

A Meeting of the Nibley City Council held at Nibley City Hall, 455 West 3200 South, Nibley, Utah, on Thursday, May 7, 2026.

OFFICIAL MINUTES OF THE MEETING
City Recorder Cheryl Bodily took minutes

Opening Ceremonies

Councilmember Randy Spaulding reading George Washington's farewell address and a thought had stuck out.

"in reviewing the incidents of my administration I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend.

--George Washington, Sept 19, 1796

Councilmember Randy Spaulding said and that they were on the council for a four-year experience, and he supposed there would be many errors they would make, but the intention was to never make a mistake or to have any error. Councilmember Spaulding said he was grateful to be on the Council and grateful for the people he worked with and said the intention was to serve the people of Nibley to the best of their ability.

Call to Order and Roll Call

Mayor Larry Jacobsen called the Thursday, May 7, 2026, Nibley City Council meeting to order at 6:32 p.m. Those in attendance included Mayor Larry Jacobsen, Councilmember Nathan Laursen, Councilmember Erin Mann, Councilmember Garrett Mansell, Councilmember Nick Kenczka, and Councilmember Randy Spaulding. Justin Maughan, Nibley City Manager, Levi Roberts, Nibley City Planner, Tom Dickinson, Nibley City Engineer, and Cheryl Bodily, Nibley City Recorder.

Mayor Jacobsen also recognized Steve Eliason, Nibley City Public Works Director, Talon Bigelow, Nibley City Clerk and Assistant Recorder, and Chet Olsen, Nibley City Street Department Manager in the audience.

Approval of the Previous Meeting Minutes and Current Agenda

Councilmember Kenczka moved to approve the March 5, 2026, and April 9, 2026, meeting minutes. Councilmember Laursen seconded the motion. The motion passed unanimously 5-0; with Councilmember Kenczka, Councilmember Laursen, Councilmember Mann, Councilmember Mansell, and Councilmember Spaulding all in favor.

Councilmember Kenczka moved to approve the May 7, 2026, meeting agenda. Councilmember Mansell seconded the motion. The motion passed unanimously 5-0;

with Councilmember Kenczka, Councilmember Mansell, Councilmember Laursen, Councilmember Mann, and Councilmember Spaulding all in favor.

Public Comment Period

Mayor Jacobsen gave direction to the public present and opened the Public Comment Period at 6:34 p.m.

Kaleb Kimber of 5330 Hollow Road in the County said he was not there to slam the door on others. Hollow Road was a unique and beautiful place. He was there to urge the City Council to change the zoning designation from the current designation to an agricultural designation. He felt there were concerns that hadn't been mitigated that were real threats. The first was the Nibley future plan, that the consultant had identified the property as a high-risk area for fire, flood, wind, and earthquake and the plan had no way to mitigate those threats and risks. Mr. Kimber also wanted to discuss the impact to the current residents. Mr. Kimber said he was on a well and there was a lot of discussion of the aquifer and the recharge zone of the aquifer. Mr. Kimber talked about traffic. He said the road was very narrow, about 22 feet. Nibley's new road standards were 28ft wide and while 5-6 didn't sound like a lot but when a truck came barreling down the street, their options were to jump into the grass or become road pizza.

Diane Malmquist of 5400 Hollow Road read a statement:

"Nibley City Council Members,

I am a concerned mother living in Unincorporated Cache County at 5400 Hollow Road, near the proposed annexation site of 5325 Hollow Road, with the property owners being the Hansens. I wild like to state my concerns for my family and my neighbors living along Hollow Road whether they are Unincorporated Cache County or Nibley residents.

My first point I would like to address is the safety of which is already a critical issue. The posted speed limit of 25 mph is rarely followed and seldom enforced by law officers. At either end of the proposed annexation are blind corners. As there is no sidewalk or shoulder areas, I have personally had to jump out of the way of vehicles not paying attention, as I attempted to walk down this narrow road to visit neighbors or excursions. We also get additional traffic from the Blacksmith Fork Canyon visitors using it as a byway instead of the dugway heading up to Blacksmith Fork Canyon visitors using it as a byway instead of the dugway heading up to Hyrum. Many vehicles going past our house are going well over the sated 25 mps and this past summer I reported a driver going 90 mph coming around the blind corner. The driver slammed on his breaks and left an impressive tire burn that the officer was able to calculate the speed, which was actually 93 mph. Childre, pets, adults, horse riders, road bikers and wildlife use this road and it is clearly already unsafe. The increase of more people from a subdivision could

result in lives lost and our quality of life gone permanently. Several years ago, a neighbor out walking his dog was killed; and two years ago, another young man walking his dog was hit and injured, while the truck just kept on driving. If this annexation is approved and moves forward, may I recommend speed bumps or dips strategically placed along the entire length of Hollow Road to create slower, safer drivers.

My next concern I would like to address is our already very high property taxes. We chose to live in Unincorporated Cache County for the rural beauty and our freedom to have farm animals' and larger private property. I have lived in Cache Valley my whole life and I realize the uniqueness and rare opportunities my children have had being raised on Hollow Road with these amazing neighbors who share our love of open space, privacy, and the security this area brings. We bought an older, modest home twenty years ago for \$200 thousand and our property taxes reflected an accurate appraisal price. Over the years our home and property taxes have rapidly increase in comparison with other homes our size in Cache Valley with the staggering appraisal price of \$950 thousand as of 2025. Our salaries haven't increase enough to pay these taxes and many of our neighbors are older with fixed incomes. We are already being priced out of our homes by fiat rates that the county has attached to our properties but with the potential of a very upscale subdivision being considered for the Hansen properties, we fear we no long will be able to pay the taxes to keep living our modest, country, lifestyle. This is very disheartening to me and all those in the potentially impacted areas.

My final issue is that the well water my family and neighbors rely on will be compromised or contaminated by the construction of this area. We are one of seven homes that are part of a water company that had 5 or 6 of the homes either touching the proposed annexation property or within a very close distance, which concerns us about the lateral springs and our two wells. To my knowledge, weigher Nibley City or the developers have evaluated or tested the water impact for this area. I ask that you please carefully evaluate our situation and if it is wise and prudent to allow a property owner and developer, to turn a profit at our expense and wilk away from the crushing impacts they will leave us with."

Dave Liddell of 4570 Hollow Road. He opposed the annexation of property to Hollow Road on five points; safety and traffic, impact on Nibley City infrastructure including water, sewer, and on-going road maintenance, loss of agriculture land and the preservation of rural heritage, the loss of wildlife habitat, and impact to the quality of life of other people living on Hollow Road. He opposed the annexation and subsequent zonation of R-2. He agreed that an alternative zoning would be agricultural zoning.

Saundra Liddell of 4570 Hollow Road said everything that had been expressed was deeply concerning to her. She said there had already been an explosion of pollution in

the area of light, insurance issues, and if they packed more houses in that beautiful area, she was not sure how they could even get mortgages in the area. She was worried about safety because Nibley didn't have fire or medical and as always there was the safety of the road on Hollow Road.

Cheryl Bodily read public comment from Mark and Rebecca Lawver:

"Please accept the following as our written public comment in support of Agenda Item 9 for the May 7, 2026, Nibley City Council meeting. We would also ask that it be read into the public record and included with the meeting minutes.

Our names are Mark and Rebecca Lawver, and we live at 4850 Hollow Road in Nibley. Our home is located just north of the property being considered for annexation, and we strongly support Nibley City accepting the annexation petition for further consideration.

We believe annexing this property is in the best interest of Nibley City and the residents along Hollow Road. This land is likely to develop at some point. If it does, we believe it is much better for Nibley City to maintain control over how that development occurs, rather than leaving that decision to another jurisdiction.

As we understand it, the proposed future use is low-density residential, with the applicant requesting Rural Estates zoning. We believe that is the best-case scenario for those of us who live on Hollow Road. Our home sits on 3.7 acres, and many of the properties along our road are between 1 and 5 acres. Two-acre lots would fit well with the current character and feel of the neighborhood.

Our concern is that if Nibley denies this application, the landowners may still pursue development through another path. Since this area is within Nibley's annexation plan, denying it could create unnecessary risk and uncertainty. Worse, the property owners could potentially look to Hyrum instead. If that happened, Hyrum may have different expectations for density and infrastructure, which could result in more homes, more traffic, and a development pattern that is less consistent with the existing Hollow Road neighborhood.

We understand that annexation does not mean every detail of the future development is approved today. However, accepting the petition for further consideration allows Nibley City to stay involved, evaluate the issues, address utility and infrastructure concerns, and help shape the outcome in a way that protects the surrounding area.

For those reasons, we support Agenda Item 9 and encourage the City Council to accept the annexation petition for further consideration.

*Thank you,
Mark and Rebecca Lawver
4850 Hollow Road
Nibley, UT"*

Seeing no further public comments, Mayor Jacobsen closed the Public Comment Period at 6:53 p.m.

Planning Commission Report

Mr. Roberts said there hadn't been a Planning Commission meeting since the Council's last meeting so there was no report.

Staff Reports

Mr. Eliason reported on Nibley City's Spring Clean Up. They had run it consecutively with Hyrum City and felt they'd had significantly less traffic coming from the north. He felt it was very successful and they had made notes of what they would like to do at subsequent clean up events.

Mr. Eliason reported that May 17-23 was National Public Works Week and described activities that would occur for the event.

Mr. Eliason said that the Parks department was working at full swing and battling the weeds that were popping up.

Mr. Eliason described divers that had come in and helped clean Nibley's water tanks. They hadn't previously cleaned the tanks and proposed to clean the tanks every five-years moving forward. Mr. Eliason showed a video of the divers cleaning the tanks.

Workshop: Residential Solicitation Code Amendments (NCC 5.08)

Talon Bigelow reported on this potential Nibley City code change. Mr. Bigelow described Nibley City that current code did not address or provide prohibitions on solicitations.

Mr. Bigelow reviewed three bulleted items:

- No Solicitation Notice (Prohibiting solicitors to knock doors with present "No Solicitation" sign/notice)
- Time of Day Restrictions (9:00 AM to 9:00 PM)
- Buyer's Right to Cancel (Three days to cancel agreement)

Councilmember Kenczka asked if Mr. Bigelow had example of the most restrictive ordinance he'd found in his research. Mr. Bigelow described Riverton's ordinance restrictions of 10 a.m. to 7 p.m. but said generally the codes were similar.

Councilmember Laursen asked if the city had gotten any complaints about non-profits or charities that had solicited. Mr. Bigelow said they'd only received complaints regarding business, which they'd followed up with.

Mayor Jacobsen noted the Federal Trade Commission already had a three-day cooling off rule that applied to something sold to an individual at their home or dormitory or at a temporary sales location. Mayor Jacobsen requested a newsletter article referring gearing to the FTC's buyer's right to cancel.

Councilmember Mann asked what the recourse was to the solicitor if the City called notifying them they hadn't followed the rules? Mr. Bigelow said their level of enforcement was a \$500 or a Class B Misdemeanor with possible 6 months of jail time.

Councilmember Laursen said he hadn't seen anything in the example codes that had addressed, on a tiered basis, what was bothersome. He felt an amendment to the code would require a lot of definitions. Councilmember Mann discussed many definitions of solicitation, which could include opinion, money for profit, ballot signatures, and charitable donations.

Mayor Jacobsen asked the City Council to let him know if they would like an ordinance to change on the agenda.

Discussion and Consideration: Denial of an Annexation for Real Property into the Municipal Boundaries of Nibley City at approximately 5325 S Hollow Road, Nibley, with parcel numbers 01-003-0010, 01-003-0011, 01-003-0028, and 01-003-0029 (Applicant: Rachel S. Hansen & Trever D. Hansen)

Mr. Roberts said Rachel and Trevor Hansen had previously submitted an annexation petition and the petition had been changed and the only way forward to consider the new annexation was to deny the old annexation petition.

Councilmember Laursen moved to deny an Annexation for Real Property into the Municipal Boundaries of Nibley City at approximately 5325 S Hollow Road, Nibley, with parcel numbers 01-003-0010, 01-003-0011, 01-003-0028, and 01-003-0029 (Applicant: Rachel S. Hansen & Trever D. Hansen). Councilmember Kenczka seconded the motion. The motion passed unanimously 5-0; with Councilmember Laursen, Councilmember Kenczka, Councilmember Mann, Councilmember Mansell, and Councilmember Spaulding all in favor.

Discussion and Consideration: Acceptance of an Annexation Petition for further Consideration for 01-003-0010, 01-003-0011, 01-003-0028, 01-003-0029 at Approximately 5325 Hollow Road and a portion of Parcels 03-066-0034 and 03-066-0032 at 4950 Hollow Road, and a Portion of Parcels 03-066-0034 and 03-066-0032, Located at Approximately 4950 Hollow Road (Applicant: Rachel & Trever D. Hansen, Andrew & Bethany Neilson)

Mayor Jacobsen disclosed that he was employed by the Utah Water Research Lab and the Director of the Utah Water Research Lab was a minor property owner in this land annexation. He would not be voting on the consideration to accept the annexation petition. He offered to step down as chair of the meeting during discussion of the annexation if the City Council advised him to.

Mr. Roberts led the presentation of this item. He used electronic slides to share information with the City Council and the public present. His slides were titled, *Nibley City Council Meeting, May 7, 2016; Hansen Annexation Petition*. The topics included in his presentation included the following: Background, a plat map of the proposed annexation area, a view of the proposed annexation area as highlighted on the Cache County Parcel Viewer, and Recommendation:

"Accept Annexation Petition for further Consideration for 01-003-0010, 01-003-0011, 01-003-0028, 01-003-0029 at Approximately 5325 Hollow Road and a portion of Parcels 03-066-0034 and 03-066-0032 at 4950 Hollow Road, and a Portion of Parcels 03-066-0034 and 03-066-0032, Located at Approximately 4950 Hollow Road

- *Include direction to pursue annexation agreement to define terms related to necessary water system and roadway improvements in conjunction with future development."*

The City Council and staff discussed the location of the property in relationship to Hyrum City and scenarios of potential annexation of the property to Hyrum City

Councilmember Kenczka moved to accept the Annexation Petition for further Consideration for 01-003-0010, 01-003-0011, 01-003-0028, 01-003-0029 at Approximately 5325 Hollow Road and a portion of Parcels 03-066-0034 and 03-066-0032 at 4950 Hollow Road, and a Portion of Parcels 03-066-0034 and 03-066-0032, Located at Approximately 4950 Hollow Road (Applicant: Rachel & Trever D. Hansen, Andrew & Bethany Neilson). Councilmember Mann seconded the motion.

Councilmember Kenczka questioned the process of annexation moving forward and when the appropriate time was for the City Council to ask questions of staff?

Councilmember Laursen directed the City Council and staff, moving forward with all annexations, to look at the Annexation Policy Plan that was adopted in 2018, and an approved new General Plan, that gave things they should consider when annexing land. He said the City Council should read these considerations and apply them.

Councilmember Laursen directed staff to look at the estimated tax consequences to residents within municipal boundaries and the expansion area and *"the analysis of property tax per acre and utility fee collection for specific types of development and will apply this when considering areas proposed for annexation"* or that Nibley would not intend to raise taxes to support future annexations. When it came to annexation, it was not always the solution, and they needed to recognize if the type of development

proposed would cover its maintenance costs. He doubted anything on Hollow road could cover its maintenance cost. Councilmember Laursen said they should follow was in their 2018 plan, and in the lense of the new General Plan, that was passed. He wanted staff to investigate the tax per acres impact for the local residents as well as all the residents in Nibley. Mr. Roberts thought looking at the revenue for the development and maintenance of the infrastructure costs could get them close to that number. It would be a tax burden if the revenue they got from the development didn't cover the maintenance costs to the City.

The motion passed unanimously 5-0; with Councilmember Kenczka, Councilmember Mann, Councilmember Laursen, Councilmember Mansell, and Councilmember Spaulding all in favor.

Discussion and Consideration: Ordinance 26-04—Amending NCC 19.24.060 Accessory Buildings, Including Modifications to Regulate Setbacks of Small Accessory Buildings (First Reading)

Mr. Roberts led the presentation of this item. He used electronic slides to share information with the City Council and the public present. His slides were titled, *Nibley City Council Meeting, May 7, 2026; Accessory Building Regulations*. The topics included in his presentation included the following: Background, Summary of Amendments, and Planning Commission and Staff Recommendation:

"Approval of Ordinance 26-04—Amending NCC 19.24.060 Accessory Buildings, Including Modifications to Regulate Setbacks of Small Accessory Buildings"

Councilmember Kenczka recalled some of the frustrations that had been expressed by Nibley's residents regarding fire code. He asked if this had been addressed in code or if it needed to be added. Mr. Roberts said they needed to be careful of their jurisdiction, and the fire regulation should be left to the fire marshal.

Councilmember Laursen moved to approve Ordinance 26-04—Amending NCC 19.24.060 Accessory Buildings, Including Modifications to Regulate Setbacks of Small Accessory Buildings. Councilmember Kenczka seconded the motion.

Mayor Jacobsen said he would like B.2. to be cleaned up and add the words, "All accessory buildings, that require a building permit, regardless of size, shall comply with all setback requirements. All accessory buildings that do not require a building permit are exempt from setback requirements." Mr. Roberts suggested sections that would address buildings that required a building permit and a section in the code for buildings that would not require a building permit. Mayor Jacobsen asked about height on non-permitted accessory buildings. He questioned if there would be a height restriction on non-permitted accessory structures in the setback. The Council discussed accessory structure height limits. The Council discussed a permitting process for sheds, like a fence permit requirement. Mayor Jacobsen felt a space requirements chart should be

modified to spell out non-permit required accessory building and listed right in the code provision chart.

Mayor Jacobsen asked for rewording on B.4.

"Accessory buildings and structures which do not require a building permit may encroach into the public, or other utility easement, as long as it is located on the ground or on removable skids."

Councilmember Laursen discussed a resident wanting to sell eggs in the front yard and that the proposed code wouldn't allow this. He thought their minimum front yard setback were "dumb." Councilmember Kenczka asked how the Council felt about, as lots scaled down, that shed height ought to also scale down. The Council and Mr. Roberts discussed how this had been addressed. Councilmember Mansell questioned if they had made the code more complicated and suggested wording that would simplify the proposed code. Mr. Roberts said he would focus on organizational changes to the wording but not necessarily changes to policy and he would reorganize and focus on making the code easier to read for the next meeting when the ordinance was discussed.

The motion passed 5-0; with Councilmember Laursen, Councilmember Kenczka, Councilmember Mann, Councilmember Mansell, and Councilmember Spaulding all in favor.

Discussion and Consideration: Acceptance of a Contractor with Consolidated Paving and Concrete for the Nibley Chip and Seal FY 26-27 Road Maintenance Project including a Change Order for Additional Treatment on 3200 South to SR-165
Chet Olsen, Nibley City Street Division Manager led this presentation.

Mr. Olsen showed a map displaying all the arterial roads proposed for chip and seal treatment in 2026. He said their staff felt chip and seal was the best treatment and held up longer. Mr. Olsen discussed the size of project that typical chip-seal contractors bid on. He reported staff had decided to go with a 3/8 chip grade and they would not be chipping the designed bike lane on 1200 west. Mr. Olsen described some benefits of chip-seal treatments. Mayor Jacobsen asked if Cache County had bid on the project. Mr. Olsen said they had reached out to Cache County, but they had not put in a bid.

Councilmember Laursen moved to accept the Contractor with Consolidated Paving and Concrete for the Nibley Chip and Seal FY 26-27 Road Maintenance Project including a Change Order for Additional Treatment on 3200 South to SR-165. Councilmember Mann seconded the motion.

Councilmember Laursen asked what could be said to a resident that asked why they were resealing roads they'd already done before, or a road that had been barely built, or road that was poorly build by someone else? Mr. Olsen agreed that the resident

could be informed of their road program using Informed Streets and these roads were identified as needed to be maintain because they were most used. Mr. Dickinson that these were main roads that got used the most often and needed to be treated more often. Councilmember Kenczka asked if preventative maintenance was better than redoing a road. Mr. Olsen said the goal was preservation before rehabilitation when it came to roads. Mr. Dickinson discussed differing opinions on road treatment.

The motion passed unanimously 5-0; with Councilmember Laursen, Councilmember Mann, Councilmember Mansell, Councilmember Kenczka, and Councilmember Spaulding all in favor.

Discussion and Consideration: Acceptance of a Contract with LeGrand Johnson Construction for the Construction of the 2600 South Sidewalks from 800 West to Nibley Elementary School project

Tom Dickinson, Nibley City Engineer led the discussion on this item.

Mr. Dickinson said this would cover the construction and expansion of a sidewalk, using the City's existing right-of-way, from the south main entrance of Nibley Elementary School to 800 West. Mr. Dickinson described the bottleneck that occurred on the sidewalk when the school was let out for the day. This would widen the sidewalk and include curb and gutter. Mr. Dickinson described the bidding process and the bids that had come in and the bid city staff was proposing. Mr. Dickinson said the project funds were budgeted in the current fiscal year budget.

Councilmember Laursen moved to accept a Contract with LeGrand Johnson Construction for the Construction of the 2600 South Sidewalks from 800 West to Nibley Elementary School project. Councilmember Kenczka seconded the motion.

Councilmember Mansell asked for an explanation of the variation of bid amount submitted. Mr. Dickinson clarified this. Councilmember Mann asked if the corner of 2600 South and 800 West would include a bulb out. He said they would be including a red flashing stop sign on the northeast corner for west bound traffic. Councilmember Laursen asked about the drainage plan and asked where they would be sending the water. Mr. Dickinson said they would balance the cross slope of the road that shifted the water to the curb and in this case, there was an existing catch basin on the north side. He described that that water would flow east until it got to the school and then flow north. Mr. Dickinson and Councilmember Laursen discussed how deep they would have to dig down to put in the curb and sidewalk.

The motion passed unanimously 5-0; with Councilmember Laursen, Councilmember Kenczka, Councilmember Mann, Councilmember Mansell, and Councilmember Spaulding all in favor.

Seeing no opposition, Mayor Jacobsen called for a meeting break at 9:04 p.m. The meeting resumed at 9:15 p.m.

Discussion and Consideration: Resolution 26-10—A Resolution of the City Council of Nibley City Acknowledging: The Filing of the Tentative Budget for Fiscal Year 2026-27 Prepared by the Budget Officer Pursuant to Section 10-6-111 of Utah Code, Adopting a Tentative Budget Subject to Further Review and Consideration by the Nibley City Council; Establishing the Date, Time, and Place For a Public Hearing on the Tentative Budget Prior to Adoption of the Final Budget for the Fiscal Year 2026-27, Subject to the Requirement of Section 59-2-919 and 59-2-924 of the Utah Code; Ordering Publication of Notices as Required by Law; and Ordering the Tentative Budget to Be Available for Public Inspection in the Office of the City Recorder and on the City's Website for at Least 10 Days Prior to Adoption of the Final Budget (First Reading)

Mr. Maughan led the presentation of this item. He used electronic slides to share information with the City Council and the public present. His slides were titled, *Nibley City Fiscal Year 26/27 Proposed Budget; Justin Maughan, PE Nibley City Manager 5/7/2026*. The topics included in his presentation included the following: General Rules, Class C Streets Fund – Used to fund maintenance projects for roadways, Municipal Building Authority-Separate Legal Entity used to get a load for construction of City Hall, Community Reinvestment Agency-No Current Projects, Emergency Medical Services-Currently pays contract with Cache County, Water Fund Summary, Sewer Fund Summary, Stormwater Summary, Impact Fees's – Used to mitigate the effects of development in respective cities, Water Impact Fees, Park Impact Fees, Sewer Impact Fees, Stormwater Impact Fees, Street Impact Fees, Capital Projects, Capital Project Revenue, Capital Project Expenditures, General Fund, Things the General Fund Covers, General Fund Expenses \$6,197,000, Expenditures, General Fund Revenue \$6,197,000, Revenue, Revenue from Taxes \$3,506,000, Cost Increase from Last Fiscal Year, Let's Raise Taxes!!, Revenue and Expenses \$26,915,500, Increase of \$250,00 as compared to entire City Budget, Salaries, WOW Started in 2024, WOW in 2026, History of Salaries, Travel, Training, and Education, Growth, Building Permits Issued, Administration Fee's, Admin Fee's, and Questions?

Councilmember Mann directed the mission statement be updated on page 11 of the budget.

Mayor Jacobsen thought if they could find ways to spend capital project on mitigation growth, that would be a great way to spend capital project funds: vehicle safety and active transportation safety.

Councilmember Laursen moved to approve Resolution 26-10—A Resolution of the City Council of Nibley City Acknowledging: The Filing of the Tentative Budget for Fiscal Year 2026-27 Prepared by the Budget Officer Pursuant to Section 10-6-111 of Utah Code, Adopting a Tentative Budget Subject to Further Review and Consideration by the Nibley City Council; Establishing the Date, Time, and Place For a Public Hearing on the Tentative

Budget Prior to Adoption of the Final Budget for the Fiscal Year 2026-27, Subject to the Requirement of Section 59-2-919 and 59-2-924 of the Utah Code; Ordering Publication of Notices as Required by Law; and Ordering the Tentative Budget to Be Available for Public Inspection in the Office of the City Recorder and on the City's Website for at Least 10 Days Prior to Adoption of the Final Budget, for first reading. Councilmember Mann seconded the motion. The motion passed 5-0; with Councilmember Laursen, Councilmember Mann, Councilmember Mansell, Councilmember Kenczka, and Councilmember Spaulding all in favor.

An Executive Officer or Budget Officer of the Taxing Entity (Nibley City) Intends to State in the Public Meeting That the Tentative Budget Includes a Proposed Tax Rate Increase

Statement of Budget Officer: That the Nibley City Tentative 2026-27 Budget Includes a Proposed Property Tax Increase

Mr. Maughan stated, *"That the Nibley City tentative 26-27 Budget includes a proposed property tax increase."* Mr. Maughan stated that he was the budget officer for Nibley City.

Presentation: Budget Officer Presents and Makes Available to the Public a Property Tax Impact Schedule as a Separate Document from Other Budget Documents

Mr. Maughan presented a 2026-27 Property Tax Impact Schedule and reviewed the details of the proposed property tax increase.

Discussion and Consideration: Resolution 26-11—A Resolution of the City Council of Nibley City Acknowledging: A Separate item is on the Agenda for the Public Meeting on May 7, 2026, Notifying the Public That the Budget Officer Intends to State to the Nibley City Council that the Tentative Budget for Fiscal Year 2026-27 Includes a Proposed Property Tax Increase; Acknowledging that the Budget Officer Made a Statement to the Nibley City Council in the May 7, 2026, Public Meeting that the Tentative Budget Includes a Proposed Tax Rate Increase; Acknowledging that the Budget officer Presented to the Nibley City Council, as a Separate Item on the Agenda, in the Same Public Meeting, A property Tax Impact Schedule Separate from Other Budget Documents, as Defined in Section 59-2-924 of Utah Code; and Directing that the property Tax Impact Schedule Shall be Available for Public Inspection and Will Be Included As a Separate Agenda Item at Each Public Hearing Prior to June 30 at Which the Nibley City Council Discusses the Proposed General Fund Budget for Fiscal Year 2026-27 (First Reading)

Councilmember Laursen moved to approve Resolution 26-11 and waived the second reading. Councilmember Kenczka seconded the motion.

Voting on the motion to approve Resolution 26-11 was as follows:

Councilmember Laursen voted in favor.

Councilmember Mann voted in favor.

Councilmember Spaulding voted in favor.
Councilmember Kenczka voted in favor.
Councilmember Mansell voted in favor.

Resolution 26-11 passed unanimously 5-0; with Councilmember Laursen, Councilmember Kenczka, Councilmember Mann, Councilmember Mansell, and Councilmember Spaulding all in favor.

Discussion and Consideration: Resolution 26-12— A Resolution of the City Council of Nibley City Acknowledging: That a Separate Item is Included on the Agenda for Public Meeting on May 7, 2026 Notifying the Public that the Budget Officer or Executive Intends to Make a Statement as Required by Section 59-2-919 (4)(b) or the Utah Code; Acknowledging that the Budget Officer or Executive made the Statement as Required by Section 59-2-919 (4)(b) of the Utah Code; Setting the Date, Time, and Place of the Public Hearing on the Proposed Property Tax Increase as Required by Section 59-2-919 of the Utah Code; and Directing the Budget Officer or Designee to send a notice before June 1, 2026 to the Utah State Tax Commission ("Tax Commission") and the Cache County Auditor ("County Auditor") stating that the City is considering a Property Tax Increase, and the Date, Time and Place for the Public Hearing Required by Section 59-2-919 of the Utah Code (First Reading)

Councilmember Laursen moved to approve Resolution 25-12, amending a clerical error, and waived the second reading. Councilmember Kenczka seconded the motion.

Voting on the motion to approve Resolution 26-12 was as follows:
Councilmember Mansell voted in favor.
Councilmember Kenczka voted in favor.
Councilmember Spaulding voted in favor.
Councilmember Mann voted in favor.
Councilmember Laursen voted in favor.

Resolution 26-12 passed unanimously 5-0; with Councilmember Laursen, Councilmember Kenczka, Councilmember Mann, Councilmember Mansell, and Councilmember Spaulding all in favor.

Council Reports

Councilmember Kenczka reported that a resident had approached him about putting reflective taping on the jersey barriers on 1200 West.

Councilmember Spaulding reported that residents had requested that at the intersection of Stonebridge and 1200 west they would like a yellow flashing crossing. Mr. Dickinson said they were just wrapping up traffic studies at those intersections, and they could take the findings of the study and make decisions from those findings. The City Council said they would like to have the findings presented to them at the next meeting.

Councilmember Mann questioned why the rezone application for the Fields property was not on the Council's agenda? Mr. Dickinson described why the item had been removed from the agenda.

Councilmember Laursen reminded the City Council that a citizen had asked that they consider a trail be paved off 3200. He reminded the City Council that they were in the budget process and that this improvement could be included in the upcoming budget.

Mayor Jacobsen asked if they were collecting traffic, speed, and counts off Hollow Road. Mr. Dickinson reported that they had been collected in the past week.

Mr. Roberts reported that there was a joint City Council and Planning Commission meeting scheduled for Thursday, May 14 at 6:30 to discuss residential zones.

Mr. Roberts said the City hadn't received a grant from UDOT Technical Planning Assistance. They needed to discuss how they wanted to approach drafting an ordinance.

Mr. Dickinson reported on the Nibley City Center Park construction was underway. They had just finished the jump line and should finish the bike park by next Friday. The pave date for the parking lot was early June. The restroom or the lights would not be in place for Heritage Days. Mr. Dickinson described the remainder of the items in Phase 1.

Mr. Dickinson reported on the status of the update to the Transportation Master Plan.

Ms. Bodily reminded the City Council to ensure they used their public email accounts when acting in a public capacity. The consultant would be setting up a booth and Heritage Days during his scope of work to encourage and seek public input.

Mr. Wright reminded the City that Heritage Days was June 13th through the 20th. He said the Bike Park opening should be June 15th and it would be great to have an official statement at the event. Mr. Wright said the Community Dinner would be on the 19th and the Heritage Day parade was on the 20th. He asked the City Council to plan to participate.

Mr. Wright reminded the City Council of the new bike law that took effect on May 6. He said the law applied to e-bikes and e-scooter. Staff was working to understand the provisions of the law.

Seeing no objection, Mayor Jacobsen adjourned the meeting at 11:14 p.m.

Attest: 
City Recorder