

A Meeting of the Nibley City Council held at Nibley City Hall, 455 West 3200 South, Nibley, Utah, on Thursday, August 12, 2021.

The following actions were made during the meeting:

Councilmember Beus moved to approve the Traffic Calming Design Recommendation for 1200 West and to Approval the Contract with CRS for Design Services with stipulations for review at 30%, 50% and 90% milestones. Councilmember Laursen seconded the motion. The motion passed unanimously 4-0; with Councilmember Beus, Councilmember Laursen, Councilmember Larsen and Councilmember Sweeten all in favor.

Councilmember Larsen moved to approve Resolution 21-21: Adopting the 2021 Sewer Master Plan Update. Councilmember Beus seconded the motion. The motion passed unanimously 4-0; with Councilmember Larsen, Councilmember Beus, Councilmember Laursen, and Councilmember Sweeten all in favor.

Councilmember Laursen moved to approve Resolution 21-06: Designating Significant Surplus Property and Authorizing the Sale of City-Owned Parcels Located at Nibley Park Ave and 800 West; Parcel Tax ID: 03-170-0001 & 03-173-0052. Councilmember Sweeten seconded the motion.

OFFICIAL MINUTES OF THE MEETING
Deputy City Recorder Cheryl Bodily took minutes

Opening Ceremonies

Councilmember Laursen talked about a trip he'd recently taken with USU students to the Snake River. He said there'd been some moments that were scary and had made him grateful for the times when Nibley planned, prepared and communicated in multiple ways.

Councilmember Laursen led the meeting in the Pledge of Allegiance.

Call to Order and Roll Call

Mayor Dustin called the Thursday, August 12, 2021, Nibley City Council meeting to order at 6:30 p.m. Those in attendance included Mayor Shaun Dustin, Councilmember Kathryn Beus, Councilmember Norman Larsen, and Councilmember Nathan Laursen. Justin Maughan, Nibley City Manager, Levi Roberts, Nibley City Planner, and Darren Farar, Nibley City Public Works Director was also present.

Councilmember Sweeten participated in the meeting electronically from her home.

Mayor Dustin excused Councilmember Tom Bernhardt from the meeting.

Approval of the July 19, 2021, and July 22, 2021, Previous Meeting Minutes and Current Agenda

Councilmember Norman Larsen moved to approve the July 19, 2021, and July 22, 2021, meeting minutes and the evening's agenda. Councilmember Laursen seconded the motion. The motion passed unanimously 4-0; with Councilmember Larsen, Councilmember Laursen, Councilmember Beus, and Councilmember Sweeten all in favor.

Public Comment Period

Mayor Dustin gave direction to the public present and opened the Public Comment Period at 6:30 p.m.

Seeing no public comments, Mayor Dustin closed the Public Comment Period at 6:30 p.m.

Planning Commission Report

Mayor Dustin asked if there was a Planning Commission report. Mr. Maughan said that there wasn't.

Presentation – Traffic Calming Design Recommendation for 1200 West and Approval of Contract with CRS for Design Services.

Mr. Farar, Nibley City Engineer led this presentation. He used an electronic presentation entitled 1200 South—Roadway Design (a printed version of this presentation is included with the written meeting minutes). The topics included in this presentation included the following: Alignment, Request for Proposal, What is Left to Design, Traffic Calming, and Proposed Contract. Mr. Farar said Nibley City would like to contract with CRS for \$84,000, the balance of the original \$109,000 plus an additional 3% for cost of living/cost of work increase because it had been about 12 months since the RFP had been completed. Mr. Farar said it was anticipated Nibley City could also contract for a roundabout warrant study and additional costs to design roundabouts.

Mayor Dustin clarified that the \$84,000 was allocated in a previous budget and not allocated in the current year budget and was still available. Mr. Maughan clarified that the cost would roll over and be included in the current year's budget. He said it could be taken out of the \$250,000 for engineering design or out of the traffic roads fund. Mr. Maughan said the money hadn't been allocated, which was why only \$20,000 was issued upfront. Mayor Dustin clarified that the \$250,000 allocated for 1200 West in the current year budget included these CRS costs.

Max Pierce with CRS engineers was present at the meeting and used his presentation moving forward. He described the purpose of the additional \$7,000 fee.

Mr. Maughan showed a video to the City Council entitled *Advocacy Academy—Lessons From the Best Biking Cities – Sevilla, Spain*.

Mr. Pierce showed and discussed a proposed street cross section that included 2 bike lanes on the same side of street, which allowed them to keep the lanes slower. Drivers would feel more constrained and drive slower with a small curb that separated the traffic from the bicycles. Councilmember Larsen and Mr. Maughan discussed snow plowing this type of street. Mr. Pierce discussed bulb outs at each intersection and different striping for pedestrians at crosswalks. Mr. Pierce said a proposed roundabout (at approximately 2600 South and 1200 West) was a copy of the roundabout at 3200 which was included for simplicity's sake and bicycle traffic would be able to navigate through the proposed roundabout with the idea being the bicycles would merge seamlessly into the surrounding streets. Mayor Dustin said the Transportation Master Plan's intent was to designate 1200 West as a demonstration project.

Mr. Pierce address Councilmember Sweeten's question about how bikes exited the bike lines. Councilmember Beus asked for the differences in cost of designing a road with the bike lanes on one side. Mr. Pierce said it added an additional curb and an additional lane so the City Council would be looking at an approximate 30% increase to the road. Mr. Maughan disagreed and felt it wouldn't be that big a cost difference to a standard road like 3200 South. If it was determined that the bike lanes were not liked, they could pull the curb out and be back to where they started. Councilmember Sweeten didn't feel there was useful or great connectivity along 1200 west in the winter for bikes. Councilmember Laursen said as someone that biked the road almost daily, he felt this was the way to do it.

Councilmember Larsen and Councilmember Beus asked if there were other options? Mayor Dustin felt the other options were to go back to the drawing board. They had a conceptual design and Transportation Master plan was approved that had traffic calming elements on 1200 West. They could ask to evaluate other options to be brought back to the Council. Mr. Maughan said there had been other options that could be presented to the City Council. Matt Hirst, also with CRS, described that there was a double lane bike lane in Smithfield that had been met with success. He did feel that it was used less in the winter but felt there had been an increase in winter biking. Councilmember Laursen said he'd loved everything so far. He wanted to see the designs in other parts of the city and that they should stop designing for cars and design for traffic.

The City Council discussed proposed chicanes. Mr. Maughan said they envisioned doing most of the chicanes with just paint; so, nothing would have to be ripped out.

Mayor Dustin discussed that the reason the City Council was investing in the design was that current Council of Governments (COG) rules were that you are not eligible for funding unless there was a 90% design in place. If the City Council had something in

place, then they would be in the driver's seat of being able to access COG or CMPO funds. This was why he wanted to make the investment. Mr. Maughan said there was also development pressure in the air, and it would be nice to hand plans to potential developers to let them know what they would be expected to build. Mayor Dustin agreed the idea was to approve the plan as presented and award the contract with some stipulations for internal review to ensure the road was consistent with the City Council's vision. It was an opportunity for them to learn and get some ideas about where the designs could be applied in other areas of the city. Mr. Peirce said active transportation was the word the City Council should be looking at; all modes of transportation. There were more and more adults and kids who were getting other modes to get from place to place, rapidly.

Councilmember Beus moved to approve the Traffic Calming Design Recommendation for 1200 West and to Approval the Contract with CRS for Design Services with stipulations for review at 30%, 50% and 90% milestones. Councilmember Laursen seconded the motion. The motion passed unanimously 4-0; with Councilmember Beus, Councilmember Laursen, Councilmember Larsen and Councilmember Sweeten all in favor.

The meeting Zoom link was shut down at 7:22 p.m. due to technical difficulties.

Councilmember Beus got Councilmember Sweeten back to the meeting on speaker phone.

Discussion & Consideration – Resolution 21-21: Adopting the 2021 Sewer Master Plan Update (Second Reading)

Mr. Farar reminded the City Council that the Sewer Master Plan had been presented at the last Council meeting by JUB Engineers. There were a few items that needed to be followed up on and addressed and there were other general clean ups and some spelling errors. Mr. Farar said there were also included references to other documents that were pertinent to the master plan so the agreements with Millville regarding the sewer had been included. Mr. Farar reported that the plan included having developers submit sewer master plans with their developments, verifying that their developments matched and follows along with the city's master plan. Mr. Farar clarified the management of flow and the third pump at the Hansen lift station. The third pump would provide redundancy in an emergency. The master plan also recommended keeping an additional pump in-house, beyond the three pumps, on hand. Mr. Farar said the northeast regional lift station cost budgets had been tidied up and finally, there was a question about land-use densities and if the Master plan contemplated the density at Ridgeline Park. It had been confirmed that those densities had been anticipated and identified in the proposed master plan.

Mr. Maughan had the electronic meeting resume at 7:26 p.m. and Councilmember Sweeten resumed her participation on the Zoom meeting link.

Mayor Dustin asked if the picture on the front of the master plan seemed inconsistent with the subject of the master plan. He said he'd like to see a picture of a muffin monster.

Councilmember Larsen moved to approve Resolution 21-21: Adopting the 2021 Sewer Master Plan Update. Councilmember Beus seconded the motion. The motion passed unanimously 4-0; with Councilmember Larsen, Councilmember Beus, Councilmember Laursen, and Councilmember Sweeten all in favor.

Discussion & Consideration – Resolution 21-06: Designating Significant Surplus Property and Authorizing the Sale of City-Owned Parcels Located at Nibley Park Ave and 800 West; Parcel Tax ID: 03-170-0001 & 03-173-0052 (Third Reading)

Mr. Maughan described the location of the parcels being discussed. He said the City had owned the two lots after they had been given the lots by the Gibbons family 10-12 years ago and described stipulations that had been put on the properties. The properties had to be used for parks space or the monies for the parcels be used for parks amenities. The Gibbons estate and trust had indicated they were willing to sign off on the sale of the lots if the city moved the south lot line on lot 2 over a few feet, which put their driveway on their property. This cleaned up the south lot line and left the remainder of the two pieces. The center line had been readjusted in the two properties to sell the properties. Mr. Maughan said there were no utilities on the properties so the lots could sell for between \$60,00 to \$80,000 even without utilities. Mr. Maughan said the City Council needed to follow process and designate the parcels as surplus to they could be put on the market and sold. JUB Engineers had put together the plat which had been reviewed by Mr. Farar and Nibley City's attorney and the city was ready to list the properties.

Councilmember Beus asked for clarification on a driveway for the southernmost lot. Mr. Maughan said the northern lot had the stipulation that the driveway to had to access off Nibley Park Avenue and not 800 West. The Council discussed possible placement of a driveway on the north lot.

Councilmember Laursen moved to approve Resolution 21-06: Designating Significant Surplus Property and Authorizing the Sale of City-Owned Parcels Located at Nibley Park Ave and 800 West; Parcel Tax ID: 03-170-0001 & 03-173-0052. Councilmember Sweeten seconded the motion.

Councilmember Beus said when the issue had come up in the past, she'd been against the sale of the properties because she liked the open feel and space but the property was nothing but weeds and she didn't see it being anything more than weeds in the future and Nibley staff didn't need any more pocket parks to maintain.

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

Workshop – Discussing the Need for the City to Re-evaluate Impact Fees; Specifically, as They Relate to Multi-Family Residential Units for Water and Sewer

Mayor Dustin said Mr. Maughan had some insights on why this was becoming more of an issue for the city. As they were looking at more multi-family housing there was concern that Nibley's current impact fee structure was not going to work the way that was needed.

Mr. Maughan said staff needed a "head nod" to release a request for proposals (RFP) to hire a consultant to help evaluate the capital improvement plans they had in each of their master plans. Out of each of those plans comes a list of projects that you could legally apply impact fees to; to ensure the impact fees were set fairly and the expenses that needed to be covered by impact fees were covered and that impacts fees were not being charged excessively. They were after making things right and making sure the structure fit what they wanted in Nibley. Mr. Maughan estimated the cost of a study would be between \$15,000 to \$20,000 and that the City Council would need to do a budget adjustment. Mr. Maughan agreed with Mayor Dustin that they should get in the habit of doing an impact fee adjustment every time they did a master plan update.

Mayor Dustin asked if there were any objections to moving forward. No objections were given.

Council and Staff Report

Councilmember Larsen reported on meeting with residents regarding their nuisance violations.

Councilmember Beus clarified that the Truth in Taxation hearing was scheduled for the next meeting. She questioned if there would still be a quorum if she weren't able to come to the meeting.

Mayor Dustin said he and Councilmember Beus discussed trails and the parking lot across the street. Mayor Dustin said a revised budget would be brought back to the City Council on using trails money. He recalled they'd discussed a trails system at Morgan Farm and described the location of the proposed trail. They'd also discussed funding the sidewalk behind the Apple Creek subdivision.

Mr. Farar reported on paving at the parking lot at Anhder Park. Mr. Farar reported that a basic design of 200 ft by 120 ft was approximately \$70,000. Mr. Maughan projected they could get down to approximately \$100,000. Mayor Dustin said this would be put in the budget as well.

Mayor Dustin said they'd been approached by the Ropelato's about the water on the Ropelato property. They were at about 30 shares they needed to come up with. They'd asked the city to investigate what the standing was when they brought their application in and how this tied into when the city had changed the ordinance. Can they do the water based on the ordinances that were in effect at that time? Mayor Dustin felt you were held responsible for what code said on the day you received standing. He would see what Nibley's attorney said.

Mayor Dustin reminded the City Council about the Nibley City Employee Party and encouraged them to attend and have fun.

Mr. Farar reported on construction on 3200 South and construction on 1200 West.

Mr. Maughan gave details on the upcoming Nibley City employee party and asked them to RSVP.

Mr. Maughan said the Council had an invitation to a CDTD open house and the opportunity they had to test drive a bus.

Mr. Maughan reported on recreation events: Fall flag football and soccer and the next Movie in the Park: The Emperor's New Groove.

Mr. Maughan reported on mosquito and mosquito abatement issues in Nibley City.

Mr. Maughan reported that Nibley business, Malouf, was awarded an incentive from the State of Utah of approximately \$56,000,000 to stay in Utah for the next 20 years. Malouf had committed to bring over 4,2000 new jobs to the State of Utah in the next 20 years. Mr. Maughan said he believed there would be movement on the Nibley Community Reinvestment Agency soon.

The meeting was adjourned at 8:15 p.m.

Attest: _____
Deputy City Recorder