



NIBLEY CITY
CITY COUNCIL MEETING AGENDA
Thursday, December 3, 2015
6:30 p.m.

Nibley City Hall
455 West 3200 South
Nibley, Utah 84321

1. Opening Ceremonies (Mayor Dustin)
2. Call to Order and Roll Call (Chair)
3. Approval of Minutes and Agenda (Chair)
4. Public Comment Period* (Chair)
5. Discussion and Consideration of Resolution 15-11: A Resolution Waiving Impact Fees for The Stokes Nature Center
6. Presentation of the Annual Audit
7. Presentation of Input Received at General Plan Update Open House
8. Council and Staff Reports

Adjourn Meeting

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, REASONABLE ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES WILL BE PROVIDED UPON REQUEST. FOR ASSISTANCE, PLEASE CALL 752-0431 A MINIMUM OF 24 HOURS BEFORE THE MEETING.

**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.*



Nibley City Council Agenda Report for December 3, 2015

Agenda Item #2

Description	Discussion of Proposed Rules for Public Comments During Council Meeting
Department	City Council
Presenter	Shaun Dustin, Mayor
Sponsor	n/a
Applicant	n/a
Background	The Mayor will propose suggested rules for public comment.
Recommendation	Discuss proposed rules and provide input
Financial Impact	n/a
Reviewed By	Mayor, City Manager

Agenda Item #3

Description	Discussion and Consideration of Resolution 15-11: A Resolution Waiving Impact Fees for The Stokes Nature Center
Department	City Council, Water and Sewer, Treasurer
Presenter	David Zook, City Manager
Sponsor	n/a
Applicant	Stokes Nature Center
Background	<p>Nibley City owns, operates and maintains water and sewer systems. In exchange for use of those systems, and to pay for capacity upgrades in those systems, Nibley City requires that an impact fee be paid when connecting to the systems.</p> <p>Nibley City code §8-6-6-1, "Waiver for Public Purpose", states, in part, that the City Council "...may, on a project by project basis, authorize exceptions or adjustments to the impact fee rate structure for those projects the Council determines to be of such benefit to the community as a whole to justify the exception or adjustment."</p> <p>The Stokes Nature Center , a 501(c)(3), educational, non-profit organization, owns property in Nibley City, north of 2600 S and east of SR 165. The Center has made application to the Nibley City Council to waive the required impact fees in order for the Center to connect to the Nibley City water and sewer systems. The Center has future plans to build an educational facility, such as a classroom or pavilion, which would require water and sewer service for restrooms. The Center has stated that its intent is to engage with the City in educational program planning on a variety of topics which may include, but is not limited to: nature tours, merit badge classes, concerts, family programming and summer classes. The Center has sent the City a signed letter indicated that, in exchange for the City waiving the fees, it would cooperate with the City in providing these services to our residents and that it would allow the City to use the facilities for such offerings.</p> <p>The Center would still be required to pay the usual monthly utility bills for service by the Nibley City water and sewer systems after it constructs a facility and connects to the system.</p> <p>The Center is raising money to build a facility on the property and plans to construct it once funds are raised. No timeframe has been provided for when the Center hopes to have raised sufficient funds.</p>
Recommendation	Make a finding that the Center's operations in the City would provide a benefit to the community as a whole and that the impact fees should be waived.
Financial Impact	<p>The water impact fee would normally be \$1,950. The sewer impact fee would normally be \$1,725. The total amount to be waived would be \$3,675.</p> <p>Total water impact fees expected to be received by the City this fiscal</p>

	<p>year are approximately \$120,000.</p> <p>Total sewer impact fees expected to be received by the City this fiscal year are approximately \$100,000.</p> <p>Waiving these fees would amount to a loss of revenue in each impact fee fund of approximately 2% this fiscal year.</p> <p>Impact fees are only paid once at the time of initial construction and connection to the system.</p>
Reviewed By	Mayor, City Manager, City Attorney, Public Works Director, City Planner

Agenda Item #4

Description	Presentation of the Annual Audit
Department	City Council, City Recorder
Presenter	David Zook, City Recorder and Matt Regen, Independent Auditor
Sponsor	n/a
Applicant	n/a
Background	<p>State law requires the City Recorder or other delegated person to present the annual audited financial statement to the City Council within six months of the end of the fiscal year.</p> <p>The City has engaged the services of an independent auditor, Matt Regen, to provide these services and present audited financials to the Council.</p> <p>In performing the audit, Mr. Regen reviewed the City's financial records, interviewed multiple staff members, including the Mayor, City Manager, Court Clerk, Treasurer and others, contacted organizations with which the City has financial dealings, and verified multiple compliance items.</p>
Recommendation	Receive the report
Financial Impact	The cost for outside auditing services is approximately \$10,000 per year.
Reviewed By	Mayor, City Manager, Treasurer

Agenda Item #5

Description	Presentation of Input Received at General Plan Update Open House
Department	City Council, Planning
Presenter	Shari Phippen, City Planner
Sponsor	n/a
Applicant	n/a
Background	On Saturday, November 14, 2015, the City, in cooperation with the consultant hired to update the General plan, held a public open house in order to receive input from the public regarding the general plan update. The consultant has compiled the input received into the attached report for the Council's information. The City Planner will present the findings to the Council.
Recommendation	Receive and review the information
Financial Impact	The budget for the General Plan update is \$35,000
Reviewed By	Mayor, City Manager, City Planner

RESOLUTION 15-11

A RESOLUTION WAIVING IMPACT FEES FOR THE STOKES NATURE CENTER

WHEREAS, Nibley City owns, operates and maintains water and sewer infrastructure systems; and

WHEREAS, in exchange for use of said systems, Nibley City requires that an impact fee be paid when connecting to the infrastructure systems; and

WHEREAS, Nibley City code §8-6-6-1, "Waiver for Public Purpose", states, in part, that the City Council "...may, on a project by project basis, authorize exceptions or adjustments to the impact fee rate structure for those projects the Council determines to be of such benefit to the community as a whole to justify the exception or adjustment."; and

WHEREAS, the Stokes Nature Center ("the Center"), a registered 501(c)(3), educational, non-profit organization, owns property located within the area served by the Nibley City water and sewer systems; and

WHEREAS, the Center has made application to the Nibley City Council to waive the required impact fees in order for the Center to connect to the Nibley City water and sewer systems; and

WHEREAS, the Center's stated intent is to engage with the City in educational program planning on a variety of topics which may include, but is not limited to: nature tours, merit badge classes, concerts, family programming and summer classes; and

WHEREAS, the Nibley City Council has determined that the Center's future plans are of such a benefit to the community as a whole that the impact fees should be waived.

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

1. The Center shall not be charged impact fees for their connection to the Nibley City water and sewer systems.
2. The Center shall pay the required monthly utility bills for service by the Nibley City water and sewer systems.

Dated this _____ day of _____, 2015

Shaun Dustin, Mayor

ATTEST

David Zook, City Recorder



Hwy 89 | PO Box 4204 | Logan, UT 84323 | 435.755.3239 | LoganNature.org

November 13, 2015

Agreement of Principle

Stokes Nature Center is a non-profit environmental education organization located in Cache County, Utah. Our property located at approximately 50 West 2600 South in Nibley will be an ideal location to provide educational programming for the residents of Nibley and the southern end of Cache Valley.

Because the property has a Utah Division of Wildlife Resources conservation easement, any construction will be limited in scope. We have recently brought utilities to the property, and are developing a plan to build a parking area, restroom, pavilion, and trail network. Stokes Nature Center is requesting that Nibley City waive any future impact fees for construction that may occur on the Stokes Nature Center property located within Nibley City limits.

In exchange for the waiving of impact fees, Stokes Nature Center will offer to collaborate with Nibley City on a variety of programs throughout the year. These programs may include, but would not be limited to, Boy Scout merit badge classes, nature tours on the property, concerts, family programming, summer camps, or other science programs.

Nibley City's access to the property would be coordinated through Stokes Nature Center staff, and the City would not be responsible for any maintenance of the property.

We look forward to developing a mutually beneficial long term partnership with the City of Nibley. Please contact me at marklc@usu.edu or 435-760-6146 if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Mark Larese-Casanova".

Mark Larese-Casanova, President
Stokes Nature Center Board of Trustees

Approval:

Shaun Dustin, Mayor
Nibley City

David Zook, Recorder/City Manager
Nibley City



Open House Summary

November 14, 2015

Executive Summary

As the first opportunity for public engagement by Logan Simpson in the process of updating the 2007 General Plan and creating the Town Center Master Plan, a vision workshop was held to identify key issues and priorities and to examine elements of a community vision. The event was held on Saturday, November 14 at Heritage Elementary School. This was the third community event in the overall General Plan update process, with Rural Planning Group holding two workshops in early 2015.

The General Plan and Town Center Master Plan rely on broad community input to express the community's values. We were able to engage over 50 participants at the open house (48 signed in, with an estimated 10 that did not sign in and 10+ children present), which was publicized by emailing the City email list, the City text alert list, on social media, the City webpage, and through signs placed around the City.

At the meetings, informational boards explained the need for a General Plan update and a Town Center Master Plan, presented draft vision statements, density and character images, and options for a town center location. Participants could drop by at any time during the open house to review materials and participate in discussions with facilitators and fellow community members. Discussion stations focused on different themes: community vision statements, growth and density, and town center visual examples. The ideas of participants are summarized below, with a full list of formal comments received at the end of this summary. Copies of the boards are also included after this summary. Public engagement will continue online throughout the General Plan update process.



Visioning

Participants were asked to review draft vision statements and comment on whether they agree with the statements, if they fit their vision, and add their own statements. Participants placed stickers on statements they agree with, along with adding their own comments on why or why they didn't agree.

Overall Community Vision

Based on the public comment received, the overall community vision for Nibley should focus on walkable places, preservation of natural features, and protection of recreational areas. There was a bit of disagreement on the need to improve commercial and industrial areas, with several participants' opinion that they don't fit Nibley's vision, while others expressing the view, that if Nibley grows, well designed and appropriate commercial areas are important. Either way, protecting existing residential areas is very important for the future of Nibley.

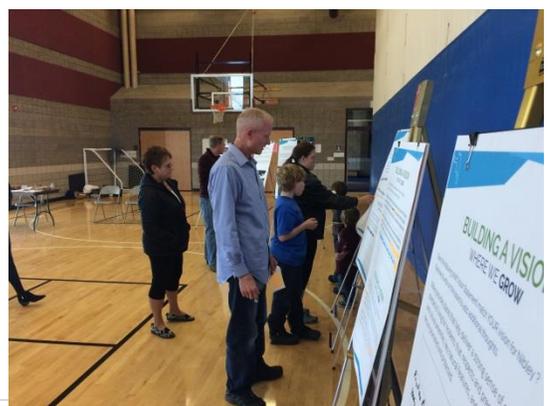
Where We Live Vision

The vision statement that received the most support was *"Nibley is a healthy and sustainable place, where protecting and highlighting natural assets, such as the view of the Wellsville Mountains and key wildlife corridors, and where open space are prioritized."* The other vision statement received mixed feedback, with support and rejection for diversity of housing options that appeal to families, singles, and seniors. A comment written on the board referring to no apartment complexes and keeping larger lot sizes received 8 stickers of support. Another comment mentioned that the neighborhood nonprofits already in place satisfy the HUD and DOJ requirements.

Lot sizes were a common discussion point. It appears that although keeping the rural feel is important to residents, many don't feel that a landscape full of ¼ lots accomplishes "rural", but rather preserving farmland and open spaces, which may mean accommodating a diversity of housing types and sizes to cluster development.

Where We Work Vision

Both vision statements shown on the boards received equal support, with no opposing comments. Based on conversations, it seems that residents would support a small addition of employment opportunities in Nibley, but are fine commuting to Logan and other cities for work opportunities. One comment on the board was, "How



about those sw/hitech companies that don't need a big footprint."

Where We Play Vision

A regional interconnected trail system and improved trail facilities should be a major component of the future vision for recreation. Participants were split on the need for additional sports parks, but there is support for diversifying Nibley's parks and providing something for everyone. Interconnected trails are highly supported and mentioned on several boards/comments sheets as a need and promised asset of Nibley.



Where We Move Vision

The proposed vision statements received nearly equal support, with no negative comments. There was a suggestion that sidewalks need to be completed and there was a lot of support for bike trails. The vision statement (statement 2), which focused more on promoting a balance of residential growth with commercial development and promoting the areas original character and charm received slightly more support than the other, which focused on supporting the addition of small, local convenience commercial.



Where We Grow Vision

Draft Vision Statement: *Nibley provides places that help deliver a strong sense of community and a high standard of living for residents that respects and reserves our heritage. Historic and cultural amenities, key natural features, and quality recreational opportunities are promoted and protected.*

Participants generally agreed and supported the draft vision statement, with emphasis on protecting natural features and recreational opportunities. Participant comments included the importance of prioritizing recreation activities to allow families and kids to unplug and maintaining agriculture/farmland. One comment, "Rural means farms, not 1,000's of ¼ acre lots" was written on the board. Another comment was to build a nature center to educate youth, visit, and relax, as well as a community fishing pond.



Based on conversations with individuals at the meeting and comments on the "How we grow?" map, there is also some support for expanding the City boundary on the southwest side of the City. There were also areas identified for preservation and nature viewing.



How We Grow Images

Residential Densities Board 1:

Images of Nibley received the most support, with some supporting stickers on a rural appearing road in Logan and two support stickers on Sommerset Farm in Farmington.

Residential Densities Board 2:

Columbia, Maryland received the most stickers out of any images on the two boards, with 25. A rural road in The Woodlands, Texas received 9 supporting stickers. These are master planned communities which focus on human scale, well landscaped roadways. The multifamily development on the north western edge of Nibley received 5 stickers of support and in discussions with a number of people it appeared that they liked how the development had preserved wetlands and open space and good architecture.

Community Character Board 1:

This character board showed photo examples from throughout Nibley and the detail character shots that received the most support were the photos that illustrated the rural feel of wood and wire-type farm fences with a total of 36 collective votes. The image of the Meadow View entrance sign with electrical boxes was not liked by anyone. With regards to the streetscape character, the most votes went to the more rural feel (no curb & gutter) and well planted streets. Five votes were, however, received on the character photo of the wide, curb and guttered street. Most comments concerning curb and gutter was negative as people generally favored the more natural look which eliminates curb and gutter. The curb and gutter with gravel infill photo received only three votes.

Community Character Board 2:

A specific written comment was written on this board, thus...*"like groomed, useable properties, don't like weedy unmaintained subdivisions"*. The two character photos which received collectively 41 votes were the two that showed Nibley's open space with water channels coursing through them. People also seemed to like the Maverick Gas Station and well planted entrances and streets. The one photo which showed a street intersection with no trees and vinyl fencing received only one vote.

What is missing in Nibley Board:

On this aerial photo of Nibley people were encouraged to write or draw their comments indicating what they thought Nibley was missing, where open lands should be preserved and where future growth should be concentrated. One specific comment was that the open land adjacent and east of Heritage Park should be preserved for nature, birds and fireflies. Another comment suggested "neither more sprawl nor annexation". Also on this map of Nibley one resident suggested that the property where the City Hall is located be designated the "town center". There were five votes for Nibley expansion to the south and west with the comments that green space and open space corridors with trails were also needed in this "future expansion" area. The majority of the people present made the comment that Nibley needed more trails and designated open space for recreation and getting back to nature. A nature center where educational activities were focused was also presented by one family present.

Another strong comment was posted on this board indicating.....*"Put a stop light at 3200 South and SR165"* and *"don't build an extension of 3200 South to connect to Mill Road"*. Yet another comment on this board indicated that a traffic light was needed at 1200 West near the Thomas Edison School as it was a dangerous intersection.

Town Center Opportunities

Three boards relating to the town center were presented; one illustrating the various “activity nodes” that might be considered as the future town center and two showing photographs of existing town centers giving people the opportunity to voice their opinion on the type of character and scale of town center they envisioned for Nibley. These boards generated a great deal of discussion and some, rather heated, controversy. One, very outspoken resident was bold enough to draw a large X through all three boards with the label “No Town Center”. We consider this the “vociferous minority” however because in general discussions with the majority of the attendees, they seemed to like the idea of a “Nibley Town Center”, even with some commercial, but expressed the concern that it be done well and in the appropriate place.

Town Center Board 1:

This board illustrated, in conceptual diagram form, various areas in proximity to Nibley City offices that might be considered as potential civic, commercial or recreational types of “town centers”. There were 13 votes for the current city hall site, five votes for the elevated ground south of 3200 South and five votes for the activity node nearest the new high school being built off 2600 south.

Many people expressed their support of the proposed Nibley River Walk adjacent to Blacksmith Fork and the need for better access to this natural resource. Almost everyone supported the open space, trail connectivity from north to south and the inclusion of more neighborhood parks within the residential developments. Although this map took some education on its meaning and intent, it was, generally, well received, understood and supported.

The only area on the map that received mixed reviews was the more commercial node at the intersection of 3200 south and SR165. There was, however, overwhelming support for a centralized commercial core rather than strip, highway commercial developing along SR165, but some, especially the land owners of this area, expressed concern that it would not happen in their lifetime as they were adamant about keeping the property as rural open space or agriculture. A few of the visitors who lived along 3200 south expressed their concerns and dislike of the idea of connecting 3200 south and Mill Road through their property, but supported the idea of connecting them as an extension of 3200 south across SR 165.

The majority of the participants wholly supported the existing Nibley Park on 3200 South except for the lack of parking and wished that it was larger. Part of the discussion of the area south of the current city offices and the reason there were so many votes for the elevated area was the fact that they perceived this elevated ground to be something unique and special to Nibley and that it should be developed carefully with the sensitivity that it could be a community gathering and/or view point in the future.

Town Center Boards 2 and 3:

These boards attempted to give examples of existing town centers to provide scale and definition to the question of character and type of town center Nibley might expect or aspire to. The photos that received the most votes were DC Ranch and Verrado, Arizona receiving 31 votes collectively.

Other favorites were Corvallis, Oregon (4 votes), Gardner Village, Salt Lake (5 votes), Marley Park, Arizona (3 votes) and Columbia, Maryland (8 votes) respectively. The “no town center” comment received 10 votes but, as observed, these were placed primarily by two visitors to try to prejudice the input.

In summary, during group discussions concerning the town center, the underlying consensus seemed to be that even though we don't see a complete town center developing in the near future, serious current consideration must be given because, based on normal progress and development, Nibley will experience enough growth to warrant developing or designating an area for a town center and with proper planning and design it can provide a long term benefit to the long term character and image of Nibley.

BUILDING A VISION

OVERALL COMMUNITY VISION

Current Vision: Nibley is a well-planned community that encourages the preservation of open space and the rural heritage of Cache Valley.

Do the following draft Vision Statements match YOUR vision for Nibley?
Feel free to write on the board to add additional thoughts.

Nibley is a vibrant community with safe neighborhoods, attractive and walkable places, presentation of natural spaces, and diverse transportation choices.

Nibley maintains a semi-rural atmosphere, as a primarily "bedroom" community, by sustaining and protecting residential areas; ~~increasing and enhancing its recreational areas, public facilities and services; and improving its commercial and industrial areas.~~

Disagree w/ crossing out this section
Disagree w/ crossing out section

our kids need basketball & tennis courts, splash pad
High school tennis courts + basketball for public use

↑
Stickers on crossed out statement means you agree it is crossed off



BUILDING A VISION WHERE WE LIVE

Do the following draft Vision Statements match YOUR vision for Nibley?
Feel free to write on the board to add additional thoughts.

Nibley provides a balance of diverse, high quality housing stock that incorporates a range of housing forms and ~~density~~ *we need more diversity options* that appeal to families, singles, and seniors while retaining character and form of established neighborhoods.

Nibley is a healthy and sustainable place, where protecting and highlighting natural assets, such as the view of the Wellsville Mountains and key wildlife corridors, and where open spaces are prioritized.

No apartment complexes, keep larger lot sizes.

or trailer parks

We have been talking about this in the community meeting. Nibley is a great place to live. Mike DeB...

BUILDING A VISION WHERE WE WORK

Do the following draft Vision Statements match YOUR vision for Nibley?
Feel free to write on the board to add additional thoughts.

Nibley fosters relationships with existing businesses and recognizes local businesses as a vital part of the community. Nibley supports the addition of small, local convenience commercial. *How about these small/medium size shops that need a big footprint?*

Nibley commercial development will be compact and economically sustainable, focused in limited centers, balance with residential growth, and should promote the area's original character and charm.



BUILDING A VISION WHERE WE PLAY

Does the following draft Vision Statement match YOUR vision for Nibley ?
Feel free to write on the board to add additional thoughts.

● Nibley will seek strategic recreation-oriented investments that enhance the recreational experience for residents and visitors. Nibley will have park system interconnected by trails, community facilities, and cultural features, and are connected to neighboring systems and communities.

NO MORE SPORTS PARKS
Love all the parks

No trails that infringe on private residential homes.

We do like the coming tennis courts.

More sports parks!

Diversity our parks. Something for everyone.

Need more Sport parks!

BUILDING A VISION WHERE WE MOVE

● Does the following draft Vision Statement match YOUR vision for Nibley ?
Feel free to write on the board to add additional thoughts.

● Nibley supports an efficient circulation system that will allow traffic flow on major streets and create a safe atmosphere that encourages pedestrians and bicyclists.

Thanks for the sidewalk on 2600s.

We need bike trails / Sidewalks need to be completed

Trail to Riverwalk



BUILDING A VISION WHERE WE GROW

Does the following draft Vision Statement match YOUR vision for Nibley?
Feel free to write on the board to add additional thoughts.

Nibley provides places that help deliver a strong sense of community and a high standard of living for residents that respects and preserves our heritage. Historic and cultural amenities, key natural features, and quality recreational opportunities are promoted and protected.

- family recreation activities, if we are a "bedroom" family community provide recreational activities for kids to "upkeg!" *(Little League Softball)*

Prioritize Maintaining Agri/Farmland - Rural Means Farms Not 1000's of 1/4 acre Lots

Build a Nature Center to educate youth, visit, relax *Community Fish Pond*

HOW WE GROW?

The photos are of a variety of densities and community character. Which photos best represent the densities and character that you would like to see in Nibley in the future?



Nibley, Utah



Nibley, Utah



Verrodo, Arizona



Verrodo, Arizona



Columbia, Maryland



Columbia, Maryland



The Woodlands, Texas



The Woodlands, Texas

HOW WE GROW?

The photos are of a variety of residential densities.
Which photos best represent the densities and layout that you would like to see in Nibley in the future?



Sommerset Farm, Farmington, UT



Sommerset Farm, Farmington, UT



Logan, Utah



Logan, Utah



Nibley, Utah



Nibley, Utah



Nibley, Utah



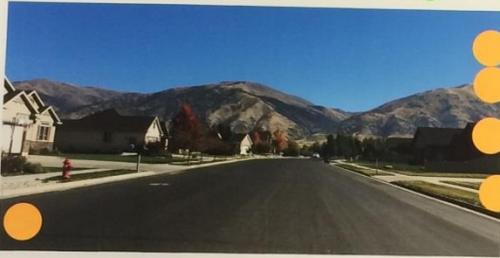
Nibley, Utah

HOW WE GROW?

The photos are of a variety of elements that create and establish **community character**.

Which photos best represent the elements that you would like to see more of to enrich the Nibley community character?

⇒
like
rural/
not
wards



↑ Street Trees are good
agree with more trees!

HOW WE GROW?

The photos are of a variety of elements that create and establish **community character**.

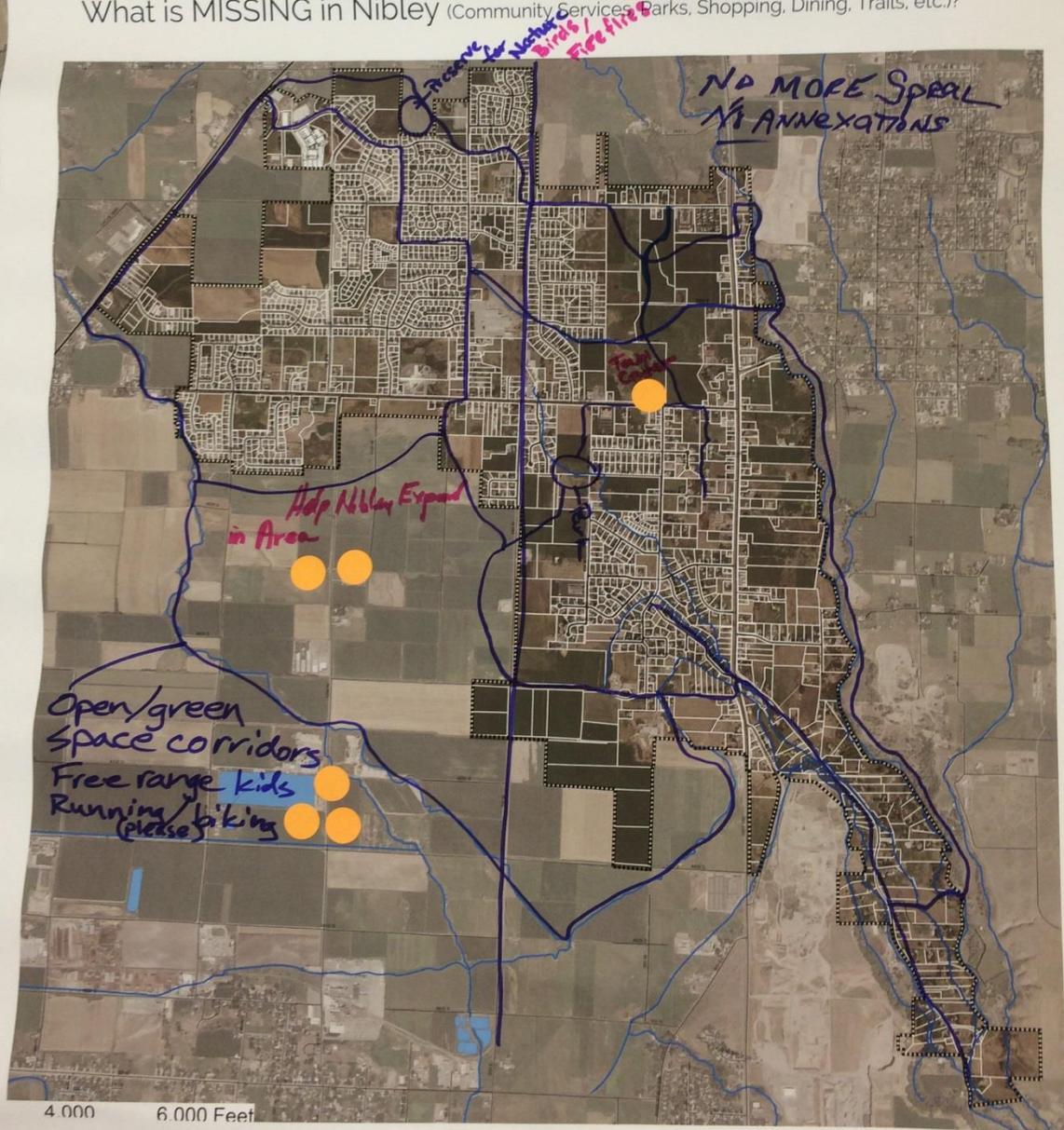
Which photos best represent the elements that you would like to see more of to enrich the Nibley community character?

Like groomed, usable properties
don't like weedy unmaintained subdivisions



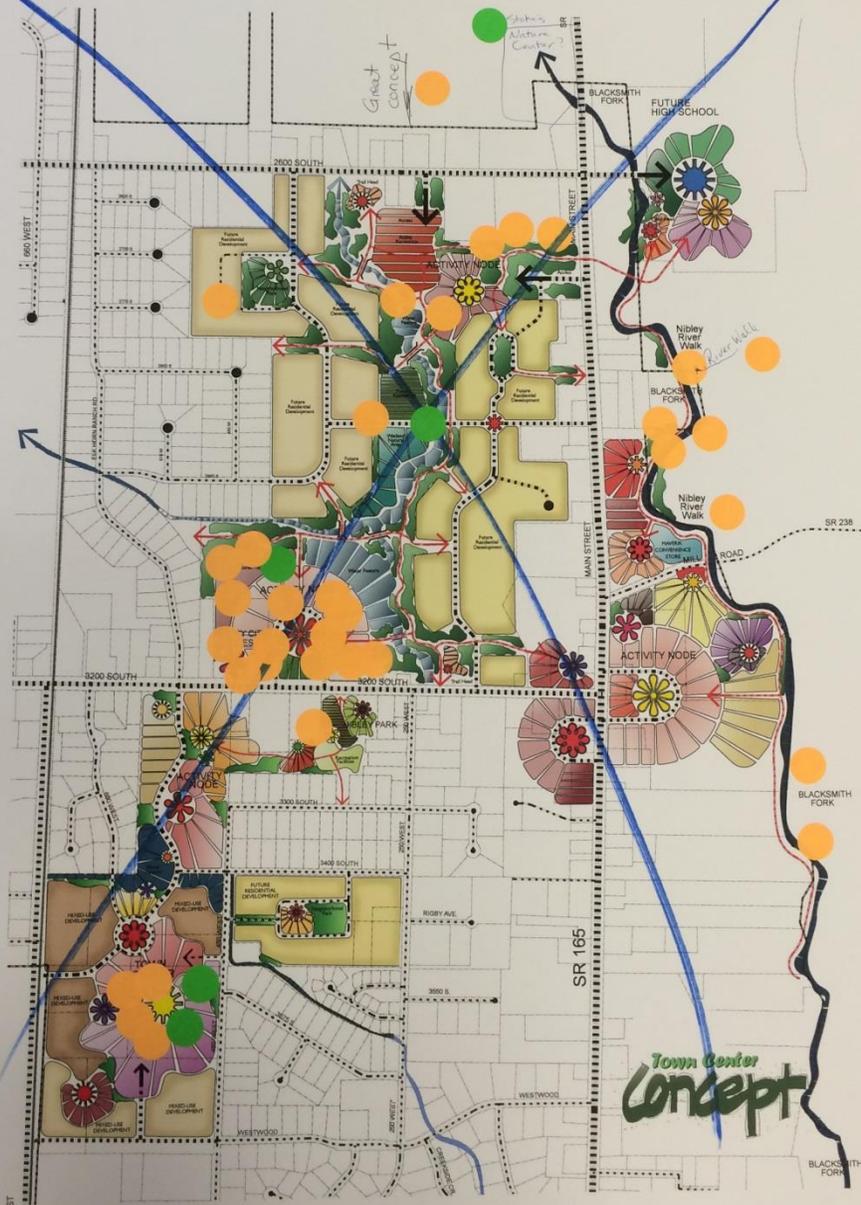
HOW WE GROW?

Are there areas of the City where new growth should be focused?
Are there specific areas of open lands that should be preserved?
What is MISSING in Nibley (Community Services, Parks, Shopping, Dining, Trails, etc.)?



NO TOWN CENTER TOWN CENTER OPPORTUNITIES?

Is this the general area that you envision the "town center" might be?
Of the identified "Activity Nodes" where is the best place for the TC?





no town center

TOWN CENTER OPPORTUNITIES?

The photos illustrate a variety of town center scale and character.

Which photos might best represent Nibley's Town Center?



Bozeman, Montana



Bozeman, Montana



Corvallis, Oregon



Corvallis, Oregon



DC Ranch, Scottsdale, Arizona



DC Ranch, Scottsdale, Arizona



Gardner Village, Salt Lake City, Utah



Gardner Village, Salt Lake City, Utah



no town center

TOWN CENTER OPPORTUNITIES?

The photos illustrate a variety of town center scale and character.

Which photos might best represent Nibley's Future Town Center?



Verrado, Arizona



Verrado, Arizona



Jackson Hole, Wyoming



Jackson Hole, Wyoming



Marley Park, Surprise, Arizona



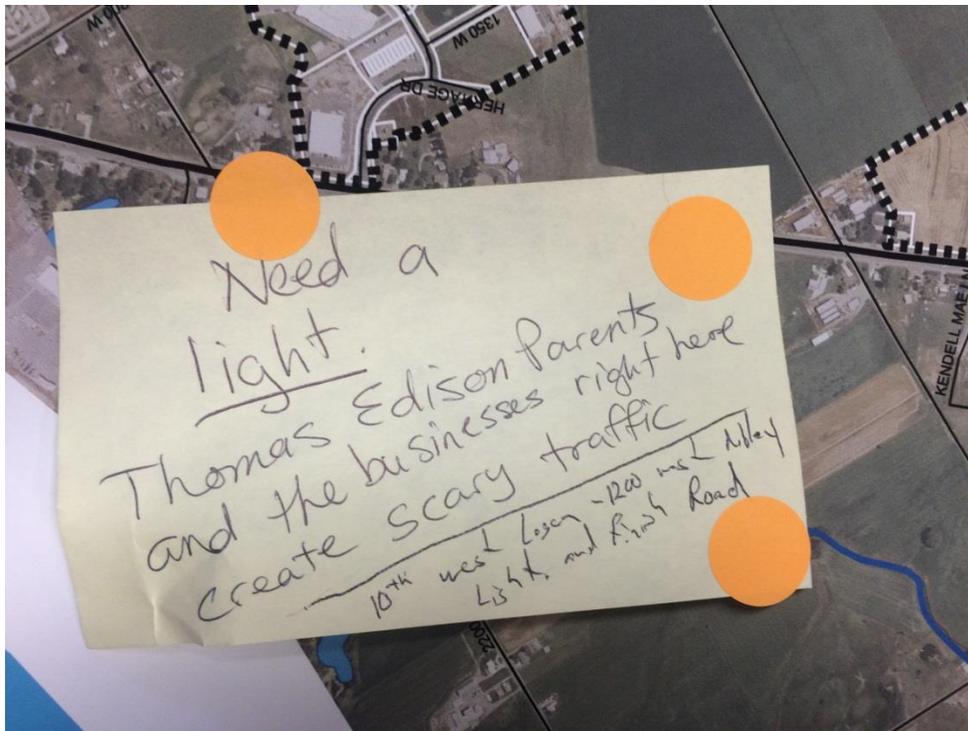
Marley Park, Surprise, Arizona



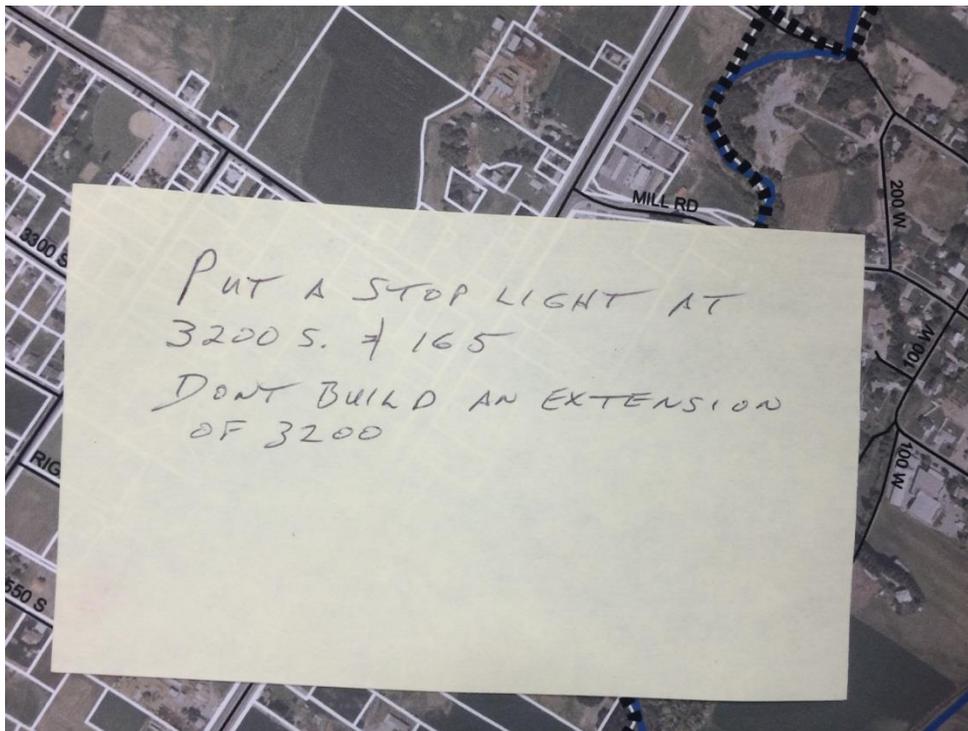
Columbia, Maryland



Columbia, Maryland



Need a
light.
Thomas Edison Parents
and the businesses right here
create scary traffic
10th Ave & Lillian Ave - 200' wide
light, and finish Road



PUT A STOP LIGHT AT
3200 S. & 165
DONT BUILD AN EXTENSION
OF 3200

WE WANT TO HEAR FROM YOU!

Input from Nibley residents is critical to developing a General Plan and Town Center Master Plan that truly reflects our community's vision and goals for the future. What are the issues and opportunities that face Nibley in the future? Thank you!

There are plenty of sports parks (Heritage park & others)
The High school should add tennis courts and outdoor basketball that public has access to. to appease those who want more sports parks.
City center (park with benches and fountains) should be right next to city building. ^{Non commercial}
Residential areas should have NO LESS THAN 1/4 acre, and more lots that have 1 acre or more to give space for rural homesteaders!



NIBLEY
GENERAL PLAN

Written by 31 + 28 year old residents of Nibley

Please return your completed form to:
Shari Phippen, Planner, at Shari@nibleycity.com or
Nibley City
455 West 3200 South
Nibley, Utah 84321

WE WANT TO HEAR FROM YOU!

Input from Nibley residents is critical to developing a General Plan and Town Center Master Plan that truly reflects our community's vision and goals for the future. What are the issues and opportunities that face Nibley in the future? Thank you!

Let us move forward with beauty and common sense
Create ~~town~~ towncenters with parks and civic
activities available. Develop sensible, small
shops in the Maverick area. Let us have a
diversity of housing -> both large lots and ~~a~~ high
density to encourage a diverse population in our town.
We need a broader tax base. Encouraging small
businesses ~~into~~ to invest into a business park by
Maverick would help create that without bringing
large supply trucks into the neighborhoods.



NIBLEY
GENERAL PLAN

Please return your completed form to:
Shari Phippen, Planner, at Shari@nibleycity.com or
Nibley City
455 West 3200 South
Nibley, Utah 84321

WE WANT TO HEAR FROM YOU!

Input from Nibley residents is critical to developing a General Plan and Town Center Master Plan that truly reflects our community's vision and goals for the future. What are the issues and opportunities that face Nibley in the future? Thank you!

Safety - Tie Side walks in with each other.

- Provide traffic lights @ critical intersections
- 3200 + Hwy 89 - (How this has not happened yet...)
- 3200 + Main (not normal or safe)

Recreation

- Parks on the developing west side
- Since 2007 Cord an attraction to our move! Nibley has been promising trails

Housing

- It's an attraction to keep open development (green space, agriculture views etc.)

One of the attractions to moving here is this emphasis on planning; however, showing us how we are proceeding according to plan is crucial to maintaining fidelity to the process.



NIBLEY
GENERAL PLAN

Please return your completed form to:
Shari Phippen, Planner, at Shari@nibleycity.com or
Nibley City
455 West 3200 South
Nibley, Utah 84321

1 A Meeting of the Nibley City Council held at Nibley City Hall, 455 West 3200 South,
2 Nibley, Utah, on Thursday, November 19, 2015.

3
4 The following actions were made during the meeting:

5
6 **Councilman Jacobsen motioned to approve Ordinance 15-09: An Ordinance**
7 **Establishing Temporary Land Use Regulations Prohibiting the Receipt,**
8 **Processing, and Approval of All Applications for Zoning, Re-Zoning,**
9 **Subdivision Approvals, and Annexations in Nibley City and to waive the first**
10 **reading, preparing the City Council to make a final vote. Councilman Hellstern**
11 **seconded the motion. The motion passed unanimously 4-0. Councilwoman**
12 **Beus was in favor. Councilman Bernhardt was in favor. Councilman Hellstern**
13 **was in favor, and Councilman Jacobsen was in favor.**

14
15 **Councilman Jacobsen motioned to adopt the Nibley City Stormwater Master**
16 **Plan as presented. Councilman Bernhardt seconded the motion. The motion**
17 **passed unanimously 4-0; with Councilman Jacobsen, Councilman Bernhardt,**
18 **Councilwoman Beus, and Councilman Hellstern all in favor.**

19
20 **Councilman Hellstern motioned to adopt the canvas of the Nibley City 2015**
21 **General Election. Councilwoman Beus seconded the motion. The motion**
22 **passed unanimously 4-0; with Councilman Hellstern, Councilwoman Beus,**
23 **Councilman Jacobsen, and Councilman Bernhardt all in favor.**

24
25
26 OFFICIAL MINUTES OF THE MEETING

27 Minutes were taken by Deputy City Recorder Cheryl Bodily

28
29 **Call to Order**

30 Mayor Shaun Dustin called the Thursday, November 19, 2015, Nibley City Council
31 meeting to order at 6:34 p.m. Those in attendance included Mayor Shaun Dustin,
32 Councilman Larry Jacobsen, Councilwoman Kathryn Beus, Councilman Ron
33 Hellstern, and Councilman Thomas Bernhardt. Mr. Justin Maughn, the Nibley City
34 Public Works Director was also in attendance. Councilman Bryan Hansen was not
35 present at the meeting.

36
37 **Approval of agenda; and approval of the November 5, 2015 meeting minutes**

38 Councilman Bernhardt made a motion to approve the minutes from the last meeting
39 and the evening's agenda. Councilman Hellstern seconded the motion. The motion
40 passed 3-1; with Councilman Bernhardt, Councilman Hellstern, and Councilman
41 Jacobsen all in favor. Councilwoman Beus abstained from voting because she was
42 absent from the previous meeting.

43
44 **Park Committee Presentation Regarding Heritage Park West Expansion**

1 Mayor Dustin said the City Council had previously put together a preliminary idea of
2 what could be done with the land to satisfy the funding requirements. Since then
3 some unique environmental factors had come to light so the City Council appointed
4 a committee with Councilman Hellstern as the Chair and that committee was here to
5 present documentation, requirements, and options.

6
7 Councilman Hellstern introduced himself as an environmental educator, and former
8 NCAA athlete and coach. He also introduced Becky Yeager, Nibley resident and
9 Wildlife Biologist, Nate Norman, Nibley Resident and Environmental Consultant
10 who specialized in wetlands, and Rob Davis a graphic designer.

11
12 Mr. Norman discussed the jurisdictional wetlands in the Heritage Park West area.
13 His presented and discussed areas that created a good area for prime mitigation and
14 projects for the wetlands.

15
16 Ms. Yeagar presented her credentials she had a Masters in Biology and was formally
17 a Senior Wildlife Biologist for a consulting firm. She discussed the three
18 perspectives which she had studied for the Heritage Park West area; preservation,
19 (the diminishing singing Western Meadowlark, Fireflies, and preventing light
20 infiltration); recreation (watchable wildlife) that would diversify Nibley's parks
21 including a nature trail; and educational opportunities that included teachers in
22 Nibley.

23
24 Mr. Rob Davis a professional graphic designer and art and graphic design teacher at
25 Thomas Edison Charter School spoke next. He designed 3 maps that presented
26 alternatives for Heritage Park West. The first alternative was soccer field intensive,
27 the second was less sport field intensive, and the third was nature intensive. He
28 summarized each map.

29
30 Councilman Hellstern discussed Nibley's certification with the National Wildlife
31 Federation as a wildlife habitat. He noted the perceived desire of most of Nibley's
32 citizens to have open space. Councilman Hellstern discussed the historic Elkhorn
33 Ranch settlement and read from several studies regarding the growth in Cache
34 Valley and a Cache Valley trail system. Councilman Hellstern said the committee
35 suggested the City Council use that least active alternative and maintain the park as
36 a nature park and remain as natural as possible.

37
38 Councilman Bernhardt asked about the intent of the trails; if they were intended to
39 be cement trails or natural wood chip type. Councilman Hellstern said they would
40 need to be ADA compliant but wouldn't affect the wetlands or be high maintenance;
41 they were proposed a boardwalk bridge over the wetland area. Councilman
42 Hellstern said they had tried to stick with a trail that was only on the peripheral. He
43 discussed the proposed observation deck.

44
45 Councilwoman Beus thanked committee for the volunteer work they had put in. She
46 asked about the depth of the deepest part of the wetlands. She was concerned about

1 liability. Councilman Hellstern said it was very shallow and marshy. Mr. Norman
2 discussed that they could excavate some of the upper areas to create ponds and
3 shared the liability issues they had addressed.

4
5 Mayor Dustin recognized Scout Troop 379 and asked them their opinion of the park
6 options. Chase Peterson said he felt they could clear out the park area and felt that
7 the nature park was the best idea. Adam Grey liked the nature park idea and the one
8 with the one big soccer field. He said when they were playing sports they could
9 enjoy it.

10
11 Councilman Jacobsen disclosed that he was Becky Yeager's husband. He asked if the
12 City Council could get versions of the maps that had been presented which had a key
13 describing what the colored areas represented or delineated. Councilman Jacobsen
14 asked if there was someone else that had rights to the water. Councilman Hellstern
15 said that Mr. Zook had told him that there was a canal company that had some
16 rights. Councilman Jacobsen said that moving forward they needed to ensure they
17 worked with any body that might have rights to any water on that land. Councilman
18 Jacobsen asked for a wetlands delineation map to be made available. Councilman
19 Jacobsen asked for a line on the map that said "don't mess around with anything
20 inside here except for fear of screwing up the fireflies." He asked if that was too
21 subjective. Ms. Yeager said she didn't feel there was enough science support.
22 Councilman Jacobsen noted that the area had been grazed and the possibility that
23 grazing had kept the weeds down. Mr. Norman said it would require maintenance.
24 Councilman Jacobsen felt they had the opportunity to maintain this type of park
25 with some volunteer efforts. Mr. Rod Elwood, Nibley's Parks Director agreed that
26 this type of park would need a very different type of maintenance than the typical
27 Nibley park. Councilman Jacobsen asked what they would do to keep the Cache
28 Mosquito Abatement District from spraying in this park area. Councilman Hellstern
29 said there was a type of fish that could possible take care of the mosquito population
30 naturally. Councilman Jacobsen and Councilman Bernhardt discussed the conditions
31 that would need to be necessary in order to have a no-spray zone.

32
33 Councilwoman Beus asked to hear Rod Elwood's opinion. Mr. Elwood said he had
34 more questions than answers and discussed how the area was typically maintained.
35 He asked for time to consider his answer and present it to the City Council at a later
36 date. The meeting discussion turned to park maintenance costs. Mayor Dustin
37 described the where some of the funding for the park would be coming from.

38
39 Mayor Dustin asked if the alternatives that had been presented would be compliant
40 with the Counties requirements for utilization of the property. Councilman Hellstern
41 said he had checked with the National Park Service compliance and all three
42 alternatives where compliant with their lengthy handbook.

43
44 Mayor Dustin said he would be asking the City Council to take these options under
45 consideration and make a recommendation to trigger an amendment to the current
46 parks master plan. He said he and city staff had decided to finish the general plan

1 update procedure and then move to the Parks Master Plan. He said their decision
2 would get the will of the City Council into the Parks Master Plan. Councilman
3 Jacobsen addressed whether the City Council would make a recommendation
4 without holding a public hearing. Mayor Dustin asked the City Council consider this
5 option and to address it during the City Council reports at the end of the meeting.
6

7 **Discussion and Consideration of Ordinance 15-09—An Ordinance Establishing**
8 **Temporary Land Use Regulations Prohibiting the Receipt, Processing, and**
9 **Approval of All Applications for Zoning, Re-Zoning, Subdivision Approvals, and**
10 **Annexations in Nibley City**

11 Mayor Dustin said the city was in the middle of their General Plan process and that
12 there would be recommendations put forth in the general plan that would make
13 potential modifications to Nibley’s zoning ordinance and annexation plans. He said
14 he didn’t want to be stuck looking at two sets of rules should a proposal come before
15 the City Council. Mayor Dustin said the city attorney had looked at and approved
16 this ordinance. Mayor Dustin said this could only run for six months.
17

18 Councilman Jacobsen made a motion to approve Ordinance 15-09: An Ordinance
19 Establishing Temporary Land Use Regulations Prohibiting the Receipt, Processing,
20 and Approval of All Applications for Zoning, Re-Zoning, Subdivision Approvals, and
21 Annexations in Nibley City and to waive the first reading, preparing the City Council
22 to make a final vote. Councilman Hellstern seconded the motion.
23

24 Councilman Jacobsen asked if Nibley had already started this process when they had
25 made it public knowledge that Nibley was redoing the general plan. He wanted city
26 staff to research if the 6-month “clock” had already started ticking.
27

28 Councilwoman Beus asked which ordinances they were anticipating they would
29 need to do. Mayor Dustin said they wanted to align ordinances with the intent of the
30 general plan. Councilman Jacobsen said they should be careful because they were
31 taking away people’s property for at most, six months but noted from Ordinance
32 that they could remove the moratorium prior to the six-month time restriction.
33

34 Seeing no further comment, Mayor Dustin asked for a vote on the motion.
35

36 Councilwoman Beus was in favor. Councilman Bernhardt was in favor. Councilman
37 Hellstern was in favor, and Councilman Jacobsen was in favor. The motion passed
38 unanimously 4-0.
39

40 **Presentation, Discussion and Consideration of the Nibley City Stormwater**
41 **Master Plan**

42 Mr. Maughn introduced Nate Smith, a professional engineer with JUB Engineering.
43

44 Mr. Smith presented the Stormwater Master Plan to the City Council and public
45 present.
46

1 Nibley City Engineer, Ross Peterson, expressed his thoughts and recommendations
2 on the Stormwater Master Plan.

3
4 Councilman Jacobsen made a motion to adopt the Nibley City Stormwater Master
5 Plan as presented. Councilman Bernhardt seconded the motion. The motion passed
6 unanimously 4-0; with Councilman Jacobsen, Councilman Bernhardt, Councilwoman
7 Beus, and Councilman Hellstern all in favor.

8
9 **Presentation and Adoption of the Canvas of the 2015 General Election**

10 Mayor Dustin read the report of the official results of the Canvas of the Municipal
11 Election held November 3, 2015 in Nibley City.

12
13 Councilman Hellstern made a motion to adopt the canvas of the Nibley City 2015
14 General Election. Councilwoman Beus seconded the motion.

15
16 Councilman Jacobsen congratulated Councilman Bernhardt. Mayor Dustin expressed
17 his appreciation to everyone that had “stuck their neck out.”

18
19 The motion passed unanimously 4-0; with Councilman Hellstern, Councilwoman
20 Beus, Councilman Jacobsen, and Councilman Bernhardt all in favor.

21
22 **Discussion of potential rules for public comment period at the beginning of**
23 **Council meetings**

24 Mayor Dustin read from Resolution 12-01, Nibley City Rules of Procedure and
25 Order, “Resident’s Right to Be Heard.” Mayor Dustin said based on this section of the
26 City Council rules of procedure, he didn’t feel they needed go forward with any
27 formal procedures.

28
29 Mayor Dustin referred to the suggestions that had been emailed to him by
30 Councilman Hellstern and Councilman Bernhardt. He also presented his suggested
31 procedure.

32
33 **RULES for PUBLIC COMMENT SESSION at City Council**
34 **(1st Draft edition)**

35 **Ron Hellstern & Tom Bernhardt**

- 36 1. People wishing to speak must pre-register on a form in the City Office, or at
37 the back table before 6:20pm on the day of the City Council meeting.
38 2. Speaker must identify themselves by name and address on the registration
39 form and verbally prior to speaking.
40 3. Comments/suggestions/requests should be polite and based upon improving
41 the City. The Mayor may dismiss speakers whose discussion items do not
42 pertain to City issues.
43 4. No personal attacks-slander-libel will be permitted. The Mayor may dismiss
44 any speaker who violates this policy.
45 5. Complaints about Ordinance enforcement and violations should be reported
46 to City Staff and/or Law Enforcement.

- 1 6. Council members/Mayor/City Staff are not required to respond to any
- 2 comments.
- 3 7. Noteworthy comments “might” be placed on a future City Council agenda.
- 4 8. 15-minutes total time for open-microphone for each City Council session.
- 5 9. 3-minute maximum speaking time for each person. (We could extend that if
- 6 five speakers do not register).
- 7 10. Violation of any of the rules may eliminate that person from future speaking
- 8 opportunities.
- 9

10 Points for Mayor and Council Discussion:

- 11 A. An option might be to allow this format only on the first City Council meeting
- 12 each month.
- 13 B. Holding an open-microphone period to allow comments on any city-related
- 14 subject can possibly go astray, but we then risk the complaints that the Council
- 15 doesn’t want to hear from citizens.
- 16 C. We may also wish to consider a trial run for a selected time period of so many
- 17 months, but again may risk a poor reputation if we decide to cancel it for future
- 18 Council meetings.
- 19 D. It has been suggested that the Mayor welcome, acknowledge, and thank the
- 20 speakers/organizations prior to their comments.
- 21 E. Three minutes allows the speaker time to present their comments without
- 22 feeling rushed.
- 23 F. This venue allows for face-to-face discussions of different sides of an issue.
- 24 G. Case studies show citizens want to be involved in the early stages of planning.
- 25 H. A weakness to this is that sometimes the most vocal & intense opinions, or those
- 26 with an economic stake, might be the only ones to speak. But that opportunity
- 27 should still be granted.
- 28 I. This would be a new format for gathering information from citizens and their
- 29 neighborhoods.
- 30

31 **Mayor’s suggested procedure:**

32 This item, including statement of the rules, will be posted as Item 2 on each agenda

33 after approval of the minutes

34 Public Comment (3 minutes per person, 15 minute maximum, no extensions

- 35 1. Public input is invited at all Nibley City Council meetings.
- 36 2. Verbal comments shall be limited to 5 minutes per person. At the conclusion
- 37 of 5 minutes, the floor will be given to the next person requesting time per
- 38 the rules
- 39 3. Submission of written comments prior to meeting time is encouraged.
- 40 4. Comments will be taken in order that they are placed on the sign in sheet at
- 41 the Recorder’s desk.
- 42 5. The sign in sheet will be made available 15 minutes prior to commencement
- 43 of the meeting
- 44 6. If time remains after all signed in comments have been received, the
- 45 microphone will be opened for additional comments until the 15 minute

1 period has elapsed or no comments are forthcoming as determined by the
2 presiding officer

3 7. Any public comments will be recorded in the minutes of the meeting;
4 commenters shall provide their names for the record
5

6 Mayor Dustin asked if it was the City Council intent to add this concept on future
7 agendas. Councilman Jacobsen said he was in favor of the concept but had a concern
8 that if they adopted a period of public comment that they were flirting with
9 improper notice; he said they ran a bigger risk if the Council engaged in discussion.
10 Councilman Jacobsen referred to #6. of the presented rules which said "Council
11 members/Mayor/City Staff are not required to respond to any comments." He said it
12 might be that "they are not allowed to respond." He feared that if the council didn't
13 respond to the public's comments that they might cause more frustration. Mayor
14 Dustin suggested that they lay out the terms of the period of comment in the agenda;
15 he said they would need to be simple and short enough to be included on the
16 agenda, and that they should have something regarding State code and that the City
17 Council may not respond to comment made during the City Council meeting.
18 Councilman Jacobsen felt it would be fair for the person conducting the meeting to
19 reiterate these terms. He said this should be scripted out.
20

21 Ms. Drinkard said they could handle this with grace and dignity by making it clear
22 from the beginning that they would not be making public policy from the bench; that
23 they would take their suggestions and put them on a future agenda or to give to city
24 staff to study and bring back to them. She said they would be taking names and
25 could inform a person when the issue they had brought forth was being discussed.
26 She suggested anything was worth trying on a trial basis; in the interest of
27 transparency.
28

29 Councilman Hellstern directed the City Council to some of the provisions he had
30 written in his "Rules for Public Comment Session" which would prohibit citizens
31 from making complaints that should be taken to city staff or law enforcement. He
32 also noted that nothing would be voted on.
33

34 Mayor Dustin said if the City Council decided to include this item on the agenda then
35 he intended for it to stay on the agenda at least until the end of his term; or if they
36 had absolutely no public comment for a six-month period.
37

38 Councilman Bernhardt felt in the long-term that this would be a worthwhile
39 experience. He discussed his interactions with citizens who were seeking the
40 opportunity to be heard by the City Council. Mayor Dustin said he would take the
41 responsibility of writing a friendly introduction to the public comment period.
42 Mayor Dustin said he intended to work from Councilman Hellstern and Councilman
43 Bernhardt's draft with the exception of dropping item 7 from their list. Councilman
44 Hellstern discussed allowing extra time for a person speaking for a group.
45

1 The City Council decided to allow a public comment period for four (4) people for
2 three (3) minutes. The City Council decided to strike item 3 from the procedures
3 proposed by Councilman Hellstern and Councilman Bernhardt. Councilman
4 Jacobsen said he wanted to see the actual words that would be on the agenda. The
5 City Council discussed a trial period and decided on a six-month trial period. Mayor
6 Dustin said he intended to have this item on the agenda until there was a new
7 Mayor. Mayor Dustin said he would work on the wording and have it on the next
8 agenda for the City Council's discussion and recommendation.

9
10 **Council and Staff Reports**

11 Mayor Dustin reported on the first meeting of the sewer rate committee. He said
12 Mayor Peterson was the chair of the rate committee and the vice-chair was the
13 public works director from Smithfield.

14
15 Mayor Dustin reported on the assessment of what Hyrum's sewer plant was worth.

16
17 Councilwoman Beus reported on a question from a citizen about streetlights.

18
19 Councilman Jacobsen said he would be out of town for the December 17 meeting.

20
21 Mr. Maughn reported on construction of the water line by Scott Farm working south
22 to the well and other construction updates for the new well.

23
24 Ms. Maughn reminded the City Council to come to City Hall on Monday, November
25 25 between 2:00 and 3:00 to pick up their Thanksgiving turkey.

26
27 Mr. Maughn reminded the City Council to discuss a public hearing for "Firefly" Park.
28 The City Council discussed Councilman Hellstern's availability. The City Council
29 decided to schedule a special City Council meeting for December 12 to hold a public
30 hearing to address opening the parks master plan at 2:00 p.m. at a school or church
31 because City Hall was unavailable.

32
33 Mayor Dustin adjourned the meeting at 9:45 p.m.