

1 **Minutes of the North Logan City**
2 **City Council**
3 **Held on November 28, 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 6:30 p.m.
8

9 Others present were: Kim Hawkes, Travis Taylor, Alan Luce, Kevin Christensen, Travis
10 Robinson, Kay Gilgen, Jeanine Anderson, Carlos F. Anderson, Don Younker, Arlene Younker,
11 Russell Goodwin, R. Brent Nyman, Barbara Middleton, Stephanie Strawn, Jake Young, Jon
12 Keller, Matthew Wood, Steve Soulier, Janet Soulier, Whorton Allen, Orel Kay Allen, Ted Nyman,
13 C _____ R _____ (Illegible), Chris Nelson, Todd N. Johnson, Jack Draxler, Cordell Batt, Lydia
14 Embry, Scott Bennett, Geri Christensen, Brett Robinson, Jeff Jorgensen and Marie Wilhelm.
15

16 The Pledge of Allegiance was led by Kay Gilgen.
17 An invocation was given by Kim Hawkes.
18

19 **Adoption of Agenda**

20 Mayor Berentzen suggested changing the order of items four and five, and switching them
21 around.
22

23 *Nancy Potter made a motion to adopt the agenda as amended. Damon Cann seconded the*
24 *motion. A vote was called and the motion passed unanimously with Kristen Anderson, Roger*
25 *Anderson, Damon Cann and Nancy Potter voting in favor.*
26

27 **Approval and Follow-up of Minutes of October 17, 2012 City Council Meeting, October 17,**
28 **2012 City Council Executive (Closed) Session Meeting and October 23, 2012 (Special**
29 **Meeting)**
30

31 **October 17, 2012 City Council Meeting**

32 The minutes were approved as presented.
33

34 **October 17, 2012 City Council Executive (Closed) Meeting**

35 The minutes were approved as presented.
36

37 **October 23, 2012 City Council-Special Meeting**

38 The minutes were approved as presented.
39

40 **Follow-up**

41 Nothing at this time.
42

43 **Review of Action Items**

44 Jeff reviewed the action items list with the council.

45 Mayor Berentzen asked about the additional sprinkler system being proposed to go in the fire
46 station. Jon Keller briefly explained the issues involved, particularly how it relates to the work
47 being done in order to allow a sleeping area within the station. Mayor Berentzen said he would
48 like to get more information on this issue and discuss it with the staff.
49

50 **New Business**

51 **Recognize volunteers helping with Pumpkin Walk and the Historical Committee as well those who**
52 **have donated to the effort. Also receive an update from the Historical Committee on their work.**

53 Mayor Berentzen presented gift certificates to the members of the volunteers of the Pumpkin
54 Walk, as well as to members of the North Logan City Historical Committee, recognizing them for
55 their efforts.

56 Alan Luce gave an update on what is being done relative to what is believed to have been the
57 "first home" constructed in North Logan City.

58 Steve Soulier said the committee has over 3,000 photographs of North Logan residents and their

59 children during the early times in North Logan as well as approximately 40 various journals from
60 early residents that they hope to include in a nice display at the North Logan City Library after
61 Christmas sometime.

62

63 Receive report on the current cost estimate for Police Department Building.

64 Mayor Berentzen reviewed the cost estimate for the new police building.

65 Jeff Jorgensen discussed a couple of items for the police building which may be done in-house.
66 He also said that the cost estimates discussed include the fees from Wadman.

67 Jeff further discussed the revised floor plans and reviewed those with the council. Per a question
68 from Roger Anderson, Jeff said the building will be approximately 5100 square feet.

69

70 Re-consider a revised Development Plan and Development Agreement for the Cove at North
71 Logan development, a subdivision of the 5.5 acres to the south and east of the intersection at
72 2200 North and 400 East. The previously submitted development plan was disapproved by the
73 City Council.

74 Mayor Berentzen presented the situation, briefly outlining the history of this project and said he
75 recommended that the City Council approve this project based on the advice the City has
76 received, and in consideration of the modifications made by the developers, which he further
77 explained.

78 Nancy Potter noted a couple of places in the document that needed to be corrected in terms of
79 some of the numbers, stating that it still quotes there being 64 townhomes, instead of the
80 currently proposed 58; and said this is also how it is listed in the matrix. Jeff Jorgensen noted the
81 corrections.

82 Damon Cann mentioned some changes to the trail system, which Mayor Berentzen and Jeff
83 explained. Jeff discussed this further and explained the Development Plan still needed a detailed
84 landscaping plan and a water conservation plan added to it. The council also discussed having
85 Bruce Jorgensen take one more look at the Development Agreement to make sure everything
86 was proper.

87

88 *Damon Cann made a motion to approve the Development Agreement, Development Plan and the*
89 *Final Plat; and will also approve the landscaping plan and water conservation plan, subject to a*
90 *review by the North Logan City Attorney. Roger Anderson seconded the motion. A vote was*
91 *called and the motion passed unanimously with Nancy Potter, Roger Anderson, Damon Cann*
92 *and Kristen Anderson voting in favor.*

93

94 Jeff Jorgensen suggested that if there were any changes recommended by the attorney, as long
95 as those changes did not substantially change the agreement, he and the Mayor could approve
96 any such changes in order for the Mayor to sign the agreement for the City. He also suggested
97 that the staff would approve the landscaping and the water conservation plans which would
98 become part of the Development Plan once those two plans were completed. The council agreed
99 that that was the intent of their approval.

100

101 6:45 Public Hearing to receive public input on a proposed ordinance creating a new section of
102 the City Code regulating the City Center area and making changes to the Zoning Map, General
103 Transportation Maps, and to the Permitted and Conditional Uses in the Zoning Matrix. The
104 proposed ordinance can be reviewed at the City office (2076 N 1200E) or at
105 www.northlogancity.org. Following the public hearing the council may choose to discuss the
106 proposed ordinance.

107 Mayor Berentzen read aloud the guidelines for making comments at the public hearing.

108

109 *Mayor Berentzen opened the public hearing at 7:04 p.m.*

110

111 Jeff Jorgensen explained that there are still two maps that need to be made available to the
112 public, which Cordell Batt explained. They are the "Functional Classification Map" and "Road
113 Priorities Map". Jeff said because they are not available now, they will hold another public
114 hearing on the ordinance including those two maps at the next City Council meeting.

115

116 Russell Goodwin read aloud to the council his written comments against the proposal, copies of
117 which he provided to the council; and asked to have his comments become part of the official
118 record of this public hearing.

119
120 Lydia Embry presented her comments on the proposed ordinance. She said she gave copies of
121 her comments to the council.

122
123 [A copy of the above two sets of comments will be included in the City Recorder's annual binder which
124 contains the background information related to council meetings.]

125
126 Brent Nyman presented his comments to the council. He said he has been a resident for over 40
127 years and gave a history of his family's involvement with North Logan City. He complimented all
128 of the people who worked many hours on the ordinance being considered. He expressed his
129 concerns about the transportation map and the zoning map, specifically on a piece of property
130 that his family owns, which he said is approximately 12 acres in size. He said it is zoned for
131 agriculture and that it has been in his family for 70 years, and that they want to be able to farm it
132 in the future. He explained how he feels that this zoning is changing his ability to use the property
133 currently, and will destroy it for any plans they have for the future if this goes through. He
134 commented further. He discussed a piece of property near to where he lives, and what happened
135 to that property. He also discussed the electric power poles that were built in front of North Logan
136 City homes on 1900 North, and the detriment that caused. He described the diagonal road
137 planned to go through their land, and the zone split that will take place and how this will
138 negatively affect their property. He asked how many times this has to happen to one family. He
139 commented further. He suggested an alternative for the road, which was to have the road
140 continue along 200 East. He said he just asks that his family be treated fairly; and said he hoped
141 the City Council would consider his comments when making their decision.

142
143 Kay Gilgen said this was exactly what happened to property he subdivided on 1600 East, which
144 he further explained. He said when you create two triangles there is nothing that can be done
145 with that land. He said Brent [Nyman] is absolutely right, that if his property is cut diagonally like
146 that, it will ruin the property.

147
148 Ted Nyman asked how this will affect how and when they might ever want to build something on
149 their property.

150
151 Whorton Allen discussed his piece of property included in this area, and how the changes could
152 positively affect his land.

153
154 Jake Young commented and said he wanted to clarify some issues. He said that this proposed
155 diagonal road through the Nyman property was not a decision the City made as part of this
156 process. He pointed out because the construction of 200 East was a federally funded project,
157 that the location for the 200 East Corridor was made as part of the environmental assessment
158 process by UDOT and the U.S. DOT as part of the Cache Corridor Plan, which he further
159 explained.

160
161 *As there were no further public comments, Mayor Berentzen closed the public hearing at 7:37*
162 *p.m.*

163
164 Nancy Potter discussed the zoning in this area, and said she still has an issue with the high level
165 of density being proposed.

166
167 Damon Cann discussed the time and effort that the citizens and land owners spent on developing
168 this ordinance. He also discussed density and suggested other potential ways of zoning the area.

169
170 Jeff discussed the procedure for moving forward, and suggested that the next City Council
171 meeting be dedicated to any detail that would potentially be changed in this ordinance. He said
172 Lydia Embry gave him five pages of changes and suggestions; and that he agreed with a lot of
173 them, and would like to sit down with Cordell to go over them and make appropriate changes to
174 the proposed ordinance. Those changes would then be reviewed by the council in the next

175 meeting. He discussed Brent Nyman's parcel and said that he realizes this could be a big impact
176 on his property; but that in theory, the property owner is supposed to be made financially whole
177 and any lost value in the property should be covered by federal funds. He said the family, as well
178 as the community, should watch the process very carefully to make sure the property owners'
179 rights are protected.

180

181 Consider a request for an exception to the park policy regarding overnight use of Elk Ridge Park
182 for next year's Relay for Life event.

183 Travis Robson from Relay for Life presented his request for park use for this event. He further
184 detailed the event and its purpose. He explained that he has been working with Alan Luce on
185 this, including addressing some issues of concern regarding things that happened at last year's
186 event.

187 Alan said everything the event coordinators said they would do last year, they did and the event
188 went off well with one exception. He said there was a problem with participants driving on the
189 asphalt paths in the park and parking on the paths and setting up on the adjoining grass. He said
190 all in all it was a very good event and that the City got a lot of positive feedback from the
191 community regarding it.

192 Nancy Potter asked how much the fees are that the city would be waiving. Alan discussed how
193 such a fee would be established and pointed out that the fee should probably not be the same as
194 what would be charged for the use of a ball field for example.

195 Travis Robson added that their event would pay for bringing in porta-potties to help with the
196 restroom deficiency for the number of participants that would be there.

197 Kristen Anderson asked if there was damage to the park because of the event. Alan said there
198 was not. He added that the group did a great job of cleaning up after the event but there is still a
199 concern about the participants driving on the paths, especially because of the potential for
200 sprinkler damage. The plan is to remove the ability for the participants to drive on the paths and
201 park on the grass.

202 Roger Anderson asked if the City typically waives the park use fee for non-profit organizations
203 using the park.

204 Jeff Jorgensen explained that non-profit groups are not necessarily exempt from paying for use of
205 the park but sometimes they do make arrangements for such groups to volunteer to do some
206 service at the park in exchange for their reservation. He suggested that perhaps the City should
207 require some kind of deposit from the organizers to ensure any damages are covered.

208 Alan said his recommendation is to approve it along with addressing council's and staff's
209 concerns, including cleaning up afterwards, and not driving on the paths.

210 Jeff Jorgensen recommended having a damage deposit which would be refunded if there was no
211 damage.

212

213 *Roger Anderson made a motion to approve the relay event, including the requirement for a*
214 *deposit [to be determined by staff]. Kristen Anderson seconded the motion. A vote was called*
215 *and the motion passed unanimously with Kristen Anderson, Roger Anderson, Damon Cann and*
216 *Nancy Potter voting in favor.*

217

218 Consider the final release of the improvement bond following the end of the warranty period for
219 the Canyon Gates Subdivision, Phase I.

220 Kristen Anderson pointed out that some of the residents who have built in the subdivision do not
221 have the completed secondary water system they were promised. She expressed concern that
222 the City's releasing the final bond would not give the City, or the home owners there, any
223 leverage on getting that work entirely completed.

224 Nancy Potter said some of the residents in the subdivision had said there were other things that
225 had not been completed as well, but she did not know precisely what those issues were.

226 Jeff Jorgensen suggested getting a cost estimate for what it would cost to complete the
227 secondary system (plus 10%) and then hold back on those funds. He also asked Nancy to give
228 him information on what might be other outstanding issues so he could check those out.

229 The City Council tabled the approval of the final release of the bond until those two issues were
230 resolved – 1) the secondary water system and 2) other items that those contacting Nancy Potter

231 might have issue with.

232

233 Discuss the current city's personnel policy with regard to "use or lose" of excessive annual leave.

234 Jeff explained the information provided to the council which included the number of days/hours of
235 leave that employees get based on the number of years they have worked for the City. The
236 council discussed the information and had some questions about how the number of leave days
237 our City employees get compares to the number of days that USU employees might get. There
238 were questions about whether the number of days of leave earned by employees should be
239 reduced. The council decided to take no action at this time.

240

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

242 Nancy Potter reported that a suggestion from the Park's and Recreation Committee meeting the
243 prior evening, was to have the winners of the Christmas lighting contest announced sooner in
244 order to get the word out to the public so they can visit the winning homes earlier in the season.
245 They also suggested putting up signs each year to identify the winning houses. The winners will
246 be announced in the Herald Journal and on the City website as soon as possible after the judging
247 takes place.

248

249 Executive session (closed) to consider the acquisition of real property.

250 *Kristen Anderson made a motion to move into Executive (Closed) Session for the purpose of*
251 *considering transactions relating to real property. Nancy Potter seconded the motion. A vote*
252 *was called and the motion passed unanimously with Nancy Potter, Roger Anderson, Damon*
253 *Cann and Kristen Anderson voting in favor. This occurred at 8:27 p.m.*

254

255 Minutes for this item written under separate cover.

256

257 *Damon Cann made a motion to move out of Executive (Closed) Session and return to the regular*
258 *portion of the City Council meeting. Nancy Potter seconded the motion. A vote was called and*
259 *the motion passed unanimously with Nancy Potter, Roger Anderson, Damon Cann and Kristen*
260 *Anderson voting in favor. This occurred at 8:42 p.m.*

261

262 *Nancy Potter made a motion to adjourn the meeting. Damon Cann seconded the motion. A vote*
263 *was called and the motion passed unanimously with Nancy Potter, Roger Anderson, Damon*
264 *Cann and Kristen Anderson voting in favor.*

265

266 The meeting adjourned at: 8:44 p.m.

267

268

269 Approved by City Council:

December 19, 2012

270

271

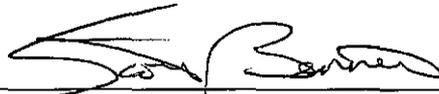
272 Transcribed by Marie Wilhelm

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274 Recorded by

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Scott Bennett/City Recorder