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**Minutes of the North Logan City
City Council
Held on November 7, 2012
At the North Logan City Library, North Logan, Utah**

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

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

Others present were: Morgan Tueller, Jenny Kramer, Alan Luce, Jessica Sonderegger, Jon Keller, Kurtis Jewkes, Zac Olsen, Jacob Jensen, Erik Johnson, Bryson Siddoway, Troy Johnson, Amy King, Matthew Wood, DeeAnn Wood, Kristen Bean, Chabre Callister, Jake Young, Ali Teuscher, McKenzie Tidwell, Jessica Tolbern, Brent Nyman, Christian Ashliman, Bruce Jorgensen, H.K. _____ (illegible), Diana Cannell, Geri Christensen, Brad Crookston, Casey Fisher, Ron Andrus, Kevin Christensen, Brett Robinson, Chris Nelson, Mark Hancey, Lydia Embry, Cordell Batt, Scott Bennett, Jeff Jorgensen and Marie Wilhelm.

The Pledge of Allegiance was led by Kristen Anderson.
An invocation was given by Damon Cann.

Adoption of Agenda

Mayor Berentzen explained a change to item number six, replacing the words "pending" with "reasonably imminent"; (therefore, it will be changed to read as follows: "Executive session (closed) to consider the acquisition of real property and reasonably imminent litigation").

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

Approval and Follow-up of the following four sets of minutes:

September 20, 2012 City Council & Planning Commission Combined Workshop Meeting Minutes
Approved as presented.

October 3, 2012 City Council Meeting Minutes
Approved as presented.

October 3, 2012 City Council Executive (Closed) Session Meeting Minutes
Approved as presented.

October 10, 2012 City Council & Planning Commission Combined Workshop Meeting Minutes
Approved as presented.

Follow-up

Nothing at this time.

Review of Action Items

Jeff Jorgensen reviewed the action items list with the council.

New Business

Annual audit report to the City Council.

Diana Cannell from the accounting firm of Allred Jackson presented the audit report for the North Logan City's fiscal year 2011-2012, ending June 30, 2012, and reviewed various items with the council, as well as addressed their questions.

Consider a resolution changing the city's personnel policy by changing the date by which employees need to have used their excessive annual leave or lose it.

59 Mayor Berentzen introduced the item and explained that the proposed change will move the
60 deadline from November 1st, to December 31st, for which employees are to use up their vacation
61 days. He commented further, and explained that this makes it possible for employees to have the
62 opportunity to take time off and use their vacation days; some of whom are unable to take
63 vacation during the warmer months or especially during the Fall when there are activities,
64 including the Pumpkin Walk, that require employees to be on the job.

65 Nancy Potter said she thought the reason it was changed to November 1st, many years back, was
66 so that there weren't a lot of employees trying to take the time off around the holidays.

67 Jeff Jorgensen explained that it would actually be better for employees to take it off then, rather
68 than during the summer or the Pumpkin Walk. He said he thought the reason it was changed to
69 November 1st was more of an administrative issue in the accounting department at that time. He
70 said he spoke to that department, who said they would not have any problems with this.

71 Damon Cann asked if there would be a problem during the time necessary for snow removal, and
72 Jeff said that would not be problem.

73

74 *Damon Cann made a motion to adopt the resolution. Roger Anderson seconded the motion.*

75

76 John Bailey asked what we *would* do in the event of heavy snow and removal, and Jeff explained
77 how it could be worked out.

78 Nancy Potter asked why this is not being done annually as opposed to allowing two years of
79 leave to accumulate, since employees should really be using their leave within a year. Jeff said
80 that allows people who only accumulate seven days off per year to have a longer vacation. He
81 further explained how leave is accumulated and how leave is generally acquired and allowed to
82 be taken. Nancy said she feels that leave should be capped every year, and to "use it or lose it"
83 [within that year]. Mayor Berentzen discussed the liability to the City when leave is "left on the
84 books".

85 Jeff and the council discussed this at length. Jeff looked into what the maximum amount of leave
86 an employee could potentially take at once, which the City could be liable for.

87 Mayor Berentzen said the "amount of leave" issue is really separate from the issue at hand, which
88 is allowing employees to have until the end of the year to take their excess leave. He said he
89 recommended this resolution, as well as moving forward with it, as it already had a motion and a
90 second.

91

92 *A vote was called and the motion passed with Kristen Anderson, Roger Anderson, Damon Cann,*
93 *John Bailey voting in favor, and Nancy Potter voting against.*

94

95 Mayor Berentzen asked Jeff to get information together for the council regarding the amount of
96 leave employees earn, and to have this information discussed in the next City Council meeting.

97

98 Discuss a draft ordinance to modify the city's municipal code in the current mixed-use zones.

99 The affected area is roughly between 100 and 500 East and between 1800 and 2500 North.

100 Being proposed is to implement the use of form-based codes in this part of the city.

101 Mayor Berentzen expressed his appreciation to those who worked to move this forward, namely
102 the Planning Commission and the committee that was organized for this. He asked members of
103 the Planning Commission to discuss the ordinance.

104 Mark Hancey explained some of the process this document had gone through, including what
105 was discussed at the last Planning Commission meeting.

106 Mayor Berentzen briefly explained the situation to the meeting attendees.

107 Mark Hancey explained the current status of the ordinance and what it includes.

108 Geri Christensen said the Planning Commission is prepared to make any necessary changes to
109 the document that the City Council might deem necessary, at their meeting the following evening.

110 Mayor Berentzen discussed with City Attorney, Bruce Jorgensen, the deadline by which an
111 ordinance like this should be passed in order ensure that any new developers must follow the
112 regulations that were trying to be set forth in the new ordinance, without having vested rights in
113 the existing ordinance. Bruce explained that the public hearing will be held November 28th, and
114 the intention is to have it done by December 19th.

115 Chris Nelson commented that while this document does not have every single thing in it, and
116 there are things that still need to be discussed; it does cover the usage of the geographic area
117 outlined on the map, and generally covers what should be there. He said there could still be
118 some "tweaks" and improvements; but that it will get us to and beyond the moratorium, with it
119 98% complete.

120 Mark Hancey mentioned some of the issues discussed, including how it relates to design
121 guidelines.

122 Mayor Berentzen mentioned that this is a document that can still be changed and as Bruce
123 Jorgensen called it, is a "living document".

124 The discussion continued and Jeff Jorgensen reviewed some questions with Bruce Jorgensen,
125 particularly whether they should put some of the items into design standards versus having it all
126 in an ordinance. Bruce recommended putting the technical items into a technical manual, which
127 can just be handled by a resolution passed by the City Council, and can be presented and
128 adopted fairly quickly. In relation to items such as density, types of housing and zoning, he said it
129 is more beneficial to use the ordinance process. Per a question from Mayor Berentzen, Bruce
130 said it is better to separate out the technical parts from the land use items. Bruce said that *can*
131 be done, after the ordinance is adopted, and after the moratorium. Bruce discussed the work that
132 goes into an ordinance this extensive, and that it is impossible to have it be perfect the first time.

133 Nancy said she does not mind having to meet again and to hold public hearings, in order to
134 review it and make changes.

135 This was further discussed.

136 Jake Young gave his comments; including that North Logan City has design guidelines that have
137 not been met in the last couple of years because they have no "teeth". He also discussed the
138 hospital zone. Mark Hancey commented on this, and also discussed the separation of the design
139 standards versus the ordinance.

140 John Bailey asked what the risk was of letting the hospital zone "get away".

141 Jeff recommended using the same zone as the Specialty Hospital for the hospital zone in the City
142 Center; to use the existing general guidelines in that zone, and then add to that the regulations
143 related to the required designs in the context of the City Center. He briefly explained further.

144 They continued to discuss this, as well as other various issues. Jeff discussed some items that
145 needed to be corrected or clarified in the document.

146 The issue of density was discussed.

147 Bruce Jorgensen discussed the importance of fixing the consistency of terms throughout the
148 document.

149 John Bailey asked whether the "gateway" on 2500 North should remain there, which was further
150 discussed.

151 Bruce Jorgensen explained the Economic Development Area that was created when the City
152 Center was first adopted in 2007, which he further discussed, and explained how it relates to the
153 tax increment financing.

154 There was more discussion about the guidelines, standards and ordinances, and how long it
155 would take, and how difficult it would be to separate them out. Jeff said it would take a lot of work
156 and likely take several months.

157 Kristen Anderson mentioned her issue with density. The group further discussed densities in the
158 various zones at length, including the issue of minimum density. The group also discussed
159 various aspects of design, the street lay-outs, and coach houses.

160 The group continued to discuss various items, as well as how to proceed.

161 Bruce Jorgensen explained the process for reviewing and adopting this ordinance.

162 The discussion continued.

163

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

165 Mayor Berentzen presented Alan Luce with an award from the Water University Utility
166 Management Institute.

167

168 John Bailey asked about the status of a stormwater issue that came up two weeks prior in relation

169 to Darren Henry's property, which Mayor Berentzen and Alan Luce explained, and is being
170 managed. Mayor Berentzen and Alan further discussed various potential ways of handling the
171 water run-off situation there, which they explained is mainly a Logan City problem.

172
173 John Bailey said he won't be in town for the November 28th City Council meeting.

174
175 Nancy Potter asked about a citizen [Vincent Shammus] having an issue with the City regarding
176 his driveway, which Jeff Jorgensen and Alan explained.

177
178 Per inquiry from Roger Anderson and Nancy Potter, Alan discussed the success of the events of
179 the City's annual Pumpkin Walk and Pumpkin Toss.

180
181 Executive session (closed) to consider the acquisition of real property and reasonably imminent
182 litigation.

183 *John Bailey made a motion to move into Executive (Closed) Session for the purpose of*
184 *discussing 1) the acquisition of real property and 2) reasonably imminent litigation. Nancy Potter*
185 *seconded the motion. A vote was called and the motion passed unanimously with Nancy Potter,*
186 *John Bailey, Roger Anderson, Damon Cann and Kristen Anderson voting in favor. This occurred*
187 *at 8:58 p.m.*

188
189 Minutes for this item are written under separate cover.

190
191 *Damon Cann made a motion to close the Executive (Closed) Session and return to the regular*
192 *City Council meeting. Kristen Anderson seconded the motion. A vote was called and the motion*
193 *passed unanimously with Nancy Potter, John Bailey, Roger Anderson, Damon Cann and Kristen*
194 *Anderson voting in favor. This occurred at 10:25 p.m.*

195
196 *Damon Cann made a motion to adjourn the meeting. Kristen Anderson seconded the motion. A*
197 *vote was called and the motion passed unanimously with Nancy Potter, John Bailey, Roger*
198 *Anderson, Damon Cann and Kristen Anderson voting in favor.*

199
200
201 The meeting adjourned at: 10:26 p.m.

202
203
204 Approved by City Council:

December 19, 2012

205
206 Transcribed by Marie Wilhelm

207
208 Recorded by



Scott Bennett/City Recorder

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