

1 **Minutes of the North Logan City**
 2 **City Council**
 3 **Held on October 2, 2007**
 4 **At the North Logan City Library, North Logan, Utah**
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8 The meeting was called to order by Mayor Watkins at 7:30 p.m.

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

12
13 Others present were: Al Moser, Peggy Giles, Blake Parker, Kevin Dustin, Diana Cannell, Leah
14 Harrison, Margaret K. Henschman, Jeff Jorgensen and Marie Wilhelm.

15
16 The Pledge of Allegiance was led by Trent Wentz.

17 An invocation was given by Mayor Watkins.

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 and the motion passed unanimously.*

22
23 **Follow-up/Review of Action Items**

24 Trent Wentz said he was pleased to see all the work being done to repair the sidewalks in the
25 Johnson Park subdivision. He also said he was glad that work was being done on 1800 North,
26 and asked Jeff Jorgensen for an update. Jeff explained that curb and gutter will go in on October
27 4th, and that final prep and asphalt are scheduled to begin about October 15.

28 Steve Soulier asked if this is the last of the road projects for this year. Jeff said that it was. He
29 also said that during the emergency exercise, an inquiry was done to identify sidewalks in need of
30 repair throughout the city; and said there is one area in particular that is really bad (the North
31 Village subdivision area). He said he reviewed the street where it is located with Scott Gilgen and
32 said it is going to take more than just simple repairs; that it will most likely be a major project,
33 including tearing out and re-doing some of the driveways in that area. He said he would like the
34 City Council to take a look at it; and said it should be included in next year's budget to do major
35 sidewalk repair in that area, perhaps in conjunction with the homeowners there.

36 Jeff Jorgensen said that perhaps at the next City Council meeting, a final decision could be made
37 for the rock welcome sign at WalMart, including determining the final font and wording the City
38 Council wants on the sign. He said that at the next meeting, they should also plan on discussing
39 the General Transportation roads plan, including the issue of 2500 North. Trent Wentz said he
40 feels that if the city identifies where the exit/entrances are on 1250 East and 1600 East, that is as
41 much as he wants to identify at this point. Jeff Jorgensen concurred and said that anything in
42 between those two sites can change at any point due to various circumstances. Trent Wentz said
43 that it makes sense to have a square "four-way" intersection there. Jeff Jorgensen said decisions
44 as to what will occur along the route can be made as time goes on and as monies are possibly in
45 the budget to do more. The City Council agreed to only discuss the General Plan change.

46 Steve Soulier asked Jeff Jorgensen about the business license fee structure in terms of hiring the
47 Fire Marshall. Jeff said that he has a meeting set up for next week to determine how it will work
48 and briefly explained some of the ideas for how the structure will relate to the salary for that
49 position.

50
51 **New Business**

52 **Report from auditor on fiscal year 2007.**

53 Auditor Diana Cannell reviewed the audit for fiscal year 2007, which she said went very well. She
54 said she wanted to relay her appreciation to staff on how well the audit went and how much she

55 appreciated all the help she got from Jeff Jorgensen, Peggy Giles, Tom Northenor, and the rest of
56 the staff who helped facilitate the audit. She further explained in detail the various categories and
57 figures listed throughout the audit report.

58 Steve Soulier asked about the cemetery and if it would be handled as a government activity.
59 Diana Cannel said it is a governmental type of activity, but that it could be set up as a separate
60 fund. Jeff Jorgensen said that it is in General Funds, just like the parks. Steve Soulier and Trent
61 Wentz said they would both like to see it in a separate fund, like the library. Jeff Jorgensen said
62 that it will not be self-sustaining like the library is, but the finances of the cemetery could be
63 shown similarly to how the library is shown.

64 Ms. Cannell discussed the management letter that is included in the audit report, which she said
65 is a new requirement from the state; which declares in writing specific findings that the auditor is
66 required to report, if any are found. She further described how findings are laid out in the letter
67 and said that the findings for North Logan City were very minimal and showed no cause for
68 concern, and referred to the fact that the city's unreserved fund balance exceeded 18% (it was
69 19%). Lloyd Berentzen asked if that 19% has to be reported to the state, like when the number
70 goes below 5%; and Ms. Cannell said that it does need to get reported, which is what this
71 'management letter' does.

72 Jeff Jorgensen mentioned that at the last budget, the city planned for a certain unreserved fund
73 balance, and a certain amount that will get transferred into the Capitol Improvement Fund. Ms.
74 Cannell said that is something the state highly recommends the city to do. Jeff Jorgensen asked
75 if there could be some kind of statement in the final budget that says that the city wants to
76 transfer anything that is left over, which would then leave the city at a certain fund balance, say
77 15%. Ms. Cannell said that can be done, as long as it is approved within that fiscal year.

78 Ms. Cannell said she was very pleased with how the city is monitoring its expenses and handling
79 its finances.

80 Scott Galbraith said he realizes how hard the audit process is and wanted to make sure that there
81 is acknowledgement to staff for the hard work they put into it, particularly Peggy Giles and Tom
82 Northenor.

83

84 Consideration of the Development Plan and Preliminary Plat for the Heritage Park Industrial Park
85 Subdivision (81 acres total, 32 industrial lots (1+ acres) and 1 remaining undeveloped parcel (40
86 acres)) located at approximately 2850 North, north to 3100 North and from Main Street, west to
87 400 West, North Logan (Faulkner Development)

88 Cordell Batt presented the plan and oriented those in attendance to the site. Cordell Batt went
89 over the differences in the original and current plan, the latter of which reflects the developer's
90 compliance with the engineer's recommendations. Cordell further explained the road system for
91 the site and the adjacent area.

92 Scott Galbraith asked about the design qualities of the development, for which Cordell Batt
93 explained some of the details.

94 Cordell Batt explained what was in the staff report, and stated that the developers had complied
95 with all of the staff's requirements listed in the report. He referred to the developer's water
96 conservation plan and said that their original plan was to deed all of their water rights to the city
97 and not do a secondary system. He said that staff felt that would not be the best option, so the
98 developers redid their plan. He said their current plan deeds most of their shares to the city; and
99 are suggesting that the lots that are adjacent to the waterway/ditch can tie into that water, as well
100 as a nearby well, and can therefore use that water in addition. He said they do not want to have
101 to install a complete water system for the entire project, which is not something typically done in a
102 commercial/industrial area. He further stated that that the developers will have to comply with the
103 city's industrial design guidelines and will have to go through the review process for the various
104 projects as they come in. He said staff is not asking for approval on this project at this point, as
105 there is more information staff wants to receive first; but that staff feels the developers are very
106 close to having the plan completed.

107 Per a question from Elaine Nelson, Cordell explained that once an applicant has submitted their
108 application, the city has twenty days to review it; and can then be scheduled on an agenda

109 following that time. He said frequently, twenty days is not a sufficient amount of time; particularly
110 if the developer does not have everything in order. He said that a lot has to occur within that
111 twenty days, including several reviews; and said it would be better if that time allotment could be
112 revised so that the twenty-day time period would begin *after* all of the reviews have been done, so
113 that the developers know that is the time when they could be on an agenda. He said the city's
114 office could also strive to work on projects as soon as they come in, in order to move the process
115 along as quickly as possible; and reiterated that that twenty-day time period is problematic.

116 Elaine Nelson asked Jeff Jorgensen to include as an action item getting that twenty-day time
117 period requirement rewritten.

118 Steve Soulier said he is concerned that many industrial areas in other communities take on a kind
119 of "campus look", and that he would hope that the city does everything it can to encourage a
120 better designed area, and to encourage water availability to create more of park-like setting.

121 Scott Galbraith mentioned that this project has a 20% minimum water requirement for
122 landscaping, which is a lot for a commercial area.

123 Cordell Batt said he feels very confident in the requirements set by the Design Review Board.

124 Mayor Watkins mentioned that the area for this site does not percolate water well. He said in
125 terms of stormwater management, that Logan City has moved to a 100-year flood plan, while
126 North Logan City is still using a ten-year plan. He said the difference in cost between a ten-year
127 plan and a 100-year plan is nominal, and feels that this issue needs to be reviewed.

128 Cordell Batt said that the city engineer says we're essentially 'covered' for both plans.

129 Scott Galbraith asked why this item is on the agenda if it is not up for consideration for approval.
130 Jeff Jorgensen explained that the issue of a water conservation plan for this project still needs to
131 be worked out, which was a "sticking" point for the Planning Commission. He said the developers
132 have one lot that will use water from a ditch, and another lot that will use water from the well; and
133 the rest will use culinary water. He said originally, the whole site was going to be irrigated with
134 culinary water. He said the property now has water rights attached to it, but not enough to cover
135 the entire site, as they are dedicating some of them to the city. He asked if the City Council was
136 comfortable with this water plan. Per Steve Soulier's question, Jeff Jorgensen said that he is
137 comfortable with the plan, but City Engineer, Ross Lapray is not. Cordell Batt said he is also
138 comfortable with the plan, and said that the developers do not want to have to be in the position
139 of having to run an irrigation company. Cordell read the developer's water conservation plan out
140 loud.

141 Jeff Jorgensen and Cordell Batt further explained the reasoning behind this water plan. Jeff
142 explained that basically, there is not enough of a landscaping need to warrant the cost of having
143 to install an extensive water piping system.

144 Steve Soulier said the question is how high the risk is to the city, particularly if, in actuality,
145 culinary water ends up having to be used more than anticipated; and this project ends up putting
146 a burden on the city's water resources.

147 Trent Wentz said he does not feel that they should have to set up pressurized secondary water.

148 Blake Parker said that the water in the ditch is not sufficient to irrigate the property and further
149 discussed the design plans for the site. He said the developer's intention is to build a nice
150 development and maintain ownership; not just to sell lots. He also stated that he is very
151 impressed that the developers have made an agreement with all of the other adjacent property
152 owners to fully build 200 West, between 2500 North and 3100 North, including curb, gutter and
153 sidewalk as well as the utilities, and that this will all be done first.

154
155 Consider resolution establishing policies and procedures for placing traffic control devices or
156 regulatory signs.

157 Jeff Jorgensen explained that the new ordinance that was passed a year ago removed the
158 standing committees and their authority to pass policies and procedures; and gave the
159 responsibility entirely to the Mayor, who can obtain counsel from advisory boards. He also said
160 that according to the new ordinance, the Mayor makes the decisions based on policies and
161 procedures that the City Council establishes and approves. Jeff said he put together four policies

162 and procedures which, if the Mayor follows, he can use them to make decisions. He said there
163 are currently no policies and procedures in place which allow the Mayor, nor the City Council, to
164 make decisions on traffic control devices such as speed limit signs, which this will allow him to do.

165 Scott Galbraith expressed his concern that according to this new ordinance, any Mayor of North
166 Logan could change the speed limits, or install stop signs in any location, purely at his discretion,
167 which he feels could be problematic.

168 Trent Wentz said that the words "The Mayor, with advice and recommendation" need to be added
169 to Article Two, and then it would be sufficient.

170 The City Council further discussed how much notification they should receive on decisions, or
171 what recommendations the City Council should be able to give to the Mayor on any particular
172 decisions that may come forth.

173 The City Council agreed to have certain traffic control devices (i.e., stop signs and lights) go
174 before the City Council for consideration, but that all other decisions can be made through the Mayor
175 with counsel from the advisory boards.

176

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

178 Jeff Jorgensen mentioned the notification he received regarding the public transit tax, and
179 explained the new calculations that are used; and said the new tax rate rises from .25% to .3%
180 and that it is to be done because of the elimination of sales taxes on foods. The intent is to make
181 the change to sales tax on food revenue neutral with regard to the transit tax. He said he will
182 bring it to the next meeting for the City Council's authorization. He said the monies are not used
183 by North Logan City but go towards funding the bus system.

184 Scott Galbraith said he would like to discuss 2500 North. He said he feels that the city should go
185 to Mr. Phillips and explain that they will either buy his property now, or have him sign a legal
186 document giving the city right of first refusal. He further recommended that the city commit to the
187 location of 2500 North so that it clearly tells Mr. Alley that the city is going to avoid going through
188 the barns on his property. He said he would like it to be reflected on the Master Plan that there is
189 a square "four-way" intersection at 2500 North and 1600 East, and that the road curves slightly to
190 the north in order to avoid Mr. Alley's horse sheds. He said it is not fair to continue to let Mr. Alley
191 be "in limbo" and that Mr. Phillips has already stated that he is agreeable to selling his property.
192 He said he does not feel good about not stating clearly where the road is going to go.

193 Lloyd Berentzen and Steve Soulier stated that they are still in favor of the road going straight to
194 make a "T" at 1600 East, as well as having a "four-way" intersection.

195 Trent Wentz and Scott Galbraith stated that they feel that the road should line up with 2600 North
196 next to the church building and have a four-way intersection.

197 The City Council continued to discuss this situation at length. The City Council discussed simply
198 stating [publicly] that the city is going to follow the General Plan, as has been the plan all along.
199 After further discussion, Jeff Jorgensen said he did not think it would be wise at this point to state
200 that Mr. Alley's barn will never be affected, because that might in fact be a possibility.

201 The City Council agreed that a decision needs to be made, and that the issue will be included on
202 an upcoming agenda.

203 Trent Wentz stated that there will be dissent regardless of what choice is made, so the decision
204 needs to be made based on what makes the most sense and nothing else.

205 Per a question from Steve Soulier regarding the Bullen property, Jeff Jorgensen explained that
206 there was an original agreement between the city and Mr. Bullen that stated that if he ever
207 subdivided his property, then the city would put in the road, which would give him frontage on that
208 road. He said then Mr. Bullen decided that he did not want to go through with the agreement, so
209 the city gave that right-of-way back to Mr. Bullen. He said the General Plan, however, has not
210 changed at all since that situation, and still states that the road continues to go straight up that
211 property line on the north side of Mr. Bullen's property. Lloyd Berentzen said the city would still
212 have to acquire the property on Mr. Bullen's land if 2500 North went in that location; and Jeff
213 Jorgensen said that was correct, and that it would still need to be done with fair and adequate
214 compensation.

215 The City Council discussed purchasing the Phillips property, and planning the road to be straight.
216 Scott Galbraith said he would rather have the road curve a bit, and avoid Mr. Alley's property all
217 together. Jeff Jorgensen suggested that Scott Galbraith review the drawings for that layout, and
218 consider the negative ramifications of that, and that as an engineer he would recommend not
219 doing that. Scott Galbraith said whatever the city decides, it should be as soon as possible.

220
221 Scott Galbraith asked about the 'Lauritzen' development and said that while he understands that
222 the development is cleaning up the junk; he has learned that Mr. Lauritzen is bringing in a lot
223 more junk onto another piece of property that he is retaining, and is essentially making a new
224 "junk yard". He asked if the city has the ability to shut that down. Jeff Jorgensen said that the city
225 does. He said Mr. Lauritzen is moving the junk from one piece of property to the other one. Jeff
226 said he will ask the city attorney to send Mr. Lauritzen a letter about this.

227
228 Jeff Jorgensen said that 2500 North will be discussed at the October 18th meeting. Steve Soulier
229 and Scott Galbraith both mentioned that they will be in China at that time and will miss the
230 meeting. The City Council agreed to discuss this at the second City Council meeting in
231 November and make a decision at that time.

232
233 Mayor Watkins said that the Elk Ridge Park noise issue needs to be discussed, as well as the
234 timing of the park's closure; and that he will be bringing something to the City Council at a
235 forthcoming meeting for discussion.

236
237 Executive Session (Closed) to discuss potential land acquisitions.
238 *Steve Soulier made a motion to close the regular meeting and move into executive session to*
239 *discuss potential land acquisitions. Elaine Nelson seconded the motion. A vote was called and*
240 *the motion passed unanimously. This occurred at 9:40 p.m.*

241
242 Minutes for this closed session are written under separate cover.

243
244 *Steve Soulier made a motion to close the executive session and move back into the regular City*
245 *Council meeting. Scott Galbraith seconded the motion. A vote was called and the motion passed*
246 *unanimously. This occurred at 10:10 p.m.*

247
248
249 Lloyd Berentzen referred to the audit report and the fact that the city struggled so hard to balance
250 the budget, yet the unreserved fund balance was at 19%, and that this is something that should
251 be reviewed in order to avoid a similar situation in the future.

252
253
254 *Steve Soulier made a motion to adjourn the meeting. Trent Wentz seconded the motion. A vote*
255 *was called and the motion passed unanimously.*

256
257 The meeting adjourned at: 10:12 p.m.

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261 Approved by City Council: December 20, 2007

262
263 Transcribed by Marie Wilhelm

264
265 Recorded by _____
266 Jeff Jorgensen/City Recorder

267 ``