

1 **Minutes of the North Logan City**  
 2 **City Council**  
 3 **Held on December 20, 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: Mayor Watkins, Lloyd Berentzen, Steve Soulier, Elaine Nelson,  
9 Trent Wentz and Scott Galbraith.

10  
11 Others present were: Brenda Anthony, Jessica Christensen, Ann Bailey, John Bailey, Lydia  
12 Embry, Al Moser, Mike Hathorne, Dallas Gallup, Zachary Gallup, MarDell C. Parrish, James  
13 Kidman, Emily Kidman, Stephanie Harrell, Janet Ransom, Eric Hansen, Juanita Furlong, Brynn  
14 Poulsen, Bill Furlong, Jon Keller, Keith Christensen, Russell Goodwin, John Italdasano, Charlotte  
15 Briarwood (sic?), Jean Hanks, Cordell Batt, Jeff Jorgensen and Marie Wilhelm.

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

19  
20 **Adoption of Agenda**

21 *Steve Soulier made a motion to adopt the "revised" agenda as presented at this meeting. Elaine*  
22 *Nelson seconded the motion. A vote was called and the motion passed unanimously.*

23  
24 **Approval and Follow-up of Minutes of October 2, 2007(City Council), October 2, 2007(City**  
25 **Council Special Session) October 18, 2007 (City Council) and October 18, 2007 (City**  
26 **Council Special Session)**

27 Minutes of October 2, 2007 City Council Meeting

28 *Trent Wentz made a motion to approve the minutes as revised. Lloyd Berentzen seconded the*  
29 *motion. A vote was called and the motion passed unanimously.*

30  
31 Minutes of October 2, 2007 City Council Meeting Special Session

32 *Steve Soulier made a motion to approve the minutes as presented. Trent Wentz seconded the*  
33 *motion. A vote was called and the motion passed unanimously.*

34  
35 Minutes of October 18, 2007 City Council Meeting

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 Minutes of October 18, 2007 City Council Meeting Special Session

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 Scott Galbraith asked about the junk on the Lauritzen property mentioned in the Action Item List  
45 for Oct 2. Jeff Jorgensen said he has not been able to discuss the issue with Bruce Jorgensen  
46 but will do so. Lloyd Berentzen said he thought most of the junk was being moved out to  
47 Clarkston.

48  
49 Steve Soulier asked about the Alley property and 2500 North. He suggested that the city should  
50 get back to them and perhaps get a *first right of refusal* on their property, if the city is not  
51 prepared to buy the property now. He asked that this issue be on the action item list so that  
52 planning can be done for both the Alley's as well as the Phillip's. Mayor Watkins said the more  
53 important issue is the parcel where the home is located (the Phillip's).

54

55 Lloyd Berentzen also said regarding 2500 North that he had requested a cost analysis for the two  
56 alternatives – going straight versus curving through the Alley and Phillips properties. Jeff  
57 Jorgensen said that had not been done but he would gather that information and get it to the  
58 council.

59

60 **Review of Action Items**

61 Jeff Jorgensen, referring to the action item for Oct. 18 meeting said he was working on an  
62 ordinance requiring developers to do a chip seal on new roads after the project was completed.  
63 He said there are a lot of other cities that have a similar ordinance

64

65 Jeff Jorgensen, referring to the action item on Leisure Villas' secondary water rights, said they do  
66 have four shares of water in the lower of the two twin ditch canals. Trent Wentz said they did  
67 have water rights but chose not to put in a secondary system. Jeff Jorgensen concurred that they  
68 chose not to and the city agreed with that for them not to do that when the development plan was  
69 approved.

70 Trent Wentz said he did not think the city should pay for any water shares that the developers  
71 chose not to use. He said he felt those water shares should be donated to the city. Elaine  
72 Nelson said she agreed.

73 Trent Wentz said the city should want all development to rely as much on secondary water as  
74 they can and does not want the developers coming in the back door and asking the city to pay  
75 them for the water shares.

76 Jeff Jorgensen explained that it was his understanding that in this case the developers do not  
77 have the right to use the water in the canal any time they want to as would be necessary if they  
78 were to put in a pipe to their property; they would have to use a pond similar to what the city used  
79 to do at Meadow View.

80 Trent Wentz said the bottom line is that the people to whom they sell homes in Leisure Villa are  
81 going to have to pay for culinary water and will have that higher cost.

82 Jeff Jorgensen asked of the council was agreeable to the developers giving up their water rights  
83 in exchange for water impact fee waiver. Trent Wentz said the developers should give them up -  
84 period. Jeff Jorgensen said he would ask them to do that.

85

86 **New Business**

87 Presentation of proclamations and plaques for outgoing city council members.

88 Mayor Watkins presented a plaque to Scott Galbraith to thank him and honor him for his work on  
89 the City Council, as his term in office expires at the end of 2007. Mayor Watkins also presented a  
90 plaque to Trent Wentz in honor of his service, work and dedication for all of his years of service to  
91 North Logan City, including his work on the City Council, the Planning Commission and the Board  
92 of Adjustments.

93

94 Presentation of awards for winners of Holiday Lighting contest.

95 Brenda Anthony presented gift certificates and checks to the winners of this year's Holiday  
96 Lighting contest. Jessica Christensen described how the judging took place and how she and her  
97 family did the judging.

98

99 Consider consent agenda with the following items:

100 a. Consider approval of an interlocal agreement with Cache County to designate certain  
101 roads in the city for bicycle travel.

102 b. Consider approval of ordinance establishing regulations for the use of skateboards,  
103 longboards and non-motorized scooters on public roadways.

104 c. Consider corrected version of North Logan Ordinance 07-05. This correction only  
105 changes which state laws are referred to in that ordinance.

106

107 Elaine Nelson said she would like to discuss the first item separately and remove it from the

108 consent agenda.

109

110 *Trent Wentz made a motion to approve the remaining two items on the consent agenda as*  
111 *proposed. Steve Soulier seconded the motion. A vote was called and the motion passed*  
112 *unanimously.*

113

114 Consider approval of an interlocal agreement with Cache County to designate certain roads in the  
115 city for bicycle travel.

116 Elaine Nelson referred to the interlocal agreement and asked why Cache County doesn't  
117 participate financially in the agreement. She asked why the city wants to get involved if the  
118 county doesn't need to.

119 Jeff Jorgensen explained that the project is to receive federal funds with a small portion of it  
120 coming from the municipality. He said he assumed the county would be participating in putting up  
121 signs in the un-incorporated parts of the county.

122 Elaine Nelson said she doesn't like the fact that the county is not supporting the effort with any of  
123 the actual funds.

124 Mayor Watkins said he had issues with the anticipated cost of the signs. He said when it was  
125 discussed amongst the mayors, they felt they did not need to spend that kind of money on  
126 signage.

127 Scott Galbraith said he is a biker and likes it whenever there is some way to increase the  
128 awareness of cyclists on a roadway

129 Jeff Jorgensen said the he estimated the actual cost to the city would approximately \$400.

130 Steve Soulier and Trent Wentz both said they could see value in the signs bringing awareness to  
131 cyclists on the road as Scott had said.

132 Steve Soulier asked if money would be better spent on painting to designate a bike lane or is it  
133 better to spend money on signs.

134 Scott Galbraith said he felt this is a step in the right direction and makes people more aware of  
135 cyclists.

136

137 *Scott Galbraith made a motion to approve the agreement. Lloyd Berentzen seconded the motion.*  
138 *A vote was taken and the motion passed with Trent Wentz, Scott Galbraith, Lloyd Berentzen, and*  
139 *Steve Soulier voting in favor; and Elaine Nelson voting against.*

140

141 Consider request to allow two farm fuel tanks to be placed at 950 East 2500 North

142 Jeff Jorgensen explained the ordinance and referred to the documentation that he passed out,  
143 which includes recommendations from the police dept., fire department and the chief building  
144 official.

145 MarDell Parrish explained his plans for the fuel tanks.

146 Trent Wentz asked how close the tanks would be to neighbors.

147 Mr. Parrish said he thought the tanks would be at least 130 feet away from neighbors, and  
148 approximately 70-80 feet from his home

149 Steve Soulier asked how long 300 and 500 gallons of fuel would last.

150 MarDell said he thought he would go through that much three of four times a year. He further  
151 explained how the tanks would have to meet fire code specifications.

152 Lloyd Berentzen asked if our city ordinances require the tanks to be regulated through DEQ. Jeff  
153 Jorgensen said they are regulated by the national fire code. He explained that the tanks are only  
154 permitted if they are for "farm" purposes. If they are for farm use, then the national fire code  
155 provides for certain exemptions.

156

157 *Trent Wentz made a motion to approve of the fuel tanks as proposed. Scott Galbraith seconded*  
158 *the motion. A vote was called and the motion passed with Lloyd Berentzen, Scott Galbraith,*  
159 *Elaine Nelson and Trent Wentz voting in favor. Steve Soulier abstained.*

160

161 **7:00 Public Hearing** to receive public input on the proposed Land-Use Element for the city's  
162 General Plan. The element has been revised somewhat since it was last considered in a public  
163 hearing by the City Council. Following the public hearing the council may consider adopting the  
164 changed element in the general plan.

165 Keith Christensen, Planning Commission chair, explained the edits that had been made since the  
166 last time the council had seen the proposed land-use element.

167 Mayor Watkins asked about the input from a couple of the citizens, and asked if those issues had  
168 been addressed. Keith Christensen said the commission had not discussed all of the input.

169 Mayor Watkins asked Cordell Batt if the issues he was referring to were considered, and Cordell  
170 Batt said that they were

171 Trent Wentz said that he felt going back created much more improvements. Keith Christensen  
172 said he felt the same and thanked them for that advice.

173 Steve Soulier said he would like to see as soon as possible the districts plans.

174 Keith Christensen said one of the issues is how to adapt some of the information in the existing  
175 general plan with the new Land-Use Element.

176

177 *Mayor Watkins opened the public hearing at 7:20 p.m.*

178

179 North Logan citizen Russell Goodwin presented his written remarks and urged the City Council to  
180 turn down this current Land Use Element. He said his concerns were basically the same as what  
181 he had brought up before.

182

183 Lydia Embry presented her comments on the Land Use Element and said she hoped that the City  
184 Council did not adopt the Land Use Element that evening.

185

186 *As there were no further public comments, Mayor Watkins closed the public hearing at 7:25 p.m.*

187

188 Steve Soulier reminded the council that they were only adopting a portion of the Land Use  
189 Element and that a lot of the detail that Russell, Lydia and others were seeking is still forthcoming  
190 and will be in elements which are still being worked on. He said they are taking their time to  
191 make sure the elements are done thoughtfully and carefully.

192 Mayor Watkins said since the public hearing was taking place this evening, he recommended that  
193 the vote on adopting the land-use element take place at a council meeting in January.

194 Lloyd Berentzen asked when the district plans would be done. Keith Christensen said the district  
195 development plans will be forthcoming soon. Steve Soulier said he would like an overview of  
196 what the district plans will include.

197 Trent Wentz said he felt that essentially, the Planning Commission is bringing in an outline which  
198 will ultimately be fleshed out and brought forth in time through a careful, thoughtful process.

199 Steve Soulier said he thought it will be difficult to do the transportation plan without the district  
200 plans being fleshed out.

201

202 Consider approval of right-of-way dedication agreements with property owners adjacent to the  
203 future 200 East from 1800 to 2200 North and 2000 North from 200 to 400 East. The agreements  
204 are for property owners to dedicate rights-of-way to the city in exchange for the city's building the  
205 roads and in some cases waiving future impact fees for the development of their property.

206 Mayor Watkins said that he and Jeff Jorgensen had met with the property owners with whom  
207 these agreements are to be made and those discussions had gone very well.

208 Jeff Jorgensen explained the agreements and what they are intending to do in order to acquire  
209 the various needed rights-of-way for 200 East and 2000 North.

210 Trent Wentz asked why the city would want to forego future impact fees for dedicating rights-of-  
211 way on these properties. Jeff Jorgensen said only on the IHC property was it proposed that  
212 impact fees be waived and this difference is mainly because there is much more land given up by  
213 IHC and the potential for developing this property is much further out in the future. Mayor

214 Watkins said that the discussions with IHC led us to that negotiation.  
215 Lloyd Berentzen suggested making the forfeiture of impact fees specific to only IHC's  
216 development of the property and not making it transferable to other property owners. That way if  
217 IHC sells it, it would preclude that deal going with other future owners.  
218 Steve Soulier asked about Leisure Village and road width between it and the Bishop's  
219 Storehouse. He said he did not remember the right-away there being 99 feet. He also asked if  
220 the city could be reimbursed by the CDA for the road impact fees given up by the city to acquire  
221 these rights-of-way. Jeff Jorgensen said he thought that would be a possibility.  
222 Elaine Nelson said it was important to be equitable for all businesses in the city.  
223  
224 *Steve Soulier made a motion to postpone any further action until there is further discussion.*  
225 *Elaine Nelson seconded the motion.*  
226  
227 Lloyd Berentzen said he thought there should be a time frame put on this so it doesn't sit without  
228 action for an unlimited time.  
229 Trent Wentz said he thought there should be a consistent formula in what the city offers property  
230 owners in exchange for these rights-of-way. Jeff Jorgensen suggested that the agreement with  
231 IHC be changed so that the proposal to them to donate the right-of-way is exchanged just for the  
232 construction of the roads since that is what is being proposed to the others.  
233  
234 *Steve Soulier withdrew his motion and Elaine Nelson seconded the withdrawal.*  
235  
236 *Lloyd Berentzen made a motion to authorize the mayor to approve the agreements as proposed*  
237 *once the IHC agreement is changed to be the same as the other. Trent Wentz seconded the*  
238 *motion. A vote was called and the motion passed unanimously.*  
239  
240 Consider ancillary agreement for the development of the Wildercrest Subdivision. The agreement  
241 includes provisions for increasing the size of a water line at the city's request and reimbursement  
242 arrangements for the construction of a sewer main line along 2500 North.  
243 Jeff Jorgensen referred to the copy of the agreement document in the City Council's possession  
244 and explained the essentials of the agreement.  
245  
246 *Steve Soulier made a motion to approve the ancillary agreement as written. Lloyd Berentzen*  
247 *seconded the motion. A vote was called and the motion passed unanimously.*  
248  
249 Discuss financial assumptions and goals to guide the Budget and Finance Committee in the  
250 preparation of the FY2009 municipal budget. (Newly elected city council members will be asked  
251 to join in on the discussion.)  
252 Jeff Jorgensen reviewed some of the items he and the mayor had prepared to get input from the  
253 council regarding the FY2009 budget. Steve Soulier suggested a workshop to discuss the issues  
254 on this list at length, for which the City Council agreed.  
255 Lloyd Berentzen also said he would like to see a workshop done inviting the public to learn more  
256 about the City Center and how tax increment financing works.  
257  
258 Consider approval of interlocal agreement between North Logan City and Cache County  
259 regarding transferring for 12 years, 50% of Cache County's property tax increment funds  
260 generated within the City Center CDA area to help fund the construction of 200 East Street.  
261 Jeff Jorgensen said this agreement is basically the same as the one presented to the county  
262 previously except for how it treats the spending of the CDA funds. This new proposed agreement  
263 splits the CDA budget into two categories. Tax increment funds from the county are dedicated  
264 only to the construction of 200 East. Funds from NLC and the school board are used to fund the  
265 rest of the projects in the budget.  
266  
267 *Trent Wentz made a motion to approve the interlocal agreement as outlined. Steve Soulier*  
268 *seconded the motion. A vote was called and the motion passed unanimously.*

269

270 Consider end of hiring freeze to fill vacant library position(s).271 Jeff Jorgensen explained the situation, and that there may be as many as four positions in the  
272 library to be filled.273 Steve Soulier pointed out that the state code says that the Library Board is the entity that decides  
274 what takes place with the library and its funds. He said that since the library board has not come  
275 to a decision about what to do on these positions, a vote by the council should not take place until  
276 the library board officially agrees on what they want to happen. Steve Soulier said he would like  
277 to press the library board to take on that role and to move on that responsibility. Per a question  
278 from Trent Wentz, Steve Soulier said he would like the board to have final say in what happens.279 Trent Wentz said that Jeff Jorgensen, as the city administrator and supervisor of the library  
280 director, has some responsibility in these decisions. Trent said there is some "yoking together" of  
281 the library board with the city in this situation, particularly due to the fiscal responsibilities of the  
282 council. Steve Soulier reiterated that state code separates the finances of the library board.283 Jeff Jorgensen said his understanding is that once the City Council lifts the hiring freeze which  
284 they imposed, then the library board can make an official decision on what positions to hire or not  
285 hire based on their budget.286 Jean Hanks of the library board said the library board does feel that they should have that  
287 responsibility. She said they discussed the current proposed staffing that was recommended by  
288 Stephanie Harrell and as a board were in agreement with it. She went on to say that the library  
289 board has been trying to do exactly what Steve is asking for.290 Lloyd Berentzen asked if the library board agrees with what is being proposed and asked if they  
291 determined that the proposed changes were within budget.292 Jean Hanks said it was discussed and those present agreed with it but no official vote was taken  
293 nor a motion voted on. The three that were there agreed on what Stephanie was proposing to do.294 Lloyd Berentzen asked if the council was willing to unfreeze the hiring of personnel for the library  
295 and say that the board should have the authority to decide formally what they want to do and then  
296 do it by formal board action.

297

298 *Lloyd Berentzen made a motion to unfreeze the hiring of personnel for the library and allow the*  
299 *library board to determine what they want to do in regard to the proposed filling of library*  
300 *positions. Trent Wentz seconded the motion.*

301

302 Mayor Watkins said he agreed that the library board should have the authority to make the  
303 decisions on what positions to fill.304 Trent Wentz advised Jean Hanks that it would be wise to let the city administrator know what they  
305 have done and what they decide.

306

307 *A vote was called and the motion passed unanimously.*

308

309 Jeff Jorgensen mentioned that the fire department has a continuing need to hire volunteer  
310 firefighters, and would like to have the council allow the fire chief to sign up volunteers as needed  
311 and not have those types of positions frozen.

312

313 *Lloyd Berentzen made a motion to exclude the fire department's volunteers from the hiring*  
314 *freeze. Steve Soulier seconded the motion. A vote was called and the motion passed*  
315 *unanimously.*

316

317 Reports from city officers, boards, and committees.

318 Jeff Jorgensen asked Jon Keller to discuss the new Deputy Chief selection.

319 Jon Keller explained the interview process for the hiring process for filling the position of Deputy  
320 Fire Chief. He said they are hiring Craig Humphries who had been currently working for Cache  
321 County.

322 Jeff Jorgensen said we are still searching for the engineering tech, but that is proceeding forward.

323 Elaine Nelson expressed her feelings about Trent Wentz and Scott Galbraith and their departure  
324 from the city council. She said it has been an honor to serve with them; and that our public  
325 should know how much they've done and how they dedicated they've been.

326 Scott Galbraith said that the letter to Mr. Maughan regarding the sidewalk that needs to be  
327 completed in the Fullmer subdivision, was very well done and asked if there had been any  
328 response; and Jeff Jorgensen said there had not.

329 Scott Galbraith also mentioned that he rode behind a non-four-wheel-drive street department  
330 vehicle that got stuck in the snow. He said that according to the city employee, the four-wheel-  
331 drive truck was not being used there because it did not have a sander. Scott recommended that  
332 a sander should be acquired for the four-wheel-drive truck; particularly for use on the east bench.

333 Scott Galbraith said thanks for everything and that he would miss everyone.

334 Steve Soulier said he has appreciated Scott Galbraith looking at the "details" of issues while on  
335 the City Council. He also said he would miss Trent Wentz greatly and the wisdom he brought to  
336 the City Council.

337 Steve Soulier commented on the Ripplinger property being divided and said he was concerned  
338 that the water rights on the property may be being sold to other areas. If that is done he is  
339 concerned that the secondary water rights will not be available for them to use on that property.  
340 He said where water shares are available, one-half share of canal water should stay with each  
341 acre of ground.

342 Steve Soulier also mentioned the nuisance ordinance and asked if it has had any impact. Mayor  
343 Watkins said that it has helped and said there have been approximately fourteen citations written,  
344 and explained the process that was undertaken to arrive at decisions for those situations. He  
345 said he receives regular reports from Chief Kim Hawkes.

346 Lloyd Berentzen said he wants to reiterate what Elaine Nelson said about Trent Wentz and Scott  
347 Galbraith.

348

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

350 *Steve Soulier made a motion to close the regular meeting to move into executive session. Elaine*  
351 *Nelson seconded the motion. A vote was called and the motion passed unanimously. This*  
352 *occurred at 8:51 p.m.*

353 Minutes for this meeting written under separate cover.

354 *Following the executive session, Trent Wentz made a motion to move out of executive session*  
355 *and reopen the regular meeting. Elaine Nelson seconded the motion. A vote was called and the*  
356 *motion passed unanimously. The meeting was reopened at 9:31 p.m.*

357

358 *Steve Soulier made a motion to allow a letter to be sent that includes a formal offer to an*  
359 *unnamed individual offering the trade of certain city property. Scott Galbraith seconded the*  
360 *motion. A vote was called and the motion passed unanimously.*

361

362 *Scott Galbraith made a motion to adjourn the meeting. Trent Wentz seconded the motion. A*  
363 *vote was called and the motion passed unanimously.*

364

365 The meeting adjourned at: 9:31 p.m.

366

367 Approved by City Council:

January 3, 2008

368

369

370 Transcribed by Jeff Jorgensen and Marie Wilhelm

371

372

373 Recorded by

374

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