



NIBLEY CITY COUNCIL MEETING AGENDA
Thursday, October 3, 2024 – 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.

1. Opening Ceremonies (Councilmember Mansell)
2. Call to Order and Roll Call (Chair)
3. Approval of the September 12, 2024, Meeting Minutes and the Current Agenda (Chair)
4. Public Comment Period¹ (Chair)
5. Planning Commission Report

6. **Presentation:** CAPSA - Domestic Violence Awareness Month (DVAM)
7. **Presentation:** Wellness Survey Results
8. **Discussion & Consideration:** Resolution 24-22—Naming the City Park Located in the Ridgeline Park Development; Parcel Tax ID: 03-020-0034 (Second Reading)
9. **Discussion & Consideration:** Resolution 24-20— Amending the Nibley City Transportation Master Plan, Removing 2500 South Roadway Between 1200 West and 1300 West (Second Reading)
10. **Presentation:** Personnel Systems & Services; Mike Swallow
11. **Public Hearing:** Ordinance 24-12— An Ordinance Providing for the Compensation of Elected, Statutory Officers and Department Heads of Nibley City
12. **Discussion & Consideration:** Ordinance 24-12— An Ordinance Providing for the Compensation of Elected, Statutory Officers and Department Heads of Nibley City (First Reading)
13. **Council and Staff Report**

Adjourn

Nibley City's next scheduled Council meeting will be on Thursday, October 24, 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 Item #6

Description	Presentation: CAPSA – Domestic Violence Awareness Month
Presenter	Kara Tim, CAPSA Case Worker
Staff Recommendation	
Reviewed By	Justin Maughan, City Manager Cheryl Bodily, City Recorder

Background

Kara Tim will give a brief presentation regarding Domestic Violence Awareness month and CAPSA’s role in prevention of domestic violence and assisting with victims of domestic violence.

Kara will bring a foam core pledge board for each Councilmember and the Mayor to sign, demonstrating a commitment to ending domestic violence in our community. At the end of our presentation, Kim will also kindly ask the Council for a group photo with the signed pledge board.

CAPSA is a non-profit domestic violence, sexual abuse, and rape recovery center servicing Cache County and the Bear Lake area. CAPSA provides support services for women, men and children impacted by abuse.

CAPSA’s mission is to provide safe, caring, and confidential shelter, advocacy, and support for victims of domestic violence and sexual assault, and to reduce incidents of abuse through prevention education.

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Agenda Item #7

Description	Presentation: Results of USU Wellbeing Survey
Presenter	Dr. Courtney Flint, Associate Professor of Sociology at Utah State University
Recommendation	Listen to presentation and discuss as desired
Reviewed By	Justin Maughan, City Manager and Chad Wright, Recreation Director

Background:

Nibley City is one of 50 participating cities in the Utah Wellbeing Project led by Dr. Courtney Flint a professor at USU. The Utah Wellbeing Project started in 2019 and Nibley has partnered with them for a 2020, 2021, 2022, and the recent 2024 study. The project is designed to provide information on local resident perspectives on their wellbeing and on local issues. The goal is to inform city leaders and planning processes. The this presentation to Nibley City Council will present an overview of findings from the Nibley Wellbeing Survey from 2024 and Dr. Flint will answer questions about the findings and the project. The project website with the Nibley survey report is available at: <https://www.usu.edu/utah-wellbeing-project/reports/2024/nibley-wellbeing-survey-findings-2024>

Both the Parks and Recreation Departments wanted to point out that the survey:

- Highlights the connectedness of our residents
- Shows that nearly all residents utilize our parks and or trails
- Found that 61% of the community has participated in a City recreation program
- Indicates that 65% of Nibley is concerned about recreation opportunities and that there has been a 4% increase from 2022
- Shows and interest in parks and recreation amenities and a willingness to pay more to expand opportunities including an indoor recreation space

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2024

UtahStateUniversity



Wellbeing in Nibley

Reporting on Survey Findings
Emma Epperson & Dr. Courtney Flint
October 3, 2024

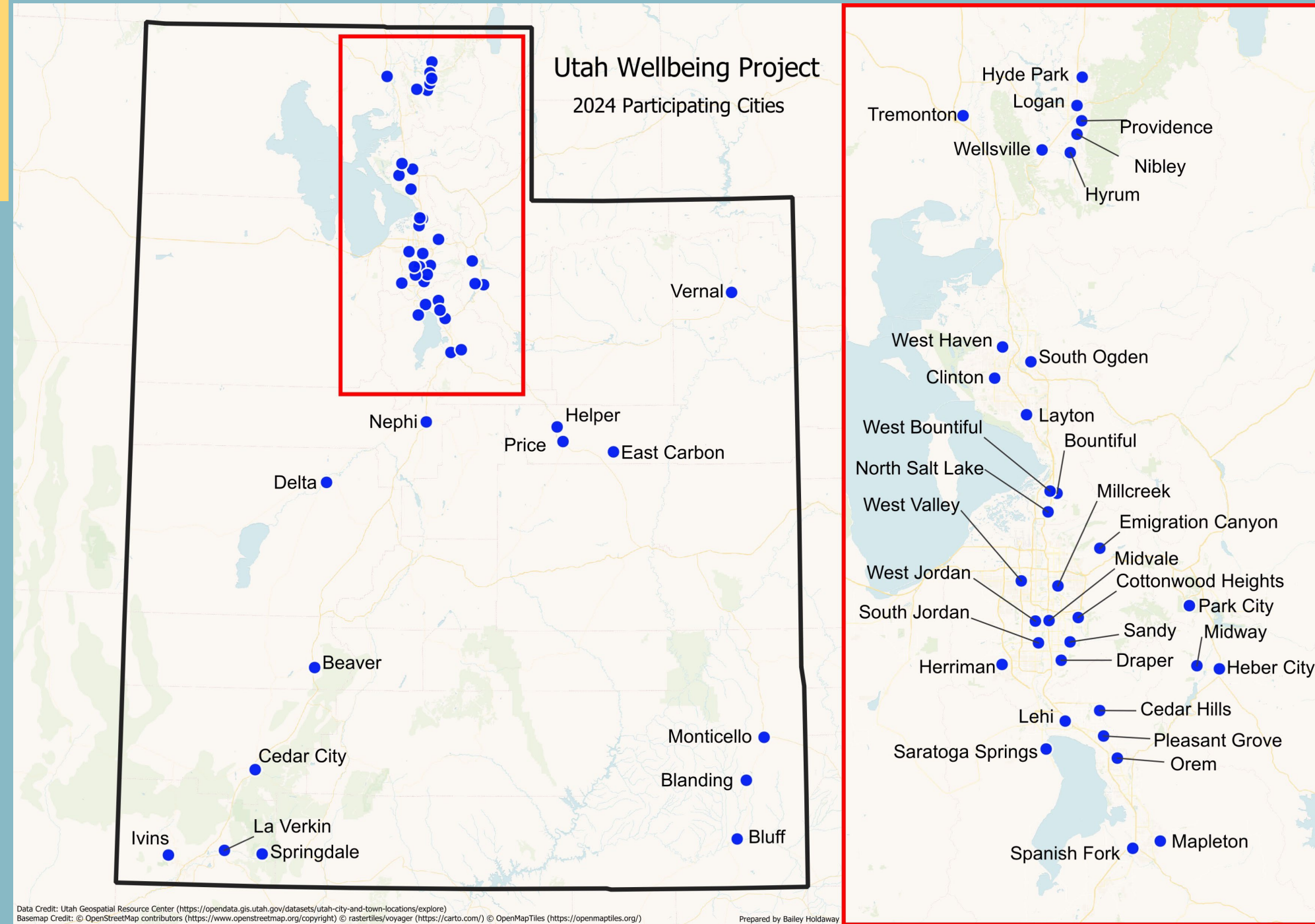


Survey Project Goals

To provide Utah city and town leaders with information on the wellbeing and perspectives of residents to inform local planning processes and decision making.

To support comparative research on community wellbeing.

To support statewide and regional policy and planning efforts with data representing the lives of Utahns.



City Reports Are Online Now!

www.usu.edu/utah-wellbeing-project/

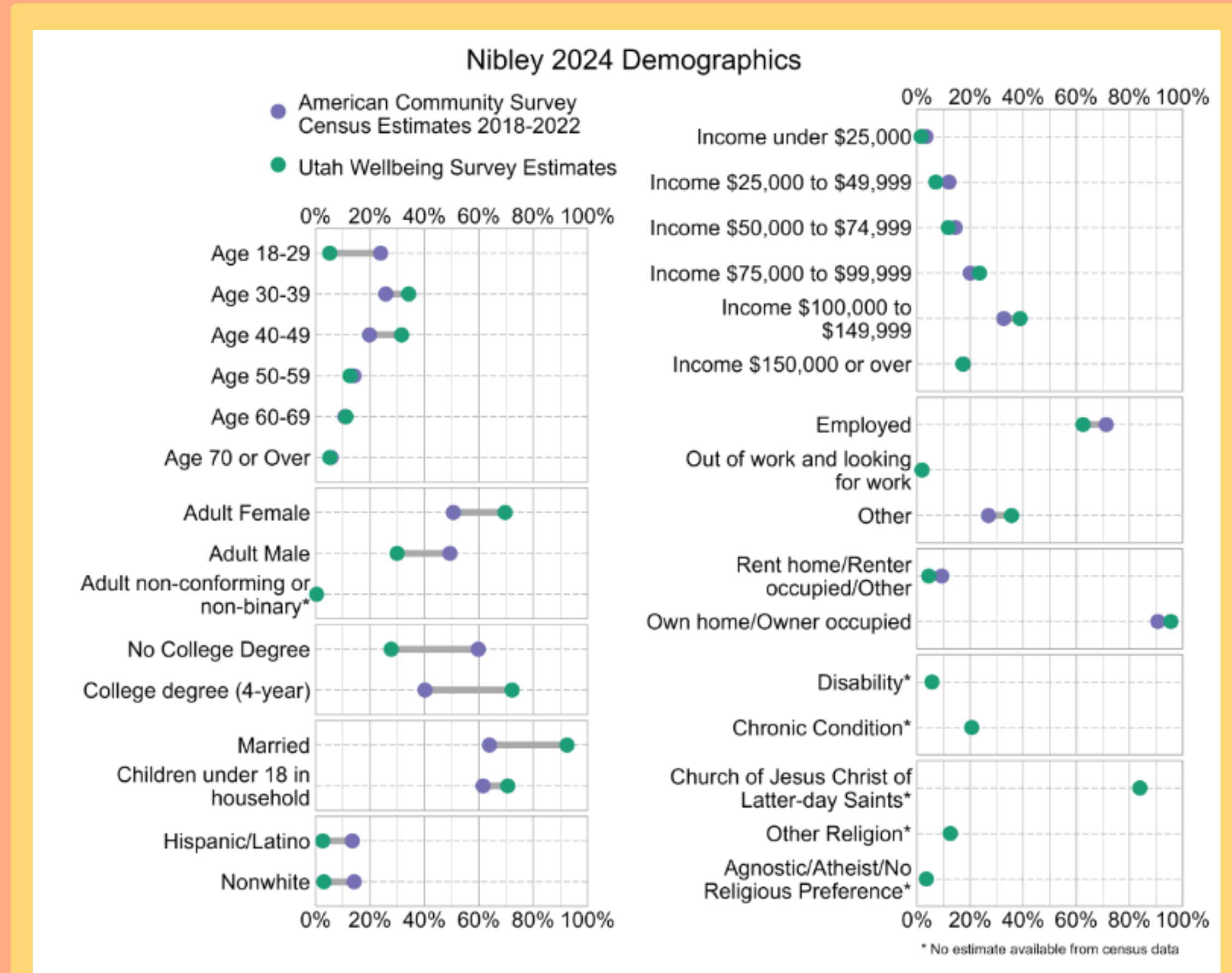


Nibley Wellbeing Survey

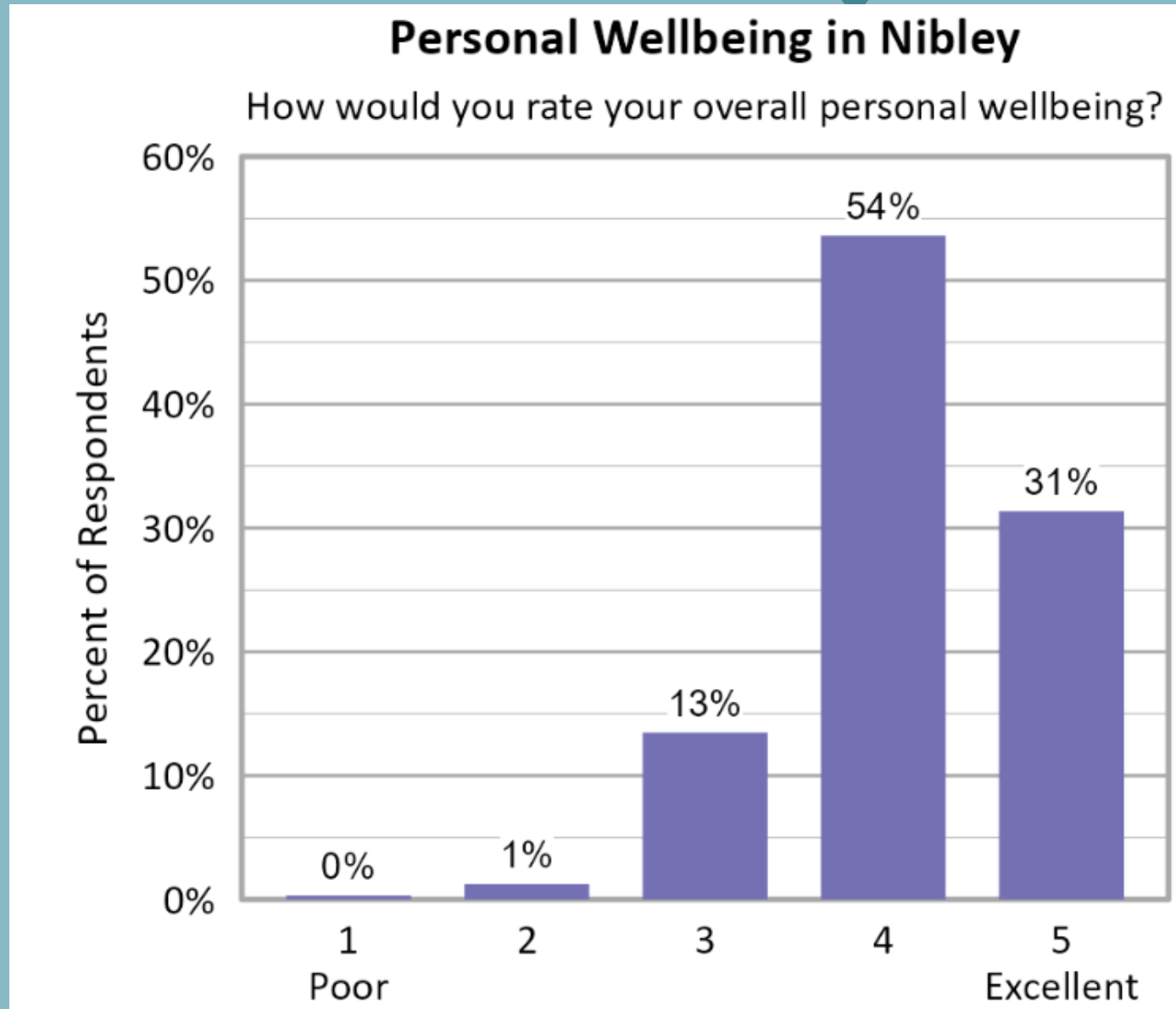
- Online Qualtrics Survey Spring 2024
- No-cost partnership with Nibley for survey recruitment
- **319** surveys received in 2024
- **457** in 2022; **305** in 2021; **62** in 2020
- Advertised through **email, texts, social media, City Council meetings, flyers, and other surveys**

Demographics

- **97.5%** Full Time Residents
- Average Length of Residence: **11.2 years**
- **39.9%** Lived in Nibley 5 Years or Less
- Survey underrepresents
 - Age 18-29
 - Those without a college degree
 - Adult Males
 - Those not married
- Good coverage for age 30+, income, employment, own/rent

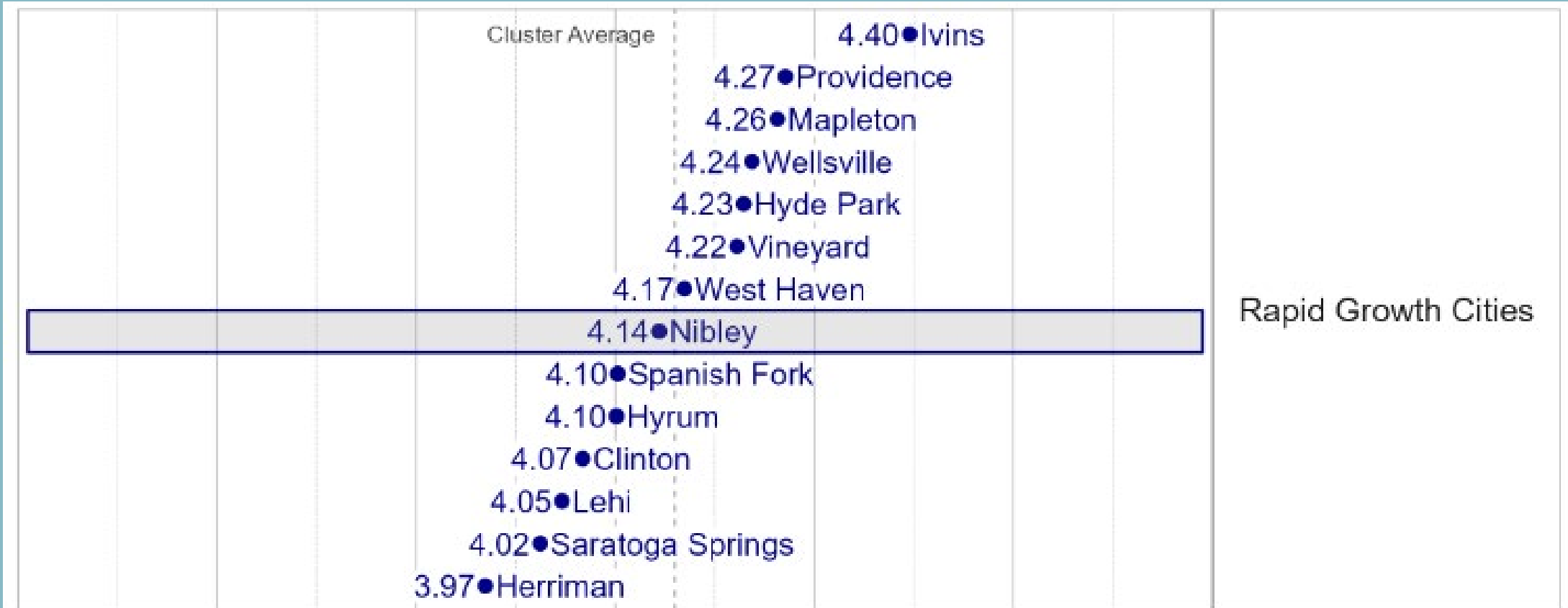


Personal Wellbeing in Nibley

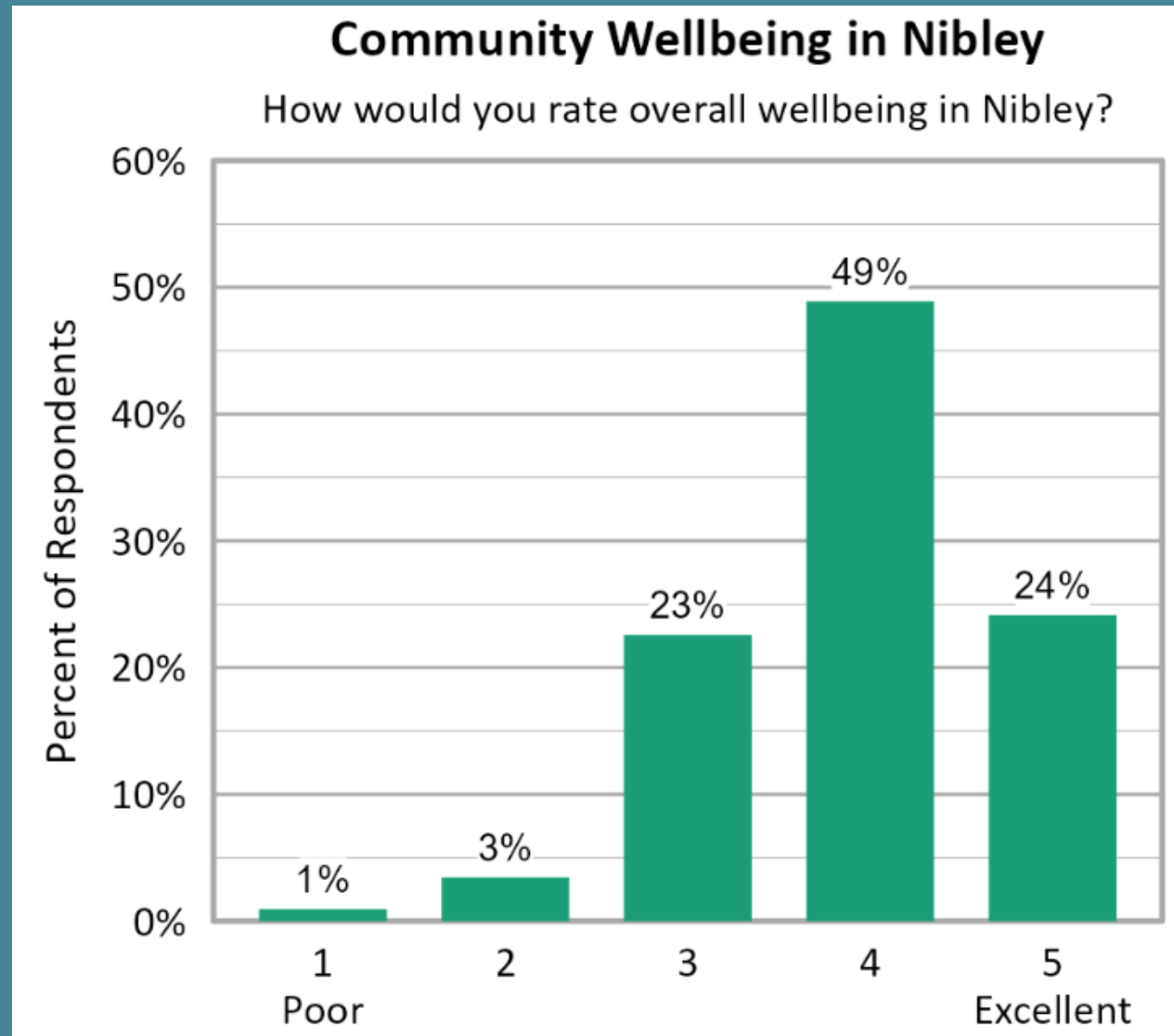


Average
4.14

85% said
4 or 5

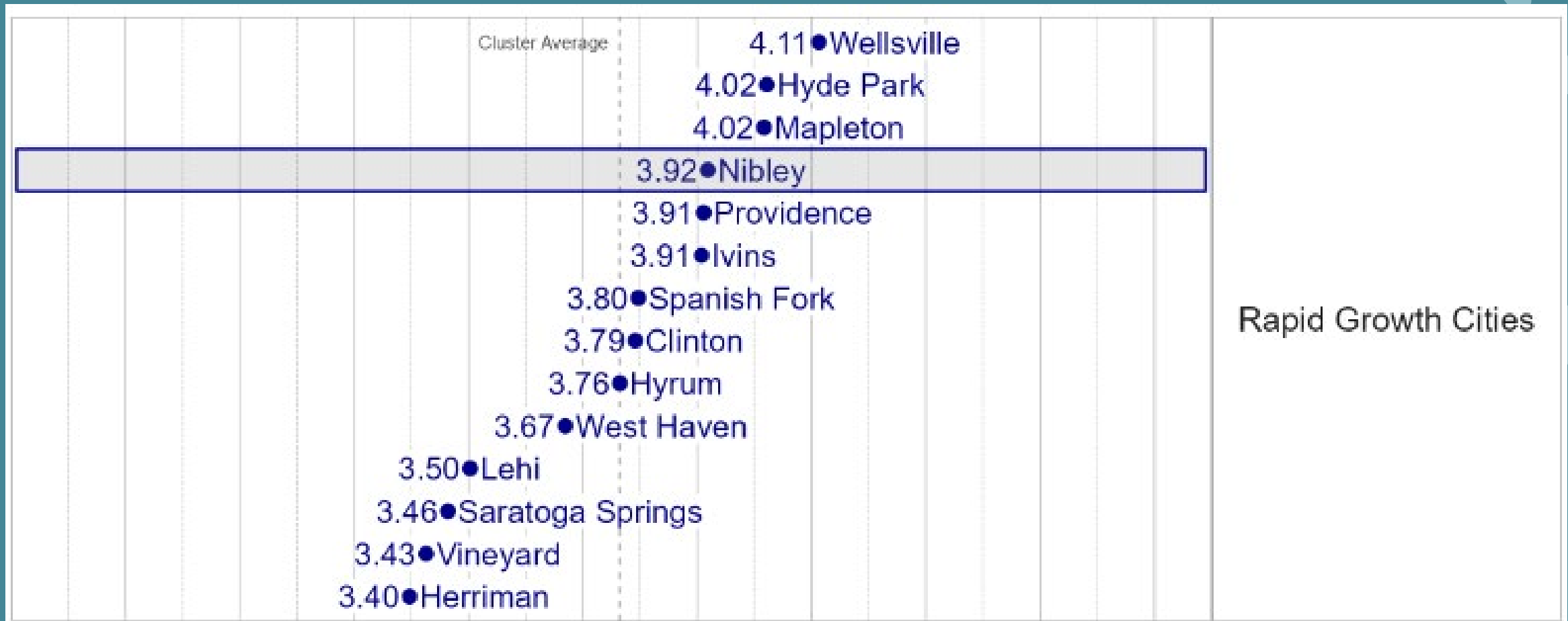


Community Wellbeing in Nibley

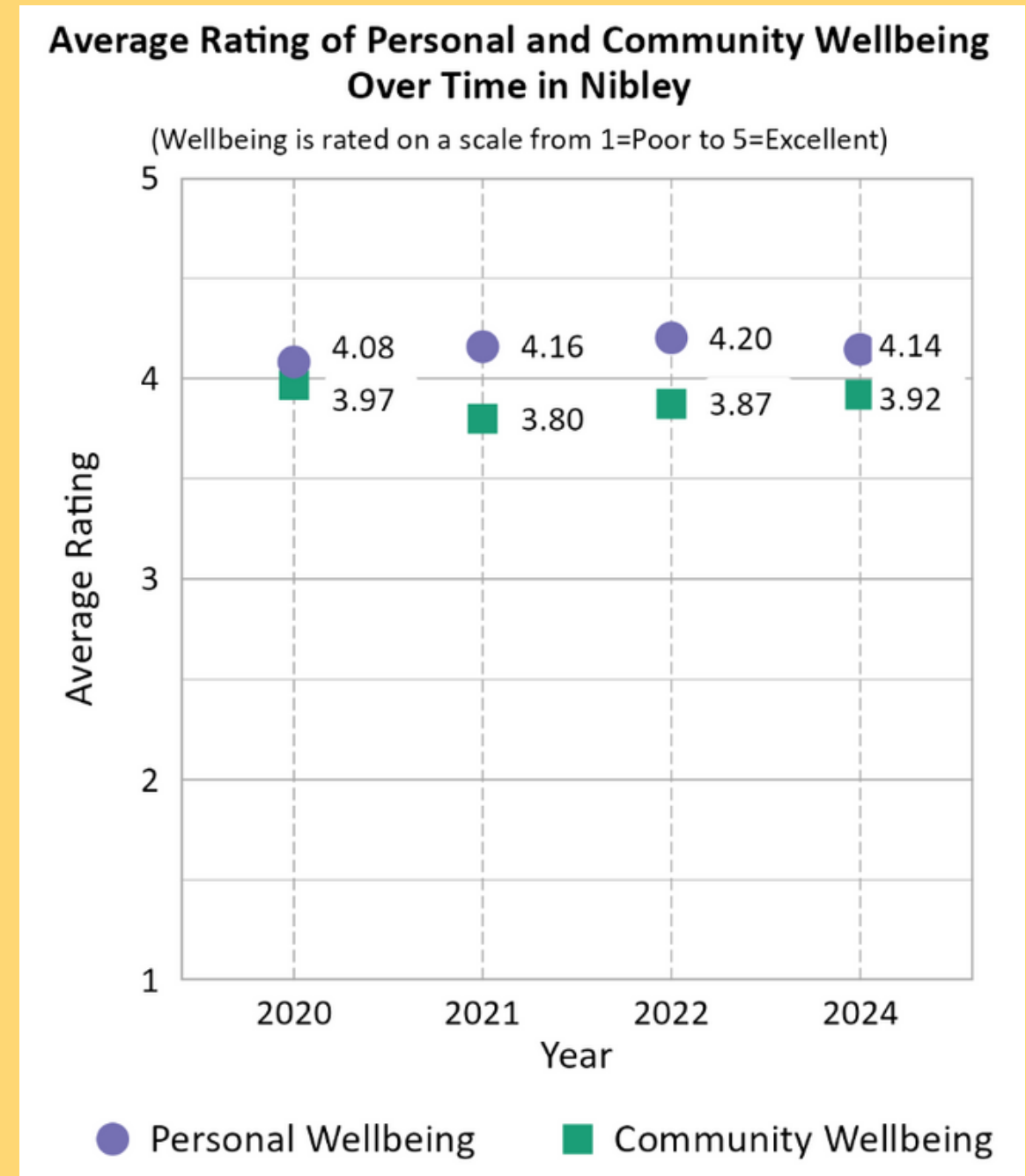


Average
3.92

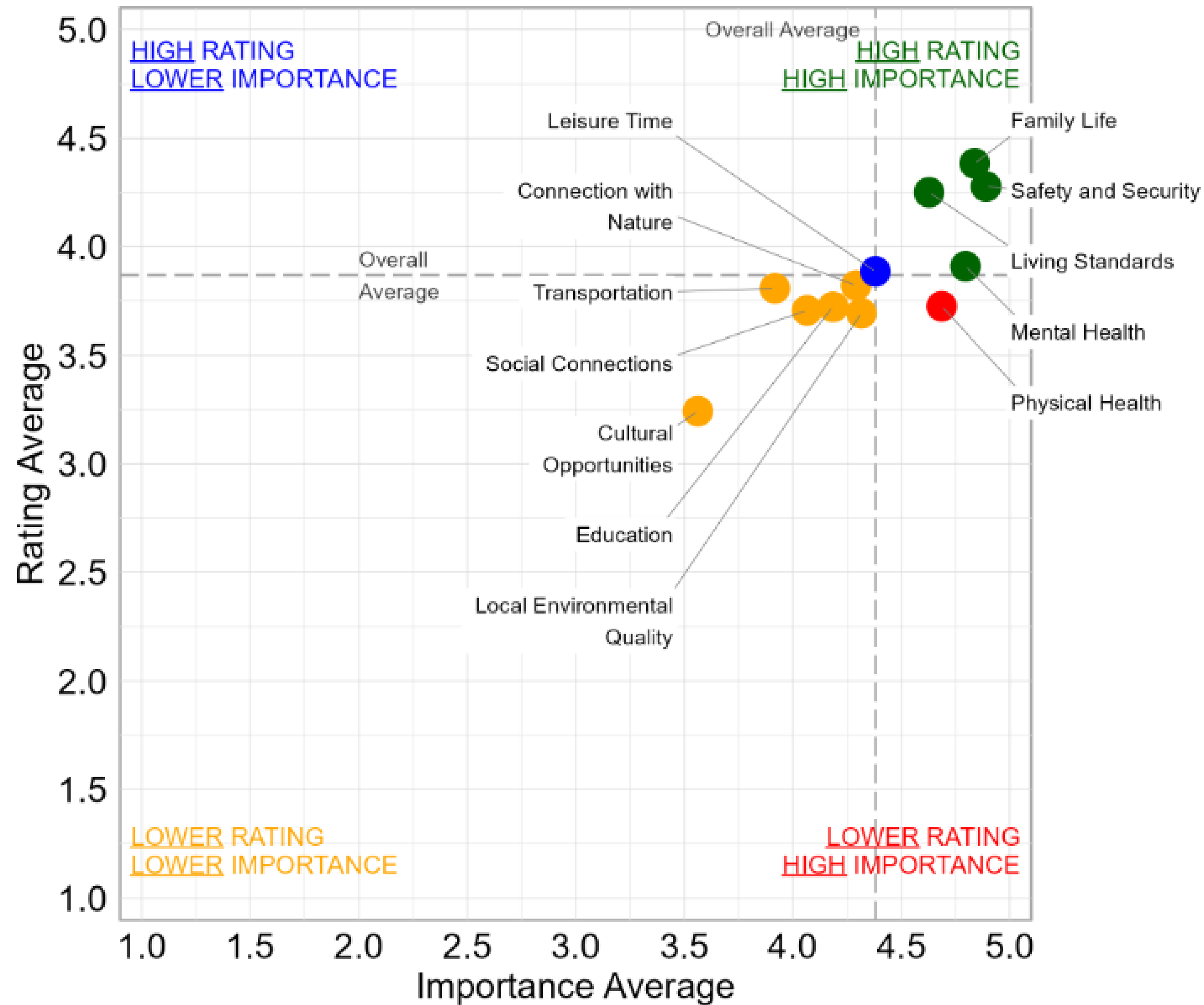
73% said
4 or 5



Little Change Over Time



Nibley Wellbeing Matrix



Most Important Domains

- Safety and Security
- Family Life
- Mental Health

Highest Rated Domains

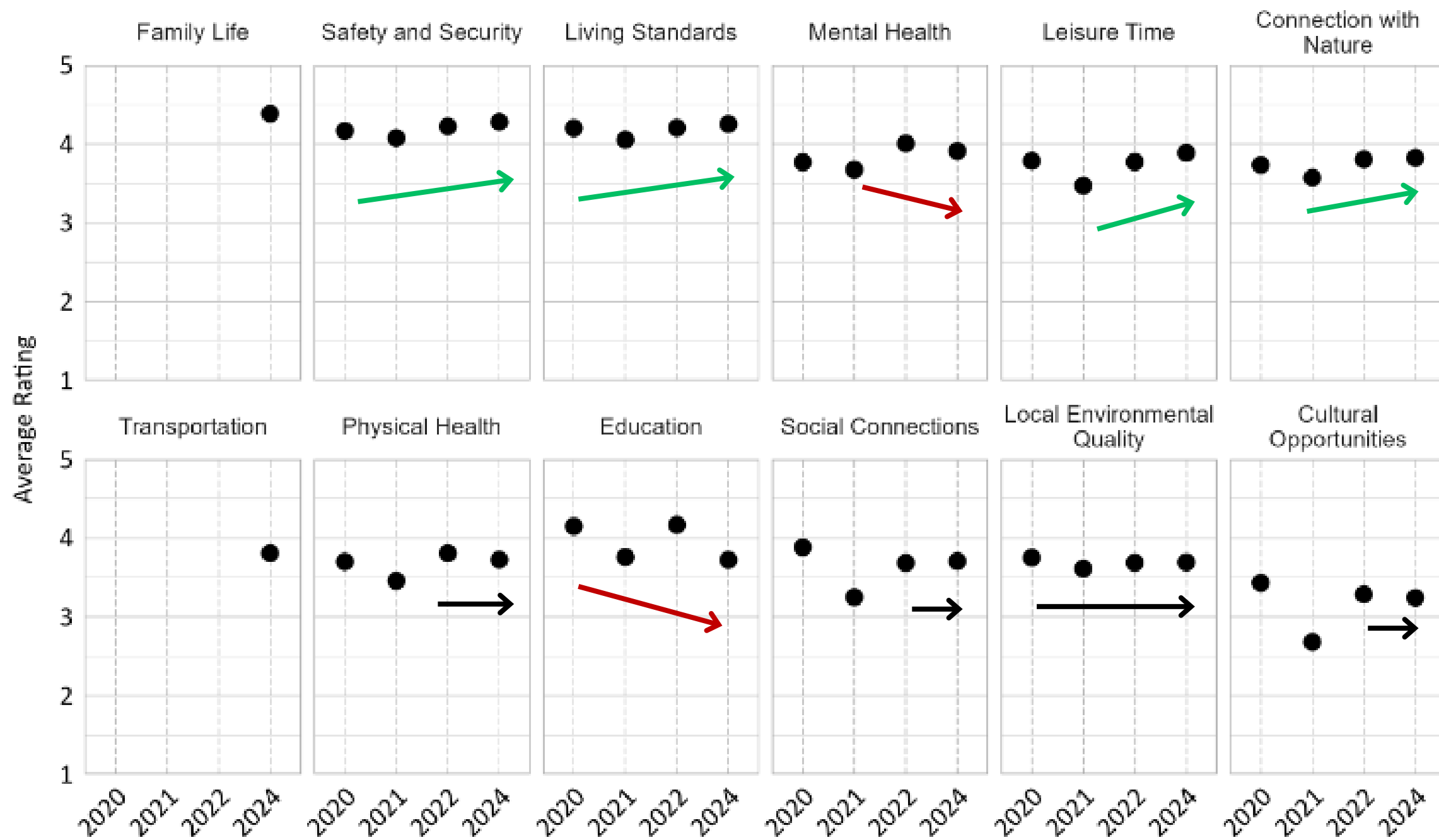
- Family Life
- Safety and Security
- Living Standards

“Red Zone”

- (more important, lower than average rating)
- Physical Health

Wellbeing Domain Ratings Over Time in Nibley

(Wellbeing is rated on a scale from 1=Poor to 5=Excellent)

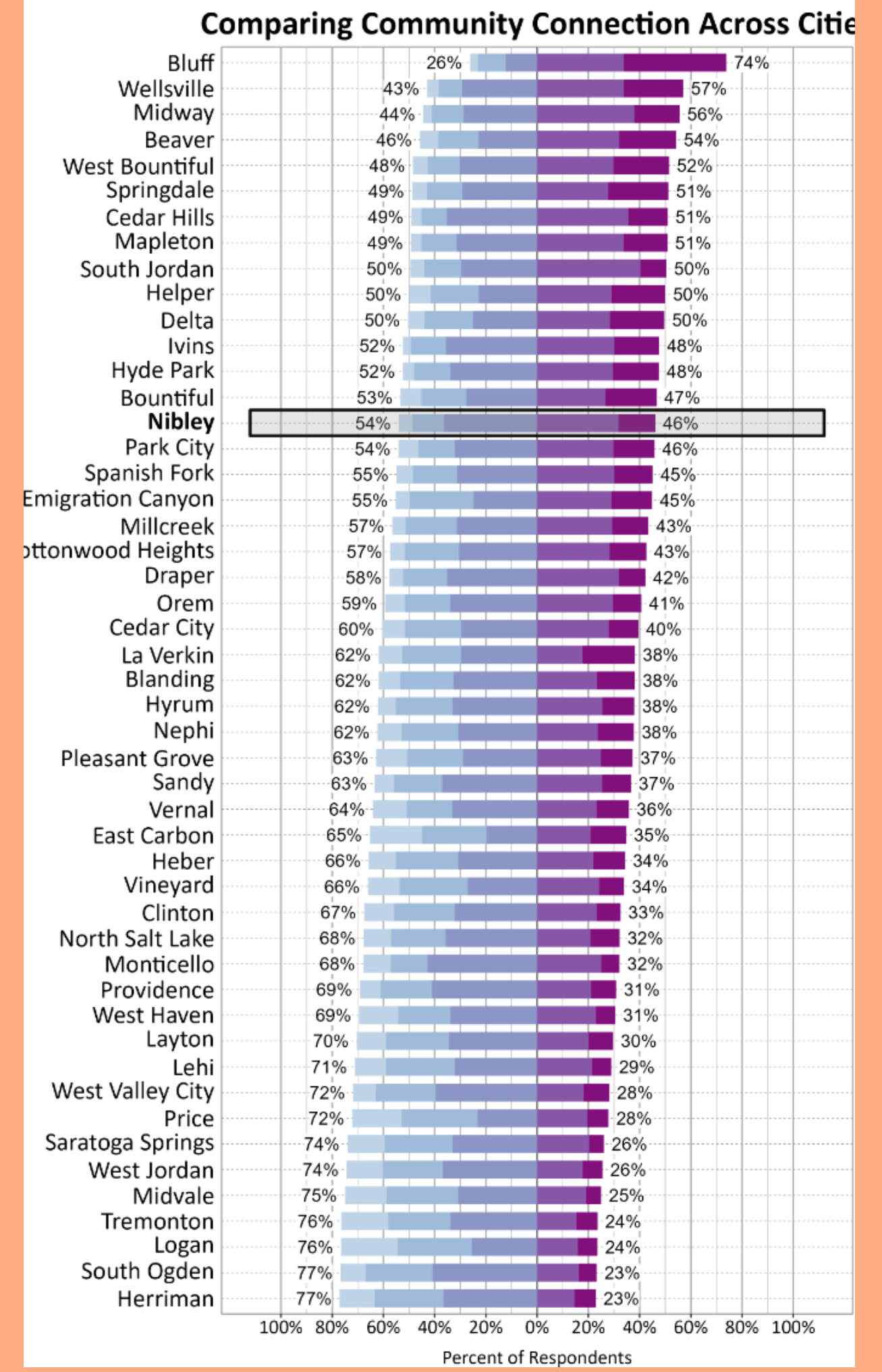
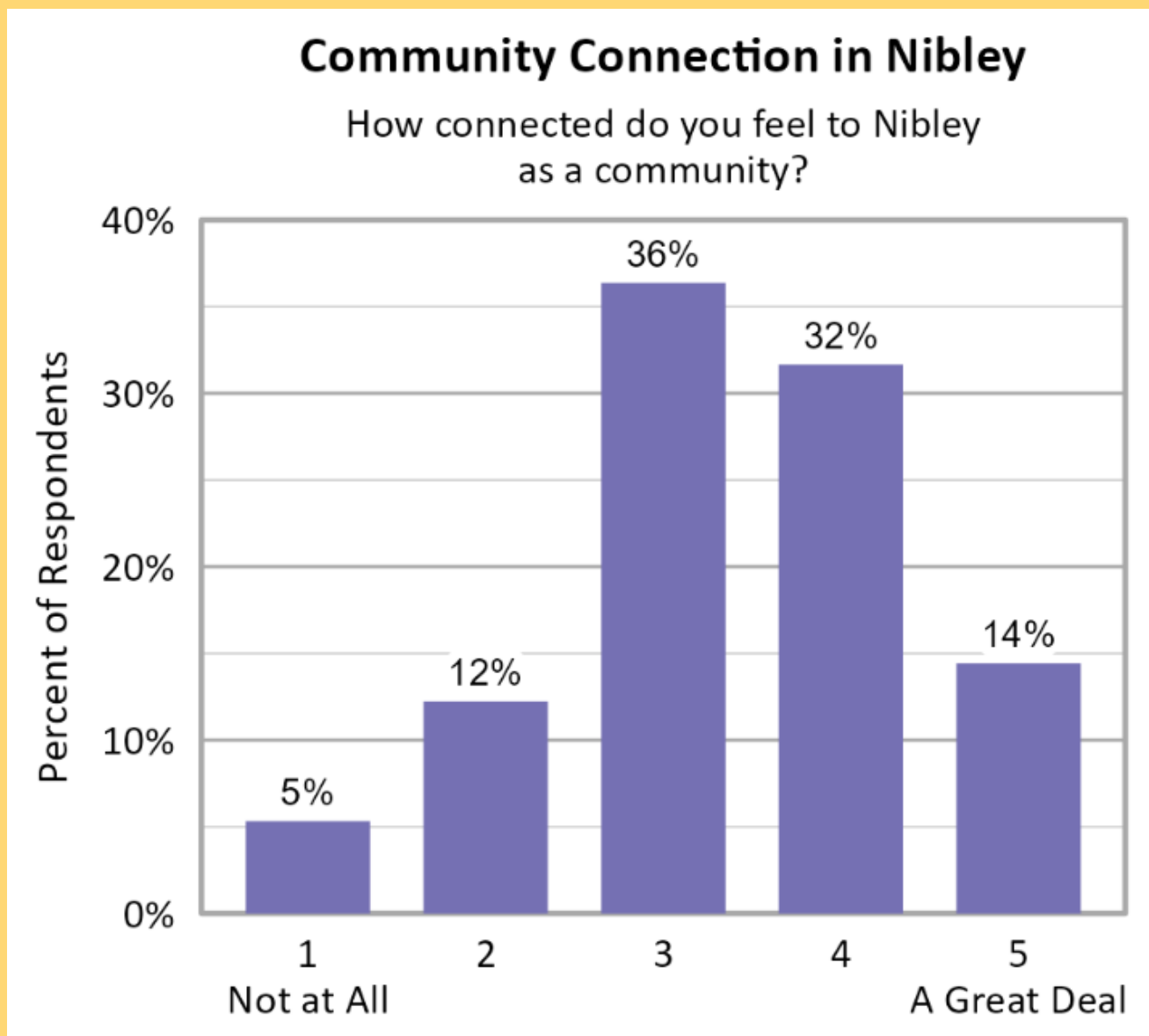


Mixed trajectories over time

Two new categories

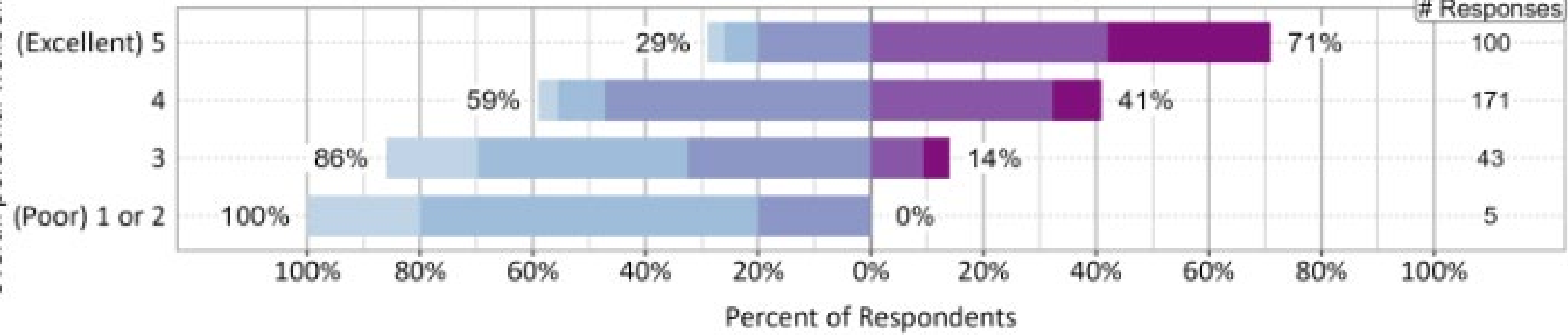
- Family Life
- Transportation

Community Connection in Nibley



How would you rate your overall personal wellbeing?

Comparing Overall Wellbeing and Community Connection in Nibley



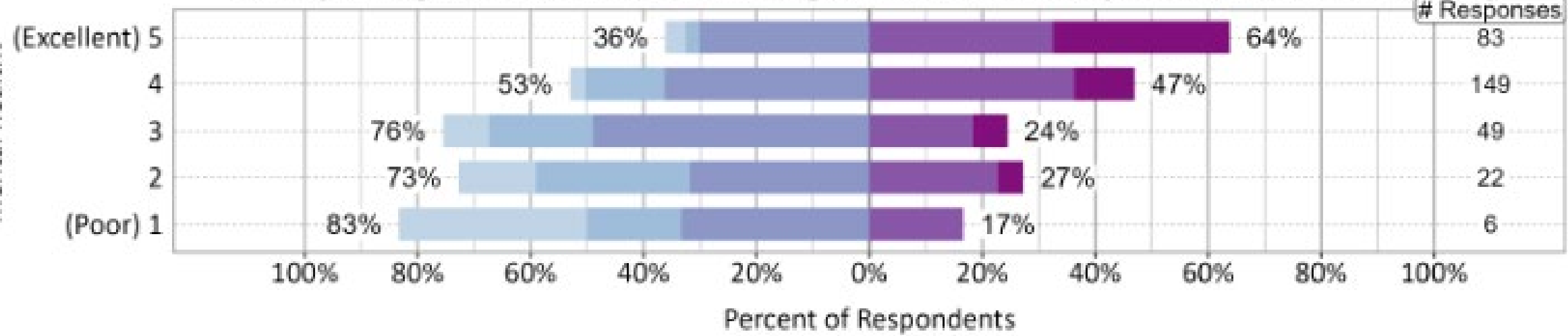
How connected do you feel to Nibley as a community?

1 2 3 4 5

Not At All A Great Deal

How would you rate your mental health?

Comparing Mental Health Rating and Community Connection in Nibley



How connected do you feel to Nibley as a community?

1 2 3 4 5

Not At All A Great Deal



Community Connection

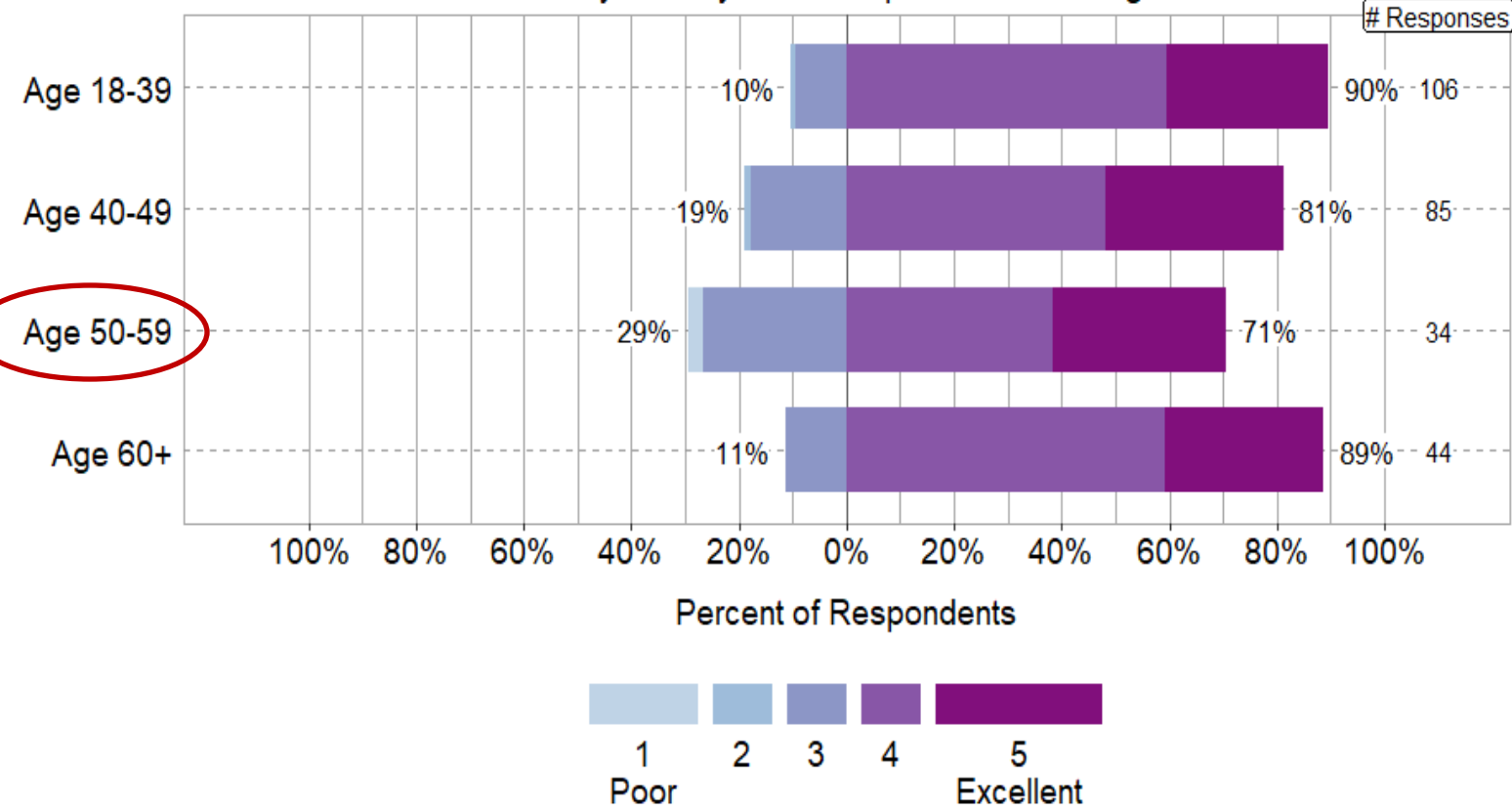


Mental Health

Demographics (Age & Income)

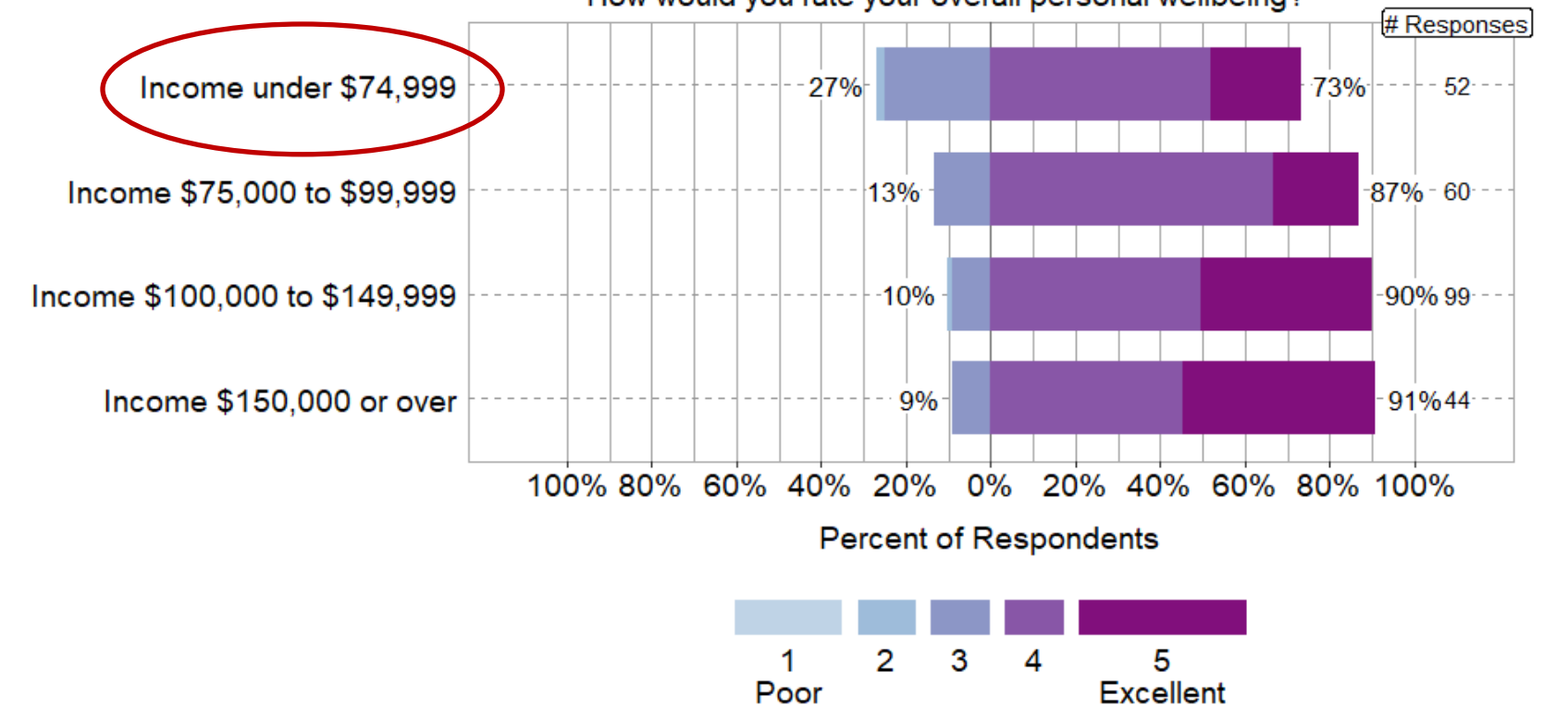
Overall Personal Wellbeing by Age

How would you rate your overall personal wellbeing?



Overall Personal Wellbeing by Income

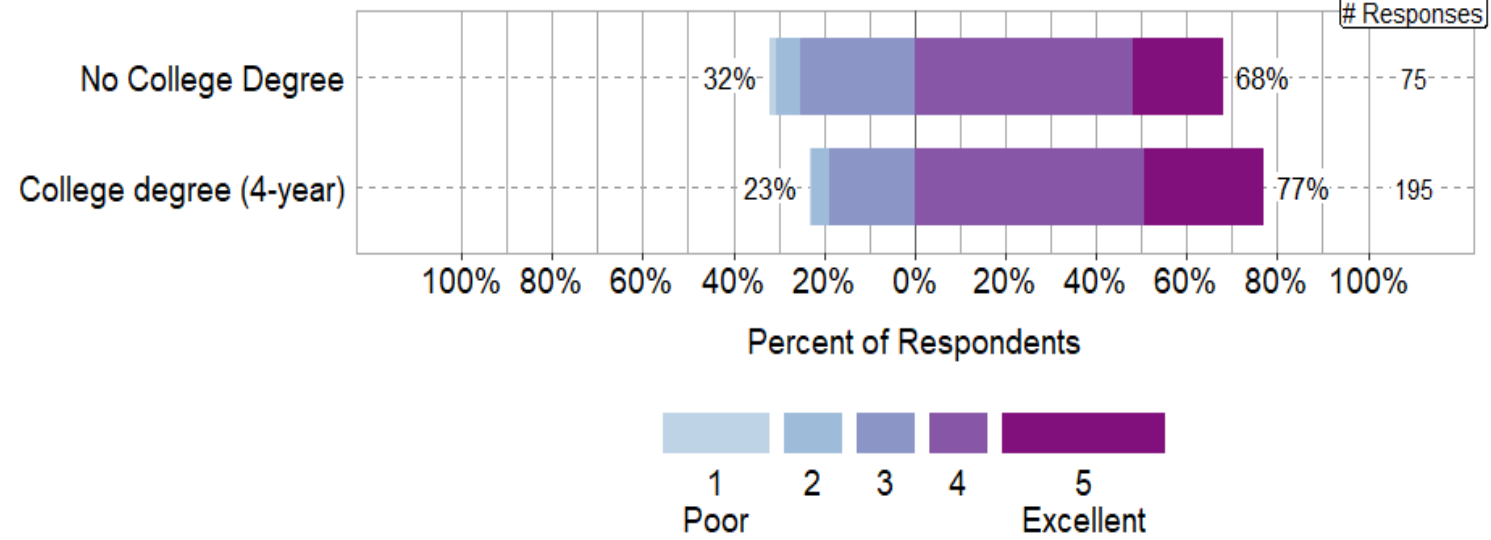
How would you rate your overall personal wellbeing?



Demographics (Education & Disability)

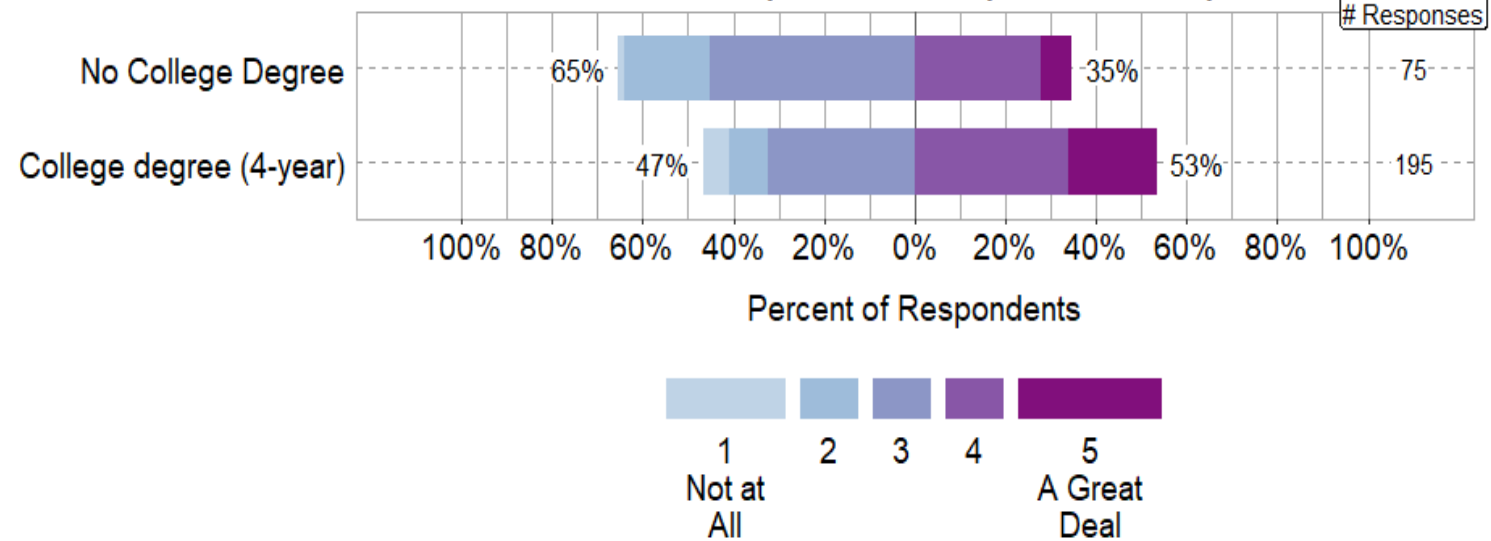
Overall Community Wellbeing by Education

How would you rate overall wellbeing in Nibley?



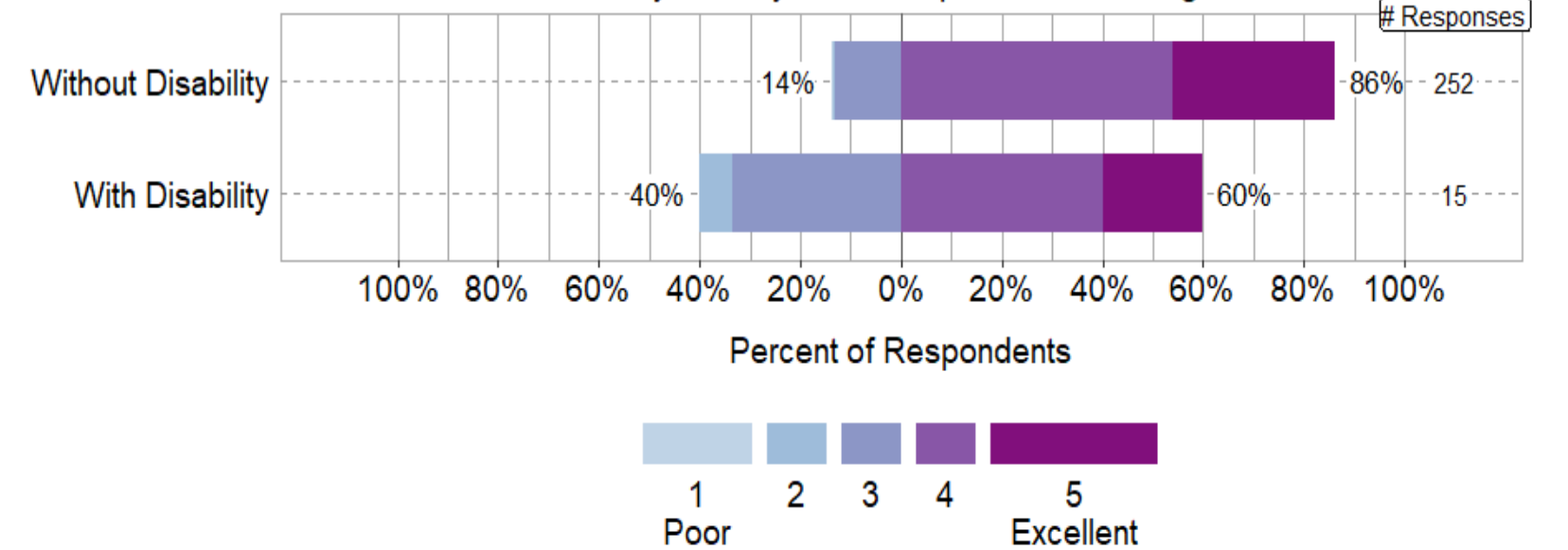
Community Connection by Education

How connected do you feel to Nibley as a community?



Overall Personal Wellbeing by Disability

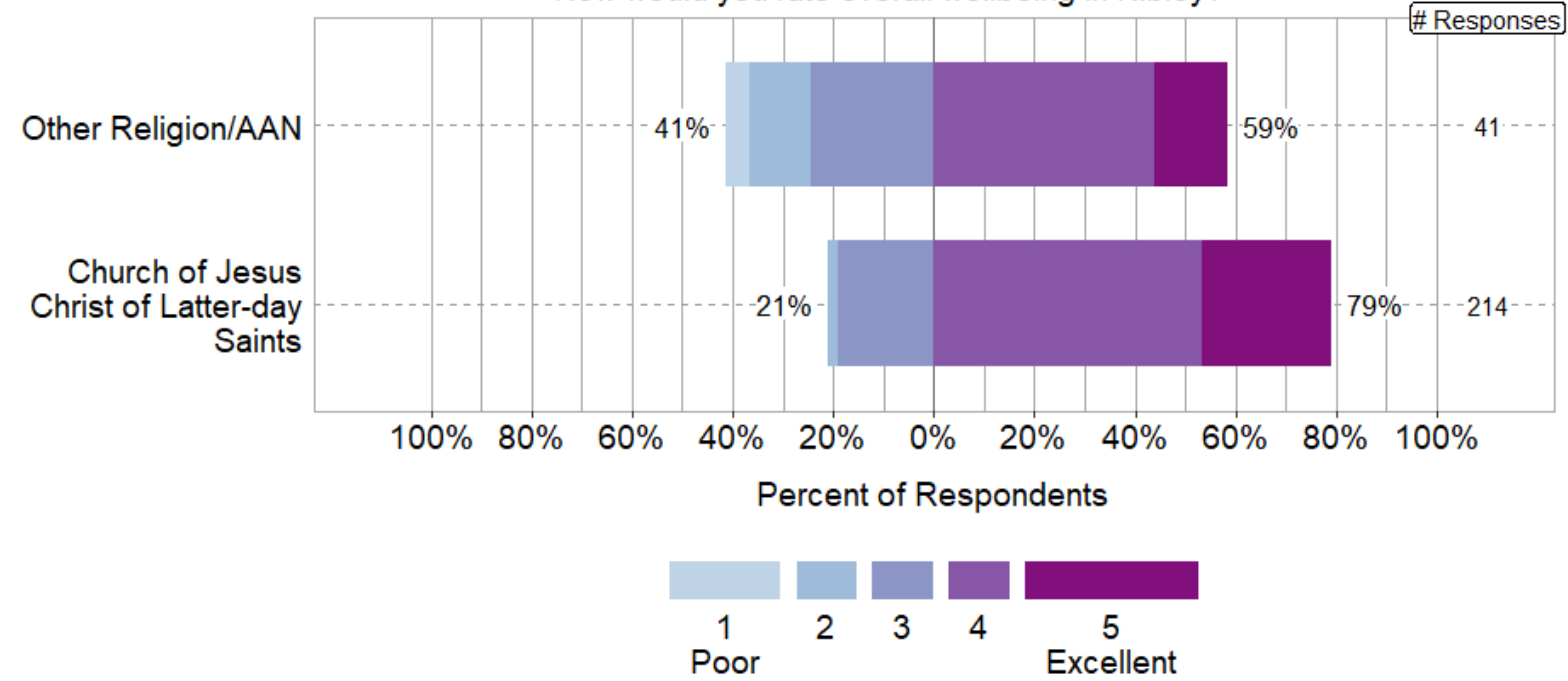
How would you rate your overall personal wellbeing?



Demographics (Religion)

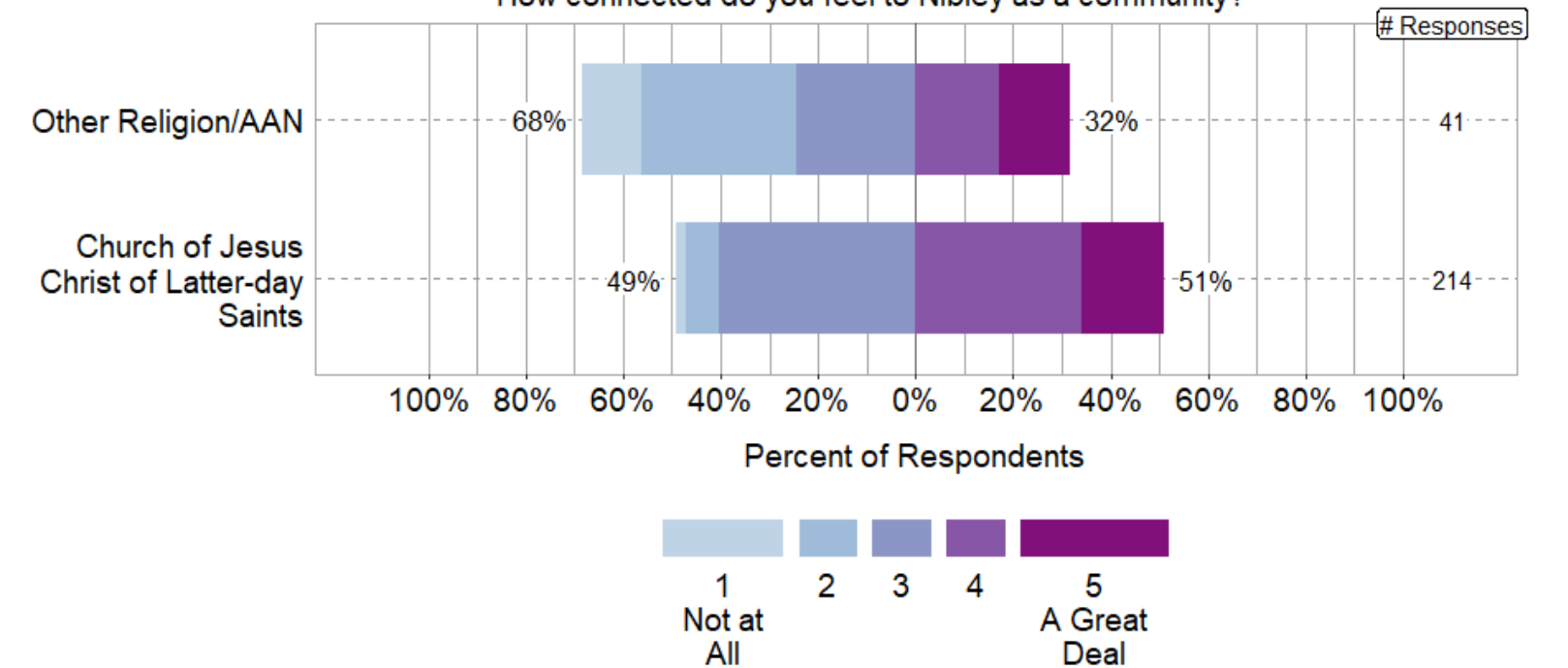
Overall Community Wellbeing by Religion

How would you rate overall wellbeing in Nibley?



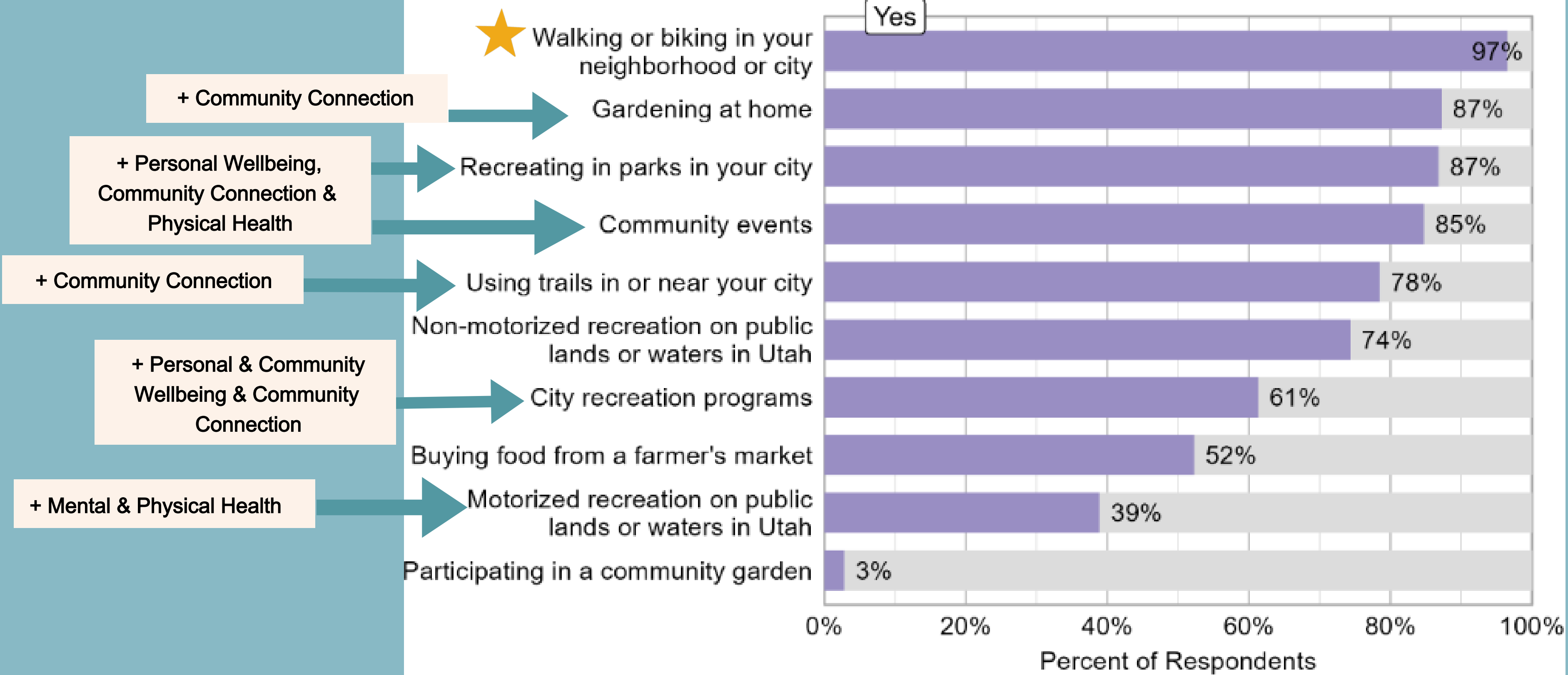
Community Connection by Religion

How connected do you feel to Nibley as a community?



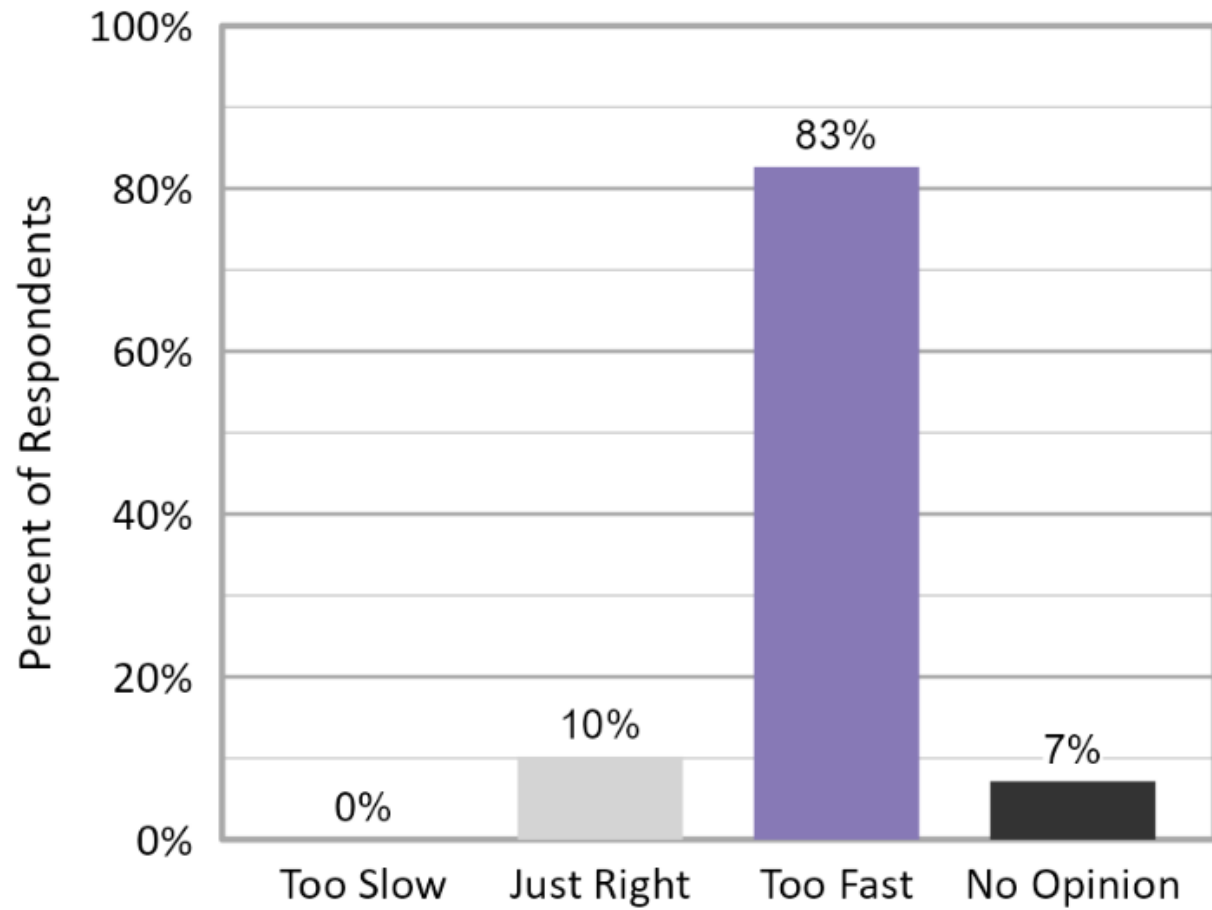
Participation in Recreation and Nature-Based Activities in Nibley

Have you participated in any of the following activities during the past 12 months?



Population Growth in Nibley

How would you describe the current rate of population growth in Nibley?

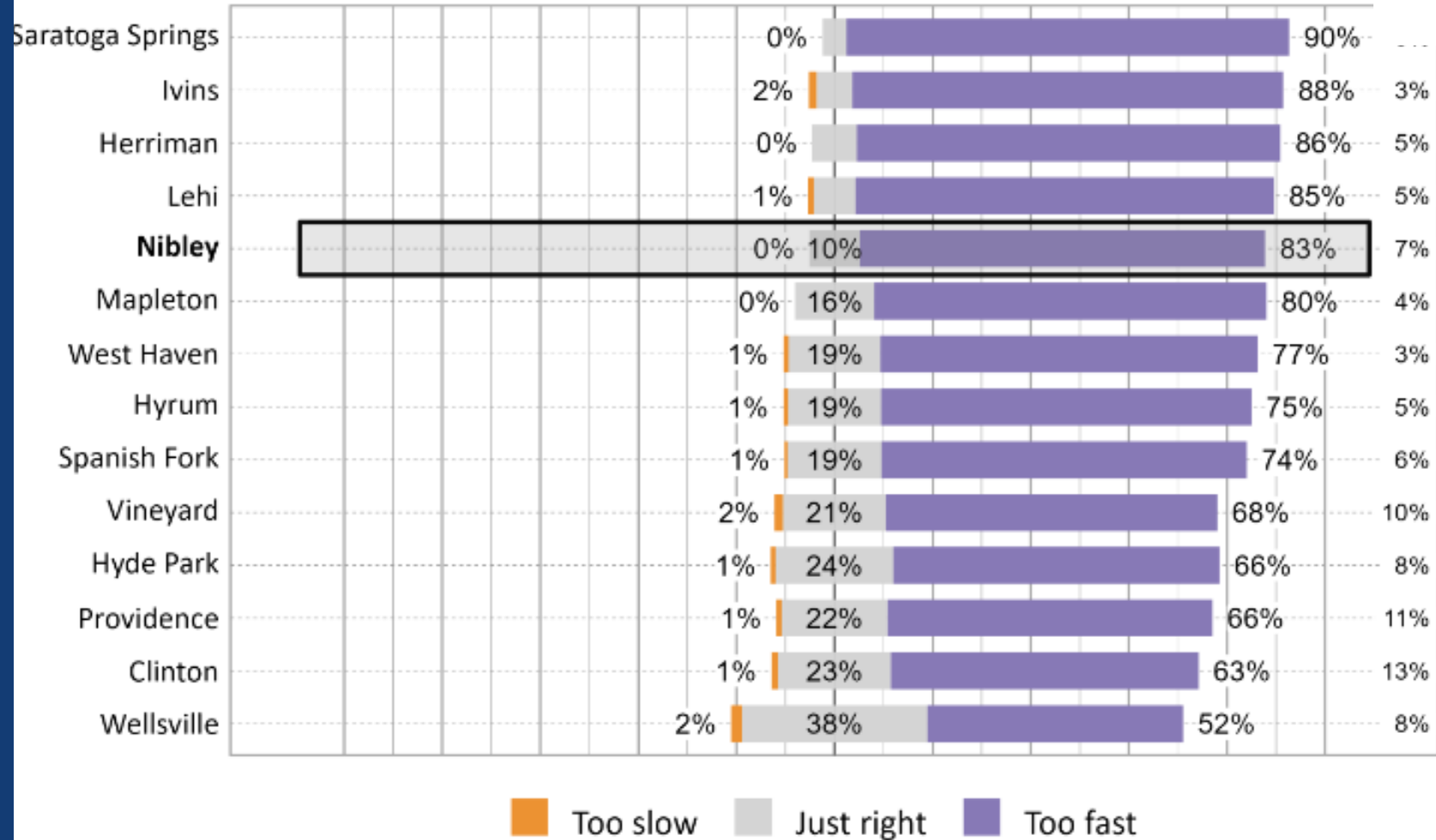


34.8% Population Growth 2010 - 2020

83% said Population Growth is "too fast"

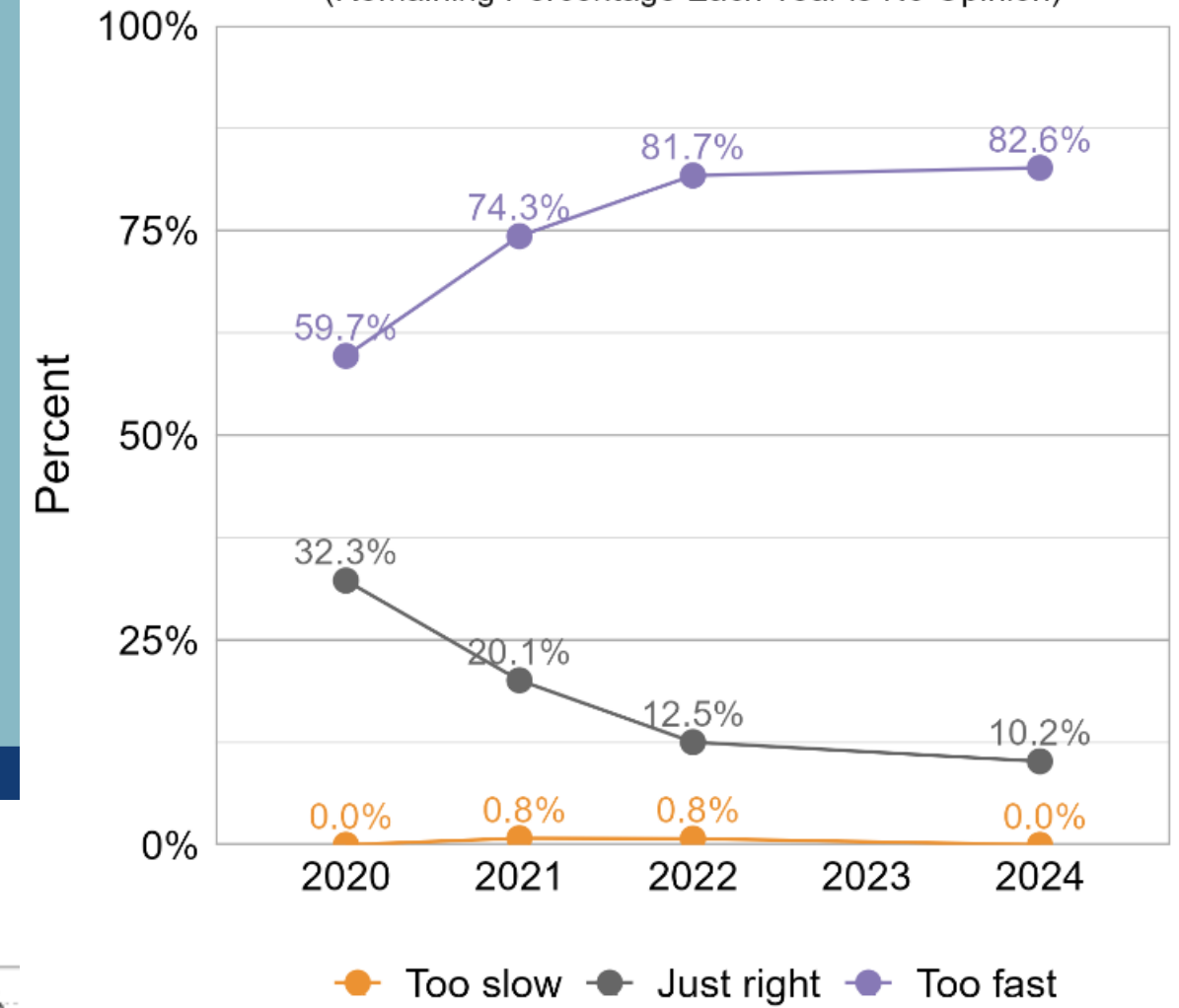
Population Growth for Rapid Growth Cities

How would you describe the current rate of population growth in your city/town?



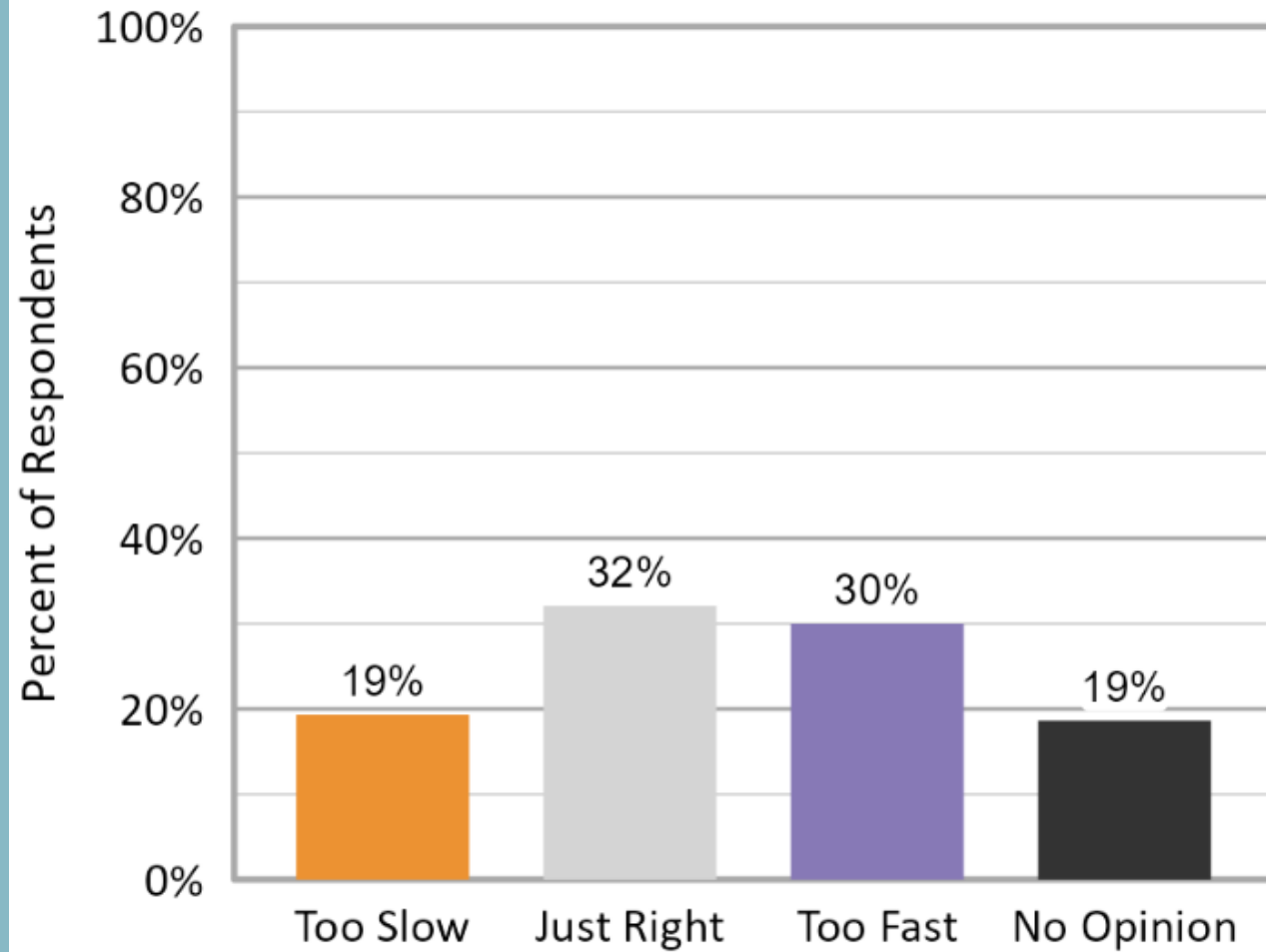
Nibley Change in Perceptions of Rate of Population Growth

(Remaining Percentage Each Year is No Opinion)



Economic Development in Nibley

How would you describe the current pace of economic development in Nibley?

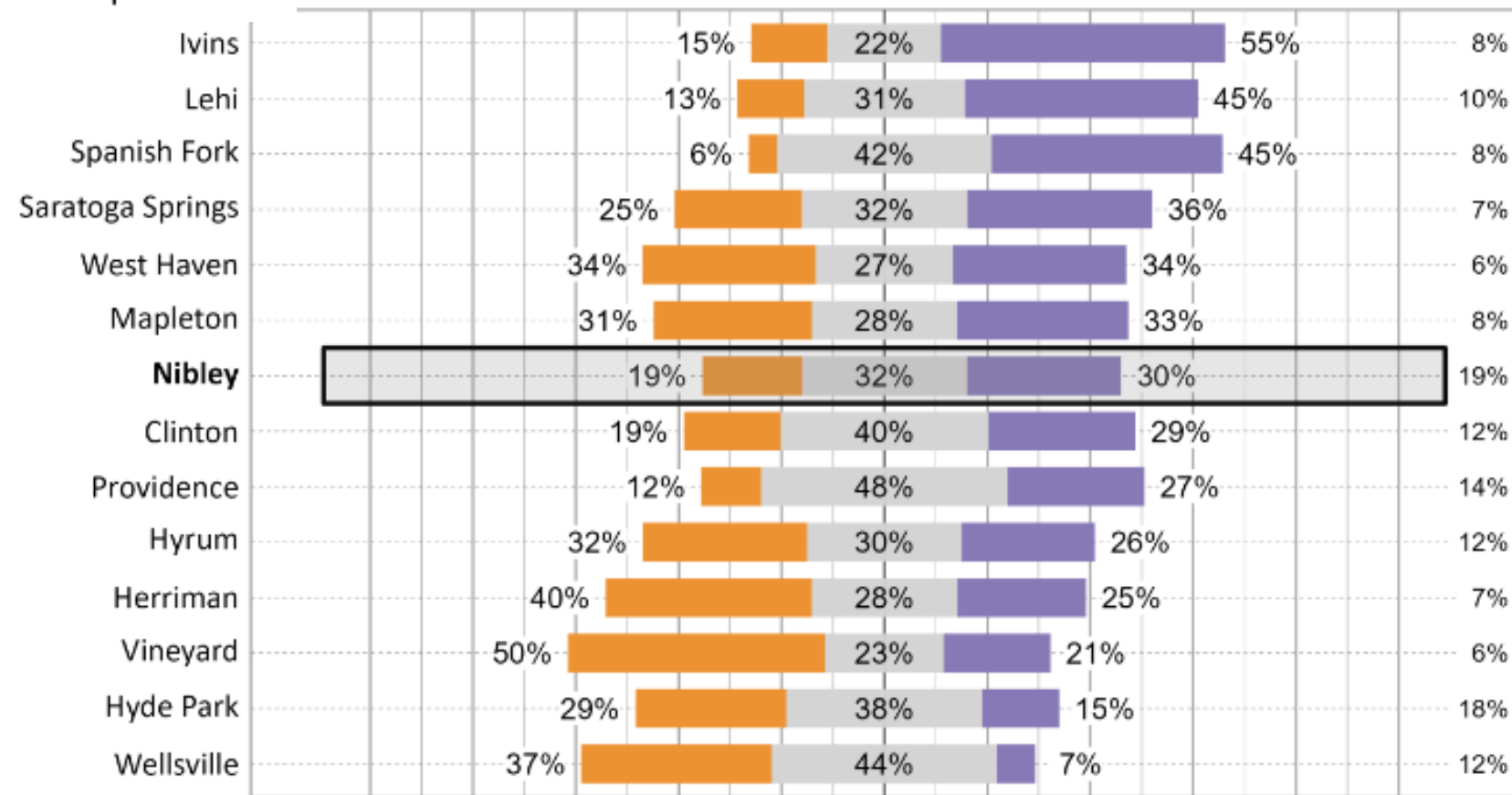


32% said Economic Growth is "just right"

30% said Economic Growth is "too fast"

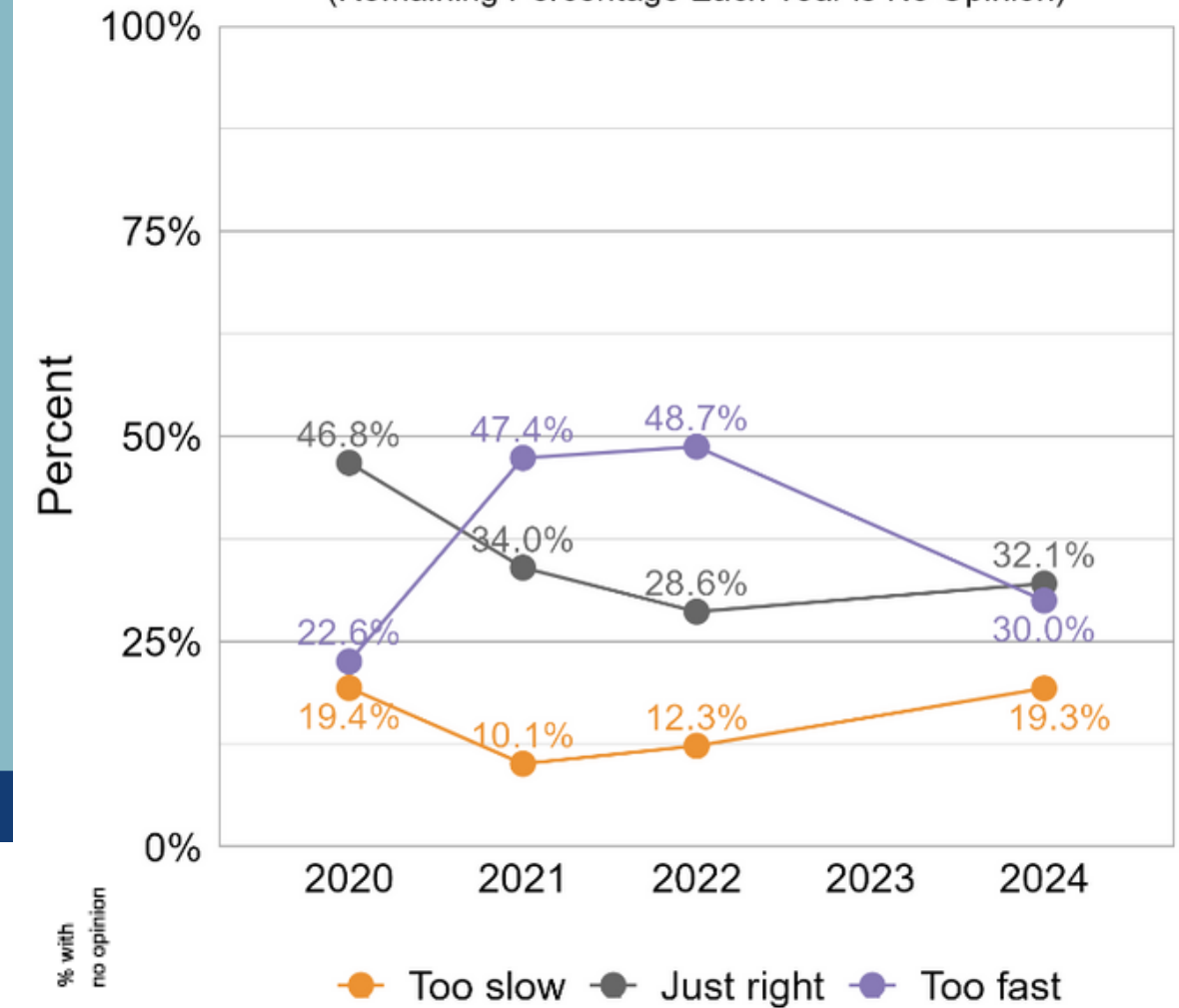
Economic Development for Rapid Growth Cities

How would you describe the current pace of economic development in your city/town?



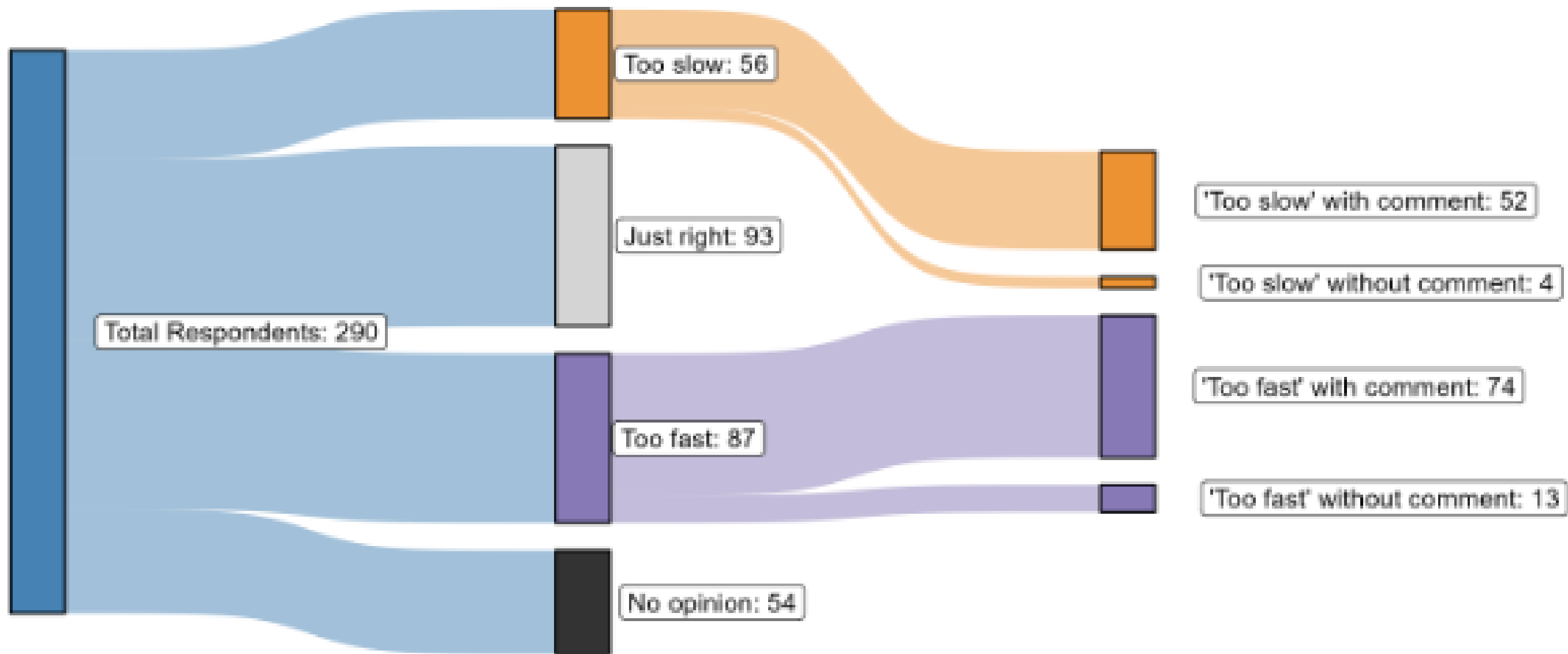
Nibley Change in Perceptions of Pace of Economic Development

(Remaining Percentage Each Year is No Opinion)



Perceptions about the Pace of Economic Development in Nibley

How would you describe the current pace of economic development in Nibley?



Too Slow

Need for:

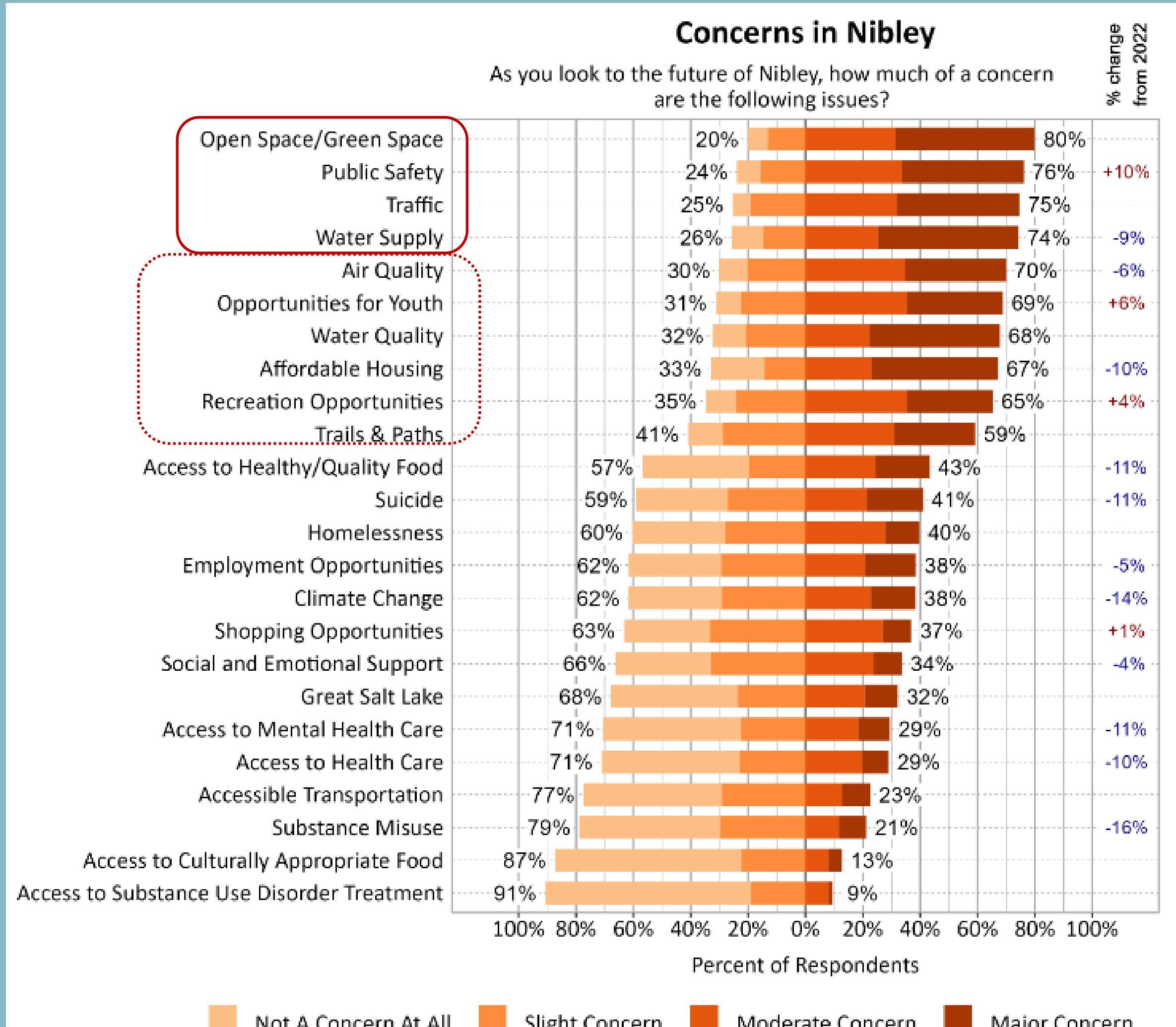
- Grocery Store
- Restaurants
- More local to avoid going to Logan

Too Fast:

- Housing
- Outpacing
 - Infrastructure
 - Resources
 - School Capacity
- Lamenting Loss of
 - Farms
 - Open Space
 - Small Town Feel

Top Concerns in Nibley

1. Open & Green Space
2. Public Safety
3. Traffic
4. Water Supply



What could be done to improve wellbeing in Nibley?

- More recreation opportunities
 - Indoor and outdoor
- Growth and housing
 - Rural atmosphere
- Transportation
 - Walking and biking paths
 - School crossing infrastructure
 - Reduced traffic

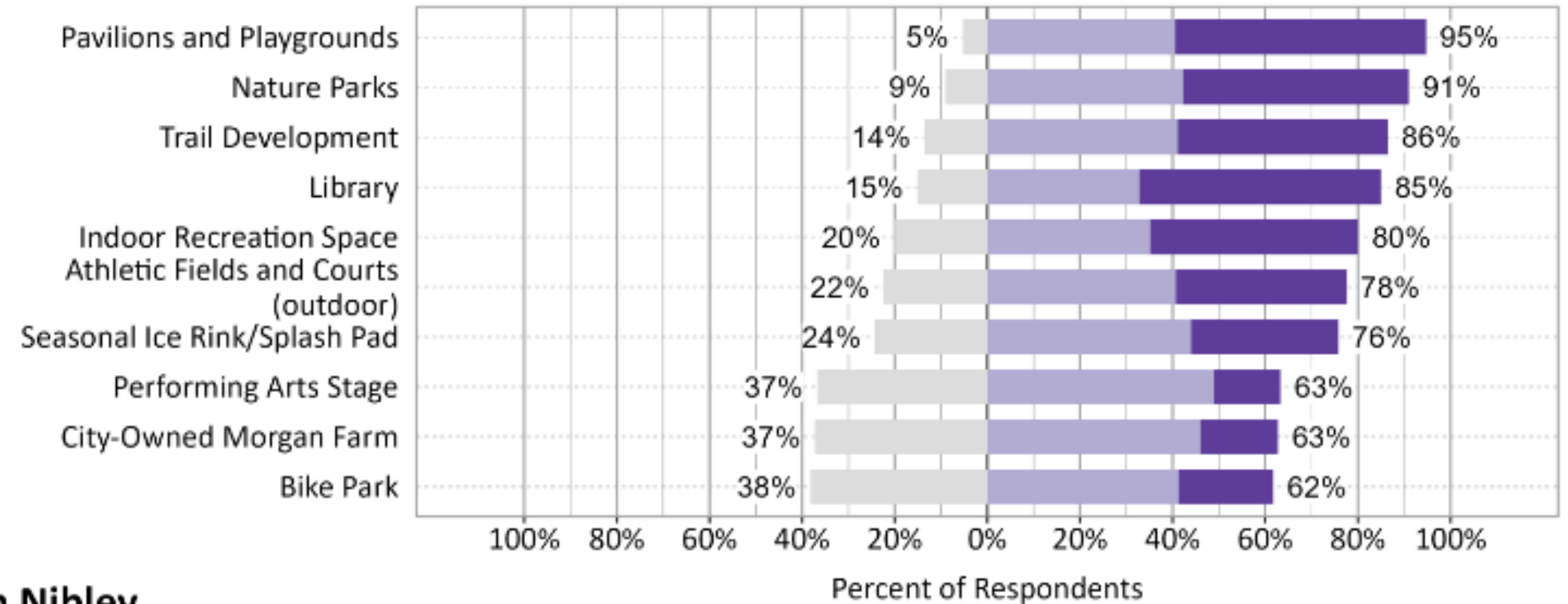
Additional Comments

- Transportation
- Growth

Amenities in Nibley

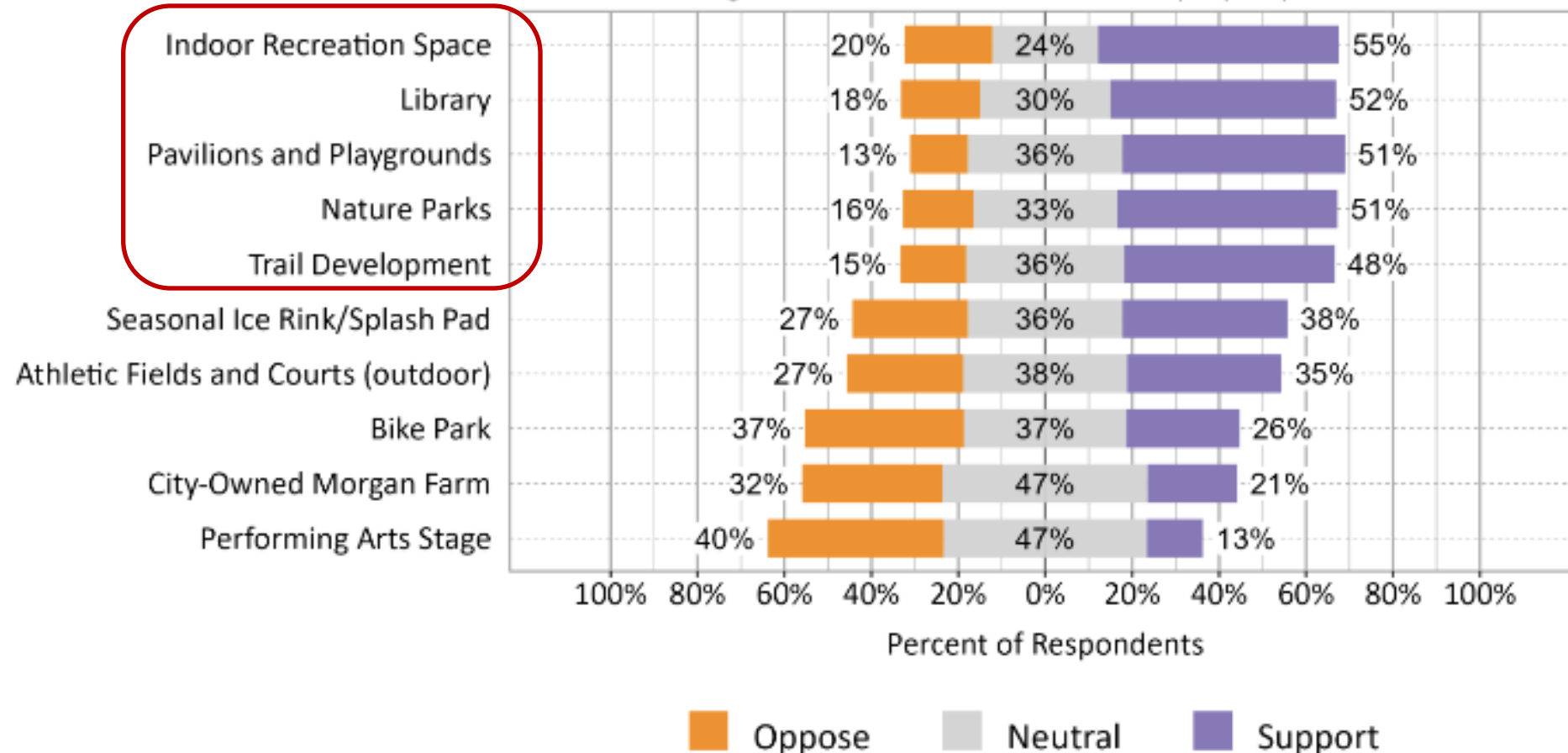
Importance of Amenities in Nibley

How important are the following amenities to the wellbeing of your household?



Attitudes Towards Tax Increases for Amenities in Nibley

Please indicate your level of support or opposition to the following if it meant a modest increase in property taxes.



Strong interest in amenities.

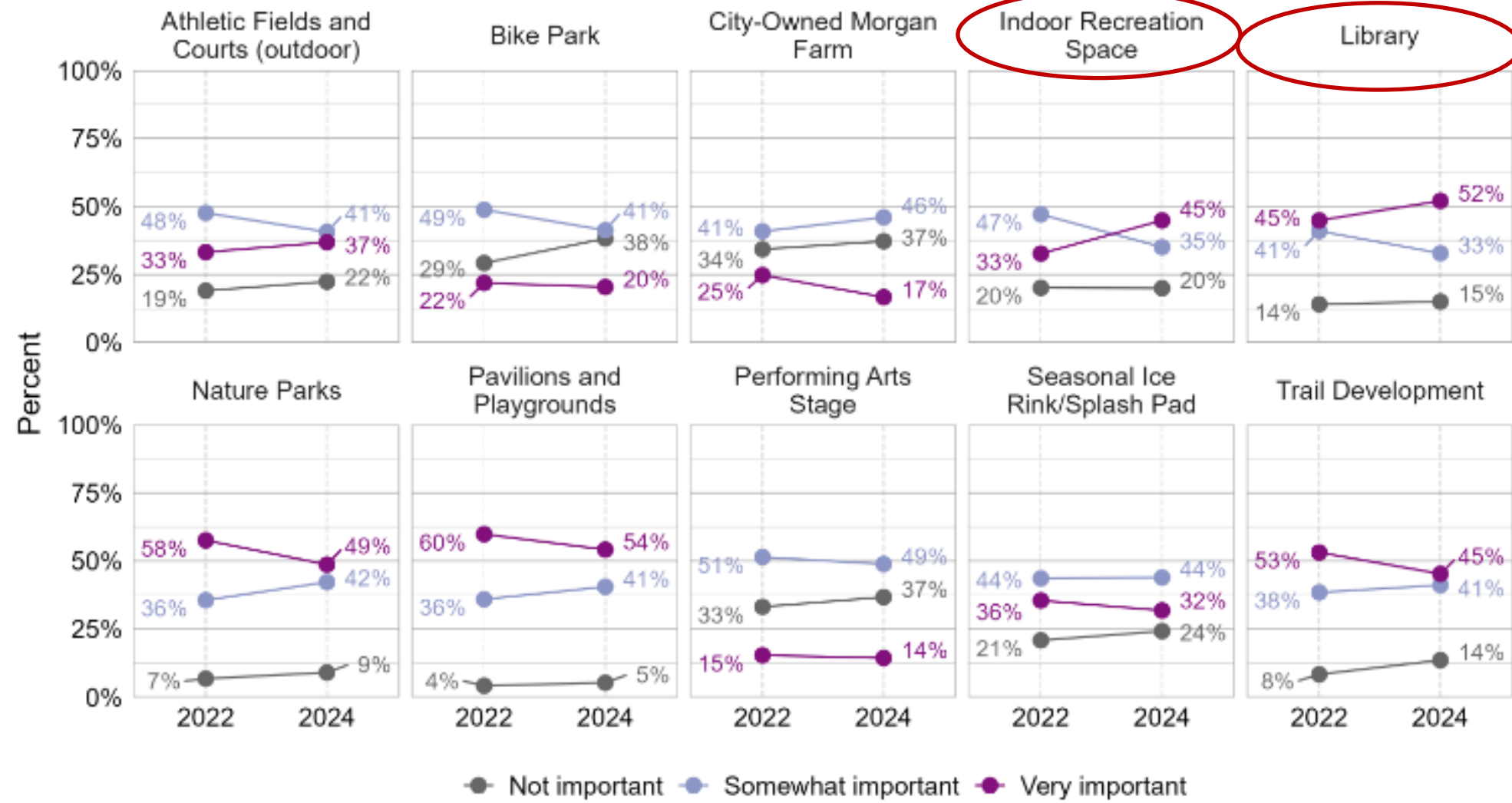
More support despite taxes for:

- Indoor Rec Space
- Library
- Pavilions & Playgrounds
- Nature Parks
- Trail Development

~50%

Change in Importance of Amenities in Nibley

How important are the following amenities to the wellbeing of your household?

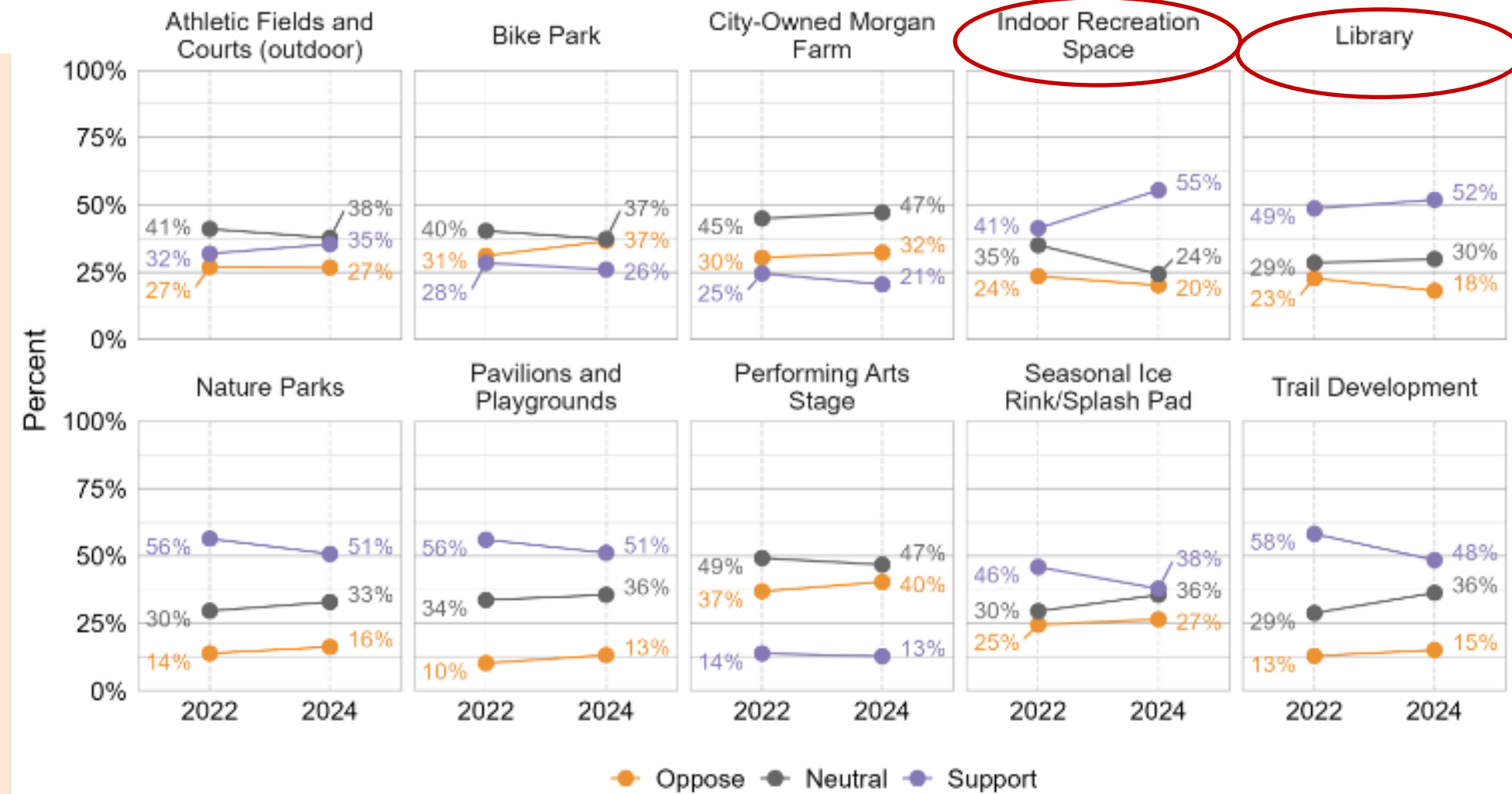


Importance increased for Indoor Rec Space & Library

Support despite taxes increased for Indoor Rec Space & Library

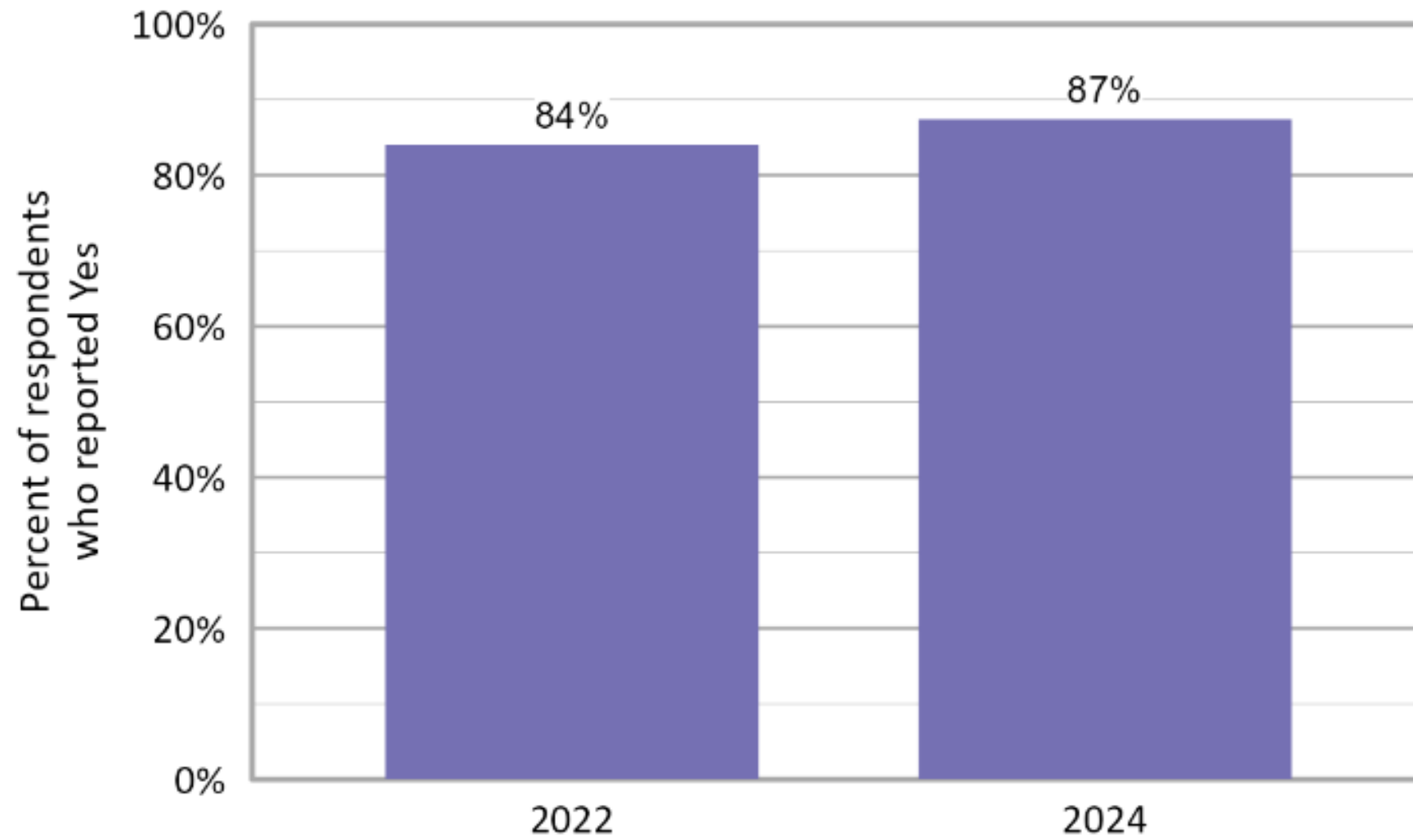
Change in Support for Increase in Property Taxes for Amenities in Nibley

Please indicate your level of support or opposition to the following if it meant a modest increase in property taxes



Availability Alignment for City Services and Programs in Nibley

Does your availability align with the hours of city services and programs in Nibley?



Availability of City Services and Programs in Nibley

Thank you!



Let us know if you have any questions.

Courtney Flint

courtney.flint@usu.edu

435-797-8635



Agenda Item #8

Description	Discussion and Consideration: Resolution 24-22-- Naming the City Park Located in the Ridgeline Park Development; Parcel Tax ID: 03-020-0034 (First Reading)
Presenter	Tom Dickenson, Nibley City Engineer and Larry Jacobsen, Mayor
Staff Recommendation	Approve Resolution 24-22--Naming the City Park Located the Ridgeline Park Development; Parcel Tax ID: 03-020-0034, for first reading.
Reviewed By	

Background:

Public land was dedicated during the development process of Ridgeline Park Subdivision near Nibley City Hall. Staff have been working on construction plans for phases one and two of the park. Construction of phase 1 is scheduled to begin this fall, and staff are in need of direction of the name of the park, to begin design and construction of some of the signage elements.

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RESOLUTION 24-22

A RESOLUTION NAMING THE CITY PARK LOCATED IN THE RIDGELINE PARK DEVELOPMENT

WHEREAS, residents of Nibley City and surrounding communities recognize the import of our open vistas and ample recreation space; and

WHEREAS, Nibley City staff, elected officials, community members, contractors, and engineers often collaborate to identify the need and plan for parks, trails, and recreation sites; and

WHEREAS, once a park has been created, Nibley City has set the precedence of naming public parks and recreation spaces to recognize geographic landmarks, influential persons, and/or historical vestiges; and

WHEREAS, the city park located in the Ridgeline Park Development has not yet received an official name.

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

1. The Nibley City Council formally names the city park located at Parcel Tax ID 03-020-0034 in Cache County as _____.

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

Larry Jacobsen, Mayor

ATTEST: _____
Cheryl Bodily, City Recorder

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Suggested Name	Submitted by	Notes:
Dragonfly Park	Recreation staff	May cause confusion with Firefly Park
North Forty Park	Recreation staff	Points to the previous use of the property as a pasture and aligns with the agricultural themed playground
Sawmill Park	Recreation staff	Name preferred by Recreation staff. Ties into the history of the area. If the mill was water-driven then it ties in with the water feature of the park. The name of the actual sawmill on the property could also be used.
Nibley Central Park	PARC	Connects with the water feature and natural ground water Mayor Welker brought the sewer system and served 12 years on the Nibley City Council
Nibley Springs Park	PARC	
A Lynn Welker Park	NYC; McKenna Welker	
Pa Nemmi Park	NYC, Emily	Shoshoni words for water are pa or baa and the Shoshoni word for living is nemmi; would translate to Living Water Park; needs to be verified.
Baa Nemmi Park	NYC, Emily	
Wetland Park	NYC	features around the park
Silo Ranch Park	NYC	incorporating what the park would look like in the name
Summitt Park	Nibley resident	Nibley also means hilltop or summitt
Vista Park	Nibley resident	
Pathway Park	Nibley resident	
Wheelie Park	Nibley resident	
Red Pen Park	Nibley resident	Refers to Ron Hellstern an educator and City Council member in Nibley who had worked to preserve trees, wildlife and the monarch butterfly
Riverhawk Park		

Suggested Bike Park Name	Submitted by	Notes:
Gravity Park	PARC	
Ridgeline Bike Park	Steve Eliason	
Diamond R Bike Playground	Rod Elwood	

Name the park after a value or attribute they see in the City

Naming the Park after a person

Giving a sponsor naming rights

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Agenda Item #9

Description	Discussion & Consideration: Resolution 24-20— Amending the Nibley City Transportation Master Plan, Removing 2500 South Roadway between 1200 West and 1300 West (Second Reading)
Presenter	Levi Roberts, City Planner
Planning Commission Recommendation	Denial of Resolution 24-20 - Amending the Nibley City Transportation Master Plan, removing 2500 South roadway between 1200 West and Heritage Drive with the recommended findings noted below
Staff Recommendation	Denial of Resolution 24-20 - Amending the Nibley City Transportation Master Plan, removing 2500 South roadway between 1200 West and Heritage Drive with the recommended findings noted below
Reviewed By	City Planner, City Engineer, City Manager, Public Works Director, Mayor, Planning Commission

Background

Updates for 10/03/2024

City Council directed Staff to perform a cursory review of the Preliminary Plat application for Nelson Farms Subdivision to help inform the decision regarding the request to remove 2500 South from the Transportation Master Plan. As noted, the application is not considered complete at this time, but based upon materials submitted, below are surface level comments that Staff has formulated which are pertinent to this consideration. These comments do not constitute a full review of the application.

1. Although the applicant mentioned at City Council that they intended to dedicate the open space to Nibley City, the draft Preliminary Maintenance Plan states that all the open space will be HOA owned/managed. If any is intended to be public, this requires City Council approval after Staff and Planning Commission review and recommendation.
2. Based upon the numbers provided, this development exceeds the maximum base density of the R-M zone. It appears that the Lot 1 area has been included in the net developable area. However, NCC 19.12.040(G)(1) states "The maximum density of a *residential* development within the R-M zone shall be 10 units per net developable acre." The Church of Jesus Christ of Latter Day Saints has submitted a concept plan for the development of a church meeting house in Lot 1. NCC 19.20.020 categorizes 'Church/Places of Worship' as 'Public, Institutional and Civic Uses.' Therefore, Lot 1 should not be included in the calculation of density. Assuming this street lay-out, the maximum number of units in this

subdivision would be 97. This would also lower the amount of required open space to 3.41.

3. The building orientation of several of the buildings violate design standards related to building entrances and private drives. Private drives may only be used to access garages and parking courts, but not for primary pedestrian access to units. Front loading garages are only allowed for buildings that do not have any portion of the building adjacent to a current or planned public road or street outside the development.
4. Some of the proposed housing designs do not meet Building Code definitions for townhouse units and must be provided with fire sprinklers in accordance with the IBC and IFC. Show fire riser room locations, Fire Department Connections (FDC), and fire hydrants within 150-ft of FDC locations.
5. Proposed roadway cross section does not match any standard cross sections for a local roadway. TS-12, 13, or 14 are options. There is no compelling reason for 36-ft of asphalt. The narrow park strip does not allow for tree growth without damage to sidewalks and curb.
6. There is not adequate guest parking provided. The development must provide guest parking at a rate of 1 space per 3 units. Such parking needs to be provided in parking courts or lots. Driveways can only count for primary parking. The parking must be on private property and not owned by Nibley City.
7. Relating to the requirement that the guest parking lot be privately owned, the issue of 2500 South roadway connection to 1200 West is again recommended by staff for purposes of meeting specific zone required connectivity, maintenance, and safety. A 250-ft dead end road is difficult to maintain and the 2500 South roadway will accommodate Church accesses and keep accesses off of 1200 W and 2600 S.
8. The proposed development subdivides three lots of the previously approved and recorded 4-lot subdivision. In addition to the subdivision improvements for the residential development, Term #3 of the Development Agreement for the 4-lot subdivision also requires all Subdivision Improvements of those other Properties being subdivided- Lots 1 and 2 of the 4-lot subdivision.
9. The applicant needs to specify boundary and timing of Heritage Drive improvements. This development requires at least 2 accesses. 2500 S would meet the 2nd access requirement.

Previous Background Information

Al Bingham has submitted an application to remove the 2500 South connection between 1200 West and 1300 West from the Transportation Master Plan (TMP). The applicant states the following in his application: "We are proposing a change to the general master transportation plan to create a safer transportation through a residential area." Previously, the applicant proposed a Code amendment that would provide a variance for this requirement within the R-M zoning code. The applicant was directed by

Staff and the Planning Commission that the more appropriate consideration for this request would be via a consideration for amendment of the Transportation Master Plan.

The currently adopted "Master Street Plan," an appendix of the Transportation Master Plan, last updated shows a future local road connection between 1200 W and the planned Heritage Drive at 2500 S. As this area develops with the medium to high density residential and commercial uses planned, retaining street connectivity is important to disperse traffic, provide for direct connections for all street users (including pedestrians and bicyclists), improve emergency access and support effective street maintenance. NCC 19.12.040(K) emphasizes street connectivity with the following statement:

Connectivity. R-M developments shall provide connectivity with the surrounding area and throughout the development. All improvements shall consider vehicle, bicycle, and pedestrian access.

The 2500 South connection will support these objectives.

Staff has not been presented a compelling reason that constitutes eliminating 2500 South.

The concept plan submitted with the rezone and the petition to remove 2500 S from the TMP shows a lengthy dead-end roadway that would create safety concerns for fire department access and for staff that would plow and maintain the roadway. The road configuration of the concept plan as proposed provides only a private benefit to the development and provides no benefit to Nibley City's transportation plans nor needs.

For purposes of safety and to minimize congestion, Nibley City Design Standards limit driveway accesses onto arterial roads (2600 S, 3200 S, and 1200 W). Elimination of the 2500 South 1200 West connection will reduce connectivity and may force less than ideal driveway connections.

Therefore, Staff is not supportive of removing this street from the Master Plan.

Recommended Findings

1. 2500 S improves street connectivity in the area, which would help disperse traffic, provide direct connections for all street users, improve emergency access, and support effective street maintenance.
2. A dead-end roadway would create safety concerns for fire access.
3. Without 2500 S connection, the road configuration provides only private benefit for the development.
4. Elimination of 2500 S may force less ideal driveway connections.

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RESOLUTION 24-20

**AMENDING THE NIBLEY CITY TRANSPORTATION MASTER PLAN, REMOVING
2500 SOUTH ROADWAY BETWEEN 1200 WEST AND 1300 WEST**

WHEREAS, Utah law allows municipalities to create and plan for local infrastructure and transportation needs; and

WHEREAS, Nibley City has established a transportation system and network for its residents and other traffic to travel through the City; and

WHEREAS, Nibley City wishes to update the Transportation Master Plan Map or Master Streets Plan to plan for future growth and traffic patterns within Nibley City; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF NIBLEY CITY, STATE OF UTAH, AS FOLLOWS:

1. That the attached Transportation Master Plan Map is adopted by the Nibley City Council.
2. This map shall replace the previously adopted Transportation Master Plan Map.

Dated this 12th day of September, 2024

Larry Jacobsen, Mayor

ATTEST

Cheryl Bodily, City Recorder

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Printed: 08/23/2024

Nibley

1300 West 2600 South

08/14/2024 - 08/13/2124

Rezone, Code Change, or Master Plan Change Application

Plan Check

Application Status

New

Permit/License #

7792055

Reference Number

142bc470-58f1-11ef-9b19-d95647188e3a

Status

Active

Application Review Status

Final-Review

Not Reviewed

Date Submitted

08/12/2024

Fees

Plan Check

\$500.00

Subtotal

\$500.00

Processing Fee

\$16.00

Total

\$516.00

Amount Paid

\$516.00

Total Due

\$0.00

Payments

08/14/2024

Online

\$500.00

Total Paid

\$516.00

Application Form Data

(Empty fields are not included)

First Name

AI

Last Name

Bingham

Address Street

2352 S Highway 89 / 91

City

Nibley

State

Utah

Zip Code

84321

Phone

(801) 243-7800

Email

abingham@momentumloans.com

Is the property owner representative different from the listed property owner

no

Request Type:

Master Plan Change

Project Address Street

1300 West 2600 South

Tax I.D. Number(s)

03-227-0003

Project Size (Acres)

18.94


Current Zoning (check all that apply)

R-2- Residential

Proposed Zoning (check all that apply)

R-M- Mixed Residential

Site Plan and Map (please attach)

 **Nibley West 23.1 Site Plan - Option A-4 2024.04.02.pdf**

What is the need for the proposed zone change?

2500 South connection to 1200 West

What will the public benefit be if the zone change is granted?

Yes

How does the proposal comply with the goals and policies of the Nibley City General Plan?

We are proposing a change to the general master transportation plan to create a safer transportation through a residential area.

Is there any annexation of property necessary?

No

Please explain how the anticipated use is appropriate for the surrounding area.

In the proposed development

What public infrastructure is in place to serve the type and intensity of the proposed use? If needed, could the infrastructure be reasonably extended, at the cost of the property owner or developer?

2600 South

Please attach a statement from the County treasurer showing the current tax status of the property.

 Nibley West 23.1 Site Plan - Option A-4 2024.04.02.pdf

Signature

I certify under penalty of perjury that this application and all information submitted as a part of this application are true, complete, and accurate to the best of my knowledge. I also certify that I am the owner of the subject property and that the authorized agent noted in this application has my consent to represent me concerning this application. Should any of the information or representations submitted in connection with this application be incorrect or untrue, I understand that Nibley may rescind any approval, or take any other legal or appropriate action. I understand that any cost of engineering, legal, fire, or other review incurred by the City shall be my responsibility to pay. I also acknowledge that I have reviewed the applicable sections of the Nibley City Code and that items and checklists contained in this application are basic and minimum requirements only and that other requirements may be imposed that are unique to individual projects or uses.

Posting. Not less than ten (10) days before the public hearing, Applicant is responsible for posting a sign in a prominent place on the property containing, in lettering that may be reasonably read by passersby, the time, date, and location of the public hearing. The posting shall not be required before the application being accepted. However, the City shall require that, not less than ten (10) days before the public hearing, the Applicant provides the City with evidence of compliance with this requirement.

With my signature, I give consent to receive service of process at the email listed on this application.

Electronically Signed

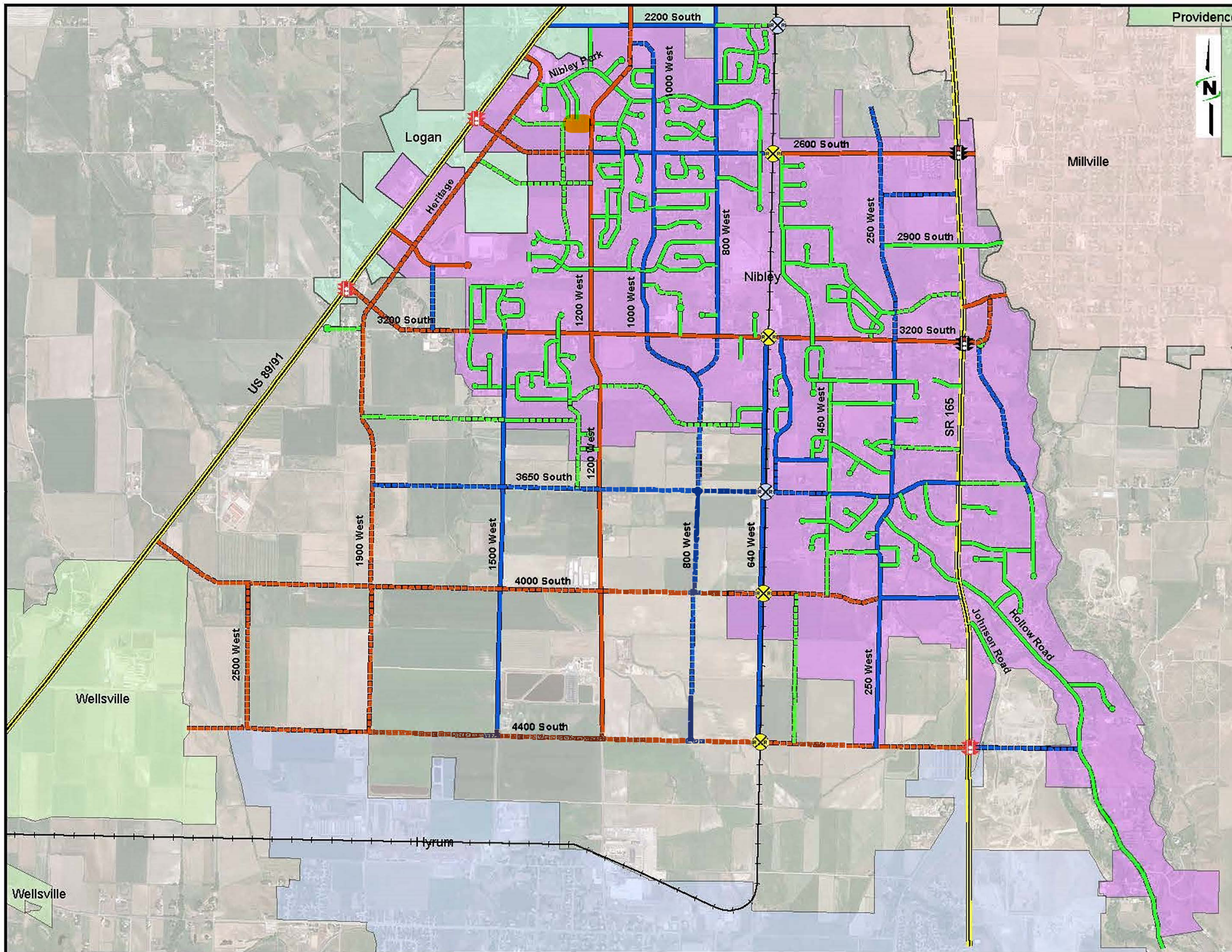
AI Bingham - 08/12/2024 3:23 pm

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Nibley City Master Street Plan (DRAFT)



Update 9-12-2024



Legend

Nibley Municipal Boundary 2020

Road Classification

- Principal Arterial
- Minor Arterial
- Collector
- Local
- *Future Minor Arterial
- *Future Collector
- *Future Local

Rail Road

Rail Road Crossings

- Existing
- Proposed

Stop Lights

- Existing
- Proposed

* Future streets are conceptual and show general connections. Side treatments and landscaping determined at final design.

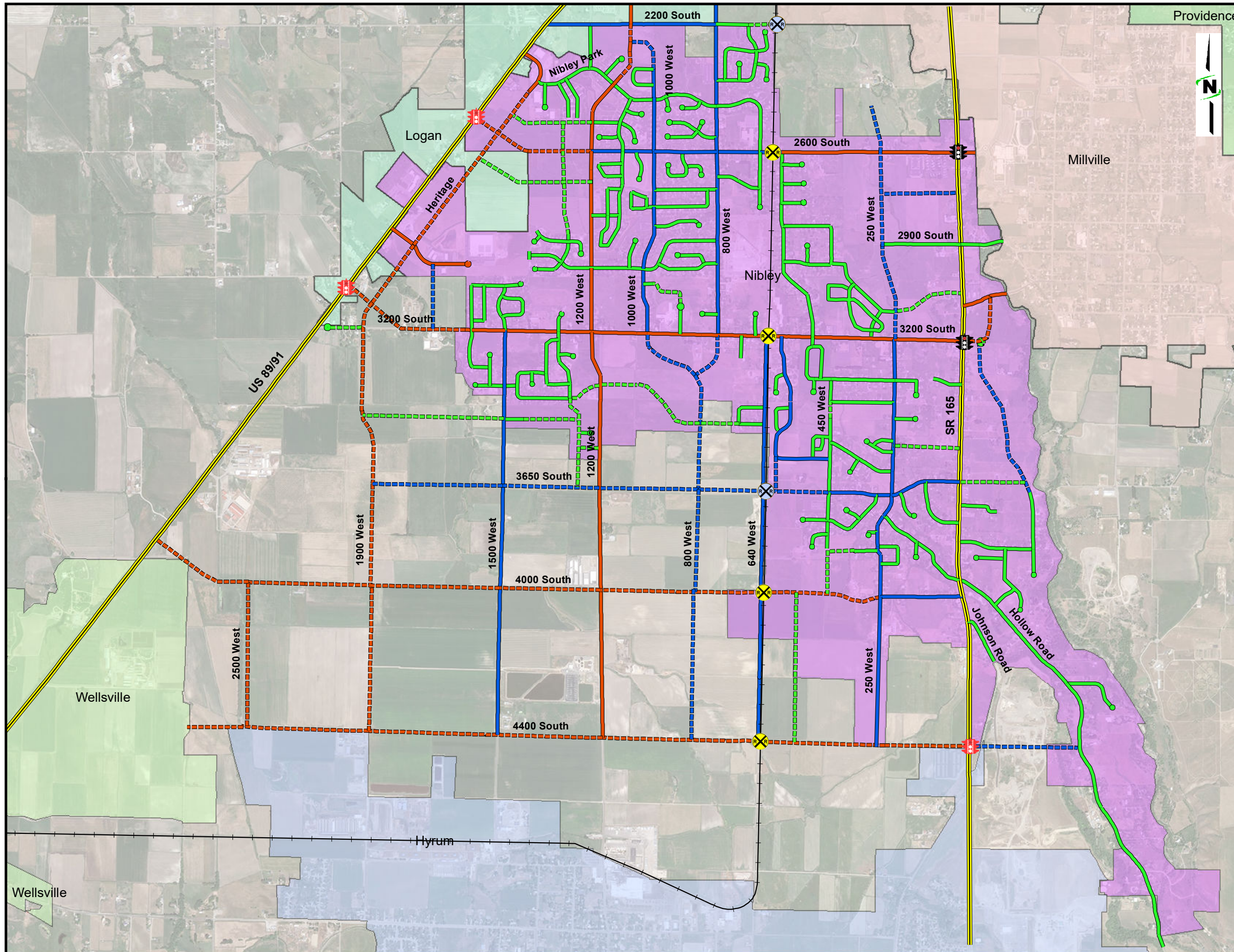


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Nibley City Master Street Plan



Update 3-25-2021



Legend

Nibley Municipal Boundary 2020

Road Classification

- Principal Arterial
- Minor Arterial
- Collector
- Local
- *Future Minor Arterial
- *Future Collector
- *Future Local
- Rail Road

Rail Road Crossings

- Existing
- Proposed

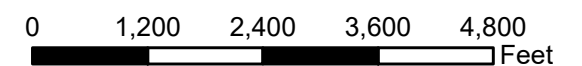
Stop Lights

- Existing
- Proposed

* Future streets are conceptual and show general connections. Side treatments and landscaping determined at final design.

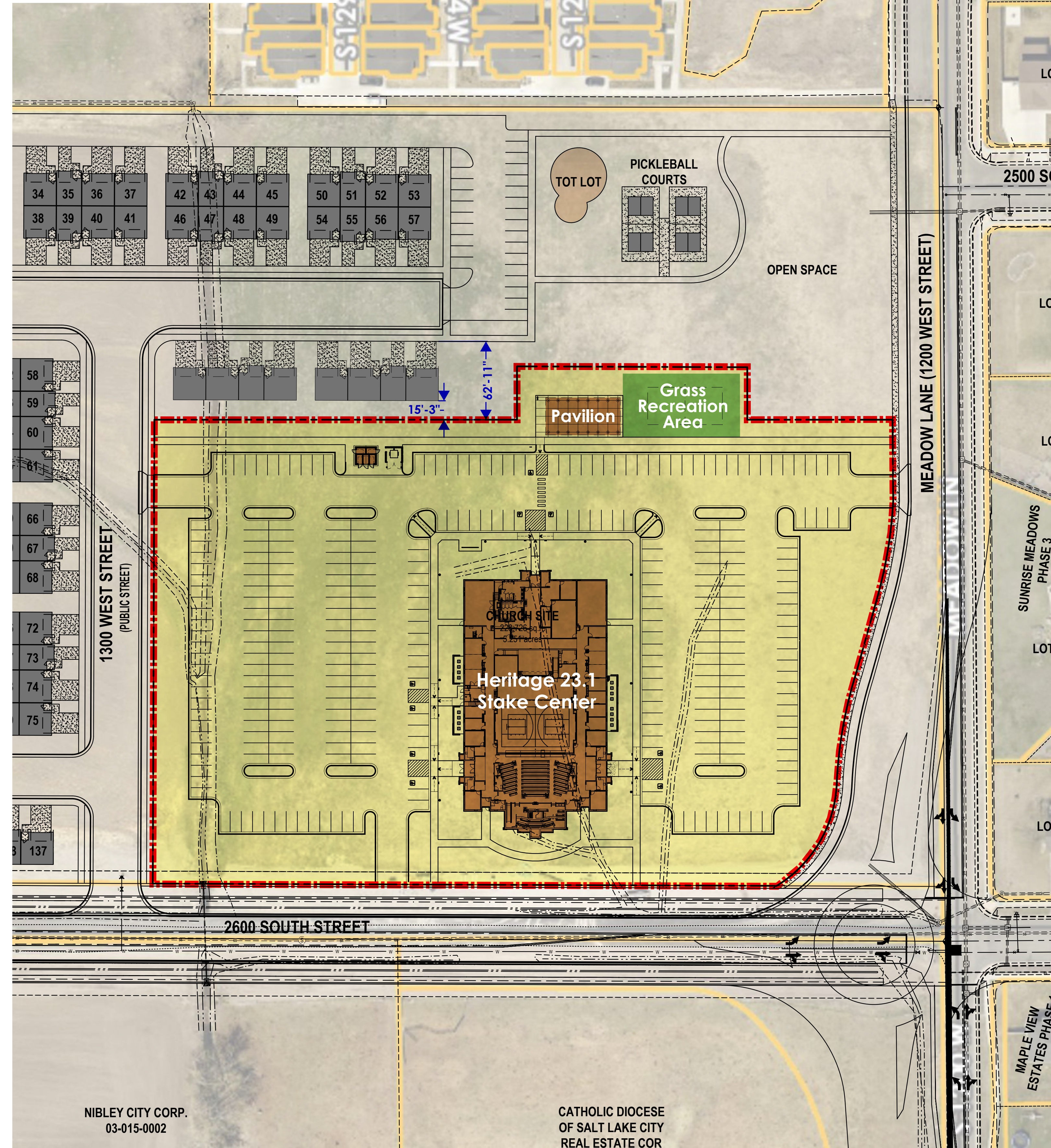


J-U-B ENGINEERS, INC.



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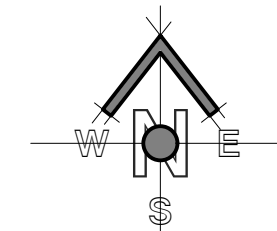
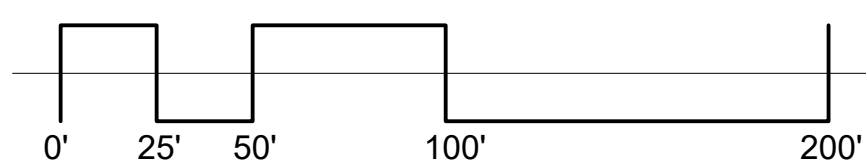
**Proposed Church Site:
Heritage 23.1 Stake Center
315 Parking Stalls
5.05 Acres**



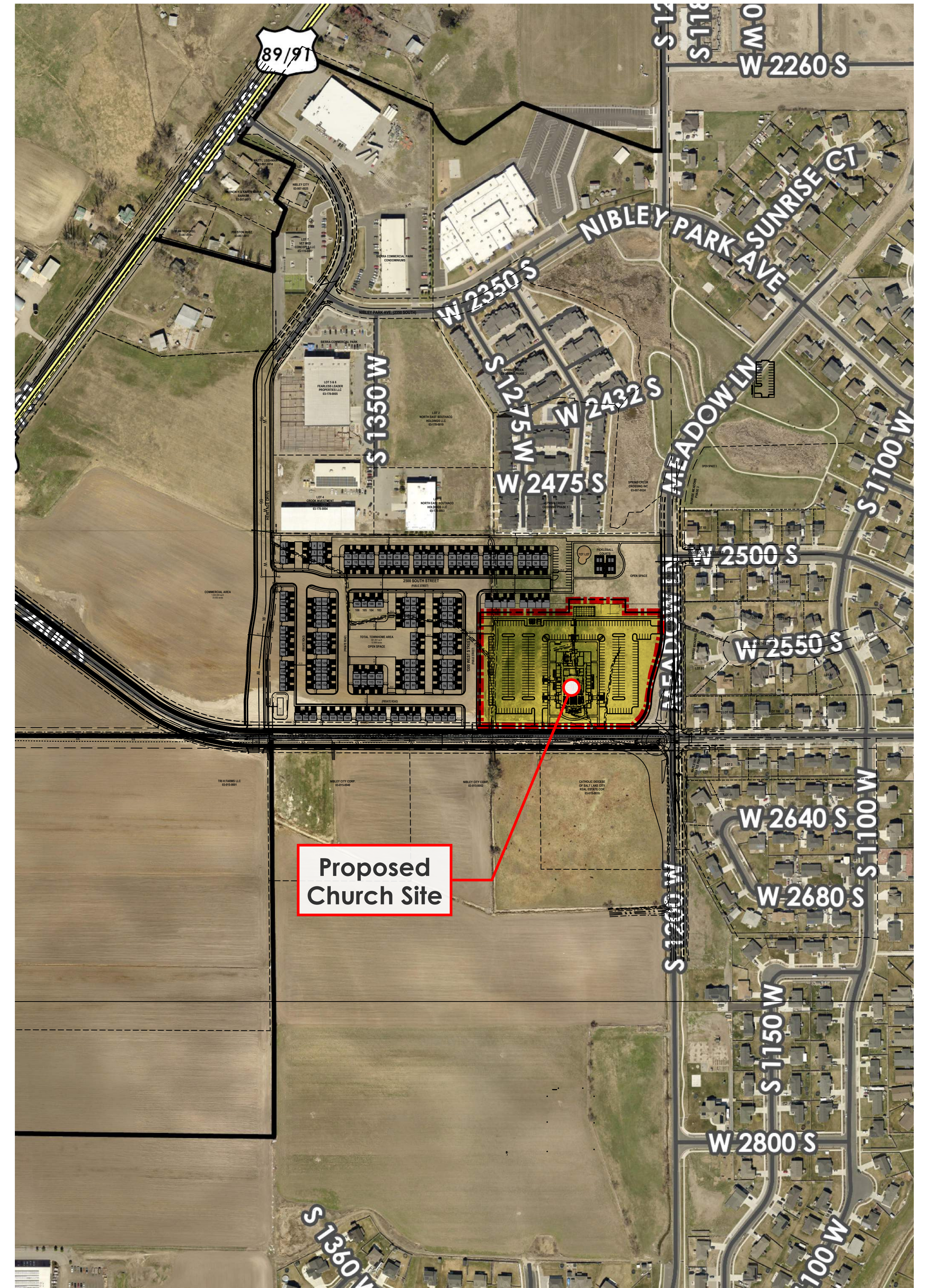
NIBLEY CITY CORP.
03-015-0002

CATHOLIC DIOCESE
OF SALT LAKE CITY
REAL ESTATE COR

1 Site Plan
Scale: 1" = 50'-0"



2 Vicinity Site Plan
Scale: No Scale



**Proposed
Church Site**



www.bhdarchitects.com
Phone 801.571.0010
Fax 801.571.0303
Toll Free 888.571.0010
65 East Wadsworth Park Drive
Suite 205 Draper, Utah 84020

Preliminary -
Not for
Construction

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS

**Future Meetinghouse Site for
Nibley UT West Stake**
Approximately 2551 South Meadow Lane (1200 West), Nibley, Utah
41.684458, -111.842504
Date: 2 Apr 2024
BHD #: 2401
County Parcel: 03-227-0003
Plan Series: Heritage 23.1
Owner Property: 502-0728

Drawing Issue and Revision Schedule	
#	Description

Site Plan Option
A-4

A-4

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NIBLEY CITY DEVELOPMENT AGREEMENT – FOUR LOT PLAT

This Development Agreement (“**Agreement**”) is entered into by and between Nibley City, a Utah municipality and political subdivision of the State of Utah (“**City**”), Nibley Development, LLC, a Utah limited liability company, and Wesley Nelson Farms, Inc, a Utah corporation (Nibley Development, LLC and Wesley Nelson Farms, Inc, or any successor-in-interest thereof, being collectively referred to herein as “**Developer**”), and is effective as of the date that it is executed by all parties, as shown by the signatures contained herein.

RECITALS

- A. Developer owns or otherwise has the right to develop certain property located within the City, containing approximately 54.87+/- acres (“**Property**”), which property is more particularly described as:

Parcel # 03-007-0019

Legal Description:

Beginning at a point which is North 89°47'28" West 40.39 feet along the section line and North 00°12'32" East 33.00 feet from the North Quarter Corner of Section 20 and running thence: North 89°47'28" West 40.39 feet; thence North 00°12'32" East 33.00 feet; to the POINT OF BEGINNING thence North 89°47'28" West [1294.17 feet]1630.99 feet; thence northwesterly 113.93 feet along the arc of a 656.00-foot radius non-tangent curve to the right (center bears North 26°43'26" East and the long chord bears North 58°18'02" West 113.79 feet with a central angle of 09°57'04"); thence North 53°19'30" West 639.52 feet; thence North 55°26'46" West 148.60 feet; thence North 53°19'30" West 73.43 feet to the southerly right-of-way line of Highway 89/91; thence North 36°40'30" East 1300.79 feet along said right-of-way; thence South 74°36'16" East 381.86 feet to the westerly line of Sierra Commercial Park Subdivision; thence South 00°15'51" East 1059.52 feet along said westerly line and beyond; thence southerly 120.06 feet along the arc of a 533.00-foot radius tangent curve to the right (center bears South 89°44'09" West and the long chord bears South 06°11'19" West 119.80 feet with a central angle of 12°54'20"); thence Southerly 107.31 feet along the arc of a 467.00 feet radius curve to the left (center bears South 77°21'31" East and the long chord bears South 06°03'30" West 107.08 feet with a central angle of 13°09'59"); thence South 00°31'29" East 216.95 feet; thence South 89°47'28" East 1294.18 feet; thence South 00°27'41" East 11.00 feet to the Point of Beginning. CONT 27.80 AC

Parcel #03-007-0030

Legal Description:

BEG AT SE COR OF SW/4 OF SEC 17 T 11N R 1E, N 30 RDS W 54 RDS S 30 RDS E 54 RDS TO BEG CONT 10.12 AC===ALSO THAT PT OF SW/4 OF SW/4 SEC 17 LYING S & E OF STATE ROAD== ALSO BEG AT PT 30 RDS N OF S/4 COR SEC 17 N 10 RD W 80 RD S 40 RD E 26 RD N 30 RD E 54 RD TO BEG== ALSO AT SE COR OF NW/4 OF SW/4 SEC 17 N 13 RDS 10 FT W 21 RD 18 FT M/L TO CO RD SWLY ALG SD RD 20 RD 18 FT M/L TO PT DUE W OF BEG E 32 RD 8 FT TO BEG CONT 54.87 AC IN ALL A 1 RD WIDE R/W ON BOTH SIDES & RUNNING FULL LENGTH OF ALL 1/4 SEC LINES WITHIN ABOVE DESC LAND IS DEDICATED AS HIGHWAY LESS AND EXCEPTING THE FOLLOWING DESCRIBED PARCEL Beginning at a point which is North 89°47'28" West 40.39 feet along the section line and North 00°12'32" East 33.00 feet from the North Quarter Corner of Section 20 and running thence: North 89°47'28" West 40.39 feet; thence North 00°12'32" East 33.00 feet; to the POINT OF BEGINNING thence North 89°47'28" West [1294.17 feet]1630.99 feet; thence northwesterly 113.93 feet along the arc of a 656.00-foot radius non-tangent curve to the right (center bears North 26°43'26" East and the long chord bears North 58°18'02" West 113.79 feet with a central angle of 09°57'04"); thence North 53°19'30" West 639.52 feet; thence North 55°26'46" West 148.60 feet; thence North 53°19'30" West 73.43 feet to the southerly right-of-way line of Highway 89/91; thence North 36°40'30" East 1300.79 feet along said right-of-way; thence South 74°36'16" East 381.86 feet to the westerly line of Sierra Commercial Park Subdivision; thence South 00°15'51" East 1059.52 feet along said westerly line and beyond; thence southerly 120.06 feet along the arc of a 533.00-foot radius tangent curve to the right (center bears South 89°44'09" West and the long chord bears South 06°11'19" West 119.80 feet with a central angle of 12°54'20"); thence Southerly 107.31 feet along the arc of a 467.00 feet radius curve to the left (center bears South 77°21'31" East and the long chord bears South 06°03'30" West 107.08 feet with a central angle of 13°09'59"); thence South 00°31'29" East 216.95 feet; thence South 89°47'28" East 1294.18 feet; thence South 00°27'41" East 11.00 feet to the Point of Beginning. CONT 27.80 AC NET 27.07 LESS AND EXCEPTING THE FOLLOWING DESCRIBED PARCEL Beginning at a point which is North 00°27'41" West 44.00 feet from the North Quarter corner of Section 20; and running thence North 89°47'28" West 40.00 feet; thence North 89°47'28" West 1294.18 feet; thence North 00°31'29" West 216.95 feet; thence Northerly 107.31 feet along the arc of a 467.00 foot radius tangent to the right (center bears North 89°28'31" East and the long chord bears North 06°03'30" East 107.08 feet with a central angle of 13°09'59"); thence Northerly 120.06 feet along the arc of a 533.00 foot radius curve to the left (center bears North 77°21'31" West and the long chord bears North 06°11'19" East 119.80 feet with a central angle of 12°54'20"); thence North 00°15'51" West 180.29 feet to the South line of Sierra Commercial Park Subdivision; thence South 89°54'07" East 1307.74 feet along said South line and beyond to and along

the South line Spring Creek Crossing Phase 2 to the North-South Quarter Section line; thence South 00°27'41" East 625.46 feet along said Section line to the point of beginning. CONT 18.45 AC (CCR) NET 8.62 AC (CCR)

Parcel #03-007-0031

Legal Description:

Beginning at a point which is North 00°27'41" West 44.00 feet from the North Quarter corner of Section 20; and running thence North 89°47'28" West 40.00 feet; thence North 89°47'28" West 1294.18 feet; thence North 00°31'29" West 216.95 feet; thence Northerly 107.31 feet along the arc of a 467.00 foot radius tangent to the right (center bears North 89°28'31" East and the long chord bears North 06°03'30" East 107.08 feet with a central angle of 13°09'59"); thence Northerly 120.06 feet along the arc of a 533.00 foot radius curve to the left (center bears North 77°21 '31" West and the long chord bears North 06°11'19" East 119.80 feet with a central angle of 12°54'20"); thence North 00°15'51" West 180.29 feet to the South line of Sierra Commercial Park Subdivision; thence South 89°54'07" East 1307.74 feet along said South line and beyond to and along the South line Spring Creek Crossing Phase 2 to the North-South Quarter Section line; thence South 00°27'41" East 625.46 feet along said Section line to the point of beginning. CONT 18.45 AC (CCR)

- B. The Property was previously a single parcel of land, known as Parcel # 03-005-0003, and the current divisions in and of the Property were performed by Developer without the approval of City and without the subdivision of the Property pursuant to City land use and subdivision regulations and ordinances.
- C. Developer has prepared and seeks City approval of a proposed subdivision plat for the Property, which plat subdivides the Property into four lots ("**Four Lot Plat**"), which Four Lot Plat is attached and incorporated herein as Exhibit A.
- D. City land use regulations require all subdivisions of property to comply with City subdivision, improvement, and development standards, including the requirement that the subdivider provide public infrastructure, utility, and other improvements (collectively, "**Subdivision Improvements**") in connection with the approval and recordation of any final subdivision plat. City land use regulations do not permit the approval and recordation of a subdivision plat without the completion or the financial assurance and guarantee of required Subdivision Improvements.
- E. Developer desires to postpone the completion of Subdivision Improvements related to the Property and the Four Lot Plat until the lots within the Four Lot Plat are developed, whether together or separately, in whole or part, with the owner or developer of each such lot or portion thereof being responsible to complete the portion of the Subdivision Improvements related to or necessitated by the development of such lot.

- F. The Parties therefore desire to enter into this Agreement to provide specific requirements, conditions, and standards that will apply to the approval of the Four Lot Plat and the future completion of the Subdivision Improvements.

TERMS

1. Compliance with Regulations.

- a. The only approval or right granted by this Agreement to Developer is as to the terms and conditions by which City will approve the subdivision of the Property by way of the Four Lot Plat. This Agreement does not constitute preliminary or final plat approval, the adoption of any land use regulation, the approval of any planned unit development or other zoning designation or regulation change, or permission to begin any other subdivision, development, excavation, or construction on or of the Property.
- b. The Property is subject to and shall remain subject to all terms, conditions, and requirements of all applicable federal, state, county, and City laws, ordinances, codes, standards, and land use and zoning regulations applicable to the Property and to any building, improvement, landscaping, subdivision, excavation, or other development or work on or of the Property, as the same may be amended from time to time (collectively, "**Land Use Regulations**").
- c. To the extent that a term, condition, or requirement of this Agreement expressly modifies or is in direct conflict with City-adopted Land Use Regulations, this Agreement shall control to the extent of the express modification or direct conflict.

2. Four Lot Plat.

- a. Developer shall complete each of the following conditions prior to seeking City approval of the Four Lot Plat and prior to recording the Four Lot Plat (collectively, the "**Conditions Precedent**"):
 - i. Developer completes all outstanding obligations regarding 2600 South, as such obligations are defined and described by that certain Nibley City Street Improvement and Dedication Agreement by and between Nibley Development, LLC and City, dated July 29, 2021, and all duly authorized, written, and executed addenda and amendments thereto. The City's acceptance of the dedication of 2600 South roadway will be conclusive evidence that Developer has satisfied this subparagraph i.
 - ii. Developer records this Agreement against title to all real property within the Property. Developer shall ensure that there are no holders of interest that are superior in title to this Agreement, and that all interests, including but not limited to liens, mortgages, deeds of trust, and other similar instruments, have been made subordinate to this Agreement. Upon request by the City, Developer shall provide such documentation as is necessary to establish the fact of the recordation and of the priority of this Agreement.

- iii. Developer provides for and includes the dedication of 2600 South to City as a public right of way as part of the recordation of the Four Lot Plat.
 - iv. Developer includes a note on the Four Lot Plat that references this Agreement and requires future development of any portion of the Property to comply with this Agreement.
- b. City shall approve and allow Developer to record the Four Lot Plat if and when Developer completes the Conditions Precedent, subject to the following:
- i. This approval shall be granted despite and notwithstanding any requirement within City Land Use Regulations that would require the construction or financial assurance of Subdivision Improvements in connection with the approval and recordation of the Four Lot Plat. Approval of the Four Lot Plat shall not be conditioned upon the construction or financial assurance of any Subdivision Improvement, and no Subdivision Improvement will be required as a condition to the approval and recordation of the Four Lot Plat.
 - ii. The City may process the approval of the preliminary and final plat of the Four Lot Plat concurrently, if requested by Developer.
 - iii. By approving the Four Lot Plat pursuant to this Agreement, City waives, settles, and releases any claim City may have had that any previous division, subdivision, or other adjustment to or of the boundaries of the lots or parcels within the Property were improper or illegal.
- c. On June 8, 2023, a portion of the Property (Parcel #03-007-0019) was conditionally rezoned by the City Council to the Commercial district, with the condition being that a final plat must be approved before the zoning takes effect. The Four Lot Plat satisfies that condition and requirement. Accordingly, the approval of the Four Lot Plat as described in this Agreement shall satisfy the condition to of the rezone, and the applicable property (i.e., Parcel #03-007-0019) shall, upon approval of the Four Lot Plat as described in this Agreement, be is considered rezoned to the Commercial district.
3. **Future Subdivision Improvements.** The approval by City of any further or additional subdivision or other development of any portion of the Property subsequent to the recordation of the Four Lot Plat is expressly conditioned upon and subject to the owner or developer of such portion of the Property completing all Subdivision Improvements in accordance with all applicable Land Use Regulations, as such are in effect at the time a relevant land use application is submitted. It is not the purpose of this Agreement to establish, describe, or limit in any way the nature, type, scope, design, size, location, or other details of the Subdivision Improvements that will be required in connection with the future development and/or subdivision of the Property or any portion thereof.
4. **Reserved Legislative Powers.** The execution of this Agreement shall not prevent the City, pursuant to the exercise of its legislative authority and power, to amend, enact, or repeal any provision of the City-adopted Land Use Regulations or any other City ordinance,

specification, standard, or code, provided that no such legislative action shall reduce or eliminate Developer's rights under this Agreement regarding the approval and recordation of the Four Lot Plat unless facts and circumstances are present and specifically found by the governing body of the City that meet the compelling, countervailing public interest exception to the vested rights doctrine under Utah law. Any such proposed legislative action shall be of general application to all similar development activity in the City.

5. **Assignment; Successors Bound.** This Agreement may be assigned and transferred by Developer in connection with any sale or transfer of Developer's interest in or to the Property. This Agreement shall run with the land and be binding on and inure to the benefit of the successors and assigns of Developer, such that any person who obtains any right, title, or interest to any portion of the Property shall be bound by the rights and obligations of this Agreement and shall be responsible for performance of Developer's obligations related to such portion in the same manner as Developer. All assignees, transferees, and successors in interest shall be bound by all terms of this Agreement applicable to Developer as though such party were named herein as Developer.
6. **Term.** The term of this Agreement shall commence as of the Agreement's effective date and shall continue until it is terminated as set forth herein:
 - a. The Agreement may be terminated due to the uncured breach or default of one of the parties hereto, subject to the provisions set forth in Section 7.
 - b. The Agreement may be terminated by the City if Developer fails to complete the Conditions Precedent and record the Four Lot Plat within twelve (12) months after the effective date of this Agreement. At least ninety (90) days prior to termination of this Agreement under this provision, City shall give Developer written notice of City's intent to terminate in accordance with the process set forth in Section 7.
7. **Default.**
 - a. In the event of a breach or default of any term of this Agreement, the non-breaching party shall provide written notice to the breaching party. Such notice shall describe the alleged breach, the applicable provisions of this Agreement, and the actions necessary to remedy and cure the breach.
 - b. Within 30 days after the date of such notice, the breaching party shall either:
 - i. cure the breach and notify the non-breaching party, in writing, of the actions taken to cure the breach; or
 - ii. notify the non-breaching party, in writing, why the breach cannot be cured within 30 days and establishing a reasonable time to cure such breach, with a description of the steps, processes, and actions to be taken by the breaching party.

- c. In the event the breaching party does not cure the breach or default within the specified timeframes, the non-breaching party may declare this Agreement to be terminated and send written notice of such declaration to the breaching party.
8. **Severability.** Each provision of this Agreement shall be separate, several, and distinct from each other provision hereof, and the invalidity, unenforceability, or illegality of any such provisions shall not affect the enforceability of any other provision hereof, provided that, the provisions set forth in Sections 1 through 3 of this Agreement are material and essential to the purpose and intent of this Agreement. Accordingly, if any provision within Sections 1 through 3 is declared to be invalid, unenforceable, or illegal, either party may terminate this Agreement upon written notice to the other party.
9. **No Waiver.** Failure of a party to exercise any right hereunder shall not be deemed a waiver of any such right and shall not affect the right of such party to exercise, at some future time, said right or any other right it may have hereunder, provided that this provision shall not operate to excuse Developer's non-compliance with the Conditions Precedent.
10. **Entire Agreement.**
 - a. This Agreement is the entire agreement between the Parties with respect to the Property and the special rights and obligations granted to and assumed by Developer related to the Property. No modification, waiver, or amendment to any right, term, condition, obligation, or provision of this Agreement shall be valid unless in a writing duly authorized and approved by the parties.
 - b. This Agreement shall supersede all prior agreements, conversations, understandings, contracts, and representations related to the Property except for that certain Nibley City Street Improvement and Dedication Agreement by and between Nibley Development, LLC, and City, dated July 29, 2021, and all duly authorized, written, and executed addenda and amendments thereto
 - c. Neither party shall rely on or attempt to enforce any statement or representation, not contained herein, made by any person regarding the Property, the Four Lot Plat, or Developer's rights and obligations related thereto.
11. **Enforcement and Governing Law.** This Agreement may be enforced by any means available to the parties, subject to the notice and default provisions set forth in Section 7. This Agreement shall be governed by the laws of the State of Utah, and any court proceedings shall be brought in the First Judicial District Court of the State of Utah. Prior to initiating any such litigation, the parties shall first attempt to mediate or seek an advisory opinion regarding any dispute related to this Agreement through the Utah Property Rights Ombudsman's office or another qualified mediator that both parties agree upon. A party that prevails in any litigation following such mediation or opinion regarding this Agreement shall be entitled to recover their reasonable court costs and attorney fees.
12. **Third Parties.** This Agreement is intended for the sole benefit of the named parties thereto. No third party, except for permitted assignees, transferees, and successors-in-interest, shall have any right to enforce any of the terms or obligations herein contained.

13. **Mutual Drafting.** Each party has participated in negotiating and drafting this Agreement, and no provision of this Agreement shall be construed for or against any party based on which party drafted any particular portion of this Agreement.
14. **Representations.** The persons signing this Agreement on behalf of the parties represent and warrant that they have the authority and authorization to execute the Agreement on behalf of the respective party such that the party will be bound by all rights, obligations, terms, and conditions herein, and that all steps, requirements, and processes necessary for a party to approve and execute the Agreement have each been completed.

-- SIGNATURE PAGE AND ACKNOWLEDGEMENT TO FOLLOW --

For Nibley City:

Attested by:

By: WANN JACOBSEN

Cheryl Bodily
City Recorder

Mayor
Date: 29 Nov 2023

For Developer: Nibley Development, LLC

By: [Signature]

Date: 11-28-23

Name: AL BINGHAM

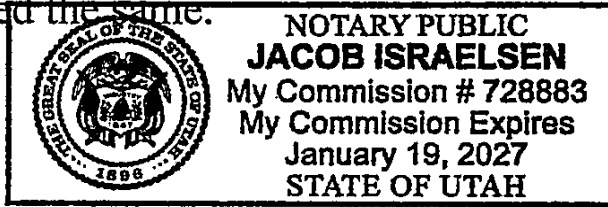
Title: MANAGING DIRECTOR

STATE OF UTAH)

: SS

County of Cache)

On the 29 day of Nov., 2023, personally appeared before me, Allen Bingham, the President of Nibley Development, LLC, the signer of the foregoing instrument, who duly acknowledged to me that they executed the same.



[Signature]
NOTARY PUBLIC

For Developer: Wesley Nelson Farms, Inc

By: [Signature]

Date: 11-28-23

Name: AL BINGHAM

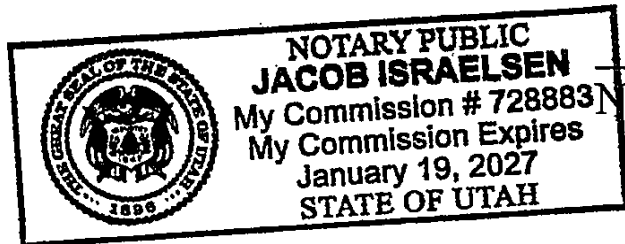
Title: PRESIDENT

STATE OF UTAH)

: SS

County of Cache)

On the 28 day of Nov., 2023, personally appeared before me, Allen Bingham, the President of Wesley Nelson Farms, Inc, the signer of the foregoing instrument, who duly acknowledged to me that they executed the same.



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NOTARY PUBLIC

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Agenda Item #10

Description	Presentation: Personnel Systems & Services
Presenter	Mike Swallow & Justin Maughan
Staff Recommendation	Listen to the presentation. Ask questions and offer feedback.
Reviewed By	City Manager, HR Director, Mayor

Background

Due to larger than normal inflation rates over the last four or five years, Council and staff discussed conducting a compensation study for City Employees in 2024. Staff reached out to and contracted with Personnel Systems & Services to conduct said study. Mr. Mike Swallow is the owner, and a longtime Human Resource Management Expert, highly respected throughout Utah as the leader in compensation studies. Mr. Swallow and staff have put together new proposed salary ranges for each position and recommended some salary adjustments.

This report's intent is to briefly outline the study process and key decisions points along the way. Mr. Swallow and staff will be available for discussion during the council meeting and answer any questions that may arise.

The compensation study was kicked off by a brief survey of employees. In the survey, employees were able to express their opinion on four factors of work, and which ones they felt were more important (and therefore should be rewarded more) than the others. These key areas were Knowledge, Responsibility, Work Environment and Difficulty of Work, and were ranked by employees in that order. Nibley's rankings were slightly different than most other cities in Utah, in which Work Environment and Difficulty of Work are switched in order.

Each position is then scored in each of the four areas mentioned above. The four scores are added together giving each position at Nibley a "Job Value". The scoring matrices are available in the packet for your review.

Once a Job Value has been established for each position at Nibley, they are compared to and plotted in an x-y graph, with other positions throughout Utah and Idaho. In the following graph, you will see Nibley's current salaries being paid compared to the market ranges. Most of the yellow dots (representing actual salaries being paid to Nibley City Employees) fall between the survey's min and max results. Not only do many of the dots lie within the range, but also, many are near the mid-point. Mr. Swallow's recommendation is that an employee should be at or near the midpoint when

they have been at an organization for about five years. Of note, many of Nibley's employees have been at the city for less than five years, and are already at or above the midpoint, suggesting that Nibley has been aggressive in compensation practices in the past.

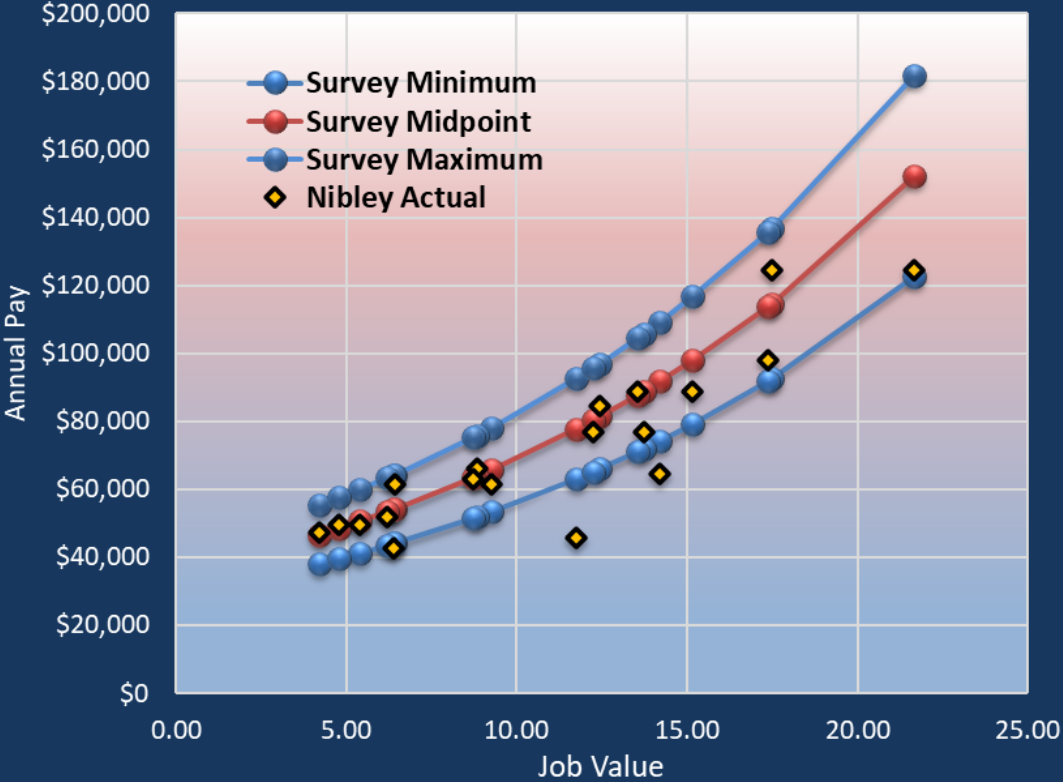
New salary ranges (min and max) for each position are developed by using the market survey data results. Using statistical analysis, a curved line can be fitted (regression curve) to the minimum salaries as compared to the Job Values assigned previously for each position. This curve is the basis for the starting salary for a given Job Value. A few key decisions need to be made at this point in developing the new ranges. Nibley, as shown above, has always tried to be a bit aggressive when it comes to compensating employees. As City Manager, I fully support this idea and believe that this is partly why we have such an excellent staff. Therefore, in this analysis, I have recommended that the minimum ranges be adjusted up 3%, indicating that our starting salaries will be 3% higher and thus more competitive than the survey market data. In addition, leeway is given to set the maximum range. General practice has been for the max to be 1.5 times the minimum value. I have recommended to make the max 1.55 times higher than the min value in this analysis. In essence, Nibley's salary ranges will be 3% higher at starting wage, and 8% higher on the max of the range than the survey market data. I believe this will give Nibley some competitive edge in both recruiting and long-term retention of employees.

At this point in the analysis, employee's actual salaries are then compared to the newly calculated minimum for each position. Each position is set to the calculated minimum, and then adjustments are then made for employees' longevity in the city. If the new proposed salary is higher than what an employee is currently being paid, an adjustment is made to that position's salary.

A few key notes:

- Recommended salary adjustments are an overall increase of 6.7% to salaries (\$100,207).
- There is currently enough money in the existing budget to cover the increases
- The proposed salary increases, will cause an increase of about \$10,000 to benefits, which the current budget will cover
- 50% of the City employees are paid at or above the Median Adjusted Gross Income for Nibley
- 14 of 22 Employees' salaries are proposed to be increased
- All salary range maximums have increased compared to the old paygrade system

SURVEY RANGE & NIBLEY ACTUAL



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Agenda Item #11 & 12

Description	Public Hearing & Discussion and Consideration- Ordinance 24-12— An Ordinance Providing for the Compensation of Elected, Statutory Officers and Department Heads of Nibley City (First Reading)
Presenter	Justin Maughan, City Manager
Planning Commission Recommendation	NA
Staff Recommendation	Move to approve Ordinance 24-12 for first reading
Reviewed By	City Manager, Mayor

Background:

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 public hearing be held regarding the salaries of the positions. This was completed in July of this year, but a typo was discovered on the ordinance regarding the City Council's salaries. This ordinance corrects that issue.

In addition, this ordinance adjusts the salaries of the Department Heads as proposed in the compensation study presentation from the previous agenda item.

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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 Salar	Christmas Bonus:	Increase:	Reason:
Mayor	\$957/month	\$995/month	\$0	\$38/month	4% COLA
Councilmember	\$381/month	\$396/month	\$0	\$15/month	4% COLA
City Manager	\$124,565/yr	\$147,596/yr	\$300	\$23,030/yr	
City Engineer	\$124,565/yr	\$124,565/yr	\$300	\$0	
City Planner	\$88,785/yr	\$88,785/yr	\$300	\$0	
Recreation Director	\$76,736/yr	\$80,879/yr	\$300	\$4,142/yr	
City Treasurer	\$45,843/yr	\$60,993/yr	\$300	\$15,150/yr	
City Rec/HR Director	\$76,736/yr	\$88,791/yr	\$300	\$12,054/yr	
Public Works Director	\$98,103/yr	\$106,854/yr	\$300	\$8,751/yr	

Parks Manager	\$88,785/yr	\$92,231/yr	\$300	\$7,763/yr	
Water/Wastewater Man	\$88,785/yr	\$88,997/yr	\$300	\$211/yr	
Streets/Stormwater Man	\$66,288/yr	\$70,872/yr	\$300	\$6,157/yr	

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. The Nibley City Mayor and Councilmembers shall receive backpay equivalent to a stipend increase effective date of July 1, 2024.
6. This ordinance shall become effective **October 5, 2024**.

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

Larry Jacobsen, Mayor

ATTEST: _____
Cheryl Bodily, City Recorder

Factor I- Job Knowledge 40%



Nibley City

FORMAL EDUCATION & TRAINING

KNOWLEDGE, SKILLS & ABILITIES

- Unskilled. Ability to follow simple oral instructions. Reading and performing simple mathematical computations may be required. May need a basic understanding of the use of common office equipment or basic hand and power tools.
- Semi-skilled. Proficiency in the use of simple equipment. Knowledge of general office procedures, practice or operations. Proficient in math, reading, keyboard operations, common office equipment or basic hand and power tools.
- Requires working level knowledge, skills, and abilities related to a broad range of either complex clerical or technical functions or apprentice level knowledge of a single function area or work specialization.
- Requires para-professional or full performance level of knowledge, skills, and abilities primarily related to a well defined discipline or vocational specialization. Journey level proficiency.
- Entry level professional KSA's utilizing techniques which require understanding of involved practices, principles and/or theory or mastery of a well defined discipline or vocational specialization.
- Requires experienced professional level knowledge, skills, and abilities. High proficiency demonstrated through independent application of principles or theory. Creative work.
- Highly developed, seasoned professional. Managerial KSA's, Mastery of involved practices, precedents, theory, principles.

This factor measures the nature and extent of information or facts which the worker must understand to do acceptable work (e.g., steps, procedures, practices, rules, policies, theories, principles, concepts and protocol) and the nature and extent of skills/abilities necessary to apply the acquired knowledge. It also includes the amount of training required by the job prior to entry, including special requirements, certifications or licenses. Award additional points as a percentage of the points awarded above for knowledge & training for the following:

I. Commercial drivers, applicator, operator licenses or specialized clerical certification...5%.

II. Technical or Vocational license or certification...15%

III. Professional license or designation...20%

Multiple credentials, licenses or certifications....award an additional 10%. Annual or periodic recertification, testing or mandatory training requirements...award an additional 5%.

Note: Calculating the credentials bonus as a % of the job knowledge point award, the seasoned or "tested" license produces more points helping to mitigate compression issues.

A	B	C	D	E	F	G	H
Minimal Formal Education.	Graduation From High School Or GED.	High School, GED & up to 1 Year Of Job Related Training or Education.	2 Years Of Job Related Training, or Associate Degree.	4 Years of job related training, Or Bachelor's Degree.	4 yr. degree plus 1 Year Of Graduate Work.	2 Years Of Graduate Work, Masters Degree Or Equivalent.	Extensive Graduate Work Beyond Masters.
0.59	0.68	0.78					
0.62	0.72	0.82					
0.65	0.75	0.87					
0.77	0.89	1.02	1.17				
0.81	0.93	1.07	1.23				
0.85	0.98	1.12	1.29				
1.00	1.15	1.33	1.53	1.75			
1.05	1.21	1.39	1.60	1.84			
1.11	1.27	1.46	1.68	1.93			
1.30	1.50	1.72	1.60	1.84			
1.37	1.57	1.81	2.08	2.39			
1.44	1.65	1.90	2.19	2.51			
	1.95	2.24	2.58	2.96	3.41	3.92	4.51
	2.05	2.35	2.71	3.11	3.58	4.12	4.73
	2.15	2.47	2.84	3.27	3.76	4.32	4.97
		2.91	3.35	3.85	4.43	5.10	5.86
		3.06	3.52	4.05	4.65	5.35	6.15
		3.21	3.69	4.25	4.89	5.62	6.46
			4.36	5.01	5.76	6.63	7.62
			4.57	5.26	6.05	6.96	8.00
				5.52	6.35	7.30	

Additional points are awarded for required experience as a percentage of the points awarded for Job Knowledge:

- Up to one (1) year of experience...5%
- Two (2) years of experience...10%
- Three (3) years of experience...15%
- Four (4) years of experience...20%
- Five (5) years of experience...25%
- Six (6) years of experience...30%
- Seven (7) years of experience...35%
- Eight (8) years of experience...40%
- Over eight (8) years of experience...45%

Factor II- Responsibility 30%



Nibley City

ACCOUNTABILITY & ACCURACY

CONTROLS OVER THE WORK

	A	B	C	D	E	F
	Consequences of error produce little or no negative impact. Remedies are readily available within the context of the task being performed. Minimal loss of time to correct the error.	Errors normally result in loss of own time to correct or check. Quality of task completion impacted by need for accuracy related to repetitive tasks or operations.	Errors may result which affect one or more work group. Immediate remedial actions must generally assume full accountability. Impact may vary in severity.	Errors may result affecting multiple work units within a department or cause injury or operating problems difficult to correct. Financial/legal implications exist to some degree.	Errors may result affecting entire department(s). Consequences affect public image for an extended time period requiring considerable resources to correct. Financial/legal implications are serious.	Errors may result which affect the entire organization. Consequences severely affect organizational efficiency. Public image severely damaged. Impact demands executive action. Extensive Financial/legal implications
1. Clear, detailed and specific instructions given for both one-of-a-kind and repetitive tasks; work is closely controlled through the structured nature of the work, by circumstances in which it is performed, or through review of the supervisor.	0.80 0.84	0.99 1.04 1.10	1.29 1.36 1.43	1.68 1.77 1.85		
2. Continuing or individual assignments. Supervisor specifies limitations, quality and quantity of work expected, deadlines and priorities. There is some freedom allowed in selecting methods to be used, but are limited.	0.88 0.92 0.97	1.14 1.20 1.26	1.49 1.56 1.64	1.93 2.03 2.13	2.51 2.64 2.77	
3. The work is strictly controlled by practices and procedures which are covered by well defined policy; work is performed without direct supervision but is reviewed periodically by the supervisor.	1.01 1.06 1.12	1.32 1.38 1.45	1.71 1.80 1.89	2.22 2.33 2.45	2.89 3.03 3.19	
4. The work is subject to policies, practices, and procedures. Some freedom is allowed in the application of policy or procedure. The supervisor sets the overall objectives and identifies available resources. Employee in consultation with supervisor develops projects and deadlines.		1.51 1.59 1.67	1.97 2.07 2.17	2.56 2.68 2.82	3.32 3.49 3.66	4.32 4.54 4.76
5. Work is performed under managerial direction with the individual determining what, when, and how the work is done. Establishes unit or program goals & objectives			2.26 2.37 2.49	2.94 3.09 3.24	3.82 4.01 4.21	4.97 5.22 5.48
6. These jobs by their very nature and size, are broadly subject to general goals and objectives. Work is performed under broad guidance of policy makers and/or chief executive officer. Much autonomy and freedom to act is essential to job effectiveness.				3.38 3.55 3.73	4.40 4.62 4.85	5.71 6.00

Additional points are awarded for budget & supervisory responsibility and public contacts as a percentage of the points awarded for responsibility:

SUPERVISION: I. Serves as leadworker of one unit, crew, or group.....5% II. Performs as first-line supervisor. Is responsible for quality and quantity. Schedules and assigns work.....10% III. Supervises more than one group performing similar functions. Has general responsibility for project completion.....20% IV. Supervises a small department. Determines priorities. May not delegate through subordinate supervisors. May or may not be a hiring authority.....30% V. Supervises a department. Delegates through subordinate supervisors. Hires & Disciplines.....40%

BUDGET: I. Secondary responsibility to implement and monitor the budget of a section or division.....5% II. Primary responsibility to prepare and administer a small budget.....10% III. Primary responsibility to prepare and administer a large budget.....20%

PUBLIC CONTACTS: I. Minimal public contact, assistance requested requires referral to senior worker or supervisor.....5% II. recurring routine contacts with the public or workers in other units requiring exchange of factual information or explanation.....10% III. Contacts with internal or external customers regarding general administrative or technical matters.....15% IV. Contacts with internal or external customers in developing and soliciting cooperative relationships.....20% V. Contacts with internal or external customers with significant impact on programs, projects or policies.....25% VI. Contacts with legislative, executive or judicial officials affecting the purpose of the organization.....30%



Nibley City

Factor III- Work Environment 20%

	A	B	C	D
PHYSICAL EFFORT	Effort is minimal and is exerted only for short, intermittent periods. Effort involves light lifting of tools, objects, and working materials. May involve light pushing, pulling, reaching, bending. Requires normal hearing and visual acuity. Normally performs in seated position. Occasional standing for short durations.	Effort is exerted occasionally for short periods of time. Strain periodic but not prolonged. Moderate lifting, pushing, pulling, bending. More than normal visual and hearing acuity for precision work. Normally performs in abnormal sitting or standing positions. Moderate Manual dexterity required.	Effort is exerted regularly for sustained periods of time. Strain may be for frequent or moderate duration. Moderately heavy lifting, pushing, pulling. Considerable crouching, stooping or lying in prone position. Some strain on sight and hearing. Performs in abnormal positions. High Manual dexterity required.	Effort is prolonged and frequent. Strain may be extended in duration. Effort involves heavy lifting (90 lbs), pushing, pulling with excessive crouching, stooping or lying in prone position. Could involve intense strain on sight and hearing. High manual dexterity be required.
WORKING CONDITIONS				
1. No observable hazards or threat to health or safety. Adequate working conditions with at least minimum environmental conditions to assure the comfort of most workers.	1.20 1.26	1.31 1.38 1.45	1.51 1.58 1.66	1.73 1.82 1.91
2. Minimum hazardous working conditions. Minor threat to health and/or safety. Generally adequate working conditions with minimum environmental conditions to assure comfort. Traveling in an automobile may be a regular part of the job.	1.48 1.56 1.63	1.70 1.79 1.88	1.96 2.06 2.16	2.25 2.37 2.49
3. Occasional exposure to hazardous work conditions (noise, fumes, heights, slippery, vibrations, moving parts, disease etc.). Moderate exposure to dust, grease, temperature changes, noise, inadequate lighting, inclement weather, etc. Periodic conditions which involve chance of injury.	1.93 2.02 2.12	2.22 2.33 2.44	2.55 2.68 2.81	2.93 3.08 3.23
4. Daily exposure to hazardous work conditions. Prolonged and frequent exposure to dust, grease, extreme temperature, or severe outdoor weather conditions. Recurring conditions which involve chance of injury.	2.50 2.63 2.76	2.88 3.02 3.18	3.31 3.48 3.65	3.81 4.00

Hazard Uncertainty

- I- For positions having tasks that place employees in historically uncertain and emergency life threatening situations (i.e., Fire, Police) add 100% to the base points awarded above for work environment.
- II- For positions having tasks that place employees in historically dangerous situations with chance of severe injury or fatality due to performance errors (i.e., Power) add 75% to the base points awarded above for work environment.
- III- For positions which require the operation of maintenance or service equipment on city/county roadways, add 50%.
- IV- For positions exposing worker to known environmental hazards or threats, but are mitigated through common practice or policy, add 25%.
- V- For positions requiring regular and frequent travel, whether local or regional, primarily by automobile, add 10%.

Factor IV- Difficulty of Work 10%



Nibley City

	A	B	C	D	E	F
<p>JUDGMENT & DECISIONS REQUIRED</p> <p>COMPLEXITY & VARIETY OF WORK</p>	<p>Little or no judgment or decisionmaking. Decisions limited to routine steps in performing well defined tasks or in determining the speed at which to perform.</p>	<p>Decisions are few and directly related to a well defined process. Requires some judgment in selecting variations in sequence of steps, operations or procedures.</p>	<p>Decisions are frequent but related to a well defined process. Judgment is required to select most suitable procedure from more than one process alternative.</p>	<p>Decisions are varied and based upon practice or policy. Employee required to make interpretative judgments when necessary to deviate from standard methods. Determines use of resources.</p>	<p>Decisions are varied based upon broad principles and guidelines. Judgment required to determine program direction and options for policy implementation.</p>	<p>Makes technical and complex decisions based upon research. Judgments must be made without existing guidelines. Creates policy affecting the entire organization.</p>
	<p>1. The work consists of a few tasks or functions that are clear cut and directly related. Action to be taken or responses to be made are readily available. There is little variation in the work.</p> <p>2. The work consists of duties involving more than one sequence of steps. Variations in the work stem from differences in the source of information, kinds of transactions, entries or other factual situations.</p> <p>3. The Work consists of various duties involving different processes and methods. Choices to be considered differ with the subject, phase, or issues involving each assignment.</p> <p>4. Aspects of the work involve conditions and elements that must be identified and analyzed to discern interrelationships and deviations from standards in a specially field or discipline. Tasks require development of goals and objectives based upon existing interpretation of established policies, rules and guidelines.</p> <p>5. The work consists of independent assignments with varying duties which comprise a primary level of responsibility. Factors to be considered involve the assessment of unusual circumstances, variations in approach, incomplete or conflicting data, and incompatible results. The work requires the development and implementation of program options.</p> <p>6. The work consists of a variety of duties involving a broad range of activities or depth of analysis to develop and implement organization-wide goals and policies.</p>	<p>0.27 0.28</p> <p>0.33 0.35 0.37</p> <p>0.29</p> <p>0.31 0.32</p> <p>0.34 0.35 0.37</p>	<p>0.38</p> <p>0.40 0.42</p> <p>0.44 0.46 0.48</p> <p>0.50</p> <p>0.53 0.56</p> <p>0.58</p> <p>0.61 0.64</p>	<p>0.50</p> <p>0.52 0.55</p> <p>0.57 0.60 0.63</p> <p>0.66</p> <p>0.69 0.72</p> <p>0.75</p> <p>0.79 0.83</p>	<p>0.74</p> <p>0.78 0.82</p> <p>0.85</p> <p>0.89 0.94</p> <p>0.98</p> <p>1.03 1.08</p> <p>1.13 1.18 1.24</p>	<p>1.11</p> <p>1.16 1.22</p> <p>1.27</p> <p>1.34 1.40</p> <p>1.47 1.54 1.62</p>

Award additional points for stress as a percentage of points awarded for difficulty of work: This sub-factor attempts to recognize the degree of mental or emotional fatigue or stress inherent to the job and sustained through concentration, work pressures or critical incidents (CIS syndrome). Consider the cycle, duration, and intensity sustained. Consider the need to deal with the public over controversial issues, the responsibility for problem resolution and the need to meet time deadlines:

SOME- 5% MODERATE- 10% CONSIDERABLE- 15% MULTI-FUNCTION- 20% CRITICAL INCIDENT- 25%



Nibley City Job Valuation

By Rank Order

Department	Job Title	Factor I				Factor II				Factor III			Factor IV		Job Value	Current Pay
		Job Knowledge	Years Experi.	Certs, Licenses	Multi-Ctrts	Periodic Recert	Responsibility	Supervision	Public Contact	Budget	Work Environ	Hazard	Difficulty Of Work	Stress		
ADMINISTRATION	CITY MANAGER	5.26	1.32	0.00	0.00	0.00	6.00	2.40	1.80	1.20	1.20	2.00	0.50	21.67	\$124,566	
ENGINEERING	CITY ENGINEER	4.25	1.06	0.85	0.00	0.21	5.22	0.00	1.30	1.04	1.56	1.54	0.31	17.50	\$124,566	
PUBLIC WORKS	PUBLIC WORKS DIRECTOR	3.85	0.77	0.58	0.39	0.00	4.62	1.38	1.15	0.92	1.56	1.54	0.23	17.38	\$98,103	
PUBLIC WORKS	WATER / WASTEWATER MANAGER	3.27	0.65	0.49	0.33	0.16	4.01	0.40	1.00	0.40	2.33	1.34	0.20	15.17	\$98,786	
PUBLIC WORKS	STREETS / STORMWATER DIVISION MANAGER	3.11	0.62	0.47	0.31	0.16	4.01	0.40	0.60	0.20	2.33	1.34	0.13	11.77	\$84,715	
ADMINISTRATION	CITY RECORDER / HUMAN RESOURCE DIRECTOR/ OFFICE MANAGER	4.05	1.01	0.61	0.40	0.20	4.21	0.42	0.21	0.21	1.20	1.40	0.28	14.21	\$76,737	
COMMUNITY DEVELOPMENT	CITY PLANNER	4.05	0.61	0.20	0.00	0.20	4.40	0.22	1.10	0.22	1.20	1.34	0.20	13.73	\$98,786	
PARKS & RECREATION	PARKS DIVISION MANAGER	3.11	0.62	0.16	0.00	0.00	4.01	0.40	0.60	0.20	2.33	1.34	0.20	13.35	\$84,558	
ADMINISTRATION	CITY TREASURER	3.85	0.39	0.00	0.00	0.00	4.62	0.00	0.69	0.46	1.20	1.03	0.21	12.44	\$45,843	
PARKS & RECREATION	RECREATION DIRECTOR	3.11	0.47	0.00	0.00	0.00	3.09	1.23	0.77	0.31	1.56	1.34	0.20	12.23	\$76,737	
PUBLIC WORKS	WATER / WASTEWATER OPERATOR	1.57	0.08	0.24	0.16	0.08	1.36	0.00	0.07	0.00	3.48	1.74	0.05	9.27	\$61,996	
COMMUNITY DEVELOPMENT	BUILDING INSPECTOR	2.05	0.31	0.31	0.20	0.10	2.37	0.00	0.36	0.00	2.12	0.21	0.69	8.83	\$86,254	
ENGINEERING	PUBLIC WORKS INSPECTOR	2.05	0.20	0.31	0.20	0.10	2.37	0.00	0.36	0.00	2.12	0.21	0.69	8.72	\$63,131	
PUBLIC WORKS	STREET / STORMWATER OPERATOR	1.27	0.06	0.06	0.13	0.06	1.36	0.00	0.07	0.00	2.33	0.58	0.46	6.43	\$61,996	
PARKS & RECREATION	PARKS TECHNICIAN	1.21	0.12	0.06	0.00	0.06	1.04	0.00	0.05	0.00	2.68	0.67	0.05	6.40	\$42,796	
PARKS & RECREATION	RECREATION COORDINATOR	1.21	0.00	0.00	0.00	0.00	1.80	0.09	0.36	0.00	1.56	0.16	0.89	6.20	\$51,912	
ADMINISTRATION	OFFICE MANAGER	1.57	0.00	0.00	0.00	0.00	1.80	0.18	0.27	0.00	1.20	0.00	0.89	6.05	\$76,737	
ADMINISTRATION	UTILITY BILLING SUPERVISOR	1.21	0.12	0.00	0.00	0.00	1.80	0.00	0.27	0.00	1.20	0.00	0.69	5.39	\$49,502	
ADMINISTRATION	OFFICE SPECIALIST / ACCOUNTS PAYABLE	1.21	0.12	0.00	0.00	0.00	1.59	0.00	0.16	0.00	1.20	0.00	0.46	4.81	\$47,217	

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