



NIBLEY CITY COUNCIL MEETING AGENDA
Thursday, May 19, 2016 – 6:30 p.m.
Nibley City Hall 455 West 3200 South, Nibley, Utah

1. Opening Ceremonies (Mayor Dustin)
2. Call to Order and Roll Call (Chair)
3. Approval of Minutes and Agenda (Chair)
4. Public Comment Period¹ (Chair)

5. Council Workshop Regarding Updates to the Nibley City General Plan

6. Discussion and Consideration of Ordinance 16-03: An Ordinance Amending the Nibley City General Plan (Second Reading)

7. PUBLIC HEARING: A public hearing to receive comment concerning Ordinance 16-04: AN ORDINANCE PROVIDING FOR THE COMPENSATION OF ELECTED AND STATUTORY OFFICERS OF NIBLEY CITY

8. Discussion and Consideration of Ordinance 16-04: AN ORDINANCE PROVIDING FOR THE COMPENSATION OF ELECTED AND STATUTORY OFFICERS OF NIBLEY CITY (First Reading)

9. PUBLIC HEARING: A public hearing to receive comment concerning the Fiscal Year 2016-2017 Budget

10. Discussion and Consideration of Resolution 16-06: A RESOLUTION AMENDING THE BUDGET FOR VARIOUS FUNDS OF NIBLEY CITY FOR THE FISCAL YEAR 2015-16, ADOPTING THE BUDGET FOR THE VARIOUS FUNDS OF NIBLEY CITY AND OTHER BUDGETARY MATTERS FOR FISCAL YEAR 2016-17 AND ADJUSTING CERTAIN FEES AND PAYMENTS FOR SERVICES (First Reading)

11. Discussion and Consideration of the approval of a bid to construct storm water improvements at the Public Works Facility

12. 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.

¹ 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 May 19, 2016

Agenda Item #5

Description	Council Workshop Regarding Updates to the Nibley City General Plan
Department	Planning and Zoning
Presenter	Shari Phippen, City Planner
Sponsor	n/a
Applicant	n/a
Background	<p>Some recommended workshop discussion topics are:</p> <ol style="list-style-type: none"> 1. Is the Council supportive of the vision and mission statements contained on Pages 2 and 7? 2. Do the goals outlined in Chapter 3 reflect the direction Nibley City should be headed? 3. Do the projects outlined in Chapter 4 do enough to accomplish the goals of Chapter 3? <p>The town center appendix is not an ordinance. It is a document outlining a series of concepts for the Council, staff and residents to read and review and become familiar with the idea of a town center and its possibilities. One of the projects discussed in Chapter 4 is the creation of town center overlay ordinance, which staff is in the earliest stages of preparing. The document will reflect many of the ideas and concepts presented in the ordinance.</p> <p>Because it is going to be a major component of any future land use and residential development discussion, staff is hopeful that the workshop will also include an informed discussion on multi-family housing possibilities in Nibley. Recognizing that all housing development is market-driven, a discussion of opening the City up to housing densities other than traditional single-family would be appropriate so the City can prepare ordinances that will bring the highest quality residential development into Nibley, when the market dictates that housing be built.</p>
Recommendation	Provide direction to staff and consultant on any changes to the general plan or on the development of future ordinances related to the GP.
Financial Impact	
Reviewed By	Mayor, City Manager, City Planner

Agenda Item #6

Description	Discussion and consideration of Ordinance 16-03: An Ordinance Amending the Nibley City General Plan (Second Reading)
Department	Planning and Zoning
Presenter	Shari Phippen, City Planner
Sponsor	n/a
Applicant	n/a
Background	<p>Utah Code 10-9a-401 requires that: "...each municipality shall prepare and adopt a comprehensive, long-range general plan for the present and future needs of the municipality and growth and development of all or any part of the land within the municipality."</p> <p>Nibley City's General Plan was last updated in December 2007. In late 2015, Nibley City contracted with Logan Simpson Design ("LSD"), a Salt Lake based land use consulting firm, to prepare an update to the Nibley City General Plan.</p> <p>Over the past several months, LSD has conducted a number of public open houses and information gathering sessions, reviewed and analyzed current and past City master plans, and has spent many hours in meetings with various public bodies and also with staff.</p> <p>The General Plan, as presented, is broken down into four sections:</p> <ol style="list-style-type: none">1- Our Vision2- Our Foundation3- Our Framework4- Our Commitment <p>The first two sections, Our Vision and Our Foundation, discuss the history of the City and provide valuable demographic information and trends which lay the foundation for the final two sections. Our Framework outlines the goals and policies that the City will use to guide how we develop policies, projects and ordinances for the next 7-10 years. Our Commitment outlines the projects that the City will undertake to accomplish those goals and policies.</p> <p>Based on the recommendations in the General Plan, as it stands, having been reviewed and favorably recommended to Council by the Planning Commission, staff has begun to work on a number of ordinances and maps that will implement those goals.</p> <p>Specifically, staff is working on the land use map and an updated annexation policy and map and the Planning Commission reviewed those at their meeting last week.</p>

	<p>One concern that was raised at the public hearing at the last City Council meeting was the lack of specific references to rural character. While there is significant discussion about open space and preserving natural corridors, and while several of the vision statements imply a need to preserve rural character, LSD has stated that there are several places where it could be more explicitly stated that those goals are in pursuit of a desire to maintain rural character.</p> <p>Krissy from LSD will be at this meeting to address any questions and comments that the Council has.</p>
Recommendation	Provide direction to staff and consultant on any desired changes and/or approve the ordinance when ready
Financial Impact	There is no direct financial impact in the adoption of the General Plan. There will be an undetermined financial impact in implementing the components of the plan. The cost to update the plan and associated downtown plan was \$35,000.
Reviewed By	Mayor, City Manager, City Planner

Agenda Item #s 7&8

Description	Public Hearing and Discussion and Consideration of Ordinance 16-04: AN ORDINANCE PROVIDING FOR THE COMPENSATION OF ELECTED AND STATUTORY OFFICERS OF NIBLEY CITY (First Reading)																				
Department	City Council and all Departments																				
Presenter	Mayor, City Manager and Department Heads																				
Sponsor	n/a																				
Applicant	n/a																				
Background	<p>The first draft of the budget for the next fiscal year was presented to the Council and public at the May 5 Council meeting. Staff reviewed various changes in the budget, including a Cost of Living Adjustment for employees and elected officials.</p> <p>In 2015, the Council's gave expressed its intention to operate under an ongoing policy of adjusting elected official stipends annually at the same rate as it is adjusted for other employees. A 2% COLA is being proposed in this budget for employees.</p> <p>The compensation of the elected and statutory officers is proposed as follows:</p> <table data-bbox="500 1136 1430 1304"> <thead> <tr> <th>Office:</th> <th>Present Salary:</th> <th>Proposed Salary:</th> <th>Increase:</th> </tr> </thead> <tbody> <tr> <td>Mayor</td> <td>\$765/month</td> <td>\$780/month</td> <td>\$15/month</td> </tr> <tr> <td>Council</td> <td>\$306/month</td> <td>\$312/month</td> <td>\$6/month</td> </tr> <tr> <td>Judge</td> <td>\$1082/month</td> <td>\$1114/month</td> <td>\$32/month</td> </tr> <tr> <td>Treasurer</td> <td>\$34,408-\$50,616/yr</td> <td>\$35,096-\$51,628</td> <td>\$688-1013/y</td> </tr> </tbody> </table>	Office:	Present Salary:	Proposed Salary:	Increase:	Mayor	\$765/month	\$780/month	\$15/month	Council	\$306/month	\$312/month	\$6/month	Judge	\$1082/month	\$1114/month	\$32/month	Treasurer	\$34,408-\$50,616/yr	\$35,096-\$51,628	\$688-1013/y
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Recommendation	Receive public input and make a motion to advance the ordinance to the second reading.																				
Financial Impact	The impact to the City budget for the increases for the Mayor and Councilmembers will amount to \$540 per year.																				
Reviewed By	Mayor, City Manager																				

Agenda Item #s 9&10

Description	Public Hearing and Discussion and Consideration of Resolution 16-06: A RESOLUTION AMENDING THE BUDGET FOR VARIOUS FUNDS OF NIBLEY CITY FOR THE FISCAL YEAR 2015-16, ADOPTING THE BUDGET FOR THE VARIOUS FUNDS OF NIBLEY CITY AND OTHER BUDGETARY MATTERS FOR FISCAL YEAR 2016-17 AND ADJUSTING CERTAIN FEES AND PAYMENTS FOR SERVICES (First Reading)
Department	City Council
Presenter	David Zook, City Manager
Sponsor	n/a
Applicant	n/a
Background	<p>The first draft of the budget for the next fiscal year was presented to the City Council and public at the May 5 Council meeting. Staff reviewed various changes in the budget and department heads made presentation about accomplishments and plans for the coming year.</p> <p>Resolution 16:06 would adopt the budget for the next fiscal year, as well as make any final adjustments to the current year budget.</p> <p>Approval of this resolution would increase the stormwater fee from \$6.50 to \$6.75 per month per residence and would propose the property tax rate as 0.001667. If Cache County certifies a tax rate lower than this rate, this rate will not become the final adopted rate until after the City holds a truth in taxation hearing on August 4.</p> <p>Some of the changes made to the budget document since its first draft presentation include the following:</p> <ul style="list-style-type: none"> • Addition of a new sales tax graphic • Addition of information about debts owed and payoff schedules • Addition of prioritized capital project lists to several departments • Minor corrections and additions of missing account descriptions • Minor formatting or cosmetic changes <p>Additional minor changes are expected before final adoption in June.</p>
Recommendation	Receive public input and provide staff with direction on any proposed changes and make a motion to advance the resolution to the second reading.
Financial Impact	The total City budget for the next fiscal year is proposed to be \$6.7 million dollars. This is a decrease from \$7.5 million in the current

	budget year. The majority of that decrease is due to the well project, which increased the budget significantly in the current budget year, however the budget also proposes to decrease the budgets of most general fund departments.
Reviewed By	Mayor, City Manager, All Departments

Agenda Item # 11

Description	Discussion and Consideration of the approval of a bid to construct storm water improvements at the Public Works Facility.
Department	Public Works
Presenter	Justin Maughan, Public Works Director
Sponsor	n/a
Applicant	n/a
Background	<p>In 2003, Nibley City became what is known as a Municipal Separate Storm Sewer System (MS4) Phase 2 community. What this means is that in order for the City to discharge storm water runoff from streets and hard surfaces to any natural water body, the City must obtain a permit from the State of Utah to do so. In order to obtain that permit, the City must comply with the rules and regulations set by the state. These rules and regulations have been increasing over recent years. In March of this year, the state renewed and made changes to the regulations. City staff has been working on what is called the Storm Water Management Plan (SWMP), which outlines Nibley’s plans and standard operating procedures to meet the requirements of the new permit. This will include some changes that will need to be made to our storm water ordinance, which staff will be bringing to the Council in the future.</p> <p>One of the Minimum Control Measures (MCM’s) the City is required to be compliant with is “Good House Keeping” of the City’s public works yard. This is not a new requirement, but one where the City has been lacking for some time. The goal is to contain contaminant from the public works yard, and not allow any of them to enter the storm water system, or pollute the ground water. To better facilitate that, the City has proposed a construction plan with a few key elements:</p> <ul style="list-style-type: none"> • Pave the interior of the yard with asphalt • Pipe storm water to a retention facility at the rear of the property and provide some protections and other best management practices (BMP’s) to improve the storm water quality • Construct a concrete pad for washing of vehicles and equipment, that will drain to the sewer system instead of the storm water system. • Construct a contained area to dump street sweeping and vac trailer materials that will drain to the sewer. Items will be dumped in this area, allowed to dry, and then taken to the landfill. <p>The project has been publicly bid per the Nibley City procurement policy. A pre-bid meeting was held last week in which four contractors</p>

	<p>attended. The engineers estimate for the project was: \$200,000.00. Four bids were received and opened in a public bid opening on May 18. City Staff reviewed the following bids:</p> <p>\$129,479.39 DWA Construction \$151,220.90 Consolidated Paving \$156,992.50 LeGrand Johnson \$199,763.00 Staker Parson</p> <p>Staff found the bid from DWA Construction to be the lowest responsive bid. Staff is also familiar with the work of DWA Construction and is confident in the work the company would provide.</p>
Recommendation	Authorize the Public Works Department to purchase services from the low bidder to construct the project.
Financial Impact	\$250,000 was budgeted in the FY 15/16 budget from multiple divisions in the Public Works Department to complete this project. The cost for the project will be shared by the Water Division, Sewer Division, Stormwater Division and the General Fund, which includes the Streets and Parks Divisions.
Reviewed By	Mayor, City Manager, Public Works Director, City Engineer

ORDINANCE 16-03

AN ORDINANCE ADOPTING AN UPDATED GENERAL PLAN FOR NIBLEY CITY

WHEREAS, Utah Code Annotated §10-9a-401 requires that all municipalities located within the State of Utah adopt a General Plan; and

WHEREAS, the purpose of the Nibley City General Plan is to plan for current and future needs of the municipality in regards to growth and development; and

WHEREAS, from time to time, it is necessary for cities to amend their general plan to reflect changes that have occurred within the city and to reflect the current values and vision of that city; and

WHEREAS, Nibley City has undertaken to revise its general plan to reflect such changes and growth that have occurred; and

WHEREAS, the attached document reflects the vision of Nibley City and will serve as a guide for growth and development for the near future.

NOW THEREFORE, BE IT ORDAINED BY THE NIBLEY CITY COUNCIL LOCATED AT NIBLEY, UTAH, THAT:

The attached document, entitled "Nibley City General Plan" is adopted and

1. All ordinances, resolutions and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.
2. Should any provision, clause or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Nibley City Municipal Code to which these amendments apply, The valid part of any provision, clause or paragraph of this ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.
3. This ordinance shall become effective upon posting as required by law.

Passed by the Nibley City Council this _____ day of _____, 2016.

Shaun Dustin, Mayor

ATTEST: _____
City Recorder

ORDINANCE 16-04

AN ORDINANCE PROVIDING FOR THE COMPENSATION OF ELECTED AND STATUTORY OFFICERS OF NIBLEY CITY

WHEREAS, elected and statutory officers are required to devote a significant amount of time and talent to the effective administration of Nibley City; and

WHEREAS, elected and statutory officers should be fairly compensated for their time and expenses; and

WHEREAS, the Nibley City Council established a policy in 2015 of annually adjusting City Council Member compensation commensurate with the cost of living adjustment provided to other City employees.

BE IT ORDAINED BY THE NIBLEY CITY COUNCIL OF NIBLEY, UTAH THAT:

1. All previous salary or compensation ordinances regarding the elected and statutory officers below are hereby repealed.
2. The compensation of the elected and statutory officers shall be as follows:

Office:	Present Salary:	Proposed Salary:	Increase:
Mayor	\$765/month	\$780/month	\$15/month
Councilmember	\$306/month	\$312/month	\$6/month
Justice Court Judge	\$1082/month	\$1114/month	\$32/month
Treasurer	\$34,408-\$50,616/yr	\$35,096-\$51,628	\$688-1013/year

3. Elected and statutory officers shall be paid on the same schedule as other municipal employees.
4. The compensation listed above is not inclusive of per diem, mileage or other expenses which may be incurred in the course of conducting Nibley City business.
5. This ordinance shall become effective upon posting as required by law.

Passed by the Nibley City Council this ____ day of June, 2016.

Shaun Dustin, Mayor

ATTEST: _____
David Zook, City Recorder

RESOLUTION 16-06

A RESOLUTION AMENDING THE BUDGET FOR VARIOUS FUNDS OF NIBLEY CITY FOR FISCAL YEAR 2015-16, ADOPTING THE BUDGET FOR THE VARIOUS FUNDS OF NIBLEY CITY AND OTHER BUDGETARY MATTERS FOR FISCAL YEAR 2016-17 AND ADJUSTING CERTAIN FEES AND PAYMENTS FOR SERVICES

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

1. The attached Fiscal Year 2015-16 current-year budget is hereby adopted and approved as the amended budget for the current fiscal year ending June 30, 2016, with amendments, if any, as reflected in the attached budget document and the minutes of this meeting.
2. The attached budget entitled Final Budget FY 2017 is hereby adopted and approved for the fiscal year July 1, 2016 to June 30, 2017, with amendments, if any, as reflected in the budget document and the minutes of this meeting.
3. The monthly charge for storm water shall be \$6.75 per month, per residential utility customer.
4. The proposed property tax rate is 0.001667.

Dated this _____ day of June, 2016

Shaun Dustin, Mayor

ATTEST

David Zook, City Recorder



J-U-B ENGINEERS, INC.



OTHER J-U-B COMPANIES

Bid Tabulation

Client: Nibley
 Project: Public Works Yard
 Project No.: 57-15-014-001
 Date: May 18, 2016

Nibley Public Works Yard Improvements				Engineer's OPC		DWA Construction		Consolidated Paving		LeGrand Johnson		Staker Parson	
Item #	Description	Unit	Estimated Quantity	OPC - Unit Price	OPC - Total Price	Bid Unit Price 1	Bid Total Price 1	Bid Unit Price 2	Bid Total Price 2	Bid Unit Price 3	Bid Total Price 3	Bid Unit Price 4	Bid Total Price 4
1	Mobilization	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 9,950.00	\$ 9,950.00	\$ 10,436.25	\$ 10,436.25	\$ 17,500.00	\$ 17,500.00	\$ 11,420.00	\$ 11,420.00
2	8" Reinforced Concrete	SF	3,500	\$ 12.00	\$ 42,000.00	\$ 10.92	\$ 38,220.00	\$ 6.29	\$ 22,015.00	\$ 10.30	\$ 36,050.00	\$ 9.50	\$ 33,250.00
3	Roadway Excavation (Plan Quantity)	CY	650	\$ 18.00	\$ 11,700.00	\$ 5.48	\$ 3,562.00	\$ 31.38	\$ 20,397.00	\$ 11.40	\$ 7,410.00	\$ 18.00	\$ 11,700.00
4	Untreated Base Course (Plan Quantity)	CY	385	\$ 50.00	\$ 19,250.00	\$ 30.92	\$ 11,904.20	\$ 42.61	\$ 16,404.85	\$ 30.70	\$ 11,819.50	\$ 71.00	\$ 27,335.00
5	HMA, 4" Thick	SY	2,715	\$ 12.00	\$ 32,580.00	\$ 14.40	\$ 39,096.00	\$ 16.12	\$ 43,765.80	\$ 14.40	\$ 39,096.00	\$ 16.00	\$ 43,440.00
6	12" N-12 Storm Drain Pipe	LF	460	\$ 20.00	\$ 9,200.00	\$ 23.37	\$ 10,750.20	\$ 29.25	\$ 13,455.00	\$ 31.00	\$ 14,260.00	\$ 49.50	\$ 22,770.00
7	2'x2' Concrete Catch Basin	EA	3	\$ 3,500.00	\$ 10,500.00	\$ 1,251.33	\$ 3,753.99	\$ 1,802.00	\$ 5,406.00	\$ 1,400.00	\$ 4,200.00	\$ 3,839.00	\$ 11,517.00
8	Storm Water Pond	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 5,461.00	\$ 5,461.00	\$ 11,258.50	\$ 11,258.50	\$ 15,000.00	\$ 15,000.00	\$ 22,645.00	\$ 22,645.00
9	3'x4' Concrete Catch Basin City Supplied	EA	1	\$ 5,000.00	\$ 5,000.00	\$ 420.00	\$ 420.00	\$ 977.50	\$ 977.50	\$ 540.00	\$ 540.00	\$ 4,631.00	\$ 4,631.00
10	Drian Line Secondary Containment	LS	1	\$ 1,000.00	\$ 1,000.00	\$ 497.00	\$ 497.00	\$ 488.75	\$ 488.75	\$ 517.00	\$ 517.00	\$ 1,035.00	\$ 1,035.00
11	Bollard	EA	4	\$ 1,000.00	\$ 4,000.00	\$ 524.75	\$ 2,099.00	\$ 862.50	\$ 3,450.00	\$ 650.00	\$ 2,600.00	\$ 1,380.00	\$ 5,520.00
12	Decant/ Washdown Wall Section	LF	25	\$ 250.00	\$ 6,250.00	\$ 150.64	\$ 3,766.00	\$ 126.65	\$ 3,166.25	\$ 320.00	\$ 8,000.00	\$ 180.00	\$ 4,500.00
				Sub-Total	\$ 151,480.00								
	Contingency			20%	\$ 30,296.00								
Total Bid Price					\$ 181,776.00		\$ 129,479.39		\$ 151,220.90		\$ 156,992.50		\$ 199,763.00

Note: Items in red indicated a calculation error in the original bid. The number shown is the correctly calculated number.