

1 **Minutes of the North Logan City**
2 **City Council**
3 **Held on February 6, 2008**
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 6:00 p.m.

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

12
13 Others present were: Pat Northenor, Hector Guadarrama, Jim Huska, Jon Keller, Camille
14 Peterson, Bruce Jorgensen, Lydia Embry, a local scout leader with three scouts (did not sign in),
15 Bruce Jorgensen, Cordell Batt, Jeff Jorgensen and Marie Wilhelm.

16
17 The Pledge of Allegiance was led by Mayor Watkins.
18 An invocation was given by Al Moser.

19
20 **Adoption of Agenda**

21 Elaine Nelson asked if the city attorney, Bruce Jorgensen, could stay during the executive
22 session (item #9) in order to ask him a legal question regarding budgetary items, and the
23 competency of an individual.

24
25 *Steve Soulier made a motion to adopt the agenda as amended. Elaine Nelson seconded the*
26 *motion. A vote was called and the motion passed unanimously.*

27
28 **Approval and Follow-up of Minutes of January 3, 2008 City Council Meeting, January 3,**
29 **2008 City Council Closed Executive Session Meeting, January 16, City Council Meeting,**
30 **January 16, 2008 City Council Closed Execution Session Meeting, January 31, 2008**
31 **Combined City Council and Planning Commission Meeting.**

32 January 3, 2008 City Council Meeting

33 *Steve Soulier made a motion to approve the minutes as presented. Lloyd Berentzen seconded*
34 *the motion. A vote was called and the motion passed unanimously.*

35 January 3, 2008 City Council Closed Executive Session Meeting

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

38 January 16, 2008 City Council Meeting

39 Elaine Nelson presented additional wording she wanted added to the minutes, essentially as a
40 statement of intent. The City Council agreed to have the wording included in the minutes.

41 *Steve Soulier made a motion to approve the minutes as amended. Al Moser seconded the*
42 *motion. A vote was called and the motion passed unanimously.*

43 January 16, 2008 City Council Closed Executive Session Meeting

44 *Steve Soulier made a motion to approve the minutes as presented. Al Moser seconded the*
45 *motion. A vote was called and the motion passed unanimously.*

46 January 31, 2008 Combined City Council and Planning Commission Meeting

47 *Lloyd Berentzen made a motion to accept the minutes as presented. Steve Soulier seconded the*
48 *motion. A vote was called and the motion passed unanimously.*

49
50 **Follow-up**

51 None at this time.
52

53 **Review of Action Items**

54 Jeff Jorgensen discussed the issue of water rights on the Ripplinger property, per Steve Soulier's
55 inquiry, and explained that the Ripplingers do have sufficient water shares for all of the lots within
56 the property and were planning on retaining those water shares for use on the lots.

57
58 Steve Soulier asked about the item regarding water shut offs. Jeff Jorgensen said nothing had
59 been done at this point.

60
61 **New Business**

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

64 No citizens were scheduled to speak at this meeting.

65
66 Review and consideration of Development Plan and Metes and Bound Documents for the
67 Guadarrama Minor Subdivision located at 1961 and 1967 North 1200 East, North Logan, 1.03
68 acres (2 lots) using the Flag Lot Ordinance.

69 Cordell Batt oriented those in attendance to the location of the site, and explained the
70 requirements made by staff, that the Guadarramas have since fulfilled.

71 The City Council discussed the boundary line of the property, and asked if the width between the
72 house and the boundary line of the driveway was wide enough; and Cordell explained that it is
73 sufficient, and falls within the required distance. The Planning Commission gave a positive
74 recommendation with certain conditions, which Cordell Batt explained and said the Guadarramas
75 have since fulfilled those requirements. He said they are ready to proceed to the final planning
76 stage and it is staff's recommendation to approve this subdivision.

77 Steve Soulier mentioned the water shares associated with the property, and the history of the
78 transfers (including a half-share owned by Mark Flammer), etc., and said that the paperwork
79 needs to be done appropriately so that everything is legally determined and to ensure that there
80 is sufficient water for the entire site. Cordell Batt said that a letter will need to be obtained
81 detailing the rights and that will be recorded with the documents.

82
83 *Lloyd Berentzen made a motion to approve the development plan and metes and bound*
84 *documents for the Guadarrama minor subdivision, with the conditions that (a)the issues of water*
85 *shares gets worked out; and (b) that the required space for access on the south end of the*
86 *property is ensured. Steve Soulier seconded the motion. A vote was called and the motion*
87 *passed unanimously.*

88
89 **6:15 Public Hearing** to receive public input on proposed revisions to the fiscal year 2008
90 municipal budget. Following the public hearing the council will consider adopting a resolution
91 implementing the budget changes.

92 Jeff Jorgensen reviewed the proposed changes to the budget, and the various related items.

93 Kevin Dustin arrived at this time.

94
95 *Mayor Watkins opened the public hearing at 6:27 pm.*

96
97 Lydia Embry expressed her concerns about the status of certain items on the budget, particularly
98 in terms of the funds directed at economic development, and more specifically, the City Center.

99
100 *Mayor Watkins closed the public hearing at 6:30 p.m. as there were no further public comments.*

101
102 Elaine Nelson said she appreciated Jeff Jorgensen cutting the intern position down from year-
103 round to just four months, but said that she felt the February through May time period for when
104 this person would work was inappropriate; as weeds may not even be evident yet during these
105 months due to winter weather.

106 Steve Soulier said he had trouble with how these revisions were being presented. He asked why
107 there are requests for purchases of items for which money has already been spent; and further

108 asked why money is being spent for items that have not yet been approved by the City Council.
109 He also said he feels that hiring Tom Northenor's replacement seven months before he is actually
110 leaving is excessive; and feels that is wrong to put it on the budget before it is even determined
111 whether or not it is a good idea in the first place. He said it is inappropriate to approve budget
112 items before there is adequate discussion with the City Council regarding whether or not they
113 even have interest in certain items, and does not feel they should even appear on the budget until
114 there is sufficient discussion within the council.

115 Al Moser said he concurred with Steve Soulier and his comments. He said another issue that
116 needs discussion is in regards to personnel and pay increases, etc. He said he believes in
117 paying people a fair wage, but also believes that they need to work very hard for that money. He
118 said he feels that the city has a tendency towards hiring too many people, and that they really
119 should just demand more from the people they already have on staff.

120 Lloyd Berentzen asked if the library board was aware of the proposed \$9K decrease in their
121 budget, and also asked if that change was made, whether they would still have access to that
122 money. Steve Soulier explained that the library board was not in fact aware of the \$9K reduction
123 in their budget; and that they would not have access to that money unless they came back with a
124 revised budget. There was further discussion about the library budget.

125 Al Moser said that in defense of the budget and the work and preparation done by Jeff
126 Jorgensen, he thought that Jeff had done an excellent job, and that he had anticipated things very
127 well, which Al said he really appreciated. He said he also agrees with Steve Soulier, however,
128 that the council should not approve items until there is sufficient discussion about them.

129 Jeff Jorgensen explained that all of the items being discussed in this budget revision were things
130 that had been discussed in the Budget Finance Committee meetings, and discussed in some
131 form by the City Council. He said he felt that approval of any budget revision was the place
132 where the council could decide whether or not these items should actually be included in budget
133 or not.

134 Per a question from Lloyd, Jeff explained the goal of the staff was to ensure that none of the
135 departments exceeded their total department budget, but certain line items from time to time did
136 exceed the budgeted amount. At the end of the budget year there is no "variance" allowed, not
137 even by "one cent" for the department to exceed its budgeted amount. He said that there can be
138 some allowances within line items, but nothing can go over the individual department budget
139 amounts. Jeff and Lloyd further discussed this issue.

140 The City Council further discussed ensuring that sufficient discussion takes place for items prior
141 to requests for approval, and specifically discussed the issue of economic development and
142 monies paid to Strategy 5. It was agreed that there could have been better clarification and
143 discussion in regards to payments made to Strategy 5, and that there will be better
144 communication moving forward.

145 The City Council discussed approving part of the budget; while not approving certain items, until
146 further discussion takes place. They further discussed how to proceed with the budget process.
147

148 *Steve Soulier made a motion to approve the revised budget, with the following exceptions: (1)*
149 *the line items regarding Tom Northenor's potential replacement be removed; (2) the line items*
150 *regarding hiring a weed control person be removed; (3) that no changes are made to the library*
151 *budget until the library board can be notified and further discussion takes place amongst the*
152 *library board; and, (4) not to approve the items regarding economic development until further*
153 *discussion takes place. Lloyd Berentzen seconded the motion.*
154

155 *A vote was called and the motion passed unanimously.*
156

157 Consider consent agenda with the following items:

158 a. Resolution implementing North Logan's participation in the Healthy Community Award
159 Program

160 b. Resolution adopting revised park and other city facilities use policies.

161 Steve Soulier said he would like item "b" to be removed to allow for further discussion.

162

163 *Steve Soulier made a motion to approve the consent agenda with item "a". Al Moser seconded*
164 *the motion. A vote was called and the motion passed unanimously.*

165

166 Mayor Watkins discussed the parks facilities, and the associated concerns; and said a lot of work
167 has been done on this issue. He said there are problems related to having to remove people
168 from the park late at night, particularly during the summer, which has had a negative effect on the
169 neighbors, particularly in terms of a noise issue.

170

171 Jeff Jorgensen reviewed the potential changes to the policies. He said there will be a fee
172 associated with someone wanting to use the various facilities for private use, as they are taking
173 the facilities out of the public use domain; and continued to discuss the various issues and
174 events, and the potential associated fees and costs involved.

174

175 Steve Soulier asked if this had been brought before the parks board, and Jeff Jorgensen and
176 Elaine Nelson said that it had; and that this resolution incorporated suggestions made by that
177 board.

177

178 *Steve Soulier made a motion to approve the resolution adopting revised park and other city*
179 *facilities use policies. Lloyd Berentzen seconded the motion. A vote was called and the motion*
180 *passed unanimously.*

180

181 Consider potential changes in the alcoholic beverage control ordinances including added
182 restrictions on the types of restaurants that can have alcoholic beverage sales licenses while also
183 increasing the number of "restaurant with liquor licenses" allowed in North Logan.

184

185 Mayor Watkins explained that he, Kevin Dustin, Steve Soulier, Jeff Jorgensen and Bruce
186 Jorgensen met in order to discuss the various thoughts behind the potential changes needed for
187 this ordinance.

187

188 Bruce Jorgensen reviewed the potential changes and discussed the various options and legal
189 requirements associated with the changes; including items such as advertising, view-ability of the
190 alcohol within the restaurant, not allowing certain types of promotions and "happy-hours", etc.

191

192 Mayor Watkins and the City Council discussed the ordinance, and how the requirements within
193 the ordinance will help attract quality restaurants to the city; as well as discussing the problems
194 with limitations when only a certain number of licenses are allowed within the city.

195

196 Elaine Nelson said she wanted to go on record that while it was not legally required, she felt that
197 due to the changes made to the ordinance, it would have been beneficial to hold a public hearing
198 on this issue in order to get public input. She said she would abstain in the vote because she
199 said she had not had sufficient time to review the ordinance. Steve Soulier offered to postpone
200 the consideration of the ordinance until the next meeting in order for Elaine to further review the
201 ordinance and perhaps have a public hearing. All on the council agreed that would not be
202 necessary.

203

204 *Al Moser made a motion to approve the ordinance. Kevin Dustin seconded the motion. The*
205 *motion passed with three in favor: Kevin Dustin, Al Moser and Steve Soulier; one opposed: Lloyd*
206 *Berentzen; and with one abstention: Elaine Nelson.*

207

208 Discuss rough draft of proposed ordinance requiring new roads constructed as part of
209 development to have funds set aside to accomplish the initial chip sealing of the roads at the
210 expense of the developer.

211

212 Jeff Jorgensen reviewed the ordinance, and explained the various ways other cities handle this
213 process.

213

214 The City Council discussed the various pros and cons of how to handle the process, including the
215 appropriate timing of when to do the chip sealing; and the best ways to ensure that the roads are
216 built sufficiently.

216

216 Jeff Jorgensen said this is simply a first draft; and that a public hearing will also need to be held.

217 The council requested that the draft ordinance be changed to have developers pay a fee for a
218 future chip seal to be done at the time the city deems it appropriate rather than having the
219 developer actually do the chip seal treatment within a certain time frame.

220

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

222 Jeff Jorgensen mentioned the invitation he previously passed out to the City Council members for
223 an upcoming meeting with the legislators occurring in a couple of weeks. He also mentioned a
224 training taking place on March 4, for which he said he would pass out information to the council
225 shortly.

226 Mayor Watkins mentioned an "HB51 water forfeiture" document that he sent via e-mail to the City
227 Council members. He said the Utah League is in supportive of it, as is he; and that he would like
228 the City Council members to read and consider it. He mentioned that the state water engineer is
229 not in support of it.

230 Steve Soulier mentioned that one of the canal companies in the city passed a major revision to its
231 by-laws, that includes various concerns; and that the canal company wants to avoid the city as
232 much as possible in discussion of it. Mayor Watkins said he attended that meeting, and made a
233 motion to accept the document; but that part of the motion was to require that the by-laws be
234 reviewed in depth, as they are quite antiquated, and to bring them into compliance with the
235 current law. He said a committee is being formed to review the by-laws.

236 Mayor Watkins mentioned the problem of the area deer population and their lack of food due to
237 the winter weather; and mentioned that the city has a small portion of funds which has allowed
238 Terrell Huppi to provide hay in King Park and Beef Hollow, to help the deer, as has he personally;
239 and also mentioned John Israelsen's involvement in getting the deer fed using donated pellets,
240 which the city will also be able to use for the deer. He further discussed the various things being
241 done to help this situation.

242 Mayor Watkins mentioned the upcoming February 14th meeting being held with the local land and
243 business owners regarding the CDA and briefly discussed the status of the situation.

244 Steve Soulier asked about the status of our city's funds in terms of snow removal, as he has
245 heard that other cities are running out of money in this area. Jeff Jorgensen said he has heard
246 that we are running low, but has not heard anything definitive.

247

248 **Executive session (closed) to discuss the purchase of real property.**

249 *Steve Soulier made a motion to close the regular meeting to move into executive session to*
250 *discuss the purchase of real property and the competency of an individual. Elaine Nelson*
251 *seconded the motion. A vote was called and the motion passed unanimously. This occurred at*
252 *8:02pm.*

253

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

255

256 *Steve Soulier made a motion to close the executive session and return to the regular City Council*
257 *meeting. Elaine Nelson seconded the motion. A vote was called and the motion passed*
258 *unanimously. This occurred at 9:41 p.m.*

259

260 *Steve Soulier made a motion to adjourn the City Council meeting. Al Moser seconded the*
261 *motion. A vote was called and the motion passed unanimously.*

262

263 The meeting adjourned at: 9:41pm

264

265 Approved by City Council:

February 20, 2008

266

267 Transcribed by Marie Wilhelm

268

269 Recorded by

270

Jeff Jorgensen/City Recorder

271