



# The Nibley City News

Nibley, Utah—August 2020

## Thoughts From Mayor Dustin



Mayor Shaun Dustin

I had COVID, as did all of my family. Yes, it was bad and I don't want to do it again, but we are fine. Thanks to all who offered their thoughts and prayers. We appreciated it and our thoughts and prayers go out to all those affected by this.

As most of you are probably aware, the City is in the process of working through a citizen referendum. The referendum is to request reconsideration of the rezone the City Council did for a subdivision on the north end of town called Firefly Estates. The subdivision consists of 3.5 acres of park space, 26 single family homes, and 104 townhomes on 20 acres. The Council approved this in a controversial but not contentious vote after months of public debate and discussion.

Understandably, the plan for this development worries people in the area. There are also misunderstandings about the scope and scale of the proposed development because over the past 3-4 years, Logan has been busy rezoning the land just north of Nibley and permitting apartments at a density four times what Nibley approved (all of the building and development happening north of Firefly Park on 2200 S is in Logan; Nibley has no control over that development).

The folks who put together the petition did their best, in a challenging time, to comply with the state constitution that allows for a referendum. Enough signatures were submitted to get the issue put on the ballot so citizens could weigh in on the Firefly Estates rezone. The Council and I are supportive of their right to do that and the constitutionally defined process that allows it. In fact, it makes me happy to see citizens get engaged in this stuff, because the more eyes we have on government and government decisions, the more likely I think we are to get things right.

The City Attorney reviewed the petition, as submitted, and felt that there were some issues with the petition that created some uncertainty about whether the City could accept all of the signatures or not. That put the Council and me in an awkward position. If we accepted the petition, the City would be sued by the developer because the developer's attorney saw the same issues with the petition that our city attorney did. If we denied the petition, we were in the super unpopular position of standing between our citizens and a vote.

This is one of the toughest things I've had to deal with as the Mayor. On a personal level and as a private citizen, I supported and signed the petition. On the other hand, I saw the city attorney's reasoning and read the laws about how the process worked and the specific requirements for petitions and it made sense to me. At the end of the day, it's my job and the Council's job to enforce all the laws, not just the ones we agree with. We also saw that there was enough ambiguity in the state constitution and the supporting laws that we could understand where the petitioners were coming from.

Thank goodness for a judiciary system to referee this. When two sides in a dispute both have a sincere belief that they are on the right side of the law, we take it to a judge and let the court sort it out. That's where things are right now. We've

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## Truth in Taxation Hearing

Nibley City will hold a Truth in Taxation hearing during the Nibley's City Council meeting on Thursday, August 27, at 6:30 p.m. at Nibley City Hall. Nibley City is proposing to maintain its property tax rate and will hold this hearing to receive comments and input from Nibley's citizens.

The proposed tax rate is consistent with the City's historic rate of 0.001667. Based on the average increase in property value, the Nibley City tax on a \$305,000 residence would increase from \$271.76 to \$279.64, which is \$7.88 per year. The Nibley City tax on a \$305,000 business would increase from \$494.10 to \$508.44, which is \$14.34 per year.

To obtain more information regarding the tax rate, citizens may contact Nibley City at 752-0431.



### Nibley City Office

455 West 3200 South  
Nibley, UT 84321

Ph: 752-0431 • Fax: 753-1510

Hours: 9:00 a.m.–5:00 p.m. (Mon.–Fri.)

Visit the Nibley City website at

[www.nibleycity.com](http://www.nibleycity.com)

Nibley City is also on



Go to [www.facebook.com/nibley](http://www.facebook.com/nibley)

and our page

To contact Mayor Shaun Dustin  
[shaun@nibleycity.com](mailto:shaun@nibleycity.com)

If you have comments, or information that could be included in the newsletter, please contact [cheryl@nibleycity.com](mailto:cheryl@nibleycity.com).

## Planning Our City



**Levi Roberts**  
Nibley City Planner  
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(435) 752-0431

Despite the overarching impact of COVID-19 on everyone’s lives, the demand for new development in Nibley does not appear to be slowing down. The following developments are anticipated to be reviewed by the Planning Commission and City Council in August.

- Ridgeline Park Subdivision Preliminary Plat for phases 1-3. Ridgeline Park, located northeast of City hall, was approved for a Residential Planned Unit Development (R-PUD) Overlay Zone in April, allowing for up to 498 homes on 76 acres. For this stage of the development, the applicant is proposing approximately 127 units that are a mix of townhomes, single-family homes, including several active adult units. Amenities will include park area, a public trail, pickleball courts, and gathering spaces. In addition, an 18.3 acre City Park will be dedicated to the City and improved as the subdivision develops.
- Nibley Meadows Residential Planned Unit Development Overlay Zone, located south of 3200 S at 1000 W, proposing approximately 273 units, including a mix of townhomes and single-family homes. This development also proposes trails, a mix of amenities, and several acres of preserved open space, including a 4.5 acre City Park.

In addition to these development proposals, the following proposed ordinance changes are being reviewed:

- An ordinance providing standards for Accessory Dwelling Units, allowing for detached apartments within Nibley City. The current draft ordinance provides several standards, including limits on square footage and assurance that usual health and safety standards are followed.
- An amendment to the Rural Preservation Subdivision Ordinance, including changing the name of the subdivision type and encouraging the consolidation of open space areas to foster larger, more usable areas of open space.
- An amendment to the Residential Planned Unit Development (R-PUD) Ordinance, which allows for a mix of housing in specific areas of the City with requirements for open space and amenities. This ordinance is currently under a 180-day moratorium, which will expire on September 22. Proposed amendments will work to address concerns with the current ordinance. Specific amendments may include adjusting the maximum densities, open space, amenities and other requirements.

You can find full agendas and reports for each meeting of the Nibley City Council and Nibley City Planning Commission on [www.nibleycity.com](http://www.nibleycity.com). Agendas and reports are posted the Friday before each meeting.

## Reminders from Nibley City Staff

### New Water Rates

Water rates in Nibley City were last adjusted in 2007. Since that time, the State of Utah passed a law that requires cities to implement an increasing block culinary water rate structure to incentivize water conservation.

The Nibley City Council passed Resolution 20-07 on June 25, 2020. This Resolutions sets the following water rates:

Base Rate	
1-in. meter	\$15.50 per connection
2-in. meter	\$35 per connection
3-in. meter	\$65 per connection
4-in. meter	\$90 per connection
5-in. meter	\$95 per connection
6-in. meter	\$105 per connection
Rates per 1,000 gallons:	
0-5,000	Included in base rate
5,000-40,000	\$1.05
40,000-65,000	\$1.10
65,000-100,000	\$1.15
100,000+	\$1.35

The average water user in the City would see a \$20-\$35 yearly increase. These rates go into effect on October 1, 2020.

—Nibley City Staff

## Backflow Prevention



**Justin Maughan**  
Public Works  
Director

### What is Backflow?

Backflow is the undesirable reversal of flow of fluids, chemicals, or any other foreign material into the public drinking water system. There are two forms of backflow: Backsiphonage (usually caused by a loss of pressure in the drinking water system) and Backpressure (caused by pumps, piping systems elevation, or thermal expansion from a heat source. Backflow can cause drinking water to become polluted or contaminated and reduce the equality of drinking water, creating a public health hazard.

**Can Backflow Be Prevented?** Yes. A cross-connection is a physical connection between the water supply and any source of possible pollution or contamination. By eliminating or controlling all actual or potential cross-connections, the public drinking water system is protected.

Simple plumbing changes can easily eliminate many cross-connections. However, where this is not possible, backflow prevention assemblies can be installed to protect the water supply. Please call the city for a *free* inspection if you have questions about your water piping.

*(Thoughts From Mayor Dustin, continued from page 1)*

asked a judge to weigh in as soon as possible and to tell us if the petitioners met the intent of the law. If they did, then this question will be on the ballot in November (if the judge decides it soon enough).

I'd like to get this resolved as soon as possible, but I'm grateful that it happened because it's brought focus on a bigger issue. In Nibley, we can control our zoning and we can control our lot sizes and if we want to pull back from this, we can. But the bigger question is about things outside of our control. When Logan annexed and rezoned the area north of Nibley, they made room for what could be up to 1,000 apartments and multifamily units in that space.

The immediate and far-reaching consequences of integrating those rental families into our community are far more urgent and difficult than how we address the purchaser of a \$250K owner-occupied townhome and their kids. It's complicated, but because of deals that the Logan and Cache County school districts worked out a long time ago; and because of the way our other non-government social institutions work in the valley, your City Council has no control over whether those Logan families are coming to our schools and churches or using our parks and streets.

While the Nibley multifamily approvals will build out over the next 10 years, the first 300 Logan apartments are scheduled to be occupied in 2020-2021. The Church of Jesus Christ of Latter-Day saints will likely bring them into Nibley wards, and the County school district will send them to Nibley schools. We have no say in either of those. Our challenge is not to micromanage our own development—we will work that out and it will be fine. Our challenge is to make those new folks who want to be part of our community, but happen to live outside our political boundary, feel loved and appreciated. If we can't do that, this town will change in ways that will make concerns about townhomes and smaller single-family lots seem trivial. I know who we are and I know we can figure this out as long as we keep our eyes on what's really important.

I came to Nibley because in 2006, it was the cheapest place in the valley and I could afford to buy a house that fit my kids. I stayed because of the people and the way they treated each other. Nibley is not half-acre lots and \$400K homes. Nibley is the people and the ditches and the birds and the water and the trees. It's a vibrant community with a mix of young and middle and older people, where the ditches and streams don't get piped or fenced off, so that kids can catch frogs and float in tubes and grow up in a place where they feel wanted and valued. Families can look out for each other, and as I get older, I can take my dog on a walk and watch all of that happening. If we can accomplish that, then does the size of the lot or the style of the house matter? If we can welcome our neighbors and make them feel like a part of this community, it will continue to be the place that we love.

I was talking to the Mayor of Paradise at a dinner one time and he told me how he describes his town to people. He asks them what the place they came from was like. If they say the people were kind and open and neighborly, that's what they would find in Paradise. If they were closed off and ornery, he tells them that's what they would find in Paradise. What's Nibley like? Where do you want to live? How can we make that happen?

*Mayor Dustin*

**CIVIC CELEBRATION OF A CENTURY**

1920  
2020

MUSIC  
EXHIBITS  
SPEAKERS

celebration  
WOMEN'S SUFFRAGE  
1920-2020  
cache2020.org

**PLEASE JOIN US**  
**AUGUST 26TH**  
the 100th anniversary of the 19th Amendment

**FREE** on the Historic Cache County Courthouse steps  
*special guest speakers*

**6:30 PM**

**7:30 PM** at the Utah Theatre  
short films celebrating trail-blazing women  
**FREE**

*Masks and social distancing encouraged.*

**up to 3 Up to 3 Early Intervention**

The Up To 3 Early Intervention program is a home-based service program, which provides services to promote the development of children under the age of 3 with developmental delays or disabilities of various kinds. These services include behavior services, Autism Spectrum Disorder, nutrition, speech and language, physical therapy, occupation therapy, and vision and hearing. If you have concerns about your child, Up to 3 offers free evaluations. They are located in the Center for Persons with Disabilities at Utah State University. Contact them at 797-3727 or visit their website at [www.Upto3.org](http://www.Upto3.org).

## Recreation Roundup

### Looking Forward to FALL Youth Sports



**Flag Football**—This youth sports program has been a hit for both players and parents. With the league motto and objective of *Play Safe, Play Smart, and Have Fun*, our program teaches participants the value of teamwork, leadership, and the FUNdamentals of the game in a safe environment where sportsmanship is a priority. Registration closes **Aug 5** or once full. A waiting list will be available to fill any remaining openings. Register online or print the registration form at home, complete it, and put it in the drop box with a check payment at Nibley City Hall. Games are in September and October.



**Fall Next-Step Soccer**—This small-sided soccer program format means your child will have a lot of ball touches, as they are guided by trained volunteer coaches. Plan on a program with games in Nibley and no game overlap with the Flag Football program. Registration closes **Aug 5** or once full. A waiting list will be available to fill any remaining openings. Register online or print the registration form at home, complete it, and put it in the drop box with a check payment at Nibley City Hall. Games start at the end of August and go through September.

### Join Us Today



**Parks and Recreation Committee Service**—Would you like to be more involved in Nibley's events and programs and help move Nibley Parks and Recreation forward? Consider getting involved with the Parks and Recreation Advisory Committee, Parks and Recreation Friends Group, or attending a Parks and Recreation Advisory Committee meeting. Applications for Committee and Friends group positions are now open. Each require a different level of volunteer service and have unique benefits. In the coming years, the committee will evaluate a number of park designs and spaces, among other things. Go to [www.nibleycity.com](http://www.nibleycity.com) for an online application.



**Wild Goose Chase Scavenger Hunt**—This unique scavenger hunt is more than your average scavenger hunt experience. Enjoy getting outside with your family as you explore Nibley. The hunt will be over several days and your family can participate on your schedule. You'll discover things you never knew or have never seen in Nibley. Go by vehicle, bicycle, or

on foot. A raffle and prizes will be available for those who complete the hunt. Wondering when this might happen? That is all a part of the game. Keep an eye on Facebook to learn more or better yet, join the texting club to get a notice the moment the hunt opens. Text "Events" to 435-752-0431.



**Back to School Preparation**—As you prepare your children to return to school, consider participation in youth sports, and/or look at active ways they can get to and from school. A good pair of sturdy walking/running shoes are important and a bike helmet to go with a well-tuned bike will eliminate hours of car pooling, and will give your children an opportunity to get moving before they tackle homework or household chores. Whether your child is involved with our Nibley City Recreation youth sports programs or not, keeping them physical active significantly contributes to healthy brain activity, improved concentration and academic performance, improved self-image, and reduced anxiety typically felt by students adjusting to the next grade level.



**Chad Wright**  
Nibley Recreation Director

Like and share Nibley City's Facebook page ([www.facebook.com/nibley](http://www.facebook.com/nibley)) and website ([www.nibleycity.com](http://www.nibleycity.com)). You'll find the most up-to-date information on Nibley City recreation events and activities.

### Our Nibley-Millville EMTs



**Chris Searle**  
Emergency Manager  
Nibley/Millville EMT Squad Leader

EMTs play an important role and make enormous contributions to a healthcare team. They are often the first on the scene when help is needed most.

The Nibley-Millville First Responders is a valued, service-minded organization that responds to the citizens of Nibley when help is needed most. Nibley's Squad 140 is currently recruiting. Applicants must hold a current EMT certification from the Utah Bureau of Emergency Medical Services or be willing to attend and successfully complete an EMT course. Financial tuition assistance may be available for interested applicants and current members receive a small stipend. For more information, contact Chris Searle at [squad140@gmail.com](mailto:squad140@gmail.com).

There are potential changes in Nibley's Emergency Medical Services on the horizon. Now is a good time to join the squad and be a part of a new, exciting chapter in Nibley's history.

