates its list of officers and adopts its annual budget. The minutes to be ratified are those from the 6-8-23 MBA meeting.

The officers of the MBA are as follows:

Chair	Mayor
Board Members	City Council Members
Secretary	City Manager

The annual budget for the MBA is included in the Nibley City Budget document. The budget essentially only includes the lease payment from the City, which is then paid against the bond for City Hall.

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RESOLUTION MBA 24-01

A RESOLUTION SETTING THE OFFICERS OF THE NIBLEY CITY MUNICIPAL BUILDING AUTHORITY AND ADOPTING THE FISCAL YEAR 2023-2024 BUDGET

WHEREAS, Nibley City has created a Municipal Building Authority of Nibley City, Utah pursuant to provisions of the Utah Local Building Authority Act, Title 17D, Chapter 2, Utah Code Annotated 1953, as amended; and

WHEREAS, the Municipal Building Authority is a component unit of Nibley City, that was established to finance the construction of Nibley City Hall in 2011; and

WHEREAS, the Municipal Building Authority of Nibley City is the legal body that financed the debt for construction of Nibley City Hall; and

WHEREAS, it is necessary to update the board and officers of the Nibley City Building Authority and adopt the budget for fiscal year 2024-2025.

NOW, THEREFORE, BE IT RESOLVED, by the Nibley Municipal Building Authority that:

1. The 2024-2025 Fiscal Year Municipal Building Authority Budget is hereby approved, as included in the Nibley City Budget for Fiscal Year 2024-2025, and
2. The board and officers of the Nibley City Building Authority are set forth as follows:

Chair	Nibley City Mayor
Board Members	Nibley City Council Members
Secretary	Nibley City Manager

This resolution shall take effect immediately upon passage.

Dated this _____ day of _____, 2024.

Larry Jacobsen, Chair

ATTEST: _____
Justin Maughan, Secretary

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Agenda Item #6

Description	Discussion and Consideration- Ordinance 24-07— An Ordinance Providing for the Compensation of Elected, Statutory Officers and Department Heads of Nibley City
Presenter	Justin Maughan, City Manager
Planning Commission Recommendation	NA
Staff Recommendation	Move to approve Resolution 24-07 for second reading
Reviewed By	City Manager, Mayor

Background -No additional background since last meeting

Prior to 2024, Nibley City Council annually considered a similar ordinance for Mayor, Council and Treasurer positions. During the 2024 Utah Legislative session, SB 91 was passed which required that all department heads be added to the list of positions that needed to be considered, and that a dedicated public hearing be held during the first meeting of June, regarding the salaries of the aforementioned positions. Most of the positions will be receiving the Cost of Living Adjustment (COLA) only. There are some who are still in the middle of their pay grade scale, and are eligible for Pay for Performance increases. This ordinance does not guarantee that the employee will receive the increase, just that there will be money allocated for it in the 2024/2025 Fiscal Year Budget.

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ORDINANCE 24-07

AN ORDINANCE PROVIDING FOR THE COMPENSATION OF ELECTED, STATUTORY OFFICERS AND DEPARTMENT HEADS OF NIBLEY CITY

WHEREAS, elected and statutory officers are required to devote a significant amount of time and talent to the effective administration of Nibley City; and

WHEREAS, elected and statutory officers should be fairly compensated for their time and expenses; and

WHEREAS, the Utah State Legislature during the 2024 General Session passed S.B. 91; and

WHEREAS, S.B. 91 amended Utah Code Section 10-3-818 regarding City employee salaries; and

WHEREAS, the City of Nibley must now publish public notice and hold a separate public hearing on proposed compensation increases for executive municipal officers before adopting those increases; and

WHEREAS, the Nibley City Council finds that enacting the proposed compensation increases as set forth in this Ordinance will comply with Utah Code requirements and will promote the public health, safety, and welfare of the residents of the City of Nibley, Utah; and

WHEREAS, the Nibley City Council established a policy in 2015 of annually adjusting City Council Member compensation commensurate with the cost-of-living adjustment provided to other City employees; and

WHEREAS, a COLA of 4% is proposed this year for city employees.

NOW, THEREFORE, BE IT ORDAINED BY THE NIBLEY CITY COUNCIL OF NIBLEY, UTAH THAT:

1. All previous salary or compensation ordinances regarding the elected and statutory officers below are hereby repealed.
2. The compensation of the elected and statutory officers and department managers of Nibley City shall be as follows:

Office/Title:	2023-24 Salary:	Proposed 2024-25 Salary	Christmas Bonus:	Increase:	Reason:
Mayor	\$921/month	\$957/month	\$0	\$36/month	4% COLA
Councilmember	\$367/month	\$381/month	\$0	\$14/month	4% COLA
City Manager	\$119,782/yr	\$124,565/yr	\$300	\$4,783/yr	4% COLA
City Engineer	\$119,782/yr	\$124,565/yr	\$300	\$4,783/yr	4% COLA
City Planner	\$85,389/yr	\$88,785/yr	\$300	\$3,396/yr	4% COLA
Recreation Director	\$73,791/yr	\$76,736/yr	\$300	\$2,945/yr	4% COLA
City Treasurer	\$44,009/yr	\$45,843/yr	\$300	\$1,834/yr	4% COLA
City Rec/HR Director	\$73,791/yr	\$76,736/yr	\$300	\$2,945/yr	4% COLA
Public Works Director	\$94,335/yr	\$98,102/yr	\$300	\$3,767/yr	4% COLA Possible Merit

Parks Manager	\$81,323/yr	\$88,785/yr	\$300	\$7,462/yr	4% COLA Possible Merit
Water/Wastewater Man	\$85,389/yr	\$88,785/yr	\$300	\$3,396/yr	4% COLA
Streets/Stormwater Man	\$60,708/yr	\$66,288/yr	\$300	\$5,580/yr	4% COLA Possible Merit

3. Elected and statutory officers shall be paid on the same schedule as other municipal employees.
4. The compensation listed above is not inclusive of per diem, mileage, phone allowance or other expenses, which may be incurred in the course of conducting Nibley City business.
5. This ordinance shall become effective July 1, 2024.

PASSED BY THE NIBLEY CITY COUNCIL THIS _____ DAY OF _____, 2024.

Larry Jacobsen, Mayor

ATTEST: _____
 Cheryl Bodily, City Recorder

Agenda Item #7 & 8

Description	<p>Public Hearing: 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</p> <p>And</p> <p>Discussion and Consideration: 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</p>
Presenter	Justin Maughan, City Manager
Recommendation	Approve Resolution 24-10 for second reading
Reviewed By	Mayor, City Manager, City Treasurer

Background:

See list of amendments to budget on page 11 since last meeting.

Previous Background:

Staff have put considerable time and effort into the budget over the past month and a half. This will be a workshop to formally kick off the budgeting process with the Council and introduce some of the changes that are being proposed by staff. Staff would like to present a behind the scenes look into how the numbers that are being proposed have been generated and discuss other key points.

The key points to discuss will be:

- Quick review of current year budget
- Sewer Treatment Expense Increase
- Proposed tax revenue projections, with and without raising taxes
- Sales tax projections
- Proposed growth projections of new homes and townhomes
- Closer look at budgeting for employee benefits
- Cost of Living Adjustments for employees
- Tier Two Retirement Contributions

- Water Department and water rates
- Vehicle and fleet management
- Interest earnings continue to be high; we expect a small reduction this coming fiscal year when interest rates are reduced.
- Regular inflation expected for utilities, vehicle fuel, memberships and dues, education, travel, and training, facilities and maintenance accounts, postage, IT expenses, road salt, as well as credit card processing fees
- Fire protection costs will increase \$.50 per year per citizen, library costs will increase \$1 per year per family membership, Cache County Ambulance Service will increase by 3%, and Communication 911 fees to Logan City have increased.
- Increased funds for house maintenance on rentals, as we expect roof repairs.
- We may install new streetlights in some underserved areas.
- Professional services budget has increased to hire a consultant to assist with grants and Plan updates.
- Possible Grants
- CCOG – 1200 West Phase 3,4 and 5-we were awarded \$3.4 M for Phases 3 and 4 and \$1.9M for Phase 5, some of which we have already received.
UORG – Ridgeline Park Bike skills course \$750,000
UORG - Firefly Classroom- \$10,000
LWCF – Ridgeline Park \$1,265,000
- Morgan Farm - \$40,000
- RAPZ Feasibility Study for Indoor Recreation Space—Nibley City may participate on some level in a countywide feasibility study and these funds would not be included in our finances.
Population RAPZ \$23,000
No Firefly RAPZ this year
UDOT Tech Planning – General Plan \$40,000
Historical Preservation Grant for City documents \$7500
RMP for Childrens Theater \$2500
RAPZ for Childrens Theater \$1500
Utah Arts and Museums \$1250
Safe Routes to School – 3200 South Sidewalk \$110,000
Possible water project funding
- Proposed capital projects-including Ridgeline Park, 1200 West, etc.
- Capital Outlay Equipment and Improvements
- Future Schedule for budget process
- New Mission Statements and Performance Measures have been added to the document to adhere more closely to GFOA standards.

RESOLUTION 24-10

A RESOLUTION AMENDING THE BUDGET FOR VARIOUS FUNDS OF NIBLEY CITY FOR FISCAL YEAR 2022-2023, AND ADOPTING THE BUDGET FOR THE VARIOUS FUNDS OF NIBLEY CITY AND OTHER BUDGETARY MATTERS FOR FISCAL YEAR 2023-24 AND ADJUSTING CERTAIN FEES AND PAYMENTS FOR SERVICES

BE IT RESOLOVED BY THE CITY COUNCIL OF NIBLEY CITY, STATE OF UTAH, AS FOLLOWS:

1. The attached Fiscal Year 2023-2024 current-year budget is hereby adopted and approved as the amended budget for the current fiscal year ending June 30, 2024, with amendments, if any, as reflected in the attached budget document and the minutes of this meeting.
2. The attached budget, entitled Nibley City Budget Fiscal Year 2024-25, is hereby adopted and approved for the fiscal year ending June 30, 2025, with amendments, if, any, as reflected in the budget document and the minutes of this meeting.
3. The adopted property tax rate is 0.001378.

PASSED BY THE NIBLEY CITY COUNCIL THIS _____ DAY OF _____, 2023.

Larry Jacobsen, Mayor

ATTEST:

Cheryl Bodily, City Recorder

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Agenda Item #9

Description	Discussion and Consideration: Resolution 24-14 – Adopting Nibley City Civility Policy into Nibley City Employee Guidebook
Presenter	Justin Maughan, City Manager
Recommendation	Approve Resolution 24-14 for first reading
Reviewed By	City Manager, Mayor

Background:

Recent discussions between City Manager, Mayor and Council Members have led to the desire for the adoption of a Civility Policy, giving guidance to employees on how to act, as well as what to do when someone acts with unacceptable behaviors towards them. Please see attached draft policy.

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RESOLUTION 24-14
RESOLUTION ADOPTING CIVILITY POLICY

WHEREAS, Nibley City is a professional place of business; and

WHEREAS, Nibley City Elected Officials and Staff are expected to uphold the highest standards of civil discourse during interactions with the general public and those seeking to do business with the City; and

WHEREAS, On occasion, those seeking to do business with Nibley City have displayed poor standards of civil discourse; and

WHEREAS, The Nibley City Council desires that City staff feel safe and protected while conducting City business.

NOW, THEREFORE, BE IT RESOLVED, BY THE NIBLEY CIY COUNCIL THAT:

The attached Civility Policy is adopted as part of the Nibley City Employee Guidebook, giving staff guidance and direction on how to handle those individuals that display poor standards of civil discourse.

Dated this _____ day of _____, 2024.

Larry Jacobsen, Mayor

ATTEST: _____
Cheryl Bodily, City Recorder

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Nibley City Civility Policy

Nibley City Employees are expected to interact with the general public, as well as anyone seeking to do business with the City, with the highest degree of professionalism and civility, regardless of whether the person with whom the employee is conversing with returns the same level of civil discourse. This applies to verbal communications and any written text.

Civil discourse is defined as a conversation in which there is a mutual airing of views. It is intended to promote mutual understanding and follows general rules of polite behavior and calm interactions.

Unacceptable discourse behaviors are personal attacks, name calling, yelling, using profanity, or making threats, accusations or demands. Any staff member who engages in these behaviors will be subject to the employee discipline process as outlined in the Nibley City Employee Policy Guidebook.

Any employee that finds him/herself in a situation where they are faced with someone who is verbally engaging them with these unacceptable behaviors, is entitled to immediately end the conversation, and retreat to a safe environment. Any such incident should be reported to the City Manager as soon as possible. Any employee who faces unacceptable behaviors in written text shall cease further communication with the person and report the interaction to the City Manager.

In either case, the City Manager shall attempt to contact the offender and explain that such behaviors will not be tolerated by employees, and work to commit the offender to continuing forward with proper civil discourse. Employees are not expected to interact with any offender again, until the City Manager has received such commitment from the offender, and the employee feels comfortable continuing communication. If the offender will not commit to civil discourse or becomes a repeat offender, the City Manager will be the sole contact for the offender for any city business, written or verbal.

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