

A Meeting of the Nibley City Council held at Nibley City Hall, 455 West 3200 South, Nibley, Utah, on Thursday, July 11, 2024.

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OFFICIAL MINUTES OF THE MEETING  
City Recorder Cheryl Bodily took minutes

**Opening Ceremonies**

Mayor Jacobsen talked about the similarities between umpiring and “mayor-ing”.

- Both jobs require a passion for the process
- Practice fair legislation of the rules
- Respect for players and coaches; citizens, staff, and city council members
- Advocacy for discussion

The big difference between umpiring and “mayoring” was that the Mayor doesn’t get to ignore anyone.

Mayor Jacobsen led the meeting in the Pledge of Allegiance.

**Call to Order and Roll Call**

Mayor Larry Jacobsen called the Thursday, July 11, 2024, Nibley City Council meeting to order at 6:33 p.m. Those in attendance included Mayor Larry Jacobsen, Councilmember Norman Larsen, Councilmember Kay Sweeten, Councilmember Erin Mann, and Councilmember Garrett Mansell. Levi Roberts, Nibley City Planner, Tom Dickinson, Nibley City Engineer, and Steve Eliason, Nibley City Public Works Director was also present. Justin Maughan, Nibley City Manager participated remotely via a Zoom link.

**Approval of the Previous Meeting Minutes and Current Agenda**

Councilmember Larsen moved to approve the June 19, 2024, and June 24, 2024, meeting minutes and the agenda as presented. Councilmember Sweeten seconded the motion. The motion passed unanimously 4-0; with Councilmember Larsen, Councilmember Sweeten, 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 6:39 p.m.

Seeing no public comments, Mayor Jacobsen closed the Public Comment Period at 6:39 p.m.

**Planning Commission Report**

Mr. Roberts described that the Planning Commission had heard the Stokes Nature Center. They received a site plan approval with conditions for an outdoor classroom and nature park located at 2600 south. One of the conditions was for a development agreement to be approved, which would need to be approved by the City Council. Mr. Roberts described a few of the items that would be included in the development agreement. Mr. Roberts also reported that the Parks and Recreation Master Plan was considered and recommended at the Planning Commission meeting and lastly, the Planning Commission held a workshop on the parking ordinance. Mr. Roberts said that staff needed to take the time to draft the parking ordinance. Planning Commission had taken time to provide the framework for the ordinance. The Planning Commission should have a draft of this ordinance to consider at their next meeting. Mayor Jacobsen expressed his thanks of the Planning Commission for their good work.

**Public Hearing: Resolution 24-15 – 1200 West Roadway Phase 5 Improvements; Including the General Concept of the Project, Estimated Cost, and the Financial Responsibility of Nibley City**

Nibley City Engineer, Tom Dickinson gave a presentation. He utilized an electronic presentation entitled, *Nibley City Council Meeting PUBLIC HEARING 1200 WEST ROADWAY; PHASE 5 IMPROVEMENTS* (a printed version of this presentation has been included in the printed meeting minutes). The topics included in Mr. Dickinson's presentation included the following: 1200 West Project Extent-General Concept, 1200 West Project Extent-Traffic Calming, and 1200 West Project Extent-Phase 5 Cost.

Councilmember Mann asked about requests from the 2023 request for variable costs. She asked if this was needed for 2024? Mr. Dickinson said this was included in the current request as Contingency cost. Councilmember Mann and Mr. Dickinson reviewed other specifics of the construction process and future improvements.

Mayor Jacobsen gave direction for the public hearing and opened the public hearing at 6:57 p.m.

Seeing no public comments, Mayor Jacobsen closed the public hearing at 6:57 p.m.

**Discussion & Consideration: Resolution 24-15 – 1200 West Roadway Phase 5 Improvements; Including the General Concept of the Project, Estimated Cost, and the Financial Responsibility of Nibley City (First Reading)**

*Councilmember Larsen moved to approve Resolution 24-15– 1200 West Roadway Phase 5 Improvements; Including the General Concept of the Project, Estimated Cost, and the Financial Responsibility of Nibley City, as presented and waived the second reading and directing the City Engineer to update the amounts in the final submittal to the Council of Governments (COG). Councilmember Sweeten seconded the motion.*

Councilmember Larsen and Mr. Roberts discussed the requirement for Firefly Estates to construct a "Welcome to Nibley" sign. Mr. Roberts recalled that his requirement was set

to take place in phase 3 of Firefly Estates development. Councilmember Larsen verified if Nibley City would be responsible for maintenance and upkeep for the 1200 West arterial road. Mr. Dickinson said that Nibley City would be required to complete the upkeep and maintenance of the road. Mr. Dickinson described several classifications of roads. Councilmember Larsen asked if fiber lines would be placed before final pavement of the road was completed. Mr. Dickinson clarified that there were no utility lines in the road.

Seeing no objection, Mayor Jacobsen called for a vote on the motion to approve Resolution 24-15.

*Voting on the motion to approve Resolution 24-15 was as follows:*

*Councilmember Larsen voted in favor.*

*Councilmember Mann voted in favor.*

*Councilmember Mansell voted in favor.*

*Councilmember Sweeten voted in favor.*

*The motion passed unanimously 4-0; with Councilmember Larsen, Councilmember Sweeten, Councilmember Mann, and Councilmember Mann all in favor.*

#### **Discussion & Consideration: Acceptance of the Contract for the 3200 South Sidewalk Project**

Nibley City Engineer, Tom Dickinson gave a presentation. He utilized an electronic presentation entitled, *Agenda Item #8 Acceptance of Contract for the 3200 South Sidewalks Project* (a printed version of this presentation has been included in the printed meeting minutes). The topics included in Mr. Dickinson's presentation included the following: 5-ft wide sidewalk from 800 West to 950 West,

Mr. Dickinson said staff was asking for approval to enter into a contract with the lowest bidder which was 3XL Construction Inc for \$191,058.65 who were qualified bidders and could meet the completion date and should have completion by September 30. Mayor Jacobsen asked how the bids compared to the budget number. Mr. Dickinson said the City had \$165,000 budget in the proposed 2024-2025 budget. The low bid exceeded the proposed budget. The bids should hold if they are awarded within 30 days.

Councilmember Larsen referred to the Safe Routes to School program and asked if the additional sidewalk would change crossing guards. Mr. Dickinson said this was not currently anticipated but once Hawk Hollow completed their section of sidewalk, the entire south side of 3200 would have sidewalk. Councilmember Sweeten asked about the other bids finish dates and if they were comparable? Mr. Dickinson said they were all comparable.

*Councilmember Mann moved to accept the contract for the 3200 South Sidewalk with 3XL Construction, Inc as the preferred contractor. Councilmember Mansell seconded the motion.*

Councilmember Larsen requested staff look at the next year's budget to finish and connect the remaining sidewalk.

Seeing no objection, Mayor Jacobsen asked for a vote from the Council.

*The motion passed unanimously 4-0; with Councilmember Mann, Councilmember Mansell, Councilmember Larsen, and Councilmember Sweeten all in favor.*

**Public Hearing: Resolution 24-16 – Creation of the Nibley Morgan Farm 501(c)(3)**

Michael and Roxy Christensen were present for this discussion.

Mr. Maughan discussed the process of deciding how the City would Manage and govern the Morgan Farm as they transitioned to it being more of a public place. Mr. Maughan described staff and City Council visiting This Is the Place State park and Wheeler Farm seeking information on how they were managed, which led the City down the road of creating separate entity or 501(c)(3). The insurance company encouraged that a 501(c)(3) be implemented. Their main reasoning was to separate the farm from the City in terms of liability. Mr. Maughan said there may be other opportunities for receiving grant money through the 501(c)(3). The City Attorney directed staff that Articles of Incorporation and Bylaws needed to be set for the 501(c)(3) and a board would be put into place which would set up policies and procedures and manage the bylaws. Mr. Maughan said one of the cons he foresaw was that the City was giving up some control over Morgan Farm.

Councilmember Laursen arrived at 7:32 p.m.

Mayor Jacobsen opened the public hearing at 7:34 p.m.

Seeing no public comments, Mayor Jacobsen closed the public hearing at 7:35 p.m.

**Discussion & Consideration: Resolution 24-16 – Creation of the Nibley Morgan Farm 501(c)(3) (First Reading)**

Councilmember Mansell discussed how long the City Council had been talking about doing something with the Morgan Farm. He questioned if making the farm a 501(c)(3) “kicked the can down the road” or if it put an end to the City’s plan to do something with the farm. Mike Christensen spoke and said the 501(c)(3) leased the property from the City and opened the door to more funding opportunities, specifically with private donations. Mr. Christensen discussed their ideas and vision for Morgan Farm and that the intent was to keep the motivation that was currently in place going. Mayor Jacobsen expressed that he felt the 501(c)(3) gave focus to the farm. Councilmember Mansell asked what the Christensen’s had learned from Wheeler Farm. Mr. Christensen described what they had learned. Councilmember Larsen thanked the Christensen’s for the work they’d put in and said the farm had never looked so good.

Mayor Jacobsen suggested he and staff be given the opportunity to adjust the Articles of Incorporation and Bylaws before the City Council did a final vote on the Resolution.

Curtis Snelgrove, representing the Nibley City Recreation department arrived at 7:47 p.m.

*Councilmember Larsen moved to approve Resolution 24-16 – Creation of the Nibley Morgan Farm 501(c)(3), for first reading. Councilmember Mansell seconded the motion.*

Councilmember Laursen thought they should think about membership not being only members of the board and they ought to think about allowing membership by anyone. He discussed buy in and voting rights. He discussed expanding to more members and allowing election of President, Secretary, and Treasurer from additional members. He wanted to see appointments to serve if a position were left vacant. Councilmember Laursen said he didn't see a note regarding the process to amend bylaws and felt there should be a written process to amend the bylaws. Councilmember Laursen thought because the City was closely tied to the entity, the funding process for the Morgan Farm should be made very clear. Mayor Jacobsen suggested Councilmember Laursen help amend the proposed bylaws. Councilmember Larsen questioned how they would get the word out about membership to other people. Mr. Roberts suggested social media. Councilmember Mansell suggested the newsletter and Mayor Jacobsen suggested his status report.

Seeing no objection, Mayor Jacobsen called for a vote on the motion.

*The motion passed unanimously 5-0; with Councilmember Larsen, Councilmember Mansell, Councilmember Norman Larsen, Councilmember Sweeten, and Councilmember Mann all in favor.*

### **Public Hearing: Resolution 24-17 – Adopting the Nibley City Parks, Recreation and Open Space Master Plan**

Mr. Roberts led discussion on this item. Mr. Roberts had an electronic presentation entitled *Nibley City Parks, Recreation, & Open Space Master Plan; City Council; July 11, 2024* (a printed version of this presentation has been included in the printed meeting minutes). The topics he included in his presentation included the following: Acknowledgements, Planning Process, Existing Conditions, Public & Stakeholder Engagement, Parks Master Plan Public Input Findings, New Park Locations, Most Requested New Amenities, NRPA Recommended Amenities, Park Maintenance, Preferred Master Plan, concept plans included in the draft plan, Open Space Preservation, Open Space Strategy, Financing New Improvements, Action Plan Summary, Nibley City Parks, Recreation & Open Space Master Plan.

Mr. Roberts said the Planning Commission's recommendation was

*Approve Resolution 24-17—Adopting the Nibley City Parks, Recreation and Open Space Master Plan; and*

Staff's Recommendation

*Approve Resolution 24-17—Adopting the Nibley City Parks, Recreation and Open Space Master Plan; and*

Mr. Roberts said he'd just received an updated draft from the plan consultant, which incorporated some edits from the last steering committee meeting that he felt the City Council should consider the master plan second reading.

Mayor Jacobsen opened the public hearing at 8:47 p.m.

Seeing no public comments, Mayor Jacobsen closed the public hearing at 8:47 p.m.

**Discussion & Consideration: Resolution 24-17 – Adopting the Nibley City Parks, Recreation and Open Space Master Plan (First Reading)**

*Councilmember Laursen moved to approve Resolution 24-17 – Adopting the Nibley City Parks, Recreation and Open Space Master Plan for first reading. Councilmember Sweeten seconded the motion.*

Councilmember Laursen pointed out that he was trying to pull out guidelines or standards for things relating to open space and parks, but in working with Mr. Wright and Mr. Elwood he learned that the master plan was the place for guidelines and standard. He'd found that the master plan focused in on what they did to acquire space. He said they needed to think about how much "teeth" they had in going through those processes.

Councilmember Mann said she had a couple grammatical issues that she would email. Councilmember Mann questioned a table on page 13 and felt some of the recommendations were a little off for Nibley City. Councilmember Mann questioned if there were confusion on which park was Clear Creek park because residents referenced it as Zip Line park. Councilmember Mann discussed the Lifecycle Replacement Schedule on page 82 of the proposed master plan and felt it needed to be updated. Mr. Roberts directed the City Council the note below that table that reference that dates would need to be amended based on actual install dates.

There was general discussion regarding the proposed Parks, Recreation and Open Space Master plan.

Mayor Jacobsen asked Mr. Snelgrove if the plan was dealing with the recreation side of Nibley's City Parks and Recreation plan enough. Mr. Snelgrove stated that it did. A lot of

their rec programs were getting closer to capacity of what they could do. He referenced Nibley's spring soccer program. He said the recreation department did a very good job of utilizing most of the Nibley's park space. He said they were doing a good job of looking at park space and taking into consideration the growth they were anticipating and continuing to offer programs with the projected growth. Mr. Roberts described that the recreation component of the plan was developed in-house by the Recreation Director and weren't a product of the consultant firm. Mr. Eliason asked if the water aspect of fields was considered when they looked at aspects of maintaining the parks and open space facilities and referenced the potential need to construct more water wells. Mr. Roberts thought water aspect were included as far as the cost to irrigate the land but didn't know if it went as far as the need of building a new well.

Seeing no objection, Mayor Jacobsen called for a vote on Resolution 24-17.

*The motion passed unanimously 5-0; with Councilmember Laursen, Councilmember Sweeten, Councilmember Larsen, Councilmember Mann, and Councilmember Mansell all in favor.*

**Discussion & Consideration: Resolution 24-18 – A Resolution Indicating the Intent to Adjust the Municipal Boundary Between The City of Logan and Nibley City (First Reading)**

Mr. Roberts led discussion on this item. Mr. Roberts had an electronic presentation entitled *Logan/Nibley Boundary Adjustment* (a printed version of this presentation has been included in the printed meeting minutes). The topics he included in his presentation included the following: Background, a plat showing the boundary area, and Staff Recommendation:

*Approve Resolution 24-18 – A Resolution Indicating the Intent to Adjust the Municipal Boundary Between The City of Logan and Nibley City and waive the second reading.*

Mr. Roberts described why staff had suggested the City Council waive the second reading and said that the City Council could feel comfortable in choosing to not waive the second reading. Logan City wouldn't approve the resolution at their first meeting and the City Council would have time to review the resolution further. Mr. Roberts described the developer's unsuccessful efforts to reach out to adjacent property owners. He said the City could participate in reaching out to these property owners. Mayor Jacobsen described past property line disputes in that same area. He said he preferred property owners have a chance to react to the line adjustment before action was taken. Mayor Jacobsen said Logan's planner hadn't talked to the Logan City Council about the proposed boundary adjustment. Mayor Jacobsen stated he felt Logan should "take the first step" and suggested the City Council continue the Resolution until after Logan had completed their first meeting. Councilmember Sweeten said it was awkward

to move forward without having had contact with the 3 adjacent property owners. She felt they should have a say in the process.

*Councilmember Mansell moved to continue Resolution 24-18 – A Resolution Indicating the Intent to Adjust the Municipal Boundary Between The City of Logan and Nibley City, until the next Nibley City Council meeting. Councilmember Larsen seconded the motion.*

The Council discussed the dynamics of the motion to continue.

*The motion passed unanimously 5-0; with Councilmember Mansell, Councilmember Larsen, Councilmember Laursen, Councilmember Sweeten, and Councilmember Mann all in favor.*

### **Council and Staff Report**

Mr. Maughan reported on an emergency training held by staff on Tuesday, July 9. He described that the full Emergency Operation Center was set up. He said he felt they had leaved quite a bit and it was a good opportunity. Mr. Maughan reported that both LDS Stake centers in the City would soon have transfer stations which would allow the City to pull generators to the facilities and use them as refuge places in an emergency scenario.

Councilmember Sweeten discussed the Council meeting that was held on June 24 with members of the community regarding pedestrian safety. She encouraged Councilmember Larsen to review the minutes of the meeting and felt the meeting was a positive experience. Councilmember Sweeten discussed citizen concern with the timing of the east-west traffic light on highway 89/91.

Councilmember Mansell said the Mayor had kept his commitment to attend Nibley Fit and he had been attending Nibley Fit for the last week. He encouraged meeting participants to participate in Nibley Fit. Councilmember Mansell thank Nibley staff for the road resurfacing that had taken place on his residential road. He described the notification that had been given and said the road notification was “slick”. He was looking forward to driving on the newly surfaced road. Councilmember Mansell described a sight obstruction going south at the crosswalk by Heritage Park.

Councilmember Mann asked what the new signposts were around Firefly Park. Mayor Jacobsen said they were for new signs from the grant for UORG for learning pods. Councilmember Mann reported that one of cement pads had all sorts of names carved into it.

Councilmember Laursen echoed Councilmember Sweeten’s sentiments regarding the Council meeting on June 24. Councilmember Laursen thanked Public Works for their work on the water leak at 3200 south. Councilmember Laursen reported that he’d



noticed that a light in the roundabout looked like it had been damaged. Mr. Eliason said they were aware of the damage and were working on fixing the issue.

Councilmember Larsen thanked staff for everything they did.

Mr. Roberts reported that he was meeting with the steering committee for the active transportation plan.

Mr. Dickinson reported on 1200 West phase 3 and 4 progress and construction, Ridgeline Park construction, the 1300 west half road, and the half road at Firefly estates.

Ms. Bodily reported on a new hire at the City offices and on the process for interviewing and hiring for another Water/Wastewater operator.

Mr. Eliason reported on Nibley City street treatment projects including a company coming in to follow up on a warranty issue from a couple years age. He said 3200 south could potentially be a mess for a while.

Mr. Snelgrove reported on four recreation programs that started in the past week.

Seeing no objection, Mayor Jacobsen adjourned the meeting at 9:59 p.m.

Attest: \_\_\_\_\_  
City Recorder