

1 **Minutes of the North Logan City**
2 **City Council**
3 **Held on September 5, 2012**
4 **At the North Logan City Library, North Logan, Utah**

5
6
7 The meeting was called to order by Mayor Lloyd Berentzen at 6:31 p.m.

8
9 Council members present were: Kristen Anderson, Damon Cann, Roger Anderson, John Bailey
10 and Nancy Potter.

11
12 Others present were: Jessica Sonderegger, Sydney Gines, Alan Luce, Joe Hawkes, Michelle
13 Yost, Jeff Huffman, Jeffrey Mark Huffman, Laura Huffman, Angela Fisher, Jon Keller, Jacob Hola,
14 Marie Godfrey, Irene Hola, John Seamons, Alan Collins, Lydia Embry, Scott Bennett, Jeff
15 Jorgensen and Marie Wilhelm.

16
17 The Pledge of Allegiance was led by Jeff Huffman – North Logan Venture Crew 81.
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. John Bailey seconded the*
22 *motion. A vote was called and the motion passed unanimously with Nancy Potter, John Bailey,*
23 *Roger Anderson, Damon Cann and Kristen Anderson voting in favor.*

24
25 **Approval and Follow-up of Minutes of August 1, 2012 and August 15, 2012 City Council**
26 **Meeting Minutes**

27 **August 1, 2012 City Council Meeting Minutes**

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

31
32 **August 15, 2012 City Council Meeting Minutes**

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

36
37 **Follow-up**

38 Nothing at this time.

39
40 **Review of Action Items**

41 Jeff Jorgensen reviewed the list with the council.

42 Mayor Berentzen discussed the North Logan City entrance area at 2500 North in terms of the
43 landscaping dying, and asked who is responsible for taking care of that, which Jeff explained and
44 discussed with the Mayor. Mayor Berentzen asked to have Ross (Lapray) get moving on this
45 quickly; and to have a response that they can discuss at the next City Council meeting.

46
47 **New Business**

48 **Presentation to the Cache Community Food Pantry Building Fund of donated funds collected by**
49 **Eagle Scout candidates who organized and ran the charity dinner as part of this summer's North**
50 **Logan Pioneer Day celebration.**

51 Jeff Huffman, from North Logan Boy Scout Venture Crew 81, explained the Eagle Scout Project
52 that he and Jacob Hola did, orchestrating and carrying out a community benefit dinner for The
53 Cache Community Food Pantry, held on the 24th of July at Elk Ridge Park. He said they were
54 able to raise \$1,113.40 in donations. He and Jacob then presented a check in that amount to Joe
55 Hawkes, representing The Food Pantry. Mr. Hawkes expressed his thanks to the scouts for their
56 efforts.

57 Mayor Berentzen suggested including this in the newsletter to highlight this effort.

58

59 Consider approval of an agreement to effect the exchange of a protective strip of land owned by
60 the city which was part of the Canyon Ridge Phase III Subdivision being traded for a portion of
61 land in parcel 04-050-0067. (owned by Cox Trust) that would become a part of the city's
62 Centennial Trail (the trail under the large power lines on the east bench).

63 Jeff explained the situation, detailed the ownership, and explained the location via an overhead
64 map of the site; located in Canyon Ridge Phase III, at approximately 2730 North, above 2140
65 East. He further explained the value of the land and how the financing and land exchange
66 process would be managed. Per a question from council, Jeff said he has made many attempts
67 to contact Dan Cox, but has not yet heard back from him, to determine whether Dan is in full
68 agreement with this. Jeff said that if the City Council agrees to this, he can meet with Dan and
69 move forward with it.

70 Roger Anderson asked if this will set a precedent to other developers if we do this. Jeff said that
71 is unlikely, as this is a very unusual situation and explained briefly.

72

73 *John Bailey made a motion to approve the agreement as presented, subject to Dan Cox's*
74 *approval. Nancy Potter seconded the motion. A vote was called and the motion passed*
75 *unanimously with Nancy Potter, John Bailey, Roger Anderson, Damon Cann and Kristen*
76 *Anderson voting in favor.*

77

78 Consider a proposed ordinance regulating the use of bulk green waste and other refuse
79 receptacles on municipal property.

80 Mayor Berentzen briefly introduced the item, and Jeff Jorgensen further explained the ordinance
81 and the need to have one in place.

82 Nancy Potter asked how much the fine is for a Class B Misdemeanor, which Jeff said is \$1000
83 per violation. This was discussed further by the council.

84 Per a question from council; Jeff confirmed that the recycle bins [both the green waste recycling
85 bins and the cardboard recycling bins] are for North Logan residents, but they are not allowed to
86 overflow them.

87 Mayor Berentzen discussed the larger issue of the dumping going on with the green waste bins
88 and said there is a lot of commercial dumping occurring there.

89 The council continued their discussion. Jeff explained that citizens can call the City if the bins are
90 full and have them emptied; rather than dumping their refuse on the ground around the bins.

91 Alan Luce said that the bins are emptied every day during peak season. He further explained
92 that it can take hours for City staff to clean up what gets dumped around the bins.

93 Kristen Anderson said it seems to her that fining someone for dumping is appropriate in some
94 instances, such as commercial dumping, and too harsh in other circumstances, such as a
95 resident who may not be clear on the regulations. She expressed her concerns about potentially
96 adopting something that may be too harsh and may not apply to every situation.

97 Mayor Berentzen commented on this and Jeff and the council discussed this further.

98 Mayor Berentzen and Jeff discussed that an officer would use their judgment in administering
99 citations, as they would with a parking ticket; and that the judge in the situation would also use his
100 discretion.

101 Nancy Potter suggested the possibility of making the person do community service, instead of
102 imposing a fine. Jeff reiterated that that would be up to a judge.

103 John Bailey asked about the reasoning behind having the ordinance in effect from dawn to dusk.

104 Alan Luce explained that the timing is based on the City's park hours and that people are not
105 allowed to be there during those hours, which he said is typically when the illegal dumping
106 occurs. He also said that there is very clear signage by the bins about what is allowed and not
107 allowed in terms of dumping, and that you have to dodge the signs to get to the bins. He said if
108 the bins are full, citizens can dump their green waste at the Logan Landfill for free. He mentioned
109 that sometimes he has seen people make a pyramid of garbage around and over the top of the
110 signs. He said they have very clear signs, and people are purposely abusing the rules.

111 Mayor Berentzen said that we need to have a better surveillance camera in place. Alan said 24-
112 hour camera surveillance of the quality needed to do the job is very expensive; however, Mayor

113 Berentzen said that it is likely it would pay for itself and said he feels that it would be worth the
114 investment.
115

116 *Damon Cann made a motion to adopt ordinance 12-06. Nancy Potter seconded the motion. A*
117 *vote was called and the motion passed unanimously with Kristen Anderson, Roger Anderson,*
118 *Damon Cann, John Bailey and Nancy Potter voting in favor.*
119

120 Consider a proposed ordinance setting forth penalties for violating policies, rules or regulations in
121 city parks.

122 Mayor Berentzen briefly introduced the item.

123 Nancy Potter asked what an infraction would be, and Jeff said it is a level of penalty just below a
124 misdemeanor.

125 Damon Cann asked what the violations have been; and Jeff explained some of them, including
126 fishing in the pond [at King Park] without using the proper barbless hooks; taking fish, including
127 whole strings of fish, out of the park (as it is a "catch and release" facility); riding horses and bikes
128 on the trails through King Park, etc. He said these rules are posted at the park.

129 Per a question from council, Jeff explained where bikes and horses are allowed. Per a question
130 from Kristen, Alan explained the different situation with the Centennial Trail and the Bonneville
131 Shoreline Trail which allows bikes and horses. He explained that those trails go or are planned to
132 go west of King Park.
133

134 *Nancy Potter made a motion to adopt ordinance 12-07. John Bailey seconded the motion.*
135

136 Damon Cann said he hopes that there are warnings, so that people can be eased into it. Sgt.
137 John Seamons discussed how this would be handled, and explained that there are groups that
138 are deliberately taking the fish.
139

140 *A vote was called and the motion passed unanimously with Kristen Anderson, Roger Anderson,*
141 *Damon Cann, John Bailey and Nancy Potter voting in favor.*
142

143 Consider a resolution changing the city's policy on how far in advance a reservation can be made
144 for reserving facilities in the city parks. Being proposed is that this change from one year to six
145 months.

146 Jeff explained the situation and why this came about. Alan explained that the policy used to be
147 six months; and that the policy changing the time frame to a year has only been in place for a
148 couple of years. He further explained the problems this current policy has on the City because
149 the staff cannot always plan city sponsored events a year in advance.

150 Damon Cann asked why it had been changed to one year before; and Alan explained that it was
151 done at the request of a City Council member.
152

153 *Nancy Potter made a motion to approve resolution 12-06. Kristen Anderson seconded the*
154 *motion. A vote was called and the motion passed unanimously with Kristen Anderson, Roger*
155 *Anderson, Damon Cann, John Bailey and Nancy Potter voting in favor.*
156

157 Per a question from John Bailey regarding how reservations are managed, Alan explained.
158

159 **Reports from city officers, boards, and committees**

160 Damon Cann discussed the status of what has come out of the committee put together to discuss
161 the City Center area; and briefly explained who was on the committee. He briefly referred to the
162 report that the committee produced. He said his greatest concern is the upcoming end of the
163 moratorium and how little time there is to get an ordinance in place to regulate the mixed-use
164 zone. He was concerned about the potential for someone to drop off an application to the City
165 the day the moratorium expires and that the City would have no grounds to reject it under the
166 existing mixed-use code. He discussed this further. He also referred to the email sent by
167 Planning Commission Chairman Mark Hancey regarding a time-line for moving forward; and
168 discussed the idea of having a joint workshop at the next Planning Commission meeting, with the
169 City Council.

170 Mayor Berentzen discussed the need to move forward in a timely manner; and complimented
171 Damon Cann for doing a remarkable job in coordinating and working with everyone on the
172 committee and getting the report done.

173 ~~The council discussed this further; and discussed having a joint meeting with the Planning~~
174 ~~Commission. There was also discussion about ensuring that the council could come to that~~
175 ~~meeting prepared, including reviewing the latest draft of the Form Based Code document as well~~
176 ~~as the committee's report.~~

177 The conversation continued, and it was determined that a City Council meeting will be held as
178 regularly scheduled on Wednesday, and in addition, a joint meeting with the Planning
179 Commission was planned for the following evening, on Thursday.

180 Jeff explained that an ordinance does not need to be passed prior to the end of the moratorium.
181 He explained that if there is a legitimate ordinance being worked on, and there is a draft pending;
182 doing so can bind a developer to adhere to what the new ordinance requires. Damon Cann,
183 Mayor Berentzen and Jeff discussed clarifying the timing of this, which Jeff said he would check
184 into and confirm.

185 The council further discussed scheduling the meeting and it was agreed that they would start the
186 meeting [on Thursday, September 20th] at 5:30 p.m., rather than the usual 7:00 p.m., to allow all
187 of the council members to attend the meeting.

188 Mayor Berentzen mentioned that he would try to send a letter of thanks to those who served on
189 the committee.

190 John Bailey asked about the hospital overlay in this area, which Damon Cann explained. This
191 was further discussed by the council. Jeff Jorgensen said the land the hospital owns is zoned a
192 combination of residential and professional zones, and further explained the zoning and the
193 situation.

194

195 Jeff Jorgensen discussed the situation with the Green Canyon View Estates subdivision. He
196 displayed a map of the area and discussed a parcel of ground that is designated for a retention
197 pond for stormwater. He said the owners want to donate that parcel to the City for a small park.
198 He discussed the limitations that exist with trying to use that spot as a park. Marie Godfrey,
199 owner of the lot, said she is willing to donate another lot to the east of it in order to have a larger
200 spot for a park. Jeff explained that these kinds of parks are really not beneficial to the City. He
201 explained that an option that some cities utilize is to have a homeowner's association own pieces
202 like this, which he said would probably be more preferred by the staff. He and Alan Luce also
203 discussed the potential of putting a tennis/basketball court there, which would be lower
204 maintenance even though the initial cost may be higher. He discussed the situation further, as
205 well as potential ways of handling this.

206 Nancy Potter discussed that the Parks Committee is reviewing what parks they are looking to
207 improve, and said she would hate to see funds slated for our larger parks used for something like
208 this, a park that would likely be used by just the neighbors; and said would rather see this be
209 handled by an HOA.

210 Per a question from Mayor Berentzen, Jeff said the two lots together would be roughly half of an
211 acre. Marie Godfrey said it would more like three-quarters of an acre.

212 Kristen Anderson said she understands what Jeff said about this being difficult for the City to take
213 on; but said the City asked the developers to build the retention pond this way, with the
214 understanding that the City would take it over, because at the time, the City liked pocket parks.
215 She said while she is not a fan of pocket parks, she said she feels the City made a mistake in
216 asking the developers to do it this way and then changing their view on pocket parks.

217 Jeff commented on this and the council discussed the issue further.

218 Per a question from John Bailey, Marie Godfrey said there is not going to be an HOA.

219 The City Council continued their discussion, and discussed not taking action on this now; perhaps
220 thinking through some options, and continuing their discussion at a future meeting. Jeff said this
221 could be put on the agenda for the next meeting.

222 Nancy Potter discussed her concerns about setting a precedent with something like this; and said
223 the City needs to carefully consider what is done with this and how it affects the future.
224

225 Jeff referred to the Montage subdivision, and explained that they had \$121K in the budget for
226 replacement of water lines. He said they found that that number is an error, and is for materials
227 only; and said he thought the Water Department was going to do more of the work in house than
228 they actually are. He said as the bids have been done, the cost is more likely almost \$400K,
229 including the materials. [That cost may be as much as \$50,000 less if the material dug up can be
230 reused to back fill the trenches rather than importing new material.] He explained where certain
231 savings in the budget are being done, where there will be some available monies to put towards
232 this. Jeff said before staff finalizes the bids and they hire a contractor, he wanted to get the City
233 Council's input on how to proceed. He further explained some options on how this project could
234 be done and how the funding could be managed, and said this does not affect the general fund.
235 He explained the existing issues with the water lines and the pipes. Per a question from Mayor
236 Berentzen, Alan Luce said they have received two bids which are almost identical in price; and
237 the figures do include much of the work being done in house, but not all of it. Mayor Berentzen
238 said we need to make sure we keep the needs for a well in mind.

239 Jeff further discussed with the council how to proceed.

240 Alan discussed the timing of this project.

241 Per a question from John Bailey, Mayor Berentzen explained the status of the large canal repair
242 project. Nancy explained what she knew about the design features of the new canal.

243

244 Nancy Potter asked Alan Luce about the status of the new splash pad going in at Meadow View
245 Park. Alan explained and said that they had successful test runs on it that day. He also said the
246 trail going in there should be done the following week; and the landscaping after that. Nancy
247 asked if there had been any interest shown by the neighbors. Alan said there had been, and
248 explained.

249

250 Nancy Potter mentioned that Rocky Mountain Power sent a \$300 donation for the North Logan
251 City Pumpkin Walk, and expressed her appreciation to them for that.

252

253 Executive session (closed) to discuss the acquisition of real property.

254 *John Bailey made a motion to move into Executive (Closed) Session for the purpose of*
255 *discussing the acquisition of real property. Nancy Potter seconded the motion. A vote was called*
256 *and the motion passed unanimously with Nancy Potter, John Bailey, Roger Anderson, Damon*
257 *Cann and Kristen Anderson voting in favor. This occurred at 8:09 p.m.*

258

259 Minutes for this written under separate cover.

260

261 *Damon Cann made a motion to move out of Executive (Closed) Session and return to the regular*
262 *portion of the City Council meeting. Nancy Potter seconded the motion. A vote was called and*
263 *the motion passed unanimously with Nancy Potter, John Bailey, Roger Anderson, Damon Cann*
264 *and Kristen Anderson voting in favor. This occurred at 8:47 p.m.*

265

266 *Nancy Potter made a motion to adjourn the meeting. John Bailey seconded the motion. A vote*
267 *was called and the motion passed unanimously with Nancy Potter, John Bailey, Roger Anderson,*
268 *Damon Cann and Kristen Anderson voting in favor.*

269

270

271 The meeting adjourned at: 8:49 p.m.

272

273

274 Approved by City Council:

September 19, 2012

275

276

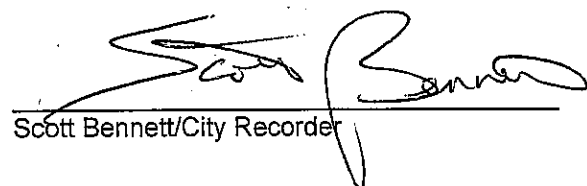
277 Transcribed by Marie Wilhelm

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279 Recorded by

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Scott Bennett/City Recorder