

1 **Minutes of the North Logan City**  
2 **City Council**  
3 **Held on January 3, 2008**  
4 **At the North Logan City Library, North Logan, Utah**

5  
6 The meeting was called to order by Mayor Watkins at 6:30 p.m.

7  
8 Council members present were: Lloyd Berentzen, Kevin Dustin, Al Moser, Steve Soulier and  
9 Elaine Nelson.

10  
11 Others present were: Pat Northenor, Don Younker, Moli Chen, Danene Dustin, Riley Smith, Ty  
12 Thomas, Matt Nielsen, Bruce Jorgensen, Keith Christensen, Nick Nielson, Cordell Batt, Jeff  
13 Jorgensen and Marie Wilhelm.

14  
15 Jeff Jorgensen administered the oath of office for new council members Kevin Dustin, Lloyd  
16 Berentzen and Al Moser.

17  
18 The Pledge of Allegiance was led by Elaine Nelson.

19 An invocation was given by Al Moser.

20  
21 **Adoption of Agenda**

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

24  
25 **Approval and Follow-up of Minutes of the November 1, 2007 City Council Meeting,**  
26 **November 1, 2007 City Council Closed Session Meeting, November 15, 2007 City Council**  
27 **Meeting, December 20, 2007 City Council Meeting and the December 20, 2007 City Council**  
28 **Closed Session Meeting.**

29 *Steve Soulier made a motion to approve all of the above-referenced meeting minutes as*  
30 *presented. Elaine Nelson seconded the motion. A vote was called and the motion passed*  
31 *unanimously.*

32  
33 **Follow-up**

34 None at this time.

35  
36 **Review of Action Items**

37 Steve Soulier asked about an item on the action list regarding acquiring a sander for a city truck.  
38 He said while it might be a formality, the budget should be revised before such a purchase is  
39 made. Lloyd Berentzen said he thought the purchase of this item was already agreed upon by  
40 the council. Jeff Jorgensen explained that while this item was not specifically on the city's 2008  
41 budget as a line item, there was sufficient money in the department's budget to purchase it. He  
42 said that he was working under the assumption that the departments are given their own  
43 discretion to purchase items such as this as long as the purchase is within the department's  
44 budget. He also said for this particular item, there was need to move on the purchase  
45 expeditiously and that is why he authorized the expenditure, knowing that if the council did not  
46 want to make the expenditure, the order could be cancelled. He reminded the council that while  
47 there was not a need to revise the budget; he wanted to make sure the council was informed of  
48 the purchase, regardless.

49 Steve Soulier said he was in favor of the purchase but he just wants to make sure that if there's a  
50 change in the budget, the City Council needs to vote on it. Jeff explained that if he and the  
51 department head approve a change to the distribution of expenditures within a department's  
52 overall budget, he still brings it forth as a line item change to the budget, so that the City Council  
53 is informed.

54 Lloyd Berentzen said he does not know if he agrees with that. He said he feels that if an item  
55 considered for purchase is within the budget, he does not think that these items need to go  
56 before the City Council for approval as a change in the budget.

57 Steve Soulier said he feels that the City Council needs to be as clear as possible in terms of the  
58 budget.

59 Jeff Jorgensen said it is his practice to only move money within a department among line items if  
60 in doing so it would still allow specific, "council – interest" items to still be accomplished.

61 Kevin Dustin said that the City Council needs to be wary of micromanaging every issue.

62

63 Steve Soulier asked about the cemetery and said he was surprised that the city did not get any  
64 trees or grass planted.

65 Jeff Jorgensen said that trees were in fact planted; but due to weather and more rocks needing to  
66 be removed from the site, grass will be planted this spring. Mayor Watkins mentioned that the  
67 formal dedication of the cemetery is being planned to take place on July 24<sup>th</sup>, and that the sale of  
68 lots will likely take place in early fall.

69

## 70 **New Business**

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

73 No one was scheduled to speak at this meeting.

74

75 Consider consent agenda with the following:

76 - Resolution 08-01 establishing the day, time, and place for city council meetings for 2008.

77 - Resolution 08-02 appointing the city recorder and city treasurer

78 Kevin Dustin asked to have the first item pulled off in order to have further discussion.

79

80 *Steve Soulier made a motion to approve the resolution appointing the city recorder and city*  
81 *treasurer. Kevin Dustin seconded the motion. A vote was called and the motion passed*  
82 *unanimously.*

83

84 Kevin Dustin asked if it would be possible to move the City Council meetings to Wednesday  
85 evenings at 6:00. After further discussion, the City Council agreed to hold the meetings on the  
86 first and third Wednesdays of each month and to change the start time from 6:30 p.m. to 6:00  
87 p.m.

88

89 *Lloyd Berentzen made a motion to adopt the resolution establishing the day, time, and place for*  
90 *city council meetings for 2008 and changing the City Council meeting schedule to now have them*  
91 *take place on the first and third Wednesdays of each month; and to change the start time from*  
92 *6:30 p.m. to 6:00 p.m., beginning with the January 16, 2008 meeting. Kevin Dustin seconded the*  
93 *motion. A vote was called and the motion passed unanimously.*

94

95 Consider approval of appointments to the Planning Commission and Library Board.

96 Mayor Watkins mentioned that Bill Furlong will be unable to continue to serve on the Planning  
97 Commission.

98

99 *Steve Soulier made a motion to approve Bryon Geddes as a permanent member of the Planning*  
100 *Commission. Kevin Dustin seconded the motion.*

101

102 Al Moser discussed his concern in not having long term residents on the Planning Commission.  
103 Steve Soulier suggested having another alternate. Kevin Dustin asked if the Planning  
104 Commission is equitably represented geographically. There was discussion that it really wasn't.  
105 Al Moser said it might be helpful to bring more than one name to the City Council for  
106 consideration and approval for any future appointments.

107

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

109

110 Mayor Watkins said that Jean Hanks is unable to continue her post on the library board; and that  
111 Nan Isaacson has been highly recommended to be on the library board, and would serve in  
112 Jean's place. Steve Soulier confirmed that currently, this would be an extension to the board; as  
113 Jean Hanks is not yet due to relinquish her post.

114 Lloyd Berentzen said he is aware of some other individuals that would also be very good and  
115 would be interested in the position.

116

117 *Kevin Dustin made a motion to approve the appointment of Nan Isaacson to the Library Board.*

118 *Al Moser seconded the motion. A vote was called and the motion passed unanimously.*

119

120 Mayor Watkins mentioned his conversation with Steve Soulier regarding having the library board  
121 be solely responsible for filling open positions, and that currently Steve Soulier's position is just a  
122 liaison and would like him to actually be a voting member.

123

124 *Lloyd Berentzen made a motion that Steve Soulier be approved as a voting member on the*  
125 *library board. Elaine Nelson seconded the motion. A vote was called and the motion passed*  
126 *unanimously.*

127

128 Consider resolution adopting the proposed revised Land-Use Element for the city's General Plan.

129 Steve Soulier said his concern with the way the proposed resolution is written is that it does not  
130 include any specific plan for the various planning districts and there is no indication that such is  
131 still to come. He said he felt the resolution should make some reference to further details coming  
132 within the land-use element. He said in essence that since this replaces the current land use  
133 element within the plan, he is concerned that the element is not sufficiently complete to replace  
134 the currently existing land-use element.

135 *Steve Soulier made a motion to approve the proposed land-use element in the general plan and*  
136 *replacing the existing one, with the understanding that a subsequent section will be added.*

137 *The motion failed due to a lack of a second.*

138 Lloyd Berentzen said his reservation in moving forward with this is that there might be a laxness  
139 in getting the rest of the land-use element completed.

140 Mayor Watkins said the premise has always been that the general plan would be done element  
141 by element, replacing the old elements as they are completed.

142 Lloyd Berentzen said there is some specificity in the original plan that is better than what is in the  
143 current plan. He said he felt that some needed details are missing from the proposed element.

144 Cordell Batt said the city will want to be careful that they do not get too specific, which is an issue  
145 that has been reviewed over and over. He said the developers will adhere to whatever the city  
146 wants and the design guidelines will specify how things should look. He said he has always had  
147 a problem with the current general plan because of its specificity. He said, for example, the city's  
148 plan discusses soils, which is something a general plan should not include.

149 Mayor Watkins said the agreement originally was that specific details would be put into the plan  
150 as an appendix, as opposed to having such specifics in the main plan; and that the commission  
151 has been working on this for something like three years.

152 Steve Soulier said this document will give the developers what the nature of the various areas  
153 should look like and how the city wants it.

154 Cordell Batt said he felt details like that should be based on the design guidelines.

155

156 Keith Christensen said that essentially, the Planning Commission is going to go from the last  
157 page of the land use element, and keep adding and working on the rest of the elements. He said  
158 the land use element is general, on purpose, and the rest of the document will flesh out more of  
159 the details, in addition to handling some of it in the ordinance. Lloyd Berentzen said he wants to  
160 go on record saying that the work of the commission is appreciated and would hope that  
161 message gets back to the Planning Commission.

162

163 Consider a revised concept plan for the Canyon Gates Subdivision. The plan is for a 146-acre  
164 262-lot subdivision between 1600 and 2100 East and from 2100 to 2400 North. The previous  
165 concept plan was for 121 acres to be divided into 260 lots. The major difference between this  
166 plan and the previous concept plan is this plan includes 26.7 acres of stormwater retention area  
167 to be dedicated to the city for use as park land.

168 Cordell Batt presented the current changes, and said that originally, the concept plan had been  
169 approved at the same time as the zoning change. He gave the history of the development, and  
170 explained the current revisions to the original concept plan. He further explained some of the  
171 concerns and issues, and how they had been worked out by staff and the developers. Per a  
172 question from Elaine Nelson about the requirement for at least two points of ingress and egress  
173 Cordell explained the plans and the proposed road layouts and pointed out the eight planned  
174 points of ingress/egress for the subdivision.

175 Mayor Watkins asked if the right-of-way for 2300 North had been purchased, and the developer  
176 said it had not been yet; but that they do have the right-of-way under contract to be purchased.

177 Cordell said nothing had changed except for the concept plan lay out; as well as the open  
178 space/park land that is now being dedicated, which was not in place before.

179 Per a question from Mayor Watkins regarding drainage, Cordell described the plans for that. He  
180 further explained some of the buffering ideas, including perhaps creating larger lots backing up to  
181 the park space in order to create equestrian-type lots.

182 Steve Soulier referred to access within Phase 1 of the subdivision, and said that something needs  
183 to be done to ensure sufficient access. Lloyd Berentzen said he doesn't see that it could be done  
184 better than it is now, and that there is also much potential for additional future access. Jeff  
185 Jorgensen said there will be three access points available right away, with four more occurring in  
186 the future, plus another access point into the Dahle property. Cordell reiterated that the  
187 developers have done extremely well in planning the access points.

188 Mayor Watkins asked Keith Christensen to comment on the Planning Commission's vote on this.  
189 Keith Christensen said that this plan is a vast and drastic improvement from the last plan. He  
190 said that the Planning Commission discussed the retention situation, debris basins, etc., a great  
191 deal. He said the Planning Commission was in favor of the concept plan and that he now feels  
192 he should have voted in favor of the plan, as he really failed to realize that a lot of the steps that  
193 he got hung up on that evening will be worked out in the development plan. He said the new plan  
194 has a lot more details and that he continued to review the new concept plan subsequent to the  
195 Planning Commission meeting, and now feels very comfortable with the concept plan as a whole.

196 Mayor Watkins asked if there has been any presale done on these lots, as there had been rumors  
197 to that affect. Developer Ty Thomas said there has been no pre-sale of any lots.

198 Lloyd Berentzen asked if the city has any enforcement capability in terms of the junk on the  
199 adjacent property. Jeff Jorgensen said it can be handled through the city's nuisance ordinance,  
200 and that issue is currently on the action items list.

201 Steve Soulier asked when Canyon Gates expects to begin development, and Ty briefly explained  
202 the time line.

203 Kevin Dustin asked if the city had met any resistance from the citizens regarding this  
204 development; and Mayor Watkins said they had not, and explained briefly.

205

206 *Lloyd Berentzen made a motion to approve the revised concept plan for the Canyon Gates*  
207 *subdivision. Al Moser seconded the motion. A vote was called and the motion passed with four*  
208 *in favor: Kevin Dustin, Lloyd Berentzen, Al Moser and Steve Soulier; and one opposed: Elaine*  
209 *Nelson.*

210

211 Consider ordinance increasing the number of "restaurant with liquor licenses" allowed in North  
212 Logan.

213 Bruce Jorgensen gave some background on alcohol control and said that the State of Utah gives  
214 cities broad control. He said once a licensee has a license, it becomes a property right. He said  
215 currently, the city has full control on alcoholic beverage licenses within the state laws, and as

216 such the city serves as a gatekeeper. He said basically, if the city does not give consent, the  
217 state's license does not happen but any denial for a consent to license has to be done with  
218 balanced, equitable criteria. He said the city currently has five licenses, and that all have either  
219 been obtained, or are applied for. He explained how that could be adjusted. He also said that  
220 there are very elaborate training processes that all employees must go through to allow for liquor  
221 licensing at an establishment; otherwise the establishments can lose their licenses. He said there  
222 is a full page of license requirements that each establishment has to consistently comply with,  
223 and are always in place; and that the state strongly enforces them. Steve Soulier asked if the city  
224 can be more restrictive than the state. Bruce Jorgensen said the city can be neither more nor less  
225 restrictive, particularly on those items controlled by the state laws.

226 Bruce Jorgensen and the City Council continued to discuss various ways of how the city could  
227 handle licensing; including how it works with hotels and convention centers.

228 Lloyd Berentzen asked if the city would be showing a bias if they reserved a license for a certain  
229 client, knowing ahead of time that they will be coming into the city.

230 Bruce Jorgensen said the timing of when a license is allowed, is up to the city's discretion.

231 Steve Soulier asked if for example, the city chose not to grant a license to a certain client, and  
232 then two months later the city allowed one for another client, if there would be a problem. Bruce  
233 Jorgensen said it would be more a problem of bad press than anything else.

234 Mayor Watkins discussed issues of "quality" of a restaurant which would be allowed to serve  
235 alcohol and suggested ways the city could establish its own parameters of quality criteria. Steve  
236 Soulier asked if that was allowed, and Bruce Jorgensen said that it could be. Mayor Watkins  
237 suggested that potentially having a minimum number of people in a restaurant may create the  
238 kind of "quality" restaurant he is suggesting.

239 Bruce Jorgensen said the city can be pretty broad in how they set the criteria, as in a conditional  
240 use permit. He also said that in regards to local consent, the applicant must provide proof of local  
241 consent with their application submission to the state, or the state will not even consider the  
242 request.

243 Steve Soulier asked about the food to alcohol ratio allowance: and Bruce Jorgensen said that in  
244 the restaurant area, the state requires at least 70% of the income for the restaurant coming from  
245 the sale of food and no more than 30% from the sale of alcohol.

246 The City Council agreed to discuss this further at a future meeting, and Mayor Watkins said they  
247 have to decide (1) whether or not the city wants to expand their licenses; (2) leave it as it is; or  
248 (3) to potentially go to an unlimited number of licenses using a criteria that the city would  
249 establish.

250 Jeff Jorgensen mentioned that if the approved ordinance changes anything within the land use  
251 section of the city code, the city will have to go through the public hearing process.

252 Lloyd Berentzen suggested having Bruce Jorgensen return with some standards for the City  
253 Council to review and aid them with their discussions.

254

255 Consider resolution officially adopting the *Manufacturing/Industrial Design Guidelines*, the  
256 *Commercial Design Guidelines*, and the *City Center Design Criteria* for North Logan City pursuant  
257 to the *Design Standards Technical Manual* paragraph 611.

258 Jeff Jorgensen explained the reasoning behind the resolution. Steve Soulier asked if something  
259 is being replaced or if this is new, and Jeff Jorgensen said this is new. Steve Soulier said he  
260 feels good about this, as did Kevin Dustin and Elaine Nelson.

261

262 *Kevin Dustin made a motion to adopt the resolution. Steve Soulier seconded the motion.*

263

264 Al Moser said he read it over and likes it, but wants to make sure that these are guidelines, and  
265 that the city needs to ensure that it will not limit innovativeness or creativity.

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

267

268

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

270 Elaine Nelson asked, in terms of the new budget, if there are some line items that need to be  
271 reviewed. Jeff Jorgensen said he is working on a draft of the budget that he will give the City  
272 Council in two weeks.

273 Mayor Watkins said he would like to hold at least two workshops with the budget committee  
274 before the budget is presented for adoption.

275  
276 Steve Soulier asked about annexation; and Jeff Jorgensen explained some of the details and the  
277 status of the situation.

278  
279 Lloyd Berentzen thanked Jeff Jorgensen for doing the cost estimate regarding purchasing right-  
280 of-way for 2500/2600 North and said there should be a future discussion regarding this issue.  
281 Jeff said it will be part of the future budget discussion.

282  
283 Mayor Watkins mentioned the future of the Wal-Mart expansion on the south end of Logan and  
284 explained he has learned that Wal-Mart is revisiting all of their internal competition issues. He  
285 said the development of the south-end Wal-Mart has been delayed for at least two years, and that  
286 there is potential that it may never get developed.

287  
288 Mayor Watkins also discussed the city’s business license fee situation and said he feels that the  
289 increased cost of the fees is unwittingly punishing small business owners. He said the fees have  
290 gone up from \$16 to \$110; and that the city should look at establishing the cost of the fees based  
291 upon what the business is; and that this needs to be discussed and revised in the near future.

292  
293 Steve Soulier asked about the “Welcome to North Logan” sign; and Cordell Batt said that the site  
294 has been surveyed, “blue staked”, and is being worked on as weather permits; and said that  
295 Terrel Huppi is currently in charge of this project.

296  
297 Executive session (Closed) to consider the acquisition of real property.  
298 *Steve Soulier made a motion to close the regular meeting and move into the executive session in*  
299 *order to consider the acquisition of real property. Elaine Nelson seconded the motion. A vote*  
300 *was called and the motion passed unanimously. This occurred at 8:16 p.m.*

301  
302 Minutes for this portion of the meeting are written under separate cover.

303  
304 *Steve Soulier made a motion to end the executive session and open the regular City Council*  
305 *meeting. Elaine Nelson seconded the motion. A vote was called and the motion passed*  
306 *unanimously. This occurred at 8:27 pm*

307  
308 *Steve Soulier made a motion to adjourn the meeting. Kevin Dustin seconded the motion. A vote*  
309 *was called and the motion passed unanimously.*

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311 The meeting adjourned at: 8:28 p.m.

312  
313  
314

315 Approved by City Council: February 6, 2008

316  
317

318 Transcribed by Marie Wilhelm

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320

321 Recorded by \_\_\_\_\_

322 Jeff Jorgensen/City Recorder