

1 A Meeting of the Nibley City Council held at Nibley City Hall, 455 West 3200 South,
2 Nibley, Utah, on Thursday, February 20, 2025.

3
4 **OFFICIAL MINUTES OF THE MEETING**
5 City Recorder Cheryl Bodily took minutes
6

7 **Opening Ceremonies**

8 Councilmember Mansell said he'd learned how important it was to get as many people
9 involved as possible to get the best possible outcomes. He was grateful for the
10 opportunity they had to do this, and he was grateful for the residents of Nibley who
11 were showing up and give input so that they could make things better.

12
13 Councilmember Mansell led the meeting in the Pledge of Allegiance.
14

15 **Call to Order and Roll Call**

16 Mayor Larry Jacobsen called the Thursday, February 20, 20225, Nibley City Council
17 meeting to order at 6:31 p.m. Those in attendance included Mayor Larry Jacobsen,
18 Councilmember Erin Mann, Councilmember Nathan Laursen, Councilmember Garrett
19 Mansell, Councilmember Norman Larsen, and Councilmember Kay Sweeten. Justin
20 Maughan, Nibley City Manager, Levi Roberts, Nibley City Planner, Tom Dickinson, Nibley
21 City Engineer, and Cheryl Bodily, Nibley City Recorder was also present.
22

23 Mayor Jacobsen recognized Nibley City Planning Commissioner, Clair Schenk and Talon
24 Bigelow, Nibley City Front Office Staff who were present in the audience.
25

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

27 Councilmember Larsen moved to approve the January 30, 2025, open session and
28 closed session meeting minutes. Councilmember Sweeten seconded the motion.
29

30 Councilmember Laursen discussed suggested edits he'd previously given to the City
31 Recorder. General consent was given from the City Council to approve the minutes with
32 the suggested changes by Councilmember Laursen.
33

34 The motion to approve the minutes passed unanimously 5-0; with Councilmember
35 Larsen, Councilmember Sweeten, Councilmember Laursen, Councilmember Mann, and
36 Councilmember Mansell all in favor.
37

38 Mayor Jacobsen updated the City Council on the workshop (item 22) regarding snow
39 removal and parking issues. He felt it would be appropriate to move it up to just after
40 item number 6. The Council also had a resolution (item 7) that authorized the filing of an
41 action by the City of Nibley to resolve the purchase of a property. He reported, that as
42 of approximately 3:30 p.m. that afternoon, staff had received a signed document from
43 the seller of the property accepting the terms of the agreement offered by the Council.

1 He suggested the City Council remove the item from the agenda or keep it on the
2 agenda for discussion.

3
4 Councilmember Laursen made a motion to approve the February 20, 2025, agenda,
5 swapping item 22 with item 7, with a recommendation to City Council that they set a
6 satisfactory time limit for the workshop. He suggested a time limit of 45 minutes.
7 Councilmember Mansell seconded the motion. The motion passed unanimously 5-0;
8 with Councilmember Laursen, Councilmember Mansell, Councilmember Larsen,
9 Councilmember Sweeten, and Councilmember Mann all in favor.

10 11 **Public Comment Period**

12 Mayor Jacobsen gave direction to the public present and opened the Public Comment
13 Period at 6:39 p.m.

14
15 Tanner Godfrey, who was building an orthodontic office across the street from Anhder
16 Park, suggested the City Council look at Nibley City's building standards for commercial
17 buildings. They'd gotten back comments that they did not have enough windows on the
18 ground floor of their building. They had a good number of windows facing 3200 South
19 but were still not in compliance with Nibley's standards. He felt Nibley's current code
20 was based off creating the look of a Logan main street historic district and a lot of the
21 standards were out-of-date and not compliant with State code. He asked the City
22 Council to review the standards for commercial building. Mr. Godfrey said his office
23 needed to provide patient privacy and energy efficiency standards.

24
25 Tracey Forsey of 3330 South 250 West asked how code enforcement was being
26 implemented. She had received a parking citation a few weeks ago. She was not even
27 familiar with the code but had then researched the code. She felt bothered because she
28 wasn't aware of the ordinance or the enforcement. She appreciated being educated
29 about code. She said it could be transparent to the residents that they had a code
30 enforcement official. I would be nice to put this on Facebook or in the newsletter.

31
32 Brent Boswell of 977 West 2880 South discussed parking on the street when there was
33 zero chance of snow didn't hurt anything. He had printed a possible ordinance solution
34 that he felt might be beneficial. He distributed this to the Council members. He also had
35 issue with the code on parking on the grass. He said parking one night on the grass
36 didn't hurt anything. He also had proposed wording on this ordinance that would
37 prohibit parking on the grass for more than 14-days.

38
39 Seeing no further public comments, Mayor Jacobsen closed the Public Comment Period
40 at 6:49 p.m.

41 42 **Planning Commission Report**

43 Mr. Roberts said there were three items discussed at the last Planning Commission
44 meeting. There was a public hearing for a rezone request from the Wesley Nelson Farm

1 from Commercial to R-M. The Planning Commission also held a workshop on the R-M
2 zone. The Planning Commission had worked on a few suggestions to bring to the City
3 Council. Lastly, there was a workshop of the flag lot ordinance, and some potential
4 changes had been discussed. Staff would work on these potential changes and wording
5 changes to bring back to the Planning Commission.

6
7 **Discussion & Consideration: Amendment to the Interlocal Agreement for Dispatch**
8 **Services Between Logan City and Nibley City**

9 Christy Walker, Logan 911 Director, Logan Police Chief, Jeff Simmons and Brian Low,
10 Technology wizard with the Logan City Police department were present for this
11 discussion. Chief Simmons described that Logan dispatched all fire and all police units
12 throughout the Valley, including the USU Police department, Cache County Sheriff's
13 office, and the Highway Patrol. There were busy and had the same staff now as they had
14 when they began. Their staff was overworked, underpaid, and understaffed. They
15 typically had 20 staff members but currently had 14 full-time and 2 trainee staff
16 members and in the past year had dispatched 58,000 calls for service. Chief Simons
17 described regional wages for emergency dispatch services. He said valley residents had
18 been charged \$3.00/month for emergency dispatch since 2013 and they were proposing
19 a graduated increase over the next five years. At the end of five years, residents would
20 pay \$3.71/month for 911 dispatch services. They needed to offer competitive wages.

21
22 Mayor Jacobsen asked if Chief Simmons believed Logan City would continue to run
23 emergency dispatch out of their operations or if the service would go to the County at
24 some point. Chief Simons said as long as they were breaking even and the service was
25 paying for itself, he felt they would continue to provide the service. If the service were
26 to start running in the red, they wouldn't be interested in continuing.

27
28 Councilmember Laursen asked what kind of analysis went into the rate increase. Mr.
29 Low described that in 1996 the County decided they didn't want to be in the dispatch
30 business anymore and Logan City had been able to make it work with their technology
31 mix and personnel. In 2002 Logan realized their fee structure wasn't working and had
32 charged more. In 2013 the fee was raised to cover the radio project that was funded
33 through the dispatch center. The projections and finance department of Logan City was
34 recommending the fee. They needed to keep dispatchers who knew what they were
35 doing. The fee was completely wage driven.

36
37 *Councilmember Larsen moved to approve the amendment to the Interlocal Agreement*
38 *for Dispatch Services Between Logan City and Nibley City, as presented. Councilmember*
39 *Mann seconded the motion.*

40
41 Councilmember Laursen said he would like to see a signed agreement from Logan and
42 then requested to see the current interlocal agreement that was in place.

1 *Councilmember Laursen made a substitute motion to continue discussion and*
2 *consideration of the amendment to the Interlocal Agreement for Dispatch Services*
3 *Between Logan City and Nibley City. Councilmember Sweeten seconded the motion.*
4

5 Councilmember Laursen asked for a summary from Logan's financial analysis of how
6 Logan had come to the proposed fee increase.
7

8 *The substitute motion passed unanimously 5-0; with Councilmember Laursen,*
9 *Councilmember Sweeten, Councilmember Larsen, Councilmember Mann, and*
10 *Councilmember Mansell all in favor.*
11

12 **Workshop: Ordinance 13.02.020 Removal of Snow**

13 Councilmember Mann left the meeting at 7:13 p.m. and returned at 7:15 p.m.
14

15 Mayor Jacobsen listed topics they might talk about during the workshop: 1-warnings
16 versus citation, 2- snow removal on sidewalks, 3-winter time parking regulations, 4-
17 parking on sidewalks, or 5-parking on front yards.
18

19 Councilmember Larsen requested a review of how code was enforced. Mr. Roberts gave
20 a summary of how code had historically been enforcement in Nibley City.

21 Councilmember Sweeten asked about the component of education, if the code
22 enforcement officer was involved with educating the public about code. Mr. Roberts
23 said this was mainly office staff's responsibility. Councilmember Mansell asked about
24 the cost of parking on the street citations. Mr. Roberts said it was \$25.00. The Council
25 and Mr. Roberts discussed snow removal on sidewalks and obstructing sidewalks.

26 Councilmember Mann discussed that residents had expressed that they hadn't be able
27 to communicate with the Code Enforcement Officer. Councilmember Mann received
28 clarification of procedures in enforcement on private lanes. Councilmember Mann
29 suggested more communication with signage regarding limited winter parking.

30 Councilmember Mann and Mr. Roberts discussed potential warning processes.

31 Councilmember Larsen asked for a report of what citations have been given.

32 Councilmember Laursen reviewed what he'd heard, 1-communication of ordinance and
33 Nibley City code, 2-code enforcement in general, 3-snow and limited winter parking. He
34 suggested having a monthly ordinance spotlight in the Nibley Newsletter and picking an
35 ordinance that was common or pertinent to the time. Councilmember Mansell said
36 education was essential. Councilmember Larsen requested a report of what citations
37 were given by the Code Enforcement Officer at least monthly. Councilmember Laursen
38 felt they should include a summary of what violations had occurred in the past month in
39 the newsletter.
40

41 **Discussion & Consideration: Awarding a Contract with Wall Consultant Group (WCG)** 42 **to Complete the Nibley City General Plan**

43 Mr. Roberts gave a summary of the agenda item. He used an electronic presentation
44 entitled *Nibley City Council; February 20, 2025; General Plan Contract* (a printed copy of

1 the presentation is included in the printed meeting minutes). The topics addressed in
2 his presentation included the following: Background and Recommendation.

3
4 *“General Plan Selection Committee recommends Awarding a Contract with Wall*
5 *Consultant Group (WCG) to Complete the Nibley City General Plan”*

6
7 *Councilmember Larsen moved to award the Contract with Wall Consultant Group (WCG)*
8 *to Complete the Nibley City General Plan. Councilmember Mansell seconded the motion.*
9

10 Councilmember Laursen noticed in the scope of work there was a reference to a review
11 of city plans in coordination with staff. He said Nibley City had a lot of plans and not all
12 the plans were specific and some of them even contradicted each other. He wondered if
13 they ever got more specific of which plans the consultant would look at. Mr. Roberts
14 said they would review what was pertinent to the general plan like the Transportation
15 Master Plan, the Parks Plan, the Active Transportation Plan, the last General Plan, and
16 perhaps some of the highlights of the Sewer plan, etc. Councilmember Laursen noticed
17 the date on estimated cost, referenced 2024. He assumed this was a typo.

18
19 Mayor Jacobsen asked if they had selected a steering committee. Mr. Roberts reported
20 that those who had been on the selection committee had also agreed to sit on the
21 steering committee. Councilmember Laursen said he was willing to participate in the
22 steering committee.

23
24 *The motion passed 5-0; with Councilmember Larsen, Councilmember Mansell,*
25 *Councilmember Sweeten, Councilmember Laursen, and Councilmember Mann all in*
26 *favor.*

27
28 Councilmember Laursen moved to suspend the agenda, moving items 14-17 to
29 immediately follow item 8. Councilmember Mansell seconded the motion. The motion
30 passed unanimously 5-0; with Councilmember Laursen, Councilmember Mansell,
31 Councilmember Larsen, Councilmember Sweeten, and Councilmember Mann all in
32 favor.

33
34 Seeing no objection, the City Council took a break at 8:12 p.m. The meeting resumed at
35 8:17 p.m.

36
37 **Public Hearing: Ordinance 25-09–An Ordinance Vacating Public Right of Way 1200**
38 **West Between Approximately 3230 South to 3300 South**

39 Mr. Dickinson gave a summary of the agenda item. He used an electronic presentation
40 entitled *Vacation of Public Right Of Way 1200 West Between Approximately 3230 South*
41 *to 3300 South; Ordinance 25-09; February 20, 2025* (a printed copy of the presentation
42 is included in the printed meeting minutes). The topics addressed in his presentation
43 included the following: Vacation of Public Right of Way, City owned property
44 negotiation land swap with Hawk Hollow and Existing Right of Way to be vacated by this

1 ordinance, Hawk Hollow Subdivision Preliminary Plat and the existing Right of Way to be
2 vacated, and Vacation of Public Right of Way.

3
4 Mayor Jacobsen opened the public hearing at 8:25 p.m.

5
6 Seeing no public comment, Mayor Jacobsen closed the public hearing at 8:25 p.m.

7
8 **Discussion & Consideration: Ordinance 25-09—An Ordinance Vacating Public Right of**
9 **Way 1200 West Between Approximately 3230 South to 3300 South (First Reading)**

10 *Councilmember Mansell moved to approve Ordinance 25-09—An Ordinance Vacating*
11 *Public Right of Way 1200 West Between Approximately 3230 South to 3300 South and*
12 *waved the second reading. Councilmember Larsen seconded the motion.*

13
14 Councilmember Larsen recalled that they had thought to use the unused asphalt for
15 park parking. He assumed that the Recreation department was more pleased with
16 getting more park land. Mr. Roberts agreed that the Recreation department was happy
17 with the land swap and described that the asphalt would not have been an ideal place
18 for parking. Councilmember Laursen wondered if the ordinance could be conditional
19 based on a land swap. Mr. Dickinson said that even if they didn't move forward with the
20 land swap, the City Council owned the property on the other side and would retain a
21 little more of it.

22
23 *Voting on the motion to approve Ordinance 25-09 was as follow:*

24 *Councilmember Sweeten voted in favor.*

25 *Councilmember Larsen voted in favor.*

26 *Councilmember Mansell voted in favor.*

27 *Councilmember Laursen voted in favor.*

28 *Councilmember Mann voted in favor.*

29
30 *The motion passed unanimously 5-0; with Councilmember Mansell, Councilmember*
31 *Larsen, Councilmember Sweeten, Councilmember Laursen, and Councilmember Mann all*
32 *in favor.*

33
34 **Discussion & Consideration: Ordinance 25-05—Development and Land Adjustment**
35 **Agreement with Nibley Hawk Hollow, LLC for the Hawk Hollow Subdivision for the**
36 **Adjustment of Boundaries Between City Parcels and the Developer Parcel, Located at**
37 **Approximately 1050 W 3200 S, Setting Forth Terms and Conditions, Including an**
38 **Exception to NCC 21.12.060(F)(3) Regarding Pedestrian Connectivity (First Reading)**

39 Mr. Roberts gave a summary of the agenda item. He used an electronic presentation
40 entitled *Nibley City Council; February 20, 2025; Hawk Hollow Agreement*. (a printed copy
41 of the presentation is included in the printed meeting minutes). The topics addressed in
42 his presentation included the following: Agreement necessary to set terms and
43 conditions for land exchange in fair and equitable manner and fulfill conditions of
44 Rezone, Specific Conditions included, a preliminary plat for the Hawk Hollow

1 subdivision, phase 1 & 2, Phasing lines incorporated in the agreement, the boundary line
2 adjustment considered on the next agenda item, a chart of land value and improvement
3 costs, and Staff Recommendation.

4
5 *“Approval of Ordinance 25-05: Development and Land Adjustment Agreement*
6 *with Nibley Hawk Hollow, LLC for the Hawk Hollow Subdivision for the*
7 *adjustment of boundaries between City Parcels and the Developer Parcel, located*
8 *at approximately 1050 W 3200 S, setting forth terms and conditions, including an*
9 *exception to NCC 21.12.060(F)(3) regarding pedestrian connectivity”*

10
11 *Councilmember Laursen moved to approve Approval of Ordinance 25-05: Development*
12 *and Land Adjustment Agreement with Nibley Hawk Hollow, LLC for the Hawk Hollow*
13 *Subdivision for the adjustment of boundaries between City Parcels and the Developer*
14 *Parcel, located at approximately 1050 W 3200 S, setting forth terms and conditions,*
15 *including an exception to NCC 21.12.060(F)(3) regarding pedestrian connectivity, for first*
16 *reading. Councilmember Sweeten seconded the motion.*

17
18 Councilmember Laursen asked if there should be a reference to a “casita” in the
19 agreement. Mr. Roberts said that was meant to be deleted. Councilmember Laursen
20 asked if there had been a wetland analysis of the property that was being taken by the
21 City. Mr. Dickinson said this was the reason it was being taken in phases; there was a
22 wetland that was shown on the National Wetland Inventory, but the City needed to wait
23 for the growing season. They’d asked for a buffer not to disturb any city roadway, or no
24 trail be built in the area. The City needed to do on the ground analysis and investigation.
25 Councilmember Laursen read the agreement and said it was not clear to him that it was
26 discussed who would be responsible, the City or developer, for the southern part of the
27 road that would be adjacent to Nibley City property. Mr. Dickinson said it was implied
28 that Hawk Hollow would be responsible. Mr. Roberts said the road was shown on the
29 approved preliminary plat. Councilmember Laursen suggested between now and second
30 reading he would amend the ordinance to remove “casita” and add clarification of who
31 was responsible for the improvements on the City portion of land. Councilmember
32 Laursen also wanted to see the phasing of the land swap in the agreement.

33
34 *Seeing no opposition to voting, the motion passed unanimously 5-0; with Councilmember*
35 *Laursen, Councilmember Sweeten, Councilmember Larsen, Councilmember Mann, and*
36 *Councilmember Mansell all in favor.*

37
38 **Discussion & Consideration: Boundary Line Adjustment Affecting Parcels 03-018-0015,**
39 **03-229-8002 and 03-017-0012 Between Nibley City and Nibley Hawk Hollow, LLC**

40 Mr. Roberts suggested the City Council continued the item because the City Council
41 hadn’t passed the previous item and ordinance. The item was formalizing the previous
42 agreement.

1 *Councilmember Larsen moved to continue the Boundary Line Adjustment Affecting*
2 *Parcels 03-018-0015, 03-229-8002 and 03-017-0012 Between Nibley City and Nibley*
3 *Hawk Hollow, LLC. Councilmember Sweeten seconded the motion. The motion passed*
4 *unanimously 5-0; with Councilmember Larsen, Councilmember Sweeten, Councilmember*
5 *Laursen, Councilmember Mann, and Councilmember Mansell all in favor.*

6
7 **Discussion & Consideration: Ordinance 25-06–Notice to Adopt or Amend an Impact**
8 **Fee Facilities Plan; Logan City Wastewater Impact Fees (Second Reading)**

9 Mr. Maughan reported that Logan City had already adopted the process to reduce the
10 impact fee for multi-family dwellings and to charge per unit instead of based on
11 wastewater pipe size. Logan City had completed the process the previous Tuesday and
12 had reduced the impact fee, for the current item and the next item. Adoption of
13 Ordinance 25-06 and 25-02 would bring Nibley City in alignment with Logan. Mr.
14 Maughan clarified the differences between adoption of Ordinance 25-06 and Ordinance
15 25-02.

16
17 *Councilmember Mann moved to adopt Ordinance 25-06–Notice to Adopt or Amend an*
18 *Impact Fee Facilities Plan; Logan City Wastewater Impact Fees. Councilmember Mansell*
19 *seconded the motion.*

20
21 *Voting on the motion to adopt Ordinance 25-06 was follows:*

22 *Councilmember Sweeten voted in favor.*

23 *Councilmember Larsen voted in favor.*

24 *Councilmember Mansell voted in favor.*

25 *Councilmember Laursen voted yes.*

26 *Councilmember Mann voted in favor.*

27
28 *The motion passed unanimously 5-0; with Councilmember Mann, Councilmember*
29 *Mansell, Councilmember Larsen, Councilmember Sweeten, and Councilmember Laursen*
30 *all in favor.*

31
32 **Discussion & Consideration: Ordinance 25-02–Notice of Intent to Adopt an Impact Fee**
33 **Enactment; Adjusting Logan City Wastewater Treatment Impact Fees for Residential**
34 **Multifamily Units (Second Reading)**

35 *Councilmember Larsen moved to approve Ordinance 25-02–Notice of Intent to Adopt an*
36 *Impact Fee Enactment; Adjusting Logan City Wastewater Treatment Impact Fees for*
37 *Residential Multifamily Units. Councilmember Sweeten seconded the motion.*

38
39 *Voting on the motion to adopt Ordinance 25-06 was follows:*

40 *Councilmember Sweeten voted in favor.*

41 *Councilmember Larsen voted in favor.*

42 *Councilmember Mansell voted in favor.*

43 *Councilmember Laursen voted in favor.*

44 *Councilmember Mann voted in favor.*

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

4
5 **Discussion and Consideration: Ordinance 25-04–Amending NCC 19.24.160, 19.24.260,**
6 **19.12.040, 19.32.080, 19.24.250; Parking Requirements, Including Amendments to**
7 **Minimum Parking Spaces with New Development, Establishing Minimum Bicycle**
8 **Parking, and Allowing for Alternative parking plan (Second Reading)**

9 Mr. Roberts gave a summary of the agenda item. He used an electronic presentation
10 entitled *Nibley City Council; February 20, 2025; Parking Requirements* (a printed copy of
11 the presentation is included in the printed meeting minutes). The topics addressed in
12 his presentation included the following: Background, Update for 2/20/25, and Planning
13 Commission Recommendation.

14
15 *“Approval of Ordinance 25-04: Amending NCC 19.24.160, 19.24.260, 19.12.040,*
16 *19.32.080, 19.24.250; Parking requirements, including amendments to minimum*
17 *parking spaces with new development, establishing minimum bicycle parking,*
18 *and allowing for alternative parking plan ”*

19
20 *Councilmember Larsen moved to approve Ordinance 25-04–Amending NCC 19.24.160,*
21 *19.24.260, 19.12.040, 19.32.080, 19.24.250; Parking Requirements, Including*
22 *Amendments to Minimum Parking Spaces with New Development, Establishing*
23 *Minimum Bicycle Parking, and Allowing for Alternative parking plan. Councilmember*
24 *Laursen seconded the motion.*

25
26 Councilmember Laursen said he had proposed the ordinance to a few commercial
27 developers and reported that it incentivized commercial developers to come to Nibley
28 because they didn’t have to build as much parking. Councilmember Laursen said the
29 mixed zone use was referenced, and he didn’t see a specific reference for residential
30 other than single-family. Mr. Roberts said residential standards were found in R-PUD
31 and R-M zone code. The Planning Commission didn’t want to change the residential
32 proposed parking. Councilmember Laursen directed staff to a section of the proposed
33 amended code.

34
35 *Councilmember Laursen made a motion to amend Ordinance 25-04, that sections*
36 *19.12.040 and 19.32.080 B.5 be removed. Councilmember Sweeten seconded the*
37 *motion. The amendment passed unanimously 5-0; with Councilmember Laursen,*
38 *Councilmember Sweeten, Councilmember Larsen, Councilmember Mann, and*
39 *Councilmember Mansell all in favor.*

40
41 Councilmember Laursen said there was an area that talked about if someone did the
42 bike parking that it was recommended that it should be covered. Mr. Roberts clarified
43 that the Planning Commission had decided to remove this recommendation.

1 Councilmember Laursen was curious if “School” in the table also referenced micro-
2 school. Mr. Roberts said he believed this was a bigger question that needed to be
3 addressed in the Nibley City land use chart and might specifically require another
4 section of code.

5
6 *Voting on the motion to approve the amended Ordinance 25-04 was as follows:*

7 *Councilmember Sweeten voted in favor.*

8 *Councilmember Larsen voted in favor.*

9 *Councilmember Mansell voted in favor.*

10 *Councilmember Laursen voted in favor.*

11 *Councilmember Mann voted in favor.*

12
13 *The amended motion passed unanimously 5-0; with Councilmember Larsen,*
14 *Councilmember Laursen, Councilmember Sweeten, Councilmember Mann, and*
15 *Councilmember Mansell all in favor.*

16
17 **Discussion and Consideration: Resolution 25-02–Adopting the Nibley City Active**
18 **Transportation Plan (Second Reading)**

19 *Councilmember Laursen moved to approve Resolution 25-02–Adopting the Nibley City*
20 *Active Transportation Plan. Councilmember Mansell seconded the motion.*

21
22 Councilmember Laursen said this plan should be considered in Nibley’s General plan
23 update.

24
25 *Voting on the motion to approve Resolution 25-02 was as follows:*

26 *Councilmember Sweeten voted in favor.*

27 *Councilmember Larsen voted in favor.*

28 *Councilmember Mansell voted in favor.*

29 *Councilmember Laursen voted in favor.*

30 *Councilmember Mann voted in favor.*

31
32 *The motion passed unanimously 5-0; with Councilmember Laursen, Councilmember*
33 *Mansell, Councilmember Larsen, Councilmember Sweeten, and Councilmember Mann all*
34 *in favor.*

35
36 **Discussion & Consideration: Resolution 25-07–Indicating the Intent to Adjust the**
37 **Municipal Boundary Between the City of Logan and Nibley City (First Reading)**

38 Mr. Roberts gave a summary of the agenda item. He used an electronic presentation
39 entitled *Nibley City Council; February 20, 2025; Intent to Adjust Nibley/Logan Boundary*
40 (a printed copy of the presentation is included in the printed meeting minutes). The
41 topics addressed in his presentation included the following: Intent to Adjust
42 Nibley/Logan Boundary, a Cache County Parcel Viewer view of the parcel for
43 consideration, a plat showing the parcel for consideration, and Staff Recommendation.

1 *“Approval of Resolution 25-07–Indicating the Intent to Adjust the Municipal*
2 *Boundary Between the City of Logan and Nibley City and waive 2nd Reading”*

3
4 *Councilmember Laursen moved to approve Resolution 25-07–Indicating the Intent to*
5 *Adjust the Municipal Boundary Between the City of Logan and Nibley City and waived*
6 *the second reading. Councilmember Sweeten seconded the motion.*

7
8 Councilmember Laursen questioned when the noticing for this item would occur. Mr.
9 Roberts clarified that noticing would happen after the Resolution was passed and that
10 all the property owners within the area had proposed the adjustment and had indicated
11 that they wanted the boundary line adjustment to happen.

12
13 *Voting to approve Resolution 25-07 was as follows:*
14 *Councilmember Sweeten voted in favor.*
15 *Councilmember Larsen voted to approve.*
16 *Councilmember Mansell voted to approve.*
17 *Councilmember Laursen voted aye.*
18 *Councilmember Mann voted in favor.*

19
20 *The motion passed unanimously 5-0; with Councilmember Laursen, Councilmember*
21 *Sweeten, Councilmember Larsen, Councilmember Mann, and Councilmember Mansell all*
22 *in favor.*

23
24 **Public Hearing: Ordinance 25-10–Amendments to Nibley City Code 15.02.040**
25 **Statement of Charges; Delinquency**

26 Councilmember Mann and Councilmember Laursen left at 9:28 p.m. and returned at
27 9:31 p.m.

28
29 Nibley City Utility Specialist, Wendy Lindberg arrived at 9:30 p.m.

30
31 Councilmember Mann and Councilmember Laursen returned at 9:31 p.m.

32
33 Ms. Lindberg read from current City code and described inconsistency in language in
34 City code and Nibley City Resolution. She said the proposed revision clarified that water
35 service shut-off would occur 40 days after the billing date. She said since assuming the
36 role of Nibley City Utility Specialist they had followed Resolution which allow Nibley City
37 residents to be delinquent in their utility bills for 70 days and placed a strain on Nibley
38 City resources and described an instance of Nibley City absorbing delinquent bills due to
39 bankruptcy. Ms. Lindberg had spoken with other municipalities and Nibley City was
40 notably more lenient than other cities. Ms. Lindberg said staff acknowledge that
41 residents may face challenges in keep up with payments and Mr. Maughan had
42 approved a three-month adjustment period to facilitate the transition. By shortening
43 the delinquency period, they would promote greater financial accountability and reduce
44 the City’s financial risk and help residents avoid excessive past-due penalties by

1 encouraging timely payments. Ms. Lindberg described that current shut-off dates fell on
2 the second Tuesday of every month, which didn't always align with the billing cycle. The
3 new 40-day shut-off period would better synchronize the shut-off day with the billing
4 schedule and adhere to the Ordinance. From a utility billing perspective, she believed
5 the ordinance change was in the best interest of Nibley City and its residents.

6
7 Councilmember Larsen asked how many services staff shut off each month. Ms.
8 Lindberg said they typically shut off 2-4 each month and less than 20 per year. She
9 described how difficult it was for residents to pay the entire water balance after their
10 services had been shut off. Councilmember Laursen appreciated how much effort they
11 made to ensure services were paid for. Councilmember Laursen asked if staff offered
12 ways that residents could pay their utility services and referred them to programs to get
13 some help. Ms. Lindberg described ways staff worked with residents in paying their
14 utility bill.

15
16 Mayor Jacobsen opened the public hearing at 9:40 p.m. Seeing no public hearing, Mayor
17 Jacobsen closed the public hearing at 9:40 p.m.

18
19 **Discussion & Consideration: Ordinance 25-10—Amendments to Nibley City Code**

20 **15.02.040 Statement of Charges; Delinquency (First Reading)**

21 *Councilmember Sweeten moved to approve Ordinance 25-10—Amendments to Nibley*
22 *City Code 15.02.040 Statement of Charges; Delinquency for first reading. Councilmember*
23 *Laursen seconded the motion.*

24
25 Councilmember Mansell said he was concerned that they would increase delinquency.
26 Ms. Lindberg said the amendment was not changing the delinquency penalty fee. The
27 delinquency fee had been in place for some time. Ms. Lindberg and the City Council
28 discussed the calculation and timing of late fees, penalty fees, and when shut off
29 occurred.

30
31 The City Council requested to see the proposed code without tracked changes prior to
32 second reading of the ordinance.

33
34 Councilmember Sweeten asked why a shut-off didn't occur on Thursday, Fridays, or
35 Saturdays. Ms. Lindberg described the Nibley City's public works department schedule.
36 Councilmember Sweeten said she'd had the privilege of working with people that
37 struggled for lack of funds and the proposed code amendment kept the amounts of
38 what those individuals need to come up with more manageable.

39
40 *The motion passed 5-0; with Councilmember Sweeten, Councilmember Laursen,*
41 *Councilmember Larsen, Councilmember Mann, and Councilmember Mansell all in favor.*

42
43 **Workshop: Water Rate Review**

1 Mr. Maughan led discussion of the agenda item. He used an electronic presentation
2 entitled *Nibley City Water Rate Workshop; Justin Maughan, PE; Nibley City Manager;*
3 *January 30, 2025* (a printed copy of the presentation is included in the printed meeting
4 minutes). The topics addressed in his presentation included the following: History of
5 Nibley City Water Rate, Inflation, Population/ERC Growth

6
7 Councilmember Mann left at 9:59 p.m.

8
9 Mr. Maughan continued his presentation with discussion of the following: Increases in
10 operational costs, Increases in operational costs, Administrative Transfers, Future
11 Capital Project Needs, So What's the Plan?, Base Rates in Cache County, Usage Rates in
12 Cache County, Rates Outside of Cache County, Staff Minimum Recommendation and
13 Future Plan, Sample Random Resident Rate Increases (2 slides), Sample Random
14 Commercial Rate Increases, and Sample Institutional Rate Increases.

15
16 Mr. Maughan had a Water Rate Model spreadsheet he showed the Council.

17
18 Councilmember Laursen wanted to know what capabilities they had to implement
19 seasonal rates or time of day rates. The Council and staff discussed the availability and
20 cost of technology that could be implemented. Mayor Jacobsen said he would like to
21 see a more aggressive tier structure and Councilmember Laursen agreed. They felt this
22 encouraged conservation, but it was less predictable.

23
24 **Workshop: Contract with Hyrum City for Library Services**

25 Mr. Maughan described meetings that City staff had with the Hyrum Library in the past
26 year to determine how Nibley City was being charged for library services. The Hyrum
27 Library had proposed to charge based off the number of homes in Nibley City (\$25/per
28 household per year). Hyrum City indicated they wanted to purchase additional products
29 and additional technology with the additional revenue. This represented an
30 approximate 30% increase from what Nibley City had budgeted from the previous year.
31 The fee would increase \$1.00/year for the next five years and thereafter a \$.50/year
32 increase per year.

33
34 Councilmember Laursen asked for details of the current interlocal agreement with
35 Hyrum's library. He said that every citizen in Nibley had access to another library in the
36 Valley in the Cache County Library. Mayor Jacobsen proposed Nibley City reimbursing
37 individual households that opted to use the library. He said Hyrum Library had not liked
38 the idea of reimbursement. Councilmember Laursen said they should end their
39 interlocal agreement and encourage Nibley residents to go to the Cache County Library.
40 Mr. Maughan said they had agreements with Hyrum for justice court, fire services, and
41 there was potential for recreation. He expressed that he was more worried about these
42 things. Councilmember Sweeten described that Hyrum had demanded her daughter get
43 her own library card after she turned 18. She was not allowed to use their family card.

1 Councilmember Sweeten described her perceived Nibley City participation at the Hyrum
2 Library.

3
4 Mr. Maughan disclosed that his wife, Andrea Maughan, had been selected to sit on the
5 Hyrum Library Board.

6
7 Councilmember Larsen asked what the Hyrum Library spent their money on.

8 Councilmember Laursen read from the Agenda Item Report that the library desired to
9 have more books available online, make an online learning app available, and desired to
10 make an online tutoring app available.

11
12 Councilmember Mansell left the meeting at 11:00 p.m. He returned to the meeting at
13 11:02 p.m.

14
15 **Discussion & Consideration: Resolution 25-08—A Resolution Authorizing the Filing of**
16 **an Action by the City of Nibley, Utah to Resolve the Acquisition of Land in Regards to**
17 **the Wesley Nelson Farms Development (First Reading)**

18 Mr. Maughan reported that the city had received a signed copy of the purchase
19 agreement with the terms the City Council last direct staff to offer to the Wesley Nelson
20 family: \$202,040, minus the payment of \$85,000 already made, plus 8% interest. They
21 had started charging interest a little early, but staff had decided they weren't going to
22 "split hairs" over this.

23
24 *Councilmember Larsen moved to continue Resolution 25-08—A Resolution Authorizing*
25 *the Filing of an Action by the City of Nibley, Utah to Resolve the Acquisition of Land in*
26 *Regards to the Wesley Nelson Farms Development, indefinitely. Councilmember Sweeten*
27 *seconded the motion.*

28
29 Mr. Dickinson wondered if the Council should act on the Resolution because nothing
30 had gone right so far. The closing date they had given was 30 days from now with
31 approximately \$26.00 interest/day. The proponent could intentionally or unintentionally
32 delay the process, and he still felt there was risk. Without direction from the City
33 Council, if the process failed, to go into eminent domain, it could delay the process for
34 months. Mr. Dickinson hadn't seen any agreement adhered to by the party to date. Mr.
35 Dickinson said he didn't have faith that the agreement would go through.

36 Councilmember Laursen said he had the same concerns.

37
38 *Councilmember Laursen made a substitute motion to continued Resolution 25-08—A*
39 *Resolution Authorizing the Filing of an Action by the City of Nibley, Utah to Resolve the*
40 *Acquisition of Land in Regards to the Wesley Nelson Farms Development until March 13,*
41 *2025. Councilmember Mansell seconded the motion. The motion passed unanimously 4-*
42 *0; with Councilmember Laursen, Councilmember Mansell, Councilmember Larsen, and*
43 *Councilmember Sweeten all in favor.*
44

1 **Council and Staff Report**

2 Councilmember Laursen asked for an update on proceeding with UDOT and cooperating
3 on a corridor agreement. Mayor Jacobsen said he hadn't heard anything. He and Mr.
4 Roberts felt UDOT was wrapping up another project.

5
6 Councilmember Laursen requested contact information for the light at Highway 89/91
7 and 3200 South regarding a left turn light. Mr. Dickinson said he could get Councilmember
8 Laursen this information.

9
10 Councilmember Laursen brought up micro-schools and allowing people to put 35+
11 students in a three-bedroom home. He felt Nibley City should get ahead of this.

12
13 Councilmember Laursen said he would like staff and the Planning Commission to look
14 into updating Commercial Design Standards.

15
16 Councilmember Laursen requested to see items brought before the City Council for
17 Hawk Hollow and the land swap, already signed. He said there was power in in having
18 agreements signed.

19
20 Councilmember Mansell requested a snowplow ride along.

21
22 Councilmember Larsen said the Morgan Farm had a tax ID so they were an official
23 501(c)3. The Morgan Farm Board had requested to add a board member and to take off
24 a member of Council. Mayor Jacobsen and Councilmember Laursen felt they could just
25 make this change as a board.

26
27 Councilmember Sweeten appreciated the way the roads had been cleared. She was
28 curious how close to the curb Nibley's plows got, particularly in cul-de-sacs. She said the
29 snow had been pushed 6 feet away from the curb in her cul-de-sac.

30
31 Councilmember Sweeten reported on hearing from residents about complaints
32 regarding citations.

33
34 Mayor Jacobsen reported that the County wide, minus Logan, fire board was getting off
35 the ground. He reported that he and Stephanie Miller would be Mayoral representatives
36 to the south side of the Valley.

37
38 Mayor Jacobsen reported that Cache County had awarded the feasibility study for
39 indoor recreation contract to VCBO.

40
41 Mayor Jacobsen said cul-de-sac clearing was in the second wave of sending snow
42 removal vehicles out. This was also the wave on cleaning mountable curbs.

1 Mr. Roberts reported that Public Works Director, Steve Eliason had reported that there
2 were significantly fewer cars on the roads and the snowplow drivers appreciated it.

3
4 Mr. Dickinson said there was a glitch on the 1300 west half-road road contract. They had
5 worked through the contracted issued and would be bringing the contract to the City
6 Council at their next meeting.

7
8 Mr. Dickinson reported on grants city staff were applying for the City Center Park and
9 CPR grant to rebuild the softball field at Anhder Park.

10
11 Ms. Bodily reported that two recreation interns had started at Nibley City; Tanner Miles
12 and Jayden Beach.

13
14 Mr. Maughan reminded the City Council that budget preparation season was beginning
15 and encouraged the Council to participate in the process however they wanted.

16
17 Mr. Maughan said he would be in St. George at the Rural Water Conference for most of
18 next week and could be contacted by phone.

19
20 Mr. Maughan reported on the Utah legislative session.

21
22 Mayor Jacobsen reported the Matt Hollyaok, formerly with Malouf, was now a working
23 for Federal representative, Blake Moore. Mr. Hollyaok had requested the use of Nibley
24 City Hall for a townhall meeting.

25
26 Seeing no objection, the meeting was adjourned at 11:41 p.m.

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42
43 Attest: _____
44 City Recorder