



Nibley City Council Agenda Report for March 19, 2015

Agenda Item #: 2 & 3

Description	<p>Public Hearing to Receive Comments Concerning the Payne Landing Subdivision, a Proposed Lot Split located at 251 W 2600 S</p> <p>and</p> <p>Discussion and Consideration of the Payne Landing Subdivision, a Lot Split located at 251 W 2600 S</p>
Department	Planning
Presenter	City Planner
Sponsor	N/A
Applicant	John & Fran Payne
Background	<p>The Paynes presently own a home at 251 W 2600 S. They are requesting to split off a portion of their lot so that their son and his family can build a home next to them.</p> <p>As part of this process, they entered into a boundary line adjustment with the Maurers so that they (the Paynes) would have enough property to split the lot into 2 and have both lots comply with the required .5 acre zoning (the property is zoned R-2). The boundary line adjustment was recorded 2/20/15 as Entry 1120595 at the Cache County Recorder's Office.</p> <p>Each of the two lots meet the required minimum lot size and frontages. The required setbacks have been shown on the plat. Stormwater will be handled by a swale, similar to the rest of that portion of 2600 South.</p> <p>The City Engineer has reviewed the plat and finds that it meets our ordinance, with one exception:</p> <ul style="list-style-type: none"> ○ The only item of concern is the road dedication. The plat proposes to dedicate 16.5' of road along 2600 South to the City. This would be the correct amount of road dedication, if the long term plan for 2600 South was a 66' right of way. However, as you can see on this map from our Transportation Master Plan, 2600 South is intended to be a minor arterial, which requires a r-o-w of 80' or 99'. ○ The Cache County Parcel Viewer shows that the current r-o-w along this portion of 2600 South is 70'. With the dedication on the existing lot and the proposed r-o-w dedication on this lot, the total r-o-w for these two parcels would be 86.5'.

	<ul style="list-style-type: none"> ○ There has never been a definitive decision on what the ROW width on 2600 South will be. West of the UPRR tracks, the ROW is 66'. Building a 99' ROW along 2600 S will not be possible without significant costs for land acquisition. 3200 S, although the ROW width is 99', is built as an 80' ROW. ○ When the Planning Commission reviewed this at their meeting on 3/11, their recommendation is that the Council approve the lot split, with the following condition: <ul style="list-style-type: none"> ● The ROW dedication shown on the plat be adjusted to reflect an 80' ROW on 2600 South.
Recommendation	Staff's recommendation is that the Council approve the lot split, with the condition recommended by the Planning Commission.
Financial Impact	n/a
Reviewed By	City Planner, Planning Commission, City Engineer

Agenda Item #: 4 & 5

Description	Public Hearing to Receive Comment Regarding ORDINANCE 15-03: AN ORDINANCE REGULATING PUBLIC PEACE AND PROPERTY IN NIBLEY CITY and Discussion and Consideration of ORDINANCE 15-03: AN ORDINANCE REGULATING PUBLIC PEACE AND PROPERTY IN NIBLEY CITY (Second Reading)
Department	Planning
Presenter	Shari Phippen
Sponsor	Mayor
Applicant	n/a
Background	<p>When this ordinance was brought to the Council previously, there were significant concerns about the enforceability of the ordinance, absent a measurable standard. The Mayor and I have been working together to work out that measurable standard and also the other concerns which were presented by Council.</p> <p>I spent time reviewing the ordinance with our prosecutor. He had concerns with it being overly technical and worked in some suggestions he felt would strike a balance between giving him the room he needed to comfortably feel he could prosecute the ordinance and also give the City a measurable standard.</p> <p>The Mayor asked that I present a draft to you that accepted the changes he and I discussed and also that works in the prosecutor's suggestions. I have done that and that is the ordinance you will have before you to discuss and consider. The Mayor has indicated that he is comfortable with the Council adopting this draft.</p>
Recommendation	Staff recommends the Council adopt the draft, as presented.
Financial Impact	None
Reviewed By	Mayor, City Manager, City Planner, City Prosecutor

Agenda Item #: 6 & 7

Description	Public Hearing to Receive Comment Regarding Resolution 15-04: A RESOLUTION AMENDING THE BUDGET FOR THE VARIOUS FUNDS OF NIBLEY CITY FOR FISCAL YEAR 2014-15 and Discussion and Consideration of Resolution 15-04: A RESOLUTION AMENDING THE BUDGET FOR THE VARIOUS FUNDS OF NIBLEY CITY FOR FISCAL YEAR 2014-15 (First Reading)
Department	City Council
Presenter	David Zook and Diane Marvin
Sponsor	Mayor Dustin
Applicant	n/a
Background	The city normally makes budget adjustments in the middle of the budget year to account for changes that occur during the year. Staff presented the changes to both revenue and expenditures at the March 5 meeting. The most significant change is budgeting funds for the purchase of the property for the Heritage Park expansion. A document was provided to the Council that details each change and the reason for the change. The City Manager will provide another overview of the changes prior to the public hearing that is required when the budget is amended.
Recommendation	Hold the public hearing to receive input and authorize the resolution.
Financial Impact	The overall impact to the budget is positive. General Fund Revenue is being adjusted up by almost \$140,000 while GF expenditures are only being adjust up by about \$27,000. The major adjustment for the park property purchase is expected to be reimbursed to the city by the County.
Reviewed By	Mayor, City Manager, Department Staff

Agenda Item #: 8

Description	Discussion of Bridge Standards and Agreement with School District for the 2600 South Bridge
Department	Public Works
Presenter	City Manager and Cache County School District
Sponsor	n/a
Applicant	Cache County School District
Background	<p>The interlocal agreement between the City and the School District dictates that the 2600 South bridge being built by the district should be constructed according to UDOT standards. The district has been working with its contractor to bid construction of the bridge. The contractor has indicated that using Idaho's standard for one component of construction of the bridge would save the district more than \$40,000. The district has indicated that the primary difference between the Utah and Idaho standards is that the Utah standard requires continuous inspection of the pretensioning of the bridge structure while it is being constructed in the factory. The engineers contracted by the school district have indicated that the Idaho standard is equivalent in quality. The City obtained an opinion from UDOT regarding the different standard. District representatives attended the council's last meeting to explain their request and to ask the Council to make a determination that the Idaho standard is equivalent to the Utah standard.</p> <p>At the last meeting, the council directed the Mayor and City Manager to meet with representatives of the school district to discuss what consideration the district might provide to the city in exchange for the city potentially assuming additional risk with the alternate standard. That meeting took place on Wednesday, March 11. At the meeting, the school district offered to provide the city with fill dirt from the construction site to be used on the city property between SR 165 and the river, as well as additional real estate on the east side of the river to be used for a trail. The Mayor, City Manager, Public Works Director and school representatives walked the real estate along the river and determined that it would be suitable for trail construction. A map of the property to be provided to the city, along with an agreement detailing the concessions was prepared by the district and is presented to the city council for approval.</p> <p>The possibility of improved access to the school fields was also discussed; however, the district was not interested in providing a higher level of access than what was already provided in the initial agreement.</p>
Recommendation	Make a determination to accept the Idaho standard as equivalent to the Utah standard, as required in the city's agreement with the district, and accept the additional concessions being offered by the school district.
Financial Impact	If the City Council allows the Idaho standard to be used, the district will save more than \$40,000 on the cost of constructing the bridge. There

	<p>will be no direct cost savings for the City by allowing the change. The value of the fill dirt and earthwork to place and grade the fill is estimated at \$33,000.</p> <p>The additional real estate being provided by the district is estimated to be valued at approximately \$7,500.</p>
Reviewed By	Mayor, City Manager, Public Works Director, UDOT

Agenda Item #9

Description	Discussion and Consideration of the Purchase of Real Property
Department	Parks
Presenter	City Manager
Sponsor	n/a
Applicant	n/a
Background	<p>The final appraisal for the property for the Heritage Park West expansion has been received. The appraised price is \$440,000.</p> <p>If the City Council is willing to approve it, the property owner is prepared to sell the property to the City with the following terms: The purchase price will be \$440,000 The purchase includes 4 irrigation shares The seller will pay greenbelt rollback taxes The City would have until March 31 to complete any additional due diligence. The closing date would be April 9. The City would pay the title, closing and real estate fees.</p>
Recommendation	Approve the purchase of the property
Financial Impact	<p>The \$440,000 purchase cost is being budgeted to be paid out of the City's Capital Projects Fund reserves, which currently have a balance of more than \$700,000. Pursuant to the city's agreement with the County, the County will reimburse these funds to the City after the County's North Logan park property is sold. This is expected to occur within the next few years.</p> <p>In addition to that reimbursement, the County has agreed to reimburse the City for 50% of the cost to develop the park. The County will use RAPZ funds to reimburse the city. It is estimated that the County will contribute more than \$600,000 in RAPZ funds to the City to assist with the development costs.</p> <p>Title fees are estimated to be \$1,800 Closing and Recording fees are estimated to be \$150 Real Estate fees will be \$4,400</p> <p>In addition to these costs, other costs associated with the purchase may reach \$30,000, based on engineer estimates. Those cost include the Environmental Assessment, Wetlands Assessment, Cultural Resources Assessment, Appraisal, Survey, and Concept Plans.</p>
Reviewed By	Mayor, City Manager, Real Estate Broker, Seller, County's Engineer