

1 **Minutes of the North Logan City**
2 **City Council**
3 **Held on June 7, 2007**
4 **At the North Logan City Library, North Logan, Utah**
5
6

7 The meeting was called to order by Mayor Watkins at 6:32 p.m.
8

9 Council members present were: Steve Soulier, Lloyd Berentzen, Trent Wentz, Scott Galbraith
10 and Elaine Nelson.
11

12 Others present were: Pat Northenor, Clair Theurer, Richard Anthony, Brenda Anthony, Al Moser,
13 Jim Huska, Val Potter, Nancy Potter, Bert Stokes, Joyce Stokes, Ray Wilhelm, Marilyn Wilhelm,
14 Glen Israelsen, Ruth Israelsen, Dee Israelsen, Louis Wilhelm, Marvin Buck, Diann Buck, Nancy
15 (Marianna) Israelsen, Janet Soulier, Jon Landeen, Don Younker, Irma Krebs, Leo Krebs, Jon
16 Keller, Joseph Do, Sue Do, Lanette Pettit, Renae Hall, Nadine Schoonmaker, Gerry Ciaraldi,
17 Marty Spicer, Kay Gilgen, Scott Gilgen, Susan Smart, Due Randleman, Jennifer Mulholland,
18 Marilyn Puffer, Cheryl Fullmer, Alan Thomander, Jeff Loosli, John Huffman, Mary Huffman, Monte
19 Robinson, John Malechek, Marty Israelsen, Julia Arave, Joe Arave, John Evans, Beverly Evans,
20 Clive Arave, Jason Duren, Greg Nielson, Curtis Roberts, Mike Petersen, Ed Taggart, John
21 Mulholland, Todd Beutler, Kim Hawkes, Lydia Embry, Cordell Batt, Jeff Jorgensen and Marie
22 Wilhelm.
23

24 The Pledge of Allegiance was led by Mayor Watkins.

25 An invocation was given by Steve Soulier.
26

27 **Adoption of Agenda**

28 *Steve Soulier made a motion to adopt the agenda as presented. Elaine Nelson seconded the*
29 *motion. A vote was called and the motion passed unanimously.*
30

31 **Approval and Follow-up of City Council Minutes, Closed Session Minutes and RDA**
32 **Minutes for May 17, 2007**

33 City Council Minutes - May 17, 2007

34 *Steve Soulier made a motion to approve the May 17, 2007 City Council minutes as presented.*
35 *Elaine Nelson seconded the motion. A vote was called and the motion passed unanimously.*
36

37 RDA Minutes - May 17, 2007

38 *Lloyd Berentzen made a motion to approve the May 17, 2007 RDA minutes as presented. Steve*
39 *Soulier seconded the motion. A vote was called and the motion passed unanimously.*
40

41 Closed Session Minutes - May 17, 2007

42 *Trent Wentz made a motion to approve the May 17, 2007 Closed Session minutes as presented.*
43 *Elaine Nelson seconded the motion. A vote was called and the motion passed unanimously.*
44

45 **Follow-up**

46 Nothing at this time.
47

48 **Review of Action Items**

49 Trent Wentz asked if the city had received any response from Hyde Park regarding the cemetery
50 district issue.

51 Jeff Jorgensen said that the last he heard, the Hyde Park Cemetery District Board was not going
52 to take any action on it.

53 Trent Wentz asked what then, would be the next step and Jeff Jorgensen said that the citizens
54 who live in that cemetery district who are in North Logan need to take the issue up with the

55 people who they voted in to the cemetery district leadership. He said if the members of that
56 cemetery board decline to change the boundary, then it will not change.

57 Trent Wentz suggested putting together a letter that the City can send to the citizens who are in
58 that district informing them of what they need to do in order to influence the cemetery board to
59 allow them out of the cemetery district. Elaine Nelson also suggested finding out who those
60 board members are who represent North Logan, in order to be able to petition them.

61
62 Scott Galbraith asked if the jurisdictional transfer of 800 East for 2500 North is a “done deal” or if
63 it is still pending. Jeff Jorgensen said it was his understanding that the state transportation
64 commission is going to be voting on it in approximately two weeks. Mayor Watkins said that it is
65 currently under consideration, and that it looks like it is going to go through.

66

67 **New Business**

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

70 There were no citizens scheduled to speak at this meeting.

71

72 Consider proclamation recognizing the Cache County Government Sesquicentennial
73 Celebrations.

74 The Mayor proceeded to read the proclamation aloud.

75

76 *Steve Soulier made a motion to approve the proclamation. Elaine Nelson seconded the motion.*
77 *A vote was called and the motion passed unanimously.*

78

79 **6:45 Public Hearing to receive public input on:**

80 The proposed revision of the FY2007 municipal budget

81 Jeff Jorgensen presented the details of the revisions, and reviewed what was in the budget
82 documents as well as describing what the various numbers represented; copies of which were
83 made available to the meeting attendees. He explained that the first public hearing for the
84 evening would be regarding column “F” on the distributed spreadsheets, regarding the proposed
85 revisions to the FY2007 municipal budget.

86

87 *Mayor Watkins opened the public hearing at 6:50 p.m. and explained that this first public hearing*
88 *was regarding the 2007 municipal budget revision only.*

89

90 North Logan resident Clair Theurer asked if a tax increase was really necessary or whether the
91 city really just needed to make adjustments to the budget priorities. He asked whether the city
92 was budgeting for “needs”, or for “wants”. He said for cities in the area, North Logan is only
93 second to Logan in having the highest tax rate for the last four years. He also said that he
94 learned that the city of Providence, like North Logan, has not had a tax increase in 17 years and
95 were not planning to raise their taxes this year, either. He said when a city does not raise taxes;
96 the county reduces their portion in the levy, which he said he learned from the County Assessor’s
97 office. He said that the County Assessor’s office also told him that North Logan has one of the
98 best sales tax bases in the county because of the businesses that are located in North Logan.
99 He further read an editorial from The Herald Journal regarding raising taxes and how it relates to
100 the proposed hotel/conference center; and asked where all of the proposed revenue from this
101 potential development would go. He then mentioned the number of paid city employees in
102 addition to the proposed hiring of another person in the fire department; and asked if the city was
103 really in need of all of the full time people who are currently employed by the city. He said he
104 spoke to one of the North Logan City Council members who agreed with him that the “employee
105 situation” needed to be looked into. Mr. Theurer said that he also suggested to some city council
106 members that the city replace some of its full-size pick-up trucks with smaller economy vehicles
107 with better gas mileage, in order to save on the cost of fuel, which he said they agreed with. He
108 also said it would be beneficial for the city to look into finding a less expensive health insurance
109 plan for the city employees. He further stated that the city should ensure that maintenance of city

110 infrastructure, including water issues, improvement of roads, etc., is done before the city takes
111 care if its “wants”. He finished by saying that he does not think that the North Logan City needs a
112 tax increase, nor should it try to keep up with the city of Logan.

113

114 Since all of Mr. Theurer’s comments were regarding the 2008 budget and not the 2007 budget,
115 Mayor Watkins reminded those in attendance that the public hearing being discussed at that time
116 was regarding changes to the 2007 Budget, not the 2008 proposed budget, which would directly
117 follow this public hearing.

118

119 *As there were no further public comments, Mayor Watkins closed the public hearing on the FY*
120 *2007 budget revisions at 6:53 p.m.*

121

122 The proposed FY2008 municipal budget for the coming year

123 Jeff Jorgensen gave a power point presentation on the upcoming budget and reviewed the
124 particulars of the document; including what categories makes up the “composite” tax; and also
125 said that only approximately 16% of what the citizens pay in property taxes goes to North Logan.
126 He further described the lengthy budget process and how it works. He explained that before a
127 tax increase can be approved, there would still have to be a public hearing held in August before
128 it could ever be adopted and set in place. He then explained the tax rate change process and
129 described which items can be changed, and which can not. He explained that \$720K (13%) of
130 proposed expenditures were cut from the initial versions of the budget; and that they were
131 legitimate needs of the city and of the staff, not just “fluff”. He said the proposed budget currently
132 only funds a little less than half, (e.g. \$417K) of the money needed for improvements throughout
133 the city. He also mentioned that of the four full time employees originally requested by the
134 various departments for next year, only 1.5 have survived the budget process at this point. He
135 said that there have been discussions as to whether or not North Logan should implement a
136 telecommunications tax like most other cities in the area have. North Logan does not have that
137 tax at this point; a tax which brings in roughly \$90K to Smithfield for example. He further
138 described other budget issues such as employee compensation and health benefits; growth in
139 revenues and expenditures (revenues are slightly ahead of expenditures); quality of life issues
140 such as roads and parks, etc.; as well as the various potential effects of a tax increase. He said
141 the current proposed budget employs a 25% increase in the general purpose tax; but since the
142 Library tax goes down approximately 5%, there is a proposed 10% increase in the overall North
143 Logan composite tax. He then described the general purpose rate and the history of tax
144 increases and decreases that the city has exercised over the years. He also explained what
145 encompasses the composite rate. He explained there are two columns of figures for review
146 (which were displayed on a screen); one which showed the budget in terms of an increase, and
147 one without.

148 Trent Wentz asked how much the city would receive in the event of an increase. Jeff Jorgensen
149 said the tax increase contained in the proposed budget would bring in just over \$100K more than
150 the previous year.

151 Mayor Watkins asked Jeff Jorgensen to explain where the monies in the budget would go in
152 terms of unfunded depreciation and capital. Jeff explained that the city has roughly \$1,000,000
153 worth of needs in replacement of roads, vehicles, buildings, equipment, etc., which the city should
154 be either setting aside for each year within the capital improvement fund or using on capital
155 replacement projects. He said by way of example, that with the proposed tax increase, the city
156 would be setting aside roughly \$7K into the general building and capital improvements area,
157 which he said actually needs to be \$20K. He also said that \$250K is in the budget for road
158 replacement in the streets department, but that \$750K should really be the figure set aside for
159 that. He further explained some of the details regarding the fund balance and how some of the
160 funds will be used, particularly for various road improvements.

161 Mayor Watkins said that the goal is that as the years go by, revenues will go into that fund to help
162 build it up so that there will be monies available for various need of the city. He also reiterated
163 that the budget process has always been entirely open to the public. He said the public has been
164 consistently invited to the numerous workshops and meetings held by the Budget Committee,

165 which is made up of citizens, two City Council members and some of the North Logan City staff.
166 He said that he attempted in his monthly newsletter messages, beginning in January 2007, to
167 explain the taxing process. He said the intent was to give the public as much information on the
168 whole tax process, as possible. He also said that various tax increase scenarios were reviewed
169 within the Budget Committee, and that the "55%" tax increase mentioned in the newsletter was
170 hypothetical, a snapshot in time for a version of the budget that was later cut, and was used in
171 order to describe an example; and was not intended to state a specific, definitive proposed
172 increase. He said it did generate public interest in the tax process, however, which he said was
173 very beneficial. He also said that there is no relationship whatsoever between the proposed hotel
174 and conference center within a CDA (Community Development Area) and the potential property
175 tax increase being considered.

176
177 *Mayor Watkins opened the public hearing at 7:25 p.m.*
178

179 Val Potter, resident and former Mayor of North Logan, expressed his views in opposition to a tax
180 increase, and said that he had given a letter to the Mayor and the City Council members the
181 previous month regarding his comments against raising taxes and his concerns about city
182 expenditures. He said that he feels that economic development is not the number one priority of
183 a city; that public safety is; and after that would be the city's responsibility to provide necessary
184 services for our current citizens, and for the future. He then explained his points and written
185 statement in detail, including issues of commercial development, various city expenditures within
186 the budget, the city center, fire department, city department staffing requirements, road projects,
187 etc. He also said he felt that categories listed as "other" in the budget should be more specific in
188 describing what they are specifically for. He further detailed areas within the budget that he feels
189 should be cut.
190

191 Richard Anthony, North Logan resident, said that Jeff Jorgensen's presentation cleared up many
192 questions that he had. He said he felt that there has been a failure of communication regarding
193 the property tax increase. He said that despite what the Mayor said, the May 2007 newsletter
194 proposed a 55% property tax increase, and that two City Council members that he spoke to
195 confirmed this. He also said that he spoke to his neighbors who said that none of them had read
196 the newsletters and pointed out that many residents probably had not read any of the Mayor's
197 articles in the newsletter. He said he wrote a letter to the Herald Journal, and that the Mayor was
198 kind enough to call him about it and discuss it. He further described discrepancies in
199 communication from the Mayor, as well as City Council members, in what the tax increase was
200 actually intended to be, which he said has been clarified at tonight's meeting. He said the citizens
201 of the city are, by and large, really confused as to what is being suggested by the administration.
202 He said the Mayor stated in the June North Logan City newsletter that the financial health of the
203 city is sound and will continue to be with or without a property tax increase; and said if that is true,
204 that he would hope that the City Council would vote against a property tax increase. He said he
205 also hopes that communication between the administration and the citizens will improve. He said
206 it can be done on the website and in the newsletter; and that things should be further explained
207 and better defined in the newsletter [and on the website] in order to give the citizens better
208 information; and that perhaps members of the City Council should write portions of it.
209

210 Al Moser, resident and former Mayor of North Logan, asked Jeff Jorgensen if the handout
211 presented on "Various Optional Municipal Taxes" included the cable TV franchise fee. Jeff
212 Jorgensen said that it did not and agreed with Mr. Moser that it should indeed have been shown
213 as one of those taxes or fees that the municipality has discretion over. Mr. Moser said he also
214 wanted to remind the council that when he worked with the City Council, they tried very hard not
215 to have an energy sales and use tax. He said that tax was passed a few years ago [after his
216 term], which meant a tax increase for every North Logan citizen. He said he wanted to therefore
217 correct the statement that there has not been a tax increase for so many years, because there in
218 fact has been one and that the energy tax is very substantial and quite aggressive and that the
219 City Council should consider removing this tax.
220

221 Nancy Potter, North Logan resident, former City Council member and the current Chair Person of
222 the North Logan Cemetery Committee, said that there is nothing in the cemetery budget for weed
223 control for the grass that will be planted this summer, which is a concern. She also said there
224 was previous discussion about installing a specific type of fence along the east side of the
225 cemetery, at the cost of \$12K, in order to protect the cemetery from deer coming onto the site;
226 and that this is no longer in the budget. She also said that the money that will come in for selling
227 cemetery plots is not included as income in the budget; which will help to fund some of the needs
228 for the cemetery, and should be reflected as such. She said she spent two years on the City
229 Council working on the budget, and that they, as the City Council members, continued to oppose
230 having a property tax increase. She said she was offended by the statements that have been
231 made stating that the past City Council's failed to raise property taxes. She said it was done for a
232 reason, which was that there was not a need for raising the property taxes due to the fact that
233 there was a large enough sales tax base to sustain the city. She reiterated that property taxes
234 have been *intentionally* voted down; that it was not merely a failure on the City Council's part to
235 not do so in the past.

236
237 Greg Nielsen, North Logan resident, said he agreed with everything that Val Potter stated. He
238 said he is tired of hearing that taxes need to be raised because they haven't been for sixteen
239 years. He said that taxes have not been raised because of the good work of the former Mayors.
240 He said that the citizens don't want it because they know that we don't need it; and that he too is
241 opposed to a property tax increase. He said he is also opposed to putting \$200K into a road
242 down on 200 West that no one is using; while at the same time, when he walks along 1600 East,
243 he wonders if he is going to get hit by one of the cars that go 40 or more miles per hour. He said
244 he feels that if money is going to be put somewhere, it ought to be put into installing sidewalks
245 throughout the city for the safety of the citizens.

246
247 Lydia Embry, North Logan resident, reviewed some of the comments from her written statement;
248 which she had already given a copy of to the Mayor and the City Council. She also stated that
249 she does not agree with targeting 10% of the city's revenue (approximately \$500K) to build an
250 unrestricted "rainy day" fund balance. She also said she would ask that the City Council be more
251 transparent when additional taxes are imposed, such as the utility tax, energy tax,
252 telecommunications tax, etc.

253
254 Jason Duren, North Logan resident, asked if the funds that are coming in are being held in an
255 interested bearing account; and Jeff Jorgensen said that they are and that the interest made is
256 reflected in the budget according to whatever department the interest is associated with. Mr.
257 Duren said he does not agree with having a tax increase that is an open-ended situation which
258 does not state a specific ending time when a financial goal is met, for example. He asked if there
259 would ever be a point when the city felt like they were "caught up" such that taxes could then be
260 actually cut back.

261
262 Duane Chadwick, North Logan resident and Cemetery Committee member, said that he agreed
263 with Val Potter in terms of not giving incentives to developers wanting to come in with new
264 businesses. He also said that since revenues will be coming in for the sale of cemetery plots,
265 that perhaps money should be used to build the cemetery road, in order to put the cemetery in
266 business, as he knows many people who would be interested in purchasing cemetery plots; and
267 that the city should begin to bring in that revenue.

268
269 Louis Wilhelm, North Logan resident, asked Jeff Jorgensen how much sales tax revenue the city
270 receives, which Jeff said was roughly \$1,700,000 per year. Mr. Wilhelm stated that he knew of a
271 Nibley city official who would be thrilled to have even one month of North Logan's sales taxes;
272 and further stated that many of the surrounding cities do very well on a lot less, even though he
273 realizes they do not have the same attributes as North Logan. He said he proposes that the City
274 Council go back to the idea of each council member being in charge of one of the various city
275 departments in order to be more aware of what was going on; and that doing so might allow quite
276 a bit of "fat" to be cut out of each department. He also said he felt that the City Council members

277 were not always aware of all that was going on in the city.

278

279 *As there were no further public comments, Mayor Watkins closed the public hearing at 8:54 p.m.*

280

281 Jeff Jorgensen was asked to clarify some issues in response to some of the incorrect comments
282 that were made in the hearing. He explained regarding the project for 200 West that it would be
283 done with impact fee money and those funds can only be used for roads developed for new
284 growth and cannot be used to fix existing roads. He said impact fees used for new roads only
285 requires the city to come up with 25% of the costs for the development of such roads, as the
286 developers pay for the remaining 75%; which is how this city's impact fees are required to
287 function because those are some of the assumptions used in the impact fee study. He said if the
288 money for 200 West was deleted from the budget, it would not change at all, the bottom line for
289 the general fund budget.

290 Jeff Jorgensen further corrected some of Ms. Embry statements explaining that the unrestricted
291 fund balance of 10% is not the same as the capitol improvement fund. He said this money is set
292 aside from what is left over at the end of a year, and is there to be utilized for "emergencies"; to
293 ensure cash flow for the first quarter of the following year before income starts to flow, etc. He
294 said the percentage rate is required by state law to be between 5% and 18%; and that the city
295 tries to stay in the middle of that figure so as not to be too high; nor to go below 5%, which has
296 occurred in the past. He also explained that many of the items that the public has suggested to
297 cut out of the budget, such as in water and sewer, would have no impact on the general fund, as
298 those department funds stand on their own.

299 Steve Soulier commented that putting in a new asphalted, fully built road to the cemetery is going
300 to cost between approximately \$175K and \$200K, and that selling cemetery plots will not be
301 enough to cover that expense. He said people need to be realistic in considering how much a
302 cemetery actually costs to develop, versus how much money is generated from cemetery plots.
303 He said the city is not in the business of making money from the library or the cemetery; that the
304 city made the decision that those were services that the city wanted to have in order to improve
305 the quality of our community.

306 Scott Galbraith stated that he wanted the citizens to understand that the members of the City
307 Council are individuals with varying opinions, who think independently, and should not be
308 grouped together as a whole.

309 Elaine Nelson stated that she is in favor of not having a property tax increase.

310 The City Council discussed that they would not be taking a vote on this issue tonight but it would
311 be on an agenda for another City Council meeting scheduled for the following week; and that the
312 public's [verbal and written] comments would be taken into consideration in the meantime. After
313 discussing the various council members' schedules, it was agreed that the next meeting would be
314 held the following week, on June 13, in order to vote on and pass the budget prior to the required
315 date of June 22, 2007.

316

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

319 Cordell Batt presented the concept plan and gave a brief history of the situation. He reviewed
320 again the "protective strip" situation for the City Council and per a question from Scott Galbraith,
321 said that the area is zoned as R1-10. Elaine Nelson asked that if the Dos were to purchase the
322 protective strip, whether the access would be different; and Cordell Batt said that it would and that
323 they could gain access on 2180 North for the second lot. He said that this will be handled with
324 the minor subdivision process; and explained that a plat did not need to be done, that it could be
325 handled through meets and bounds documents. He said that water rights are available and that
326 the city will require that information to be fully described on the recorded meets and bounds
327 documents. He said if additional curbing or sidewalk needs to be installed, it will be worked out
328 through an ancillary agreement. He said staff feels that this proposed subdivision does meet the
329 requirements of the standard subdivision concept plan submittal; being able to use the flag lot
330 ordinance; and recommends a positive recommendation to the City Council. He said that the
331 Planning Commission held a public hearing on this request a year ago and again recently; and

332 that he included copies of those minutes within the City Council members' packets that evening.
333 He said it is the intention of the Dos to build a home for themselves on the rear, west portion of
334 the property; and to fix up the front house and use it as a rental property.

335 Elaine Nelson said that she would prefer for the Dos to purchase the protective strip and would
336 hope that the owners would sell the piece to the Dos at a reasonable and fair price.

337 Marty Spicer, representing Joe and Sue Do, explained the history of the situation for the City
338 Council. He said he feels that the Dos meet all of the criteria for approval of a flag lot. He also
339 explained that the owners of the protective strip want \$25,000 for the first 120 feet of the strip,
340 and another \$25,000 for the second 120 feet, which is a total of \$50,000 and that they feel this is
341 excessive and unreasonable. He said after meeting with the Planning Commission a year ago,
342 the Dos moved the flag lot road to the south side of the property, as they felt it was a safer
343 placement of it; which he said while benefiting the Dos, it will also incur more expenses for the
344 them. He said in reviewing the original situation, it seems to him that the developers should have
345 been required at the time of development in 1976 to install curb and gutter along 2180 North to
346 1200 East. He said he believed that originally, the city had a lot that was held until the
347 developers completed all of the improvements, and that was not done. He said that the Dos have
348 attempted for a year and a half to negotiate for the strip, and have made offers in good faith; but
349 Mr. Spicer feels that they are now being unfairly "held" for improvements in excess of \$50,000,
350 which he said is unreasonable.

351 Jeff Jorgensen asked what the distance is from the house to the south property line. Mr. Spicer
352 said he believes it to be less than 30 feet. Jeff said it has to be no less than 30 feet; that the
353 roadway has to be 20 feet wide, and then there has to be 10 feet from the edge of the roadway to
354 the property line, for proper side set-back requirements.

355
356 Keith Christensen, North Logan Planning Commission Chairman, said that the Planning
357 Commission had discussed this issue at length. He reminded the City Council that the Planning
358 Commission was split in their decision on this. He explained the opposing opinions of Planning
359 Commission members in terms of whether or not the flag lot could be approved based upon an
360 issue of "hardship"; and at the time of the Planning Commission's discussions, they were under
361 the impression that the owners of the protective strip were asking \$25,000 for the purchase of the
362 entire strip (not the doubled price of \$50,000 as it is now). He said the neighbors who spoke at
363 the Planning Commission meeting's public hearing did not have any problem with the Dos
364 developing their lot; but that they were very concerned with the curb and gutter still not being put
365 in [along 2180 North to 1200 East].

366
367 Jason Duren, North Logan resident who lives directly across from the Dos said he has no
368 problem with the Dos developing their land. He said that in the two years that he has lived there,
369 he has observed that it is the neighbors who have consistently maintained the protective strips
370 (mowing the grass, etc.), and that he has not seen the property owners ever care for the strips,
371 on either side of the road. He said if the flag lot is approved, the owners of the strips will have no
372 incentive to take care of the strips whatsoever; nor to install sidewalk, curb and gutter. He said
373 he feels that this seems to be a perfect situation for the city to use eminent domain in order to
374 serve all purposes, primarily public safety.

375
376 Renae Hall, neighbor to north of the Dos and resident of the Fullmer subdivision, explained the
377 "blind" corner on the north-west corner of the subdivision, and the need for sidewalks to ensure
378 the safety of the seventeen children who use that street; including for the purpose of walking up
379 their road and through that intersection to the bus each day. She presented a statement signed
380 by all of the neighbors regarding their concern about the lack of a sidewalk on this east end of the
381 subdivision.

382
383 John Huffman, neighbor to the Dos and resident of the adjacent subdivision, said that it was his
384 understanding that at the time the subdivision was completed, the developers were going to
385 install sidewalk, curb and gutter on both sides of the street all the way to 1200 East. He said he
386 understood that the city had required a deposit for that to be done at the time, and would not be

387 returned until it was completed. He said it was returned to them however; yet the sidewalk was
388 never done. He said the gutter is there, but not the sidewalk; which if installed, he said would
389 take care of a lot of these problems.

390

391 Trent Wentz said that Ron Maughan, one of the original partners of the subdivision development,
392 called Trent that day and said the Dos were originally approached to take part in the subdivision,
393 but that they refused to participate in it. (He also reminded the attendees that the Fullmer partner
394 in the subdivision is no relation to Donald Fullmer, the neighbor adjacent to the subdivision). He
395 said the developing partners (i.e. Maughan and Fullmer) obtained the protective strips so that the
396 Dos could not take part in the amenities that the developers had paid for, such as the utilities, the
397 road, the subdivision sidewalk, etc. He said the developers feel that the Dos need to pay in order
398 to have the privilege of using the road. Trent said that he told Mr. Maughan that there is no
399 sidewalk [continuing all the way to 1200 East]; and Mr. Maughan told Trent that perhaps the price
400 of the sidewalk could be deleted from the price of the protective strips, since the Dos would be
401 required to put that in. Trent said that the price of the sidewalk is not the issue of the City
402 Council; that their responsibility is in terms of the protective strip, and gaining access, and
403 whether or not to allow this to be a hardship for a flag lot. He said that Mr. Maughan seemed
404 reasonable in his desire to be rid of the strips; and seemed open to perhaps finding out the value
405 of the property to determine what the cost portion would be to the Dos. He said someone,
406 perhaps Mr. Spicer, should approach Mr. Maughan and find out if the developers would accept
407 the price of an appraisal for the strips. He said this needs to be resolved, and also that he does
408 not feel in any way that this should be a flag lot. Lloyd Berentzen concurred. Trent Wentz also
409 said that the nuisance ordinance should be employed in order to possibly motivate the selling of
410 the strips; and that if the owners do not cooperate, the city should start charging them for
411 maintenance, or penalize them under the nuisance ordinance. The City Council agreed that if the
412 original developers were indeed responsible for putting in the sidewalk, the city should require
413 them to complete that.

414

415 Mr. Spicer clarified that Mr. Do and Mr. (Donald) Fullmer were *not* asked to participate originally,
416 as is being stated; and had no reason for doing so at the time of the development. He said Mr.
417 Maughan approached Mr. Do at the time of the subdivision development, who told Mr. Do that if
418 he wanted to participate in the road, Mr. Do would have to give the developers the last 100x100
419 feet of the back of his property, which the Dos were not interested in doing. He said the Dos had
420 no opportunity nor need to participate, so the statement that they refused to participate is false.
421 He also stated that even with the approval of the flag lot [and therefore, no access to 2180 North],
422 the Dos still intend to build the new house so that it would face the street and the subdivision and
423 would therefore be in harmony with the look of the rest of the subdivision, as the Dos were
424 concerned about that.

425

426 *Steve Soulier made a motion to approve the flag lot (for the purpose of getting it "on the table").*
427 *Lloyd Berentzen seconded the motion. A vote was called and the motion failed unanimously.*

428

429 The City Council agreed that the original terms of the agreement need to be reviewed in order to
430 determine the best solution for the situation, and to move forward based on that information.

431

432 Consider resolution to allow an initiative to be placed on the November ballot calling for an
433 additional sales tax for expanded transit.

434 Todd Beutler and the Finance Director from Cache Valley Transit District presented their rationale
435 for adding an initiative on the November ballot calling for an additional sales tax for expanded
436 transit within the valley.

437

438 *Trent Wentz made a motion to put this initiative on the November ballot. Steve Soulier seconded*
439 *the motion. A vote was called and the motion passed unanimously.*

440

441

442

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

444 Jeff Jorgensen clarified that the City Council is not going to meet on June 21, but will be meeting
445 instead on June 13 at 6:30 p.m. with a full agenda. Per a question from Trent Wentz, Jeff said
446 that they will be voting on both the 2007 and the 2008 budgets at the next City Council meeting,
447 as the numbers for the 2007 budget revision will more accurate at that time.
448

449 Steve Soulier mentioned the upcoming Library summer reading program kick-off party and
450 suggested that everyone attend as it should be a wonderful event. He also mentioned that 1400
451 books had been circulated in one day during the previous week at the library, and reiterated that
452 the library is a very well used facility, and that Library Director Sue Randleman puts a lot of effort
453 into the various programs.
454

455 Mayor Watkins mentioned that the grand marshal for the July 24th celebration parade will be
456 former North Logan City Mayor, Jack Draxler. He also said that the dedication for King Park will
457 be at 8:00 a.m. that morning, directly after the pancake breakfast.
458

459 Scott Galbraith said he would like the Do property situation to be put on the action item list.
460

461 Jeff Jorgensen said that the Land Use Element will be ready for a public hearing; and the City
462 Council agreed to hold that meeting on July 19 after discussion of the council member's various
463 schedules.
464

465 *Steve Soulier made a motion to adjourn the meeting. Elaine Nelson seconded the motion. A*
466 *vote was called and the motion passed unanimously.*
467

468 The meeting adjourned at: 9:14 p.m.
469
470
471
472
473

474 Approved by City Council: July 19, 2007
475

476
477 Transcribed by Marie Wilhelm
478

479 Recorded by _____
480 Jeff Jorgensen/City Recorder
481