

1 **Minutes of the North Logan City**  
 2 **City Council**  
 3 **Held on October 18, 2007**  
 4 **At the North Logan City Library, North Logan, Utah**

5  
6 The meeting was called to order by Mayor Watkins at 6:32 p.m.

7  
8 Council members present were: Lloyd Berentzen, Elaine Nelson and Trent Wentz.  
9 (Steve Soulier and Scott Galbraith were excused).

10  
11 Others present were: Don Younker, Nate Aromson, Bria Jones, Al Moser, Jon Keller, Pat  
12 Northenor, John E. Phillips, Jon Landeen, Jim Bylund, Bob Strebels, Ruth Robinson, Brett  
13 Robinson, Leo Krebs, DeSiree Stodart, Gordon Alley, Sandra Alley, Blake Parker, Bryon Geddes,  
14 Lydia Embry, Cordell Batt, Jeff Jorgensen and Marie Wilhelm.

15  
16 The Pledge of Allegiance was led by Mayor Watkins.

17 An invocation was given by Lloyd Berentzen.

18  
19 **Adoption of Agenda**

20 Trent Wentz asked that item #3, regarding considering a resolution amending the city's General  
21 Plan, be removed from the agenda, as there were two City Council members not in attendance to  
22 be able to discuss it; to which the City Council agreed.

23 Jeff Jorgensen also mentioned that for item #4 (Israelsen subdivision on 2190 N. 800 E) should  
24 be listed as a "concept plan" and not a "development plan".

25  
26 *Trent Wentz made a motion to adopt the agenda as amended. Lloyd Berentzen seconded the*  
27 *motion. A vote was called and the motion passed unanimously.*

28  
29 **Approval and Follow-up of Minutes of September 6, 2007 (Closed Session) City Council**  
30 **Meeting for September 20, 2007 and Closes Session Minutes for September 20, 2007**

31 **September 6, 2006 Closed Session**

32 The City Council agreed to approve these minutes at a forthcoming meeting in order to have  
33 more time to review them.

34  
35 **September 20, 2007 City Council Minutes**

36 *Trent Wentz made a motion to approve the minutes as presented. Elaine Nelson seconded the*  
37 *motion. A vote was called and the motion passed unanimously.*

38  
39 **September 20, 2007 Closed Session Minutes**

40 *Trent Wentz made a motion to approve the minutes as presented. Elaine Nelson seconded the*  
41 *motion. A vote was called and the motion passed unanimously.*

42  
43 **Follow-up**

44 Trent Wentz referred to the follow-up item in the September 20, 2007 minutes regarding  
45 secondary water rights for Leisure Village and asked what the status was. Jeff Jorgensen said he  
46 did not have any information on that yet.

47  
48 **Review of Action Items**

49 None at this time.

50  
51 **New Business**

52 **Open Public Input Forum (Citizens are invited to schedule one of two five-minute times through**  
53 **the City Recorder).**

54 No one scheduled at this time.

55

56 City Center Lay Out

57 Mayor Watkins asked Jeff Jorgensen to review the potential lay out of the city center. Jeff  
58 displayed some pictures created as “mock ups” that included pictures of areas from their Ohio trip  
59 that could be used as ideas to plan something similar for North Logan City’s city center, including  
60 areas with residential above retail space, a historical center with a library, and a village green.

61

62 Consider approval of the Development Plan and Preliminary Plat for the Heritage Park Industrial  
63 Park Subdivision (81 acres total, 32 industrial lots (1+ acres) and one remaining undeveloped  
64 parcel (40 acres)) located at approximately 2850 North, north to 3100 North and from Main  
65 Street, west to 400 West, North Logan (Faulkner Development)

66 Cordell Batt reminded the City Council that this was on the agenda at their last meeting; and that  
67 the items that the City Engineer needed to still address at that time, have since been dealt with.  
68 Per the City Council’s request, Cordell Batt briefly reviewed the plan again; including that the  
69 developers will be installing 3100 North and doing the necessary improvements which UDOT is  
70 requiring of them at that intersection; that they will develop half of the street along their project  
71 (the other side being done by Hyde Park and whatever other project will occur there); they will be  
72 putting in 200 West; and also have an agreement to develop 200 West all the way out to 2500  
73 North. They will also develop 300 West and half of 400 West. He said the developers will be  
74 subdividing the back portion of the parcel into thirty-two one-acre lots, which is in the city’s  
75 manufacturing/industrial zoning. He said the front part of the property will be left as one parcel  
76 until such time that a project is submitted for the City Council’s approval. He also said the  
77 developers will also develop part of 2850 North. He said the developers worked with the Army  
78 Corps of Engineers and that all of the studies staff required of the developers have been done.  
79 He explained that per staff’s request, the developers put together an engineered plan for a  
80 secondary irrigation system, which includes installing sleeving so that at such time in the future  
81 when they need to tie in to that system; they will not have to disturb existing roads.

82 Jeff Jorgensen displayed a map which shows a canal used for the North Logan City library. He  
83 said it is being proposed to add a pumping and filtration system to pressurize a line that would be  
84 used for Meadow View Park, the county’s recreation land, the Eccle’s Ice Center, some additional  
85 adjacent properties, as well as a section that this property lies on. He said that it is going to take  
86 some involvement and commitment from the city, as well as some time before that improvement  
87 can take place and hence be utilized. He said there have been attempts to move this project  
88 along; and that the Heritage Park development plan will help to bring this canal project to fruition.

89

90 Cordell Batt reiterated that the developers complied with all of staff’s requirements; and that staff  
91 recommends approval for this development.

92

93 *Trent Wentz made a motion to approve the development plan and preliminary plat as submitted.*  
94 *Elaine Nelson seconded the motion. A vote was called and the motion passed unanimously.*

95

96 Consider a resolution making a change to the city’s personnel policy regarding accrual of sick  
97 leave and vacation time for employees while they are receiving workers compensation benefits.

98 Jeff Jorgensen explained the resolution making a change to the city’s policy, which he said  
99 essentially allows employees who have worked for the city for at least six months and have gone  
100 on worker’s compensation benefits, to continue to accrue the normal amount of sick time they  
101 would usually acquire, up to the maximum of what they would receive in a year (and not beyond  
102 that). He said if that puts the employee in the “use or lose” status, then the city will give the  
103 employee a year from the time they go off of worker’s comp to use that accrued time.

104

105 *Trent Wentz made a motion to approve the resolution establishing this personnel policy as*  
106 *agreed. Elaine Nelson seconded the motion. A vote was called and the motion passed*  
107 *unanimously.*

108

109 Consider a resolution establishing policies and procedures for placing traffic control devices.

110 Mayor Watkins discussed the reasoning behind creating a resolution to create an advisory and

111 consent role for the City Council in order to monitor these types of potential traffic changes. The  
112 City Council agreed that the resolution is written in a way that accomplishes what the City Council  
113 wants and what they previously discussed.

114

115 *Lloyd Berentzen made a motion to approve the resolution. Elaine Nelson seconded the motion.*  
116 *A vote was called and the motion passed unanimously.*

117

118 Lloyd Berentzen said that he would like to see a future conversation take place regarding speed  
119 limits and traffic control around the city; and Mayor Watkins mentioned a traffic safety meeting  
120 that will be taking place shortly to discuss those issues, which includes various area cities'  
121 representatives, as well as citizens and City Council members.

122

123 Jeff Jorgensen asked if the decision made on the speed limit for 800 East would be addressed  
124 again with the new policies, as he confirmed that no official decision had actually been made  
125 regarding that, since official policies had not in fact been set in place; and Mayor Watkins said  
126 that issue will be addressed at the aforementioned traffic safety meeting.

127

128 Consider a resolution requesting the recertification of the North Logan City Justice Court

129 Jeff Jorgensen explained that this resolution simply recertifies the court

130

131 *Elaine Nelson made a motion to approve the resolution recertifying the North Logan City Justice*  
132 *Court. Trent Wentz seconded the motion. A vote was called and the motion passed*  
133 *unanimously.*

134

135 Consider an ordinance authorizing the Public Transit Tax at 0.30%.

136 Jeff Jorgensen said that this is different than what is being voted on November 6<sup>th</sup>; and explained  
137 that due to the state removing the unprepared food tax portion of the transit tax, the city is  
138 proposing to reinstate the tax rate that was there originally, plus an additional amount to  
139 compensate for that loss; so that it essentially is being increased by 500<sup>th</sup>s of one  
140 percent. He said the transit district will basically receive just what it was getting before; but that it  
141 needs to be reauthorized for this new level by the City Council.

142

143 *Trent Wentz made a motion to approve the ordinance authorizing the Public Transit Tax at*  
144 *0.30%. Lloyd Berentzen seconded the motion. A vote was called and the motion passed*  
145 *unanimously.*

146

147 Lloyd Berentzen asked if every city will need to re-establish this; and Jeff Jorgensen said that was  
148 correct; and per a question from Lloyd explained that if a city does not vote to do this, then that  
149 city would be "skipped" by the public transit system and not receive services.

150 Elaine Nelson asked about a municipal highway tax and the approved state legislature. She said  
151 currently, the city now will give the entire .30% to the transit district; and asked if the city could  
152 possibly only give just a portion of that to the transit district, and keep a portion for the city to help  
153 with the city's roads. Jeff said that is an error in the document, and that it should read "municipal  
154 transit tax", and not "municipal highway tax".

155

156 *Lloyd Berentzen made a motion to reconsider the previous motion, per the discovered error in the*  
157 *document. Elaine Nelson seconded the motion. A vote was called and the motion passed*  
158 *unanimously.*

159

160 *Lloyd Berentzen made a motion to approve the ordinance authorizing the Public Transit Tax at*  
161 *the .30% rate, including the aforementioned correction from "municipal highway tax" to "municipal*  
162 *transit tax". Elaine Nelson seconded the motion. A vote was called and the motion passed*  
163 *unanimously.*

164

165

166

167

168 Consider Development Agreement for Quality Auto to allow them build in the unincorporated  
169 county land adjacent to North Logan and to hook up to North Logan water and sewer by agreeing  
170 to anticipated future annexation and other stipulations.

171 Jeff Jorgensen explained that Quality Auto has requested to be annexed in to North Logan City;  
172 but until that can happen, North Logan wants to be able to allow them to proceed with their  
173 development. He said this proposed development agreement essentially states that North Logan  
174 City will allow them to hook up to our city's water and sewer lines, as if they were in North Logan  
175 City, as long as they agree to follow all of North Logan City's zoning requirements, and design  
176 and quality building standards, etc.; and that they also agree to sign the annex petition to annex  
177 in to North Logan City when the time comes. Jeff further stated that after discussion today  
178 regarding water and the Heritage Park complex; he said he realized that this is a piece of land  
179 which could benefit from that secondary water line, and that that may be something which should  
180 be included.

181

182 *Trent Wentz made a motion to accept the development agreement with the addendum that the*  
183 *secondary water consideration be included in the agreement. Lloyd Berentzen seconded the*  
184 *motion. A vote was called and the motion passed unanimously.*

185

186 Receive quarterly financial status report.

187 Jeff Jorgensen explained the financial status report that he compiled, that he said he would  
188 presented on a regular basis. He asked the City Council if they would like him to present it  
189 quarterly, to which they agreed. He said at this meeting, he was only presenting the revenue  
190 portion of the financial status; and that a similar report regarding expenditures will be forthcoming.  
191 He further explained the figures for the various city departments listed within the report. Per the  
192 description for water and sewer impact fees, Mayor Watkins asked why these numbers did not  
193 correlate and Jeff said he would look into that; and said that it was perhaps due in part to Leisure  
194 Villas.

195 Lloyd Berentzen said it would be helpful to have a graph designed to reflect when revenues can  
196 be expected to come in at the various times of the year, overall.

197

198 Consider Development Plan for a three lot subdivision dividing two parcels (04-087-0010 and 04-  
199 087-0013) into three lots, one of which will continue to be a flag lot, located at approximately 2190  
200 N 800 E (Tim and Brynne Israelsen)

201 Cordell Batt presented the plan and oriented those in attendance to the location. He said that the  
202 only study that staff is recommending that the application perform is a conservation study; which  
203 he said will essentially require the applicant to put together a document describing how many  
204 water shares they own; and how those water shares will be divided among the three lots. He  
205 further explained that the Planning Commission approved the subdivision with the condition that  
206 an ancillary agreement be put in place to provide for the installation of curb, gutter and sidewalk  
207 along 2200 North.

208 Trent Wentz asked about access; particularly due to the heavy traffic on 800 East. Cordell  
209 explained the access, and said it is done really in the only way it could be laid out. Trent asked if  
210 the Planning Commission had any issues with it; and Jeff Jorgensen explained that they did not;  
211 and that their main issue was the consideration of curb, gutter and sidewalk. He said all of the  
212 Planning Commission members who voted, were all in favor of putting in curb, gutter and  
213 sidewalk; that the only dispute was regarding the timing of the installation.

214 Mayor Watkins asked applicant Tim Israelsen how he felt about putting in the improvements in  
215 right away; and Mr. Israelsen said he would do whatever the city decided was best; and said if the  
216 city wants them to put it in now, they would try to work that into their budget.

217

218 *Lloyd Berentzen made a motion to approve this development plan, including the*  
219 *recommendations made by staff, as well as the inclusion of the ancillary agreement for curb,*  
220 *gutter and sidewalk. Elaine Nelson seconded the motion. A vote was called and the motion*  
221 *passed unanimously.*

222

223 Mayor Watkins raised the issue that if it is agreed that the sidewalk will be required to be put in at  
224 "some future date"; that it is somehow made clear that a future owner may be responsible for  
225 doing so in the future. Lloyd Berentzen said if it is in the best interest to do so now; then it should  
226 be done.

227 After further discussion, the City Council agreed to amend the motion to require the sidewalk to  
228 be put in right away.

229

230 *Lloyd Berentzen made a friendly amendment to require that the sidewalk be put in right away.*

231 *Elaine Nelson seconded the motion. A vote was called and the motion passed unanimously.*

232

### 233 **Reports from city officers, boards, and committees**

234 Jeff Jorgensen said he would not be here for the November 1 City Council meeting and said there  
235 will be a public hearing held at that meeting regarding rezoning the City Center area. He also  
236 mentioned that that is the same night that the school board is meeting regarding the CDA.

237 The City Council discussed the North Logan City rock sign, and agreed that number seven (on  
238 page two of the mock-ups) was their choice. The also agreed to use the word "Est." (i.e.,  
239 established) rather than the word "settled" on the sign, depicting the year.

240 Trent Wentz said that he wrote a letter to the school board, as well as to the Cache County  
241 Council, regarding his concerns about their misunderstanding of how the tax system works for the  
242 City Center.

243 Jeff Jorgensen mentioned that there are several documents as well as other information  
244 regarding the CDA on the city's website.

245 Mayor Watkins mentioned a previous issue he brought up regarding that when a road is offered  
246 to North Logan City to take over, that the city should require that the first chip seal be included in  
247 that offer. He said that in the past when a city has received a road, they typically do not do  
248 anything with it for quite some time, which causes it to quickly deteriorate. He said to have the  
249 chip seal done initially will increase the life of the road by more than a third and would be a very  
250 beneficial way to deal with the deficit in costs for the city's roads. He said that the city of  
251 Richmond has an ordinance that states precisely what he is proposing; and that the city of Logan  
252 instituted this same thing over a year ago; and that North Logan City should follow suit, to which  
253 the City Council agreed.

254 Mayor Watkins said that he received a letter from Roosevelt City regarding the fact that they have  
255 purchased up to 7000 acre-feet of water. He said they have not used that much and have only  
256 been using 1000 acre-feet of water, partially due to drought. He said they applied to expand their  
257 use of water, but the state engineer denied it on the basis that they have lost their opportunity for  
258 using that water because they have not used it before. He said they now are asking for financial  
259 help from all the other cities to help them fight this; and Mayor Watkins said he feels that North  
260 Logan should help them. He said that North Logan City needs to have a "beneficial use" plan in  
261 place, which will project out thirty years, and should describe all of the city's needs, etc.; and do  
262 what is necessary to ensure that this same thing does not happen to North Logan City.

263 Lloyd Berentzen recommended that before North Logan City commits funds; that we send a letter  
264 to the city of Roosevelt suggesting that they get the opinion of Utah's Attorney General,  
265 particularly in a situation where there may be issues of the state overriding local authority;  
266 because if the Attorney General's opinion falls in their favor; it would be very advantageous to the  
267 city of Roosevelt, and possibly save them a lot of money in litigation.

268 Mayor Watkins also referred to a previous discussion regarding potentially moving the equine  
269 center out of the ice arena area (Meadow View Park) and possibly putting it by Green Canyon.  
270 He said there is going to be a discussion at the North Logan Library the following Wednesday,  
271 October 24<sup>th</sup> to discuss this. He further discussed some of the details and asked the City Council  
272 to consider this issue.

273 Lloyd Berentzen asked whether Matt Nielsen's property near Canyon Gates has had a site-  
274 monitoring done by DEQ (Department of Environmental Quality). North Logan Fire Chief, Jon  
275 Keller, said that he spoke with Richard Anderson [sic?] who he said was not concerned about a

276 discussed sulfur issue; and said neither was DEQ; but that he would still be involved in terms of  
277 the oil on the site. Lloyd Berentzen suggested after the land is "cleaned up", that an independent  
278 (third) party should do an environmental assessment of the site in order to protect future buyers  
279 who may move into that location. He said this is a prime area of our city, and that the  
280 contamination is very sad and should be watched closely by the city in the future. Jeff Jorgensen  
281 said that the clean-up of the area to this point has not been sufficient; and he and Lloyd  
282 Berentzen agreed that it will be important to be firm and ensure that the area gets cleaned up  
283 appropriately. Lloyd Berentzen said that the development plan should not come before the City  
284 Council until the clean up has occurred the way the council expects it to; to which the City Council  
285 agreed.

286

287 Executive session (closed) to discuss the acquisition of land for city purposes.

288 *Trent Wentz made a motion to move into executive session. Lloyd Berentzen seconded the*  
289 *motion. A vote was called and the motion passed unanimously. This occurred at 8:00 p.m.*

290

291 Minutes for this written under separate cover.

292

293 *Elaine Nelson made a motion to move out of executive session and return to the regular City*  
294 *Council meeting. Trent Wentz seconded the motion. A vote was called and the motion passed*  
295 *unanimously. This occurred at 8:41 p.m.*

296

297

298 Trent Wentz made a motion to adjourn the meeting. Elaine Nelson seconded the motion. A vote  
299 was called and the motion passed unanimously.

300

301

302 The meeting adjourned at: 8:42 p.m.

303

304

305

306

307 Approved by City Council:

December 20, 2007

308

309

310 Transcribed by Marie Wilhelm

311

312 Recorded by

313

\_\_\_\_\_  
Jeff Jorgensen/City Recorder

314