

1 **Minutes of the North Logan City**  
2 **City Council**  
3 **Held on May 3, 2007**  
4 **At the North Logan City Library, North Logan, Utah**  
5

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

9 Council members present were: Scott Galbraith, Trent Wentz, Elaine Nelson and Steve Soulier.  
10

11 Others present were: Don Younker, Jon Keller, Lloyd Berentzen, Carlos F. Andersen, Val Potter,  
12 Travis Italasano, John Italasano, Greg Nielson, Kim Hawkes, Scott Wyatt, Terrel Huppi, Cordell  
13 Batt, Pat Northenor, Bruce Henderson, Bryon Geddes, Lydia Embry, Jeff Jorgensen and Marie  
14 Wilhelm.  
15

16 The Pledge of Allegiance was led by Mayor Watkins.  
17 An invocation was given by Steve Soulier.  
18

19 **Adoption of Agenda**

20 *Steve Soulier made a motion to adopt the agenda as presented. Elaine Nelson seconded the*  
21 *motion. A vote was called for and the motion passed unanimously.*  
22

23 **Approval and Follow-up of Minutes of April 19, 2007**

24 *Trent Wentz made a motion to approve the minutes as presented. Elaine Nelson seconded the*  
25 *motion. A vote was called for and the motion passed unanimously.*  
26

27 **Follow-up**

28 Trent Wentz mentioned line 41 of the previous meeting's minutes regarding the placement of  
29 2500 North between 1200 East and 1600 East. Jeff Jorgensen explained that the Planning  
30 Commission is going to get a work group together to include the owners of the adjacent  
31 properties, and discuss that issue.  
32

33 **Review of Action Items**

34 Mayor Watkins said that a new list was not sent out this week, and that there were no significant  
35 changes from the previous list they had received.  
36

37 **New Business**

38 Open Public Input Forum (Citizens are invited to schedule one of two five-minute times through  
39 the City Recorder)

40 No citizens were scheduled to speak at this meeting.  
41

42 Consider a proposed resolution establishing policy for reimbursement of expenses for city council  
43 members and Mayor.

44 *Trent Wentz made a motion to pass resolution 07-03 [establishing policy for reimbursement of*  
45 *expenses for city council members and the Mayor]. Steve Soulier seconded the motion.*  
46

47 Elaine Nelson said she really wanted to know why the change was happening, since Mayor  
48 Potter set and approved this pay years ago. She said if Mayor Watkins' expenses were  
49 exceeding his allotment because of economic development; then the money should come out of  
50 the economic development budget. She said she does not feel that a new resolution should be  
51 established, which would change the policy forever.

52 Jeff Jorgensen explained that tax laws preclude the Mayor from receiving reimbursement both  
53 ways.

54 Elaine Nelson asked why the Mayor has a problem with his pay.

55 Jeff Jorgensen said that if this resolution gets passed, then the Mayor will get reimbursed for  
56 expenses rather than having an expense allowance; and that the reimbursement expenses will  
57 come out of the appropriate budgets depending on what the expense was incurred for (i.e. which  
58 department or project).

59 Elaine Nelson asked why there should be a change when it has been the same way for years.

60 Jeff Jorgensen explained that the Federal law states that both reimbursement procedures are not  
61 allowed concurrently; i.e. one cannot be reimbursed for minor expenses and receive an expense  
62 allowance for minor expenses, at the same time.

63 Scott Galbraith asked how much of a variance there was between what he has been receiving  
64 and what his actual expenses are. Mayor Watkins said that the cell phone he uses primarily for  
65 city use is costing him \$100 per month alone, [which is the amount of his current monthly  
66 expense allowance]. Per a question from Scott Galbraith, the Mayor explained that he regularly  
67 incurs additional expenses when he travels to Salt Lake City for various reasons, including for the  
68 EDC (Economic Development Corporation), Utah League, etc. and that he travels there several  
69 times monthly. He said there are additional expenses he incurs carrying out in-town business  
70 tasks that the City Council members do not typically perform.

71 Trent Wentz said that the resolution states that every year, both the position of mayor and each  
72 city council member would be required to determine which expense program he or she is going to  
73 go with.

74 Scott Galbraith asked if there was a mayor in the future who was less reserved with spending, if  
75 this resolution change would create a problem financially. Jeff Jorgensen said that the City  
76 Council appropriates money into the budget and that if a mayor goes over the budget, he would  
77 be breaking the law. Steve Soulier asked if that was the only check and balance system in place,  
78 and asked if the mayor would be allowing his own expenses. Jeff Jorgensen said that he, as the  
79 financial officer for the city, checks those expenses and does so within the budget.

80 The City Council discussed wanting to accommodate the Mayor's expenses while being able to  
81 put a cap on the amount, as well. The City Council agreed to allow the Mayor \$2400 per year, in  
82 allowable expense reimbursements, and that anything above that amount would require approval  
83 from the City Council. The City Council agreed that the resolution needed to be re-written and  
84 would have to cause the motion to fail.

85

86 *A vote was called and the motion failed with one in favor (Steve Soulier) and three opposed*  
87 *(Scott Galbraith, Elaine Nelson and Trent Wentz).*

88

89 **6:45 Public Hearing to receive public input on a proposed ordinance correcting tables within the**  
90 **zoning ordinance and the subdivision ordinance in order to be consistent with recent changes to**  
91 **the set-back requirements as delineated in the subdivision ordinance. This ordinance makes no**  
92 **changes to the set-back requirements previously passed by ordinance; it only makes necessary**  
93 **corrections where tables are not consistent with each other. Following the public hearing the city**  
94 **council may consider approval of the ordinance under consideration.**

95 *Mayor Watkins opened and then closed the public hearing at 6:47 p.m., as there were no*  
96 *forthcoming public comments.*

97

98 Scott Galbraith referred to the new bonus density ordinance and said that it may not make sense  
99 in terms of building occurring on smaller lots, and that the set back tables may need to be  
100 adjusted to accommodate this issue.

101

102 The City Council agreed to have Jeff Jorgensen and Cordell Batt adjust the tables and have it  
103 ready for vote at the next City Council meeting.

104

105 **Consider a proposed ordinance making changes to the city's nuisance ordinance and the**  
106 **administrative remedies ordinance.**

107 Trent Wentz asked if the Nuisance Ordinance would cover the protective strip situation next to the  
108 aforementioned Do's property, as there are weeds, piles of old grass and weeds, as well as an

109 old trailer and some cars. Steve Soulier said there are two places within the ordinance that would  
110 deal with that situation, including "Weed Regulations" as well as the section regarding rubbish  
111 removal. Steve Soulier said that if the cars are operable, however, it would not be covered in the  
112 ordinance.

113 Elaine Nelson mentioned a situation near her home where a citizen has filled their entire two-acre  
114 piece of property with logs and wood pieces; as well as some "junk "cars; and further stated that  
115 she has other adjacent homeowners who have approached her who feel that the area looks  
116 "atrocious" and have asked her what can be done because the site is lowering their property  
117 values.

118 Steve Soulier said one of the things that the committee is *not* trying to do with this ordinance is to  
119 define what a property should or should not look like. He said the intent of the ordinance was to  
120 affect changes related to health and safety and that if the situation that Elaine referred to falls  
121 under that category in the opinion of the Enforcement Officer, that something might be able to be  
122 done. He said, however, that if it simply is a matter of not liking what someone has put in their  
123 backyard for decoration, for example, then trying to determine that and when to cross that line,  
124 can be a very dangerous thing to do. He said if it can truly be established that something is  
125 diminishing property values, the point can then be made.

126 Scott Galbraith referred to his yard which he said he has worked very hard on and feels that it is a  
127 fairly good looking yard; however, he has left the back portion in a more natural, native state,  
128 where it leads up to the mountains. He asked if in doing so, it would be considered a nuisance  
129 under the new ordinance.

130 Trent Wentz said he felt what Scott described would not be considered a nuisance and that  
131 hopefully the City Council would always be prudent enough to allow property owners their own  
132 rights. He said the ordinance is really an effort to protect the citizens from the negative impact in  
133 various situations.

134 Steve Soulier also addressed a prior question that Trent Wentz raised about whether or not an  
135 "abandoned vehicle" included one that someone might actually be restoring. Steve Soulier said  
136 that that type of car still needs to be put away and out of sight, e.g. in a garage.

137  
138 *Steve Soulier made a motion to adopt the ordinance changing the city's nuisance ordinance.*  
139 *Scott Galbraith seconded the motion.*

140  
141 Scott Galbraith stated that this ordinance is a very good attempt at creating a working nuisance  
142 ordinance; but wants to ensure that there is flexibility if the City Council finds that something in  
143 the ordinance needs to be adjusted, to which the City Council agreed

144  
145 *A vote was called for and the motion passed unanimously.*

146  
147 Consider concept plan for a 0.55 acre, two lot subdivision at approximately 2147 N. 1200 E. This  
148 subdivision, as proposed, includes a "flag lot".

149 As the Do's were unable to attend the meeting, the City Council agreed to postpone this item until  
150 the next City Council meeting that the Do's would be able to attend.

151  
152 **Reports from city officers, boards, and committees**

153 Jeff Jorgensen mentioned that he has a received a request from an individual who wants to  
154 establish a hot dog stand in order to sell hot dogs at soccer games, baseball games, etc., in  
155 Logan as well as North Logan. Jeff Jorgensen explained that the applicant will need to get a  
156 business license and a health certificate, as is typically required.

157 Scott Galbraith asked if the city could collect a small fee/percentage of the vendor's sales. Trent  
158 Wentz asked if there was an issue with liability for the city if an accident or illness occurs on city  
159 property. Elaine Nelson mentioned that Hyde Park did the wise thing by building a permanent  
160 structure at their park facility to be available for vending; which Jeff Jorgensen said at one time  
161 such a facility had been in North Logan City's plans, as well. Steve Soulier said he did not think it  
162 was a problem now, but that this issue should be discussed with the Parks Board, who

163 establishes such things for the long term. Terrel Huppi said there may be an issue of allowing too  
164 many vendors. The City Council discussed various ways of handling this; and agreed to allow the  
165 hot dog stand.

166  
167 Elaine Nelson distributed some information she obtained about water rights and issues to the City  
168 Council members.

169  
170 Steve Soulier mentioned the packet he had distributed regarding the library and the statistics  
171 reflected therein. He said he continually sees the library getting greatly utilized with large  
172 numbers of citizens visiting the library, and that the city should be very proud of the library and its  
173 use. Steve Soulier also mentioned the library book sale; as well as the money brought in from  
174 various items such as the sale of used books at the library, candy-machine sales, etc., which all  
175 goes back to the library, and is maintained by Joe Hawkes.

176  
177 Elaine Nelson asked Mayor Watkins about his forthcoming Las Vegas trip. She asked him to  
178 explain what his vision is in going down there in order to make sure that the City Council concurs  
179 with what he is planning to do. She mentioned a business that she said Mayor Watkins  
180 mentioned as a potential incoming business (a factory outlet) and said that that does not meet her  
181 vision of what the residents want for the city.

182 Mayor Watkins explained that there will be roughly 40,000 people attending the International  
183 Shopping Centers and Retailers Conference in Las Vegas, which will represent companies from  
184 all over the nation. He said he is a member and trustee of the Economic Development  
185 Corporation of Utah (EDC) and that the city's prorated cost to be part of the EDC's booth at the  
186 conference is roughly \$1200 or so; that it costs around \$300 to attend the conference; in addition  
187 to rooming expenses. He explained that for those cities that attend, the EDC sets up a property  
188 book which includes an economic profile for each city. He said each city that attends gets six  
189 pages dedicated to that city which gives details about the city including demographics, economic  
190 profile, growth opportunities, as well as available land. He said North Logan will have five pages  
191 with two pages in the book dedicated to describing North Logan in positive terms; and three  
192 pages detailing specific properties, including the CRG commercial property and its leasing  
193 opportunities; as well as the Faulkner Development commercial development/mixed use area.  
194 He also said that Faulkner Development has set up appointments with some potential retailers,  
195 including Costco, a national sports company, as well as possible others. He also said that the  
196 Factory Outlet chain had contact the Mayor, based upon the profile for North Logan that had gone  
197 out through the EDC. He said he basically acts as an advocate for North Logan to show that our  
198 city is a market which is looking to attract and encourage retail development to come to the city.  
199 He said the value for him to be at the conference is to show the positive approach the city takes  
200 in wanting to be there as an advocate to attract quality development and jobs to North Logan. He  
201 said his vision is very simple and believes that it is the vision of the council and is that we want to  
202 attract quality jobs followed with quality services; as well as to attract fine restaurants to North  
203 Logan.

204  
205 Elaine Nelson said she just wants to make sure we get developments that fit, and does not feel  
206 that Factory Outlets fit what our residents want.

207  
208 Elect replacement city council member to fill vacancy on the council. (May include executive  
209 session (closed) to consider the competency of individuals.)

210 Per Mayor Watkins's request, Scott Wyatt explained the rules and requirements for being allowed  
211 to serve on the City Council. He also said that a candidate cannot be interviewed in closed  
212 session; that they can only be interviewed in the public meeting. He said that the City Council  
213 members can discuss the candidate's competency in closed session; but are then required to  
214 return to open session in order to vote. He also explained that only City Council members are  
215 allowed to vote, unless there is a tie, for which the Mayor can cast the deciding vote.

216  
217 Mayor Watkins explained that the two candidates are Lloyd Berentzen and Bryon Geddes, and  
218 asked the candidates to give their presentation to the council in that order; and asked the City

219 Council members to pose any questions they had to the candidates, and to have an exchange of  
220 information.

221  
222 Lloyd Berentzen expressed his desire to run, as well as stating that he intended to run again  
223 when this term was up at the end of the year. He answered questions from the City Council  
224 regarding various issues of the City Center Plan, budget issues, and dealing with provocative  
225 issues.

226  
227 Bryon Geddes gave his presentation stating that his desire to run was out of a desire to serve this  
228 community; and further explained his abilities and the various issues he believes face this  
229 community including the growth of the community, the quality of life and economic health, parks  
230 and recreational areas, shopping and restaurants, well-paying jobs, etc. He also stated that his  
231 intention would definitely be to run again when the term was up; but would be based on whether  
232 or not there is the belief that he is doing the best job in representing the constituents, and what  
233 the existing attitude is with his colleagues.

234  
235 Trent Wentz stated that he feels that the city is very lucky to have two candidates of this caliber  
236 applying for what can be a difficult position; and said he appreciates seeing citizens willing to  
237 make that commitment.

238  
239 *Scott Galbraith made a motion to move into executive closed session in order to discuss the*  
240 *candidates, at 8:05 p.m. Elaine Nelson seconded the motion. A vote was called for and the*  
241 *motion passed unanimously.*

242  
243 *Steve Soulier made a motion to move back into open session at 8:11 p.m. Scott Galbraith*  
244 *seconded the motion. A vote was called for and the motion passed unanimously.*

245  
246 *Lloyd Berentzen won with a majority vote with Trent Wentz, Elaine Nelson and Scott Galbraith*  
247 *voting for Lloyd Berentzen; and Steve Soulier voting for Bryon Geddes.*

248  
249  
250 *Steve Soulier made a motion to adjourn the meeting. Scott Galbraith seconded the motion. A*  
251 *vote was called for and the motion passed unanimously.*

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253  
254 The meeting adjourned at: 8:20 p.m.

255  
256  
257 Approved by City Council: May 17, 2007

258  
259  
260 Transcribed by Marie Wilhelm

261  
262 Recorded by \_\_\_\_\_  
263 Jeff Jorgensen/City Recorder

264 \_\_\_\_\_

265  
266 Closed Session Certification:

267  
268 I hereby certify that the only thing discussed during the closed session of the city council on May  
269 3<sup>rd</sup>, 2007 was the competency of the two individuals being considered for filling the vacancy in the  
270 city council.

271  
272  
273 \_\_\_\_\_  
274 Cary Watkins, Mayor