



56 reminded the council of a specific request she made on October 13, 2008, that the August 20,  
57 2008 City Council meeting minutes be amended. She asked that minutes include a report of the  
58 content of a resident's comments; and that the city give residents responses or answers their  
59 questions.

60

61 John Bailey – County Wide Library System

62 Mayor Watkins said that John Bailey was going to discuss rumors he had heard that would  
63 indicate there is a public perception that the county-wide library system is a "dead" issue. The  
64 mayor said the rumor that the issue was "dead" was not actually the case.

65

66 John Bailey, representing the friends of the library, explained that they had heard that the county  
67 had taken this issue off of their agenda because none of the unincorporated cities in the county,  
68 including North Logan, were in support of it, which he said really surprised the committee.

69

70 Steve Soulier confirmed that it is indeed *not* a "dead" issue; and explained that the consultant  
71 hired to handle this has met with all the libraries in the valley and his report is due to the County  
72 Council the first week of November; and that the County Council will make a decision following  
73 their review of that report.

74

75 Consider resolution appointing new city recorder. #1

76 Jeff Jorgensen introduced Scott Bennett, who he said the Mayor would like to hire as the new  
77 City Recorder and was asking the City Council to give their consent; and further explained how  
78 the interview process and candidate selection took place.

79

80 *Lloyd Berentzen made a motion to approve the resolution appointing Scott Bennett as the new*  
81 *City Recorder.*

82

83 Steve Soulier said he like would a summary of Scott's background, which Mayor Watkins asked  
84 Scott to do. Scott described his professional and personal background; and fielded various  
85 questions from the City Council.

86

87 *Steve Soulier seconded the motion. A vote was called and the motion passed unanimously with*  
88 *Kevin Dustin, Lloyd Berentzen, Al Moser, Steve Soulier and Elaine Nelson voting in favor.*

89

90 Report from City Auditor regarding FY2008 closeout. #2

91 Diana Cannell from the Peterson, Allred, Jackson CPA firm, reviewed the audit report for FY2008  
92 for North Logan City, and referred to and explained various sections within the report.

93 The City Council discussed various items with Diana.

94 Elaine Nelson questioned the number stated in the auditor's report passed out to the City Council,  
95 regarding the unreserved General Fund balance; as the report reflected the number being at 19%  
96 as of June 30, 2008, which would make North Logan City out of compliance. Diana said that was  
97 in fact a typographical error; as North Logan City is actually *in* compliance with their figure being  
98 at 15%.

99

100 Lloyd Berentzen asked how our city is doing compared to other local cities. Diana said North  
101 Logan City is much more detailed and does a great job in segregating duties. She said our  
102 internal controls are very well segregated; which she said is the best avoidance of human error,  
as well as fraud. She said that compared to other cities, North Logan City is doing very well.

103 Lloyd Berentzen and Jeff Jorgensen discussed having a more automated way of managing fixed  
104 assets; which Jeff said is something that has been difficult to manage in the past.

105 The City Council continued to discuss various items with Diana.

106

107 6:30 Public Hearing to receive public input on a proposed concept plan for a two lot subdivision  
108 of 1.7 acres, to include a flag lot, at approximately 1984 N 800 E. #1

109 Cordell Batt presented the plan and displayed an acetate map of the location on an overhead  
110 projector, and went over various issues stated in the staff report. He said they are utilizing the

111 density determinate subdivision option, as well as the flag lot ordinance. He said that lots were  
112 already platted separately, but were not done under the subdivision ordinance, making one of the  
113 lots "illegal" in a sense, which is why they had to come in and go through the subdivision process  
114 in order to build a home on the second lot. He said the report has the zone listed as R1-12, but  
115 the zone is actually in the R1-10 zone, and therefore listed in the report incorrectly. He explained  
116 that owner Val Heusser said that water shares have already been split between the two lots; and  
117 an agreement on that will be part of the recorded documents. Cordell said this is the type of lot  
118 they had in mind when the city put the flag lot ordinance in place.

119 Cordell said that staff is recommending that the City Council approve this plan using our flag lot  
120 ordinance. He said the Planning Commission reviewed this and also gave it a positive  
121 recommendation.

122

123 *Mayor Watkins opened the public hearing at 6:45pm*

124

125 Owner, Val Heusser, said when they purchased it, it was split into two parcels, but was not done  
126 properly, which they recently discovered and then briefly explained the lot situation.

127

128 *As there were no further public comments, Mayor Watkins closed the public hearing at 6:47.*

129

130 Mayor Watkins said a decision on this will be made on this at the next City Council meeting.

131

132 Quarterly Financial Report #1

133 Jeff Jorgensen said that the way they have set up the budget, they anticipate being "okay" in light  
134 of the national economic concerns. He reviewed the details of the report via a PowerPoint  
135 presentation.

136 Elaine Nelson asked about budgeting in money for the placement of some additional fire hydrants  
137 within the city, particularly on Main Street, and Jeff Jorgensen said there are already operational  
138 funds within the budget for that.

139 Lloyd Berentzen asked about getting certain kinds of information for various figures within the  
140 budget; and Jeff explained that there is a narrative budget report on line (on the city's website)  
141 that has charts like he is describing that will provide some of that information.

142 Steve Soulier asked if this budget is on line, and Jeff Jorgensen said that it is.

143

144 Consider a proposed ordinance correcting the subdivision requirement to establish a set-back  
145 along canals. #1

146 Jeff Jorgensen briefly described the problem with the way the city code regarding set-backs on  
147 canals is written; and had the document displayed via an overhead projector to better review the  
148 proposed changes with the council.

149 Steve Soulier said he feels this is an easement and not a set-back, and disagrees with this  
150 ordinance in that it is written in a way that means the canal company can essentially encroach on  
151 private property. He said he understands the needs of the canal companies; but says that the  
152 canal will have company control of 15 feet of land for some property owners who don't even  
153 receive canal water. He feels this is unreasonable, and may even be illegal to grant this kind of  
154 easement to a company that the city does not have the same kinds of controls and interest in.

155

156 *Steve Soulier made a motion to have the recorder prepare an alternate ordinance which would*  
157 *rescind the granting of the 15 foot easement as currently stated in the current city code. Lloyd*  
158 *Berentzen seconded the motion.*

159

160 Al Moser said he agrees that it is an easement; but that it still does not *give* the canal company  
161 the land as Steve was indicating; that it just gives the canal companies the right to work on the  
162 canals on those properties. He said a real discussion needs to take place regarding what the  
163 benefits of the canals really are to the community, and that there is not enough being done to  
164 protect them. He said there is a real public interest in protecting them.

165 Lloyd Berentzen said he agrees with Steve. He said the canals *are* indeed a precious resource to  
166 the community; but that the city is the wrong mechanism for managing this; that this should be  
167 handled through the canal companies, and should not be the burden of the city to deal with.

168 Jeff Jorgensen said the public interest is city-wide; it is not just for those who use the canal water.  
169 He said subdivisions and residents above the canals use those canals as stormwater drainages;  
170 and without the canals, the city would need a lot more water production and water storage. He  
171 said the city would have to nearly double the city's culinary water capacity in the summertime if  
172 there were no canals. He said it is just like an electric utility or something comparable; that they  
173 are regulated similarly and that the city has a public interest in protecting them. He said an  
174 easement *is* different than a set-back. He explained that under this ordinance that establishes a  
175 set-back and not an easement, the canal company would not be able to use this space to install  
176 equipment, etc.; as they would if it were an easement. It is just a set-back that would limit the  
177 property owner such that he would not be allowed to build things in this area; i.e., anything that  
178 would encroach on the canal within that set-back.

179 Steve Soulier said that Rocky Mountain Power (RMP) would disagree, and explained that they  
180 have an easement that states that they cannot install anything; but that they control him, as a  
181 citizen, and that he cannot do anything in those areas beyond what the power company allows.  
182 He said he feels that this ordinance is not written correctly. Jeff says that was because RMP has  
183 an *easement* and that is more inclusive than a set-back.

184 Mayor Watkins said he feels that this is an easement. Mayor Watkins and Jeff discussed the  
185 history of what the city and the canal companies agreed to in terms of how much space they  
186 would have along the canal banks to have room to do maintenance; and Mayor Watkins  
187 discussed the difficulties that arise when owners put up fences, gates, etc., which can make it  
188 difficult for the canal companies to maintain the canals. The council discussed the canal  
189 companies' need to have enough room to bring in equipment in order to be able to work properly.

190 Al Moser said this ordinance gives the city the power, *not* the canal company.

191 The City Council continued to discuss this at length.

192 Kevin Dustin suggested having someone representing the canal company come before the City  
193 Council in order to discuss their side of it and explain their needs; and also to have City Attorney,  
194 Bruce Jorgensen, review the ordinance as well.

195 Steve Soulier said he recognizes the issues for the canal company; but that a city cannot use the  
196 power of government to take property rights away from citizens.

197 Per some comments from the council, Jeff explained that if we make a different ordinance that is  
198 much different than the one that has been considered, one that *removes* something from the city  
199 code, it would require a public hearing.

200

201 *A vote was called and the motion passed with Lloyd Berentzen, Steve Soulier and Elaine Nelson*  
202 *voting in favor; and Kevin Dustin and Al Moser voting against.*

203

204 Consider bids for installing asphalt on road to cemetery. #1

205 Jeff Jorgensen displayed a map of the cemetery and described the location and the needs for  
206 paving certain areas. He said that Parson's was the only company who gave a bid, and that  
207 Johnson's was not interested. He further described the bid that Parson's gave, and what they  
208 said they could do. He also discussed what Scott Gilgen recommended be done. Jeff said their  
209 bid is approximately \$136K to do the whole thing. The City Council discussed the costs and how  
210 to manage it, and how much the city can actually afford to do within the budget. The City Council  
211 discussed doing a narrower road width. Jeff explained that he had bids of about \$65K each to do  
212 either the road to the cemetery, or the roads within the cemetery; but to do both would cost about  
213 \$136K. The council further discussed the costs for paving it different ways. Jeff mentioned that  
214 some of that money is already available from the monies received from the selling of plots.

215

216 *Al Moser made a motion to accept the bid and to have Parson's do both the road to the cemetery*  
217 *as well as the roads and parking lot within the cemetery if Jeff Jorgensen found that there was*  
218 *enough money in the cemetery fund to do so. Jeff Jorgensen was to contact the City Council in*

219 *order to review and revise the project prior to any work being done if there were insufficient funds*  
220 *to do the total project. Steve Soulier seconded the motion. A vote was called and the motion*  
221 *passed unanimously with Kevin Dustin, Lloyd Berentzen, Al Moser, Steve Soulier and Elaine*  
222 *Nelson voting in favor.*

223

224 **Reports from city officers, boards, and committees** #1

225 Elaine Nelson questioned the hiring process of the Parks, Recreation and Facilities Director, and  
226 said the City Council had not received any communication on this. Jeff Jorgensen explained the  
227 hiring process, and confirmed that Alan Luce had been hired into the position. Steve Soulier said  
228 it would have been nice for the City Council to be informed that that is what had been done. Al  
229 Moser said the City Council knew that city staff was in the hiring process. Elaine Nelson said that  
230 the City Council did not know anything about it however, nor who they were hiring. Jeff  
231 Jorgensen said the city was also looking into replacing Alan's position, if that was acceptable to  
232 the City Council. Elaine suggested that perhaps Alan could perform both jobs. Jeff Jorgensen,  
233 the Mayor and members of the City Council explained that he will be far too busy to manage that.  
234 Jeff also explained that the city is going to look for someone more familiar with the CAD program,  
235 as opposed to strictly a GIS person. Steve Soulier said that was fine; just that the City Council  
236 would like more information as to what city staff is proposing to do.

237

238 Al Moser said he supports what the city did in hiring Alan Luce for this position and feels he will  
239 be a valuable employee; but that in terms of new hires, the city should look closely at their budget  
240 and might want to hold off before any new person is hired. Mayor Watkins said there will likely be  
241 a savings in hiring a new person to replace Alan, in terms of the GIS capabilities. Elaine also  
242 suggested the possibility of "hiring out" some of the tasks for Alan's prior position.

243

244 Steve Soulier mentioned the extensive weeds that were near the bridge by 1800 North/1900  
245 North and asked if someone from the city could please take care of it. Steve also referred to the  
246 seminar he and the Mayor attended at the Utah League of Cities and Towns Convention  
247 regarding green space design and conservation issues, and requested someone from that group  
248 come and discuss these issues with the City Council.

249

250 Al Moser mentioned the Senior Citizens' monthly luncheon, and said that the officers for that  
251 group asked him if the city could officially give them approval to increase the fee they charge  
252 individuals for the lunch from its current price of \$3.50, to \$4.00. The council agreed that it could  
253 be done formally at a future meeting.

254

255 Lloyd Berentzen mentioned he has seen some cemeteries where families have placed stone  
256 bench monuments with their family's name on it; and suggested that there would likely be families  
257 within our community who would be willing to pay for these kinds of monuments at North Logan  
258 City's cemetery, in order for people to be able to sit down; and that it would look very nice. The  
259 City Council agreed this was a good idea. Mayor Watkins also mentioned that a veteran's  
260 memorial should be included and should be funded at least in part by the community. Elaine  
261 Nelson suggested having Alan Luce look into obtaining grants for the cemetery, which she said  
262 exist.

263

264 Jeff Jorgensen mentioned that Alan Luce explained that there was a long list of questions and  
265 issues that came up during the sale of the cemetery plots that Jeff said need to be resolved.

266

267 Kevin Dustin received word that the liner had been successfully put in at the King Park pond by  
268 various groups.

269

270 Mayor Watkins said the council was invited to the groundbreaking of a new USTAR building on  
271 the USU Innovation Campus at 1:30pm the following Friday.

272

273 Mayor Watkins also mentioned the combined presentation which occurred the previous evening  
274 to the County Council regarding 200 East. He discussed what took place and said that the  
County Council is rethinking whether they are going execute the bond. He said if they don't do it,

275 all funding for all roads except 100 East, will evaporate. He said the County Council questioned  
276 why North Logan City wanted such a "nice" road and Mayor said we are now going back to the  
277 "drawing board" and will be re-proposing it as a "lesser" road; and further discussed the fact that  
278 their original design was based on the standards, requirements, and purpose outlined in the EIS.  
279 He said in doing this as a lesser road; there would not be a reason for the people who were  
280 considering donating those rights of way, to do so, as they would now be required to put the  
281 infrastructure in. He said obtaining those rights of way is going to be critical. He said he, Jeff  
282 Jorgensen and JUB Engineering are going to meet to discuss this.

283 Mayor Watkins, Jeff and the council discussed this further.

284

285 Executive Session to consider real estate transaction. (Closed)

286 *Steve Soulier made a motion to close the meeting and go into executive session for the purpose*  
287 *of considering a possible real estate transaction. Elaine Nelson seconded the motion. A vote*  
288 *was called and the motion passed unanimously with Kevin Dustin, Lloyd Berentzen, Al Moser,*  
289 *Steve Soulier and Elaine Nelson voting in favor. This occurred at 7:58pm.*

290

291 Minutes for this under separate cover.

292

293 *Steve Soulier made a motion to end the Executive Session and open the regular City Council*  
294 *meeting. Kevin Dustin seconded the motion. A vote was called and the motion passed*  
295 *unanimously with Kevin Dustin, Lloyd Berentzen, Al Moser, Steve Soulier and Elaine Nelson*  
296 *voting in favor. This occurred at 8:20pm*

297

298

299

300 *Steve Soulier made a motion to adjourn the City Council meeting. Elaine Nelson seconded the*  
301 *motion. A vote was called and the motion passed unanimously with Kevin Dustin, Lloyd*  
302 *Berentzen, Al Moser, Steve Soulier and Elaine Nelson voting in favor.*

303

304

305

306

307 The meeting adjourned at: 8:20pm

308

309

310 Approved by City Council:

November 5, 2008

311

312

313 Transcribed by Marie Wilhelm

314

315 Recorded by

316

317

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319

320 \* Due to the fact that there is other documentation related to this agenda item that may not be included in the official  
321 minutes of this meeting, the following repositories, cross referenced to applicable agenda items within these minutes, shall  
322 indicate where additional documentation can be found for future reference for that agenda item:

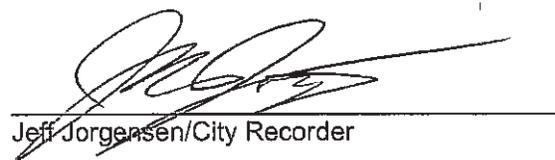
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326

1. Annual City Council meeting binders in the Office of the City Recorder
2. Budget folders in the Office of the City Recorder
3. Special Project folders in the Office of the City Administrator
4. Subdivision Folders in the Office in the City Engineer

  
Jeff Jorgensen/City Recorder