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**Minutes of the North Logan City  
City Council  
Held on June 6, 2012**

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**At the North Logan City Library, North Logan, Utah**

8 The meeting was called to order by Mayor Lloyd Berentzen at 6:30 p.m.

9  
10 Council members present were: Roger Anderson, Nancy Potter, Kristen Anderson, Damon Cann  
11 and John Bailey.

12  
13 Others present were: Alan Luce, Linda Keith, John Keith, Michele Yost, Jon Keller, Donna Marie  
14 Wagner, Kim Hawkes, Peggy Giles, Blake Parker, Bonnie H. Jorgensen, Cordell Batt, Scott  
15 Bennett, Lydia Embry, Jeff Jorgensen and Marie Wilhelm.

16  
17 The Pledge of Allegiance was led by Kristen Anderson.

18 An invocation was given by Roger Anderson.

19  
20 **Adoption of Agenda**

21 *Nancy Potter made a motion to adopt the agenda as presented. Roger Anderson seconded the*  
22 *motion. A vote was called and the motion passed unanimously with Kristen Anderson, Roger*  
23 *Anderson, Damon Cann, John Bailey and Nancy Potter voting in favor.*

24  
25 **Approval and Follow-up of Minutes of May 16, 2012**

26 *Nancy Potter made a motion to approve the minutes as amended. Kristen Anderson seconded*  
27 *the motion. A vote was called and the motion passed unanimously with Kristen Anderson, Roger*  
28 *Anderson, Damon Cann, John Bailey and Nancy Potter voting in favor.*

29  
30 **Follow-up**

31 Nothing at this time.

32  
33 **Review of Action Items**

34 Jeff Jorgensen reviewed the action items list with the council.

35  
36 **New Business**

37 **Presentation of a check to the Friends of the North Logan Library and the city from proceeds from**  
38 **the Thorne Endowment.**

39 John Keith from the Thorne Endowment Board (and President of the Friends of the North Logan  
40 Library Board) explained that the library board has agreed to allocate \$120K to the funds for the  
41 library. He said 70% of those funds, or \$84K, will go to the City, and \$36K will be retained by the  
42 Friends of the North Logan Library (FNLL) for their distribution. He said he has had some  
43 confusion regarding the accounting process, therefore the check from the FNLL to the City will be  
44 presented after the first of July, to be consistent with the City's fiscal year.

45 Jeff explained that there has been no payment in this fiscal year.

46 Mr. Keith said the payment of \$77K was paid in June 2011 for fiscal year 2012 and said he wants  
47 to pay this [upcoming] \$84K on July 1, 2012.

48 Jeff said that will put the library's budget in deficit for the year, and explained that the fiscal year  
49 ends at the end of June. He discussed this further with Mr. Keith and Mayor.

50 After further discussion and explanation from Jeff, the Library Board agreed to give the payment  
51 to the City by the end of June.

52 Joel Larson from the board of the Thorne Endowment Foundation concurred with this.

53 *(Note for the record. The next day after the meeting, Jeff discovered that in FY2010 two Thorne*  
54 *Endowment payments of \$70K each were received, one of which was intended for FY2011. The FY2012*  
55 *payment of \$77K was then received in June of 2011 and credited to FY2011 rather than FY2012. If the*  
56 *payment of \$84K presented during this meeting and intended for FY2013 is received prior to July 1 it would*  
57 *be credited to FY2012. To correct the situation it was decided to do as proposed and transfer the \$84K in*  
58 *funds after July 1, leaving no payment for FY2012 and putting the timing of these funds back on track. The*

59 deficit for FY2012 would be made up from fund balance since the fund balance was essentially overstated  
60 since the time two payments were received in one year in FY2010.)

61

62 **6:40 Public Hearing** to receive input on a proposed revision to the FY 2012 municipal budget.

63 **6:45 Public Hearing** to receive input on the proposed FY 2013 municipal budget.

64 Following the public hearings the council will continue discussions about the draft municipal  
65 budgets.

66 Mayor Berentzen read to those present, the guidelines for making public comments during a  
67 public hearing.

68

69 *Mayor Berentzen opened the public hearing at 6:47 p.m.*

70

71 Jeff Jorgenson suggested allowing the comments to be for both budgets, which Mayor Berentzen  
72 agreed with.

73

74 Lydia Embry presented her comments and concerns about the budgets. She asked that if the  
75 police building is going to be built in the City Center, whether the police building is included in the  
76 current moratorium on building in that area. She also asked if there would be a gap in the tax  
77 increment coming in from the RDA area if nothing is built there. Still referring to fiscal year 2011,  
78 she asked about the organization changes in City staff that weren't supposed to increase  
79 personnel costs. She said her notes on all of this that she sent to the Mayor, she will also send to  
80 the rest of the council. She said it appears to her that wages are up 16.4% in the General Fund  
81 in fiscal years 2012 and 2013. She discussed road projects that appear to have been done, and  
82 also reviewed monies set aside for future road projects. She continued to refer to additional road  
83 projects and said there seems to be a significant difference in the per-lane-mile cost for road  
84 projects on 1600 East versus 1200 East. She referred to two parcels of land the City purchased  
85 for Elk Ridge Park, and said it wasn't announced and asked if there was some reason that the  
86 City didn't tell anyone about this additional park area the City obtained. She referred to the  
87 Community Covenant Ceremony and Signing that took place on the Memorial Day, and asked for  
88 confirmation that this will have no financial or budgetary effect. She said 63.8% of the City's  
89 Fiscal 2013 budget is going to wages and benefits. She said she would like to see more  
90 information in the budget. She asked about the remodeling of the fire station being done by the  
91 Facilities Department, and asked where in the Fiscal 2013 budget the [costs for the] new police  
92 department building is located, and what the costs are. She asked about the agreements with the  
93 Logan, Hyde Park, Smithfield Canal and the Logan-Northern Canal companies and referred to  
94 Jeff saying those agreements had not yet been signed. She said that Jeff advised that the  
95 previously discussed \$162K for the City's share of the canal rebuild is going to be in the next  
96 budget. She also asked who is responsible for the City's land, in relation to weed control. She  
97 also asked about the broken trees on the west end of the library parking lot. She said there is a  
98 big difference on what percentage employee benefits are of wages and asked if benefits are  
99 going up faster than wages.

100

101 *As there were no further public comments, Mayor Berentzen closed the public hearing at 6:58*  
102 *p.m.*

103

104 Nancy Potter reviewed her questions regarding changes from the last budget draft, as well as  
105 potential discrepancies for numbers in various items in the budget, which Jeff discussed with her  
106 and the council. Nancy said the justice court costs went up quite a bit, which Jeff said he would  
107 look into.

108 Jeff continued to discuss various items with the council, including the energy, sales and use tax,  
109 and the certified tax rates for the following year.

110 The council discussed wages and benefits at length, and mentioned the fact that some or all of a  
111 potential 1% wage increase would end up going towards the increased health care costs,  
112 particularly in the case of certain employees.

113 Jeff explained the market for wages, which the council discussed further.

114 The council discussed potential increases, and determining a specific amount and methodology  
115 by which to distribute it. The council members agreed that the increases need to be based on  
116 merit. John Bailey said that employees need to have some predictability as to knowing what it  
117 takes to qualify for a meritorious raise.

118 The council continued their discussion, and Donna Marie Wagner described the situation with  
119 library wages, as well.

120 Mayor Berentzen mentioned that he will not be in attendance at the next meeting, but that the  
121 City Council needs to be ready to adopt the budget at that meeting on June 20<sup>th</sup> [including  
122 deciding what to set aside for wages].

123 The council continued their discussion, including where in the budget to place the funds for wage  
124 increases; and whether to do a general 1% increase versus putting that through the meritorious  
125 system. They also discussed giving "extra" to certain employees based on superior performance.  
126 The council directed Jeff to have the next draft of the budget reflect a 1%, across-the-board raise  
127 for all employees (like a cost of living raise) with an additional \$10,000 to be distributed by the  
128 Mayor based on merit or other appropriate criteria

129

130 Consider a revised/updated Development Plan and Preliminary Plat for North Cache Business  
131 Park project located at 500 West and 2500 North.

132 Cordell introduced the item and explained the current situation. He discussed the change and  
133 explained that the plat was never signed; and the code states if it is not signed and completed  
134 within a year, the developers have to resubmit, which they have done. Cordell said it is staff's  
135 recommendation to approve this development plan and preliminary plat.

136 Cordell addressed some minor questions from the council. Cordell also mentioned that any  
137 project that comes in on any of these four lots has to be reviewed by the Design Review Board,  
138 which he further explained.

139

140 *Damon Cann made a motion to approve the revised/updated Development Plan and Preliminary*  
141 *Plat. John Bailey seconded the motion. A vote was called and the motion passed unanimously*  
142 *with Nancy Potter, John Bailey, Roger Anderson, Damon Cann and Kristen Anderson voting in*  
143 *favor.*

144

145 Consider a 2012 Concession Service Agreement for a vendor wanting to sell Shaved Ice/Ice  
146 Cream in the parking areas of Elk Ridge Park and Meadow View Park.

147 Scott Bennett introduced the item and said it came about due to someone asking to sell  
148 concessions in the park, and the City did not have anything in place which allowed that. He said  
149 that he and Alan Luce put this agreement together and had it reviewed by City Attorney, Bruce  
150 Jorgensen. Scott said this agreement allows the Park Director to negotiate with the person  
151 wanting to do the concession, and allows the City to receive a certain percentage of the revenue  
152 rather than to charge a flat fee. He said in the future, the City would like to have a bidding  
153 process take place, much like the City of Logan does, which he further explained. He said  
154 allowing a vendor in there now might encourage other vendors to come into the park. Per a  
155 question from council, Scott explained that vendors are specifically not allowed to be at the  
156 Pumpkin Walk; and they are not allowed to be at any event that takes place between the City and  
157 someone else, such as Ride for the Fallen, Movies in the Park, etc.

158 Alan Luce explained the situation as well.

159 The council discussed various related items. Nancy said the agreement needs to have  
160 something that includes the City designating exactly where the vendor should be located. She  
161 also said that the agreement does not state how long the agreement is for and should not be  
162 opened ended. Scott explained that the agreement has a date which goes through October 15<sup>th</sup>,  
163 and the City fills in a blank space for the year, which reflects the end of the contract. Nancy said  
164 it should include that the agreement is a yearly agreement. Nancy referred to the issue of the  
165 City receiving a percentage versus a flat fee, and said that she questioned whether the City would  
166 really make more using a percentage; and said it may be difficult to get all of the tax records, etc.  
167 [using a percentage]. She said it may be easier on the vendors to have them simply pay a flat fee  
168 and be done with it, and for the City to then know exactly what they are going to receive.

169 Scott explained that currently, there is only one interested vendor who said they would not even  
170 consider doing it for a flat fee.

171 Mayor Berentzen said to make sure they have their food permit from the Health Department.

172 Kristen Anderson mentioned the part in the agreement requiring the vender to remove their  
173 structure daily, and said she wondered about allowing the vendor to assume the risk of leaving it  
174 there, potentially for the summer, which would be more convenient.

175 Alan said that it could be put into the agreement for the vendor to assume liability for doing so.  
176 He said he also agreed with including verbiage in the agreement designating a location for the  
177 vendor.

178 Jeff suggested leaving it up to the Park Manager to make that decision, which the council agreed  
179 with.

180

181 *John Bailey made a motion to approve the Concession Service Agreement with the changes, as*  
182 *discussed, and approve it for the trial period of one year. Roger Anderson seconded the motion.*  
183 *A vote was called and the motion passed unanimously with Nancy Potter, John Bailey, Roger*  
184 *Anderson, Damon Cann and Kristen Anderson voting in favor.*

185

186 Discuss the draft Transportation Element and the Housing Element for the General Plan and  
187 determine a date and time for a public hearing on the plan.

188 Cordell Batt discussed the current status of the situation and said when he says 'Transportation  
189 Element', he is referring to the master plan's transportation map. He said the Planning  
190 Commission has reviewed the map and that the main items they are dealing with are the  
191 realignment of 200 East, as well as some other minor changes. He said he will bring that to the  
192 City Council to review and make those change (at their June 20<sup>th</sup> meeting). He suggested that  
193 they then hold a public hearing at the only City Council meeting in July; and that the City Council  
194 would then likely approve it at their first meeting in August. He suggested also having the City  
195 Council review the Housing Element at that June meeting, which he discussed further.

196 Cordell also briefly discussed with the council, the proposed planning schedule for the City Center  
197 plan and code, which goes from June through November. He discussed this further.

198 Nancy asked to meet with Cordell to see what the plan is for 2500 North.

199 Cordell briefly discussed the other minor changes suggested by the Planning Commission which  
200 helps with the east/west movement of traffic, which are minor segments on 2100 North and 2900  
201 North.

202 Mayor Berentzen mentioned the committee they are trying to put together to help with the  
203 planning of the City Center area, and asked Cordell if he could suggest eight to ten names to him  
204 that might be good for this committee.

205 Cordell said he would like to see this committee meeting with the Planning Commission on a  
206 regular basis.

207

208 Consider the appointment of persons to the Planning Commission.

209 Mayor Berentzen recommended appointing Kevin Christensen to the Planning Commission. Mr.  
210 Christensen was in attendance at the meeting, and per Mayor Berentzen's request, described a  
211 bit of his background.

212 Mayor Berentzen asked for the council's approval and explained that Mr. Christensen will not be  
213 an alternate, as he is replacing Frank Prince and will be completing the remainder of Frank's  
214 term.

215

216 *John Bailey made a motion to approve Mayor Berentzen's recommendation. Nancy Potter*  
217 *seconded the motion. A vote was called and the motion passed unanimously with Nancy Potter,*  
218 *John Bailey, Roger Anderson, Damon Cann and Kristen Anderson voting in favor.*

219

220 Reports from city officers, boards, and committees

221 Chief Kim Hawkes said information on an ordinance regarding nuisances, and specifically weed  
222 control, will be forthcoming to the City Council, which he discussed further. He also mentioned  
223 that one of the police vehicles they are replacing is a lease with a specific turn in date, and in  
224 order to get the new vehicle into service when the time comes, they would like to order it now, as  
225 there is a delay in when it is delivered; even though the vehicle is not an expenditure until next  
226 year's budget. He also said he would like the police building to remain a topic of discussion and  
227 said they are actively looking for a place that the department can rent temporarily.

228 Mayor Berentzen said they are now forced into a situation where they have to rent something,  
229 and said he wishes that money was going into a building rather than a rental situation; therefore  
230 that issue needs to remain a high priority.

231

232 Alan Luce mentioned that curb, gutter and sidewalk is to be installed on the south side of the road  
233 on 2100 North between 1200 East and 1600 East but the storm water design still needs to be  
234 completed and asked to have that project moved to be done in the next fiscal year. He said it  
235 would be beneficial if it could be completed right after July 24<sup>th</sup>.

236  
237 Jeff reminded that there will not be a City Council meeting on July 4<sup>th</sup>.

238  
239 Damon Cann said the Library's reading kick-off party was great; and also commended Jeff  
240 Jorgensen and Alan Luce for their work on getting the grant for RAPZ funds.

241  
242 John Bailey asked if Mayor Berentzen got names for new library board members. John Bailey  
243 discussed this further and Mayor Berentzen said he will move forward on that.

244  
245 Nancy Potter stated to Chief Hawkes how well she thought the DARE graduations she attended  
246 were done, as she had stated at a previous City Council meeting when he was not in attendance.

247 Nancy Potter also described how well the Memorial Day Program went and thanked Alan Luce  
248 and Peggy Giles for all their help, as well as the Scout Troop from the first ward. She further  
249 reviewed some of the things that took place at that event.

250 Mayor Berentzen thanked Nancy Potter for all her efforts, as well.

251  
252 Executive Session (Closed) to discuss the acquisition of real property.

253 *Nancy Potter made a motion to move into Executive (Closed) Session for the purpose of the*  
254 *discussing the acquisition of real property. Kristen Anderson seconded the motion. A vote was*  
255 *called and the motion passed unanimously with Nancy Potter, John Bailey, Roger Anderson,*  
256 *Damon Cann and Kristen Anderson voting in favor. This occurred at 9:06 p.m.*

257  
258 Minutes for this item written under separate cover.

259  
260 *Kristen Anderson made a motion to close the Executive (Closed) Session and return to the*  
261 *regular City Council meeting. John Bailey seconded the motion. A vote was called and the*  
262 *motion passed unanimously with Nancy Potter, John Bailey, Roger Anderson, Damon Cann and*  
263 *Kristen Anderson voting in favor. This occurred at 9:31 p.m.*

264  
265  
266 Mayor Berentzen mentioned that perhaps Kristen Anderson and Damon Cann could be part of  
267 the aforementioned committee [for the City Center area]. Damon said he could do that, and  
268 Mayor Berentzen said that Cordell would also be involved. Mayor Berentzen said this six month  
269 moratorium is going to pass quickly, therefore we need to move forward on this.

270  
271  
272 *John Bailey made a motion to adjourn the meeting. Kristen Anderson seconded the meeting. A*  
273 *vote was called and the motion passed unanimously with Nancy Potter, John Bailey, Roger*  
274 *Anderson, Damon Cann and Kristen Anderson voting in favor.*

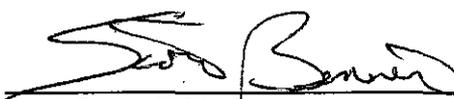
275  
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277  
278 The meeting adjourned at: 9:33 p.m.

279  
280 Approved by City Council: June 20, 2012

281  
282 Transcribed by Marie Wilhelm

283  
284 Recorded by

285  
286  
287

  
\_\_\_\_\_  
Scott Bennett/City Recorder