

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54

**Minutes of the North Logan City  
City Council  
Held on December 3, 2008  
At the North Logan City Library, North Logan, Utah**

The City Council meeting was called to order by Mayor Watkins at 6:00 p.m.

Council members present were: Kevin Dustin, Al Moser, Steve Soulier and Elaine Nelson.  
(Lloyd Berentzen was excused).

Others present were: Scott Stiver, Barbara Budge, Rod Blossom, Val Sorensen, Cody Secrist, Guylum Blaser, Julie Collins, Allan Collins, Hazel S. Manning, Dave Manning, Tamara Traveller, Dee B. Israelsen, John Flores, Julie Flores, Barbara Middleton, Charlotte Brennand, Bruce Jorgensen, Jeff Huffman, Jacob Hola, Monte Wilhelm, Parker Wilhelm, Marshall Wilhelm, Cordell Batt, Scott Bennett, Jeff Jorgensen and Marie Wilhelm.

The Pledge of Allegiance was led by Steve Soulier.  
An invocation was given by Mayor Watkins.

**Adoption of Agenda**

*Steve Soulier made a motion to adopt the agenda as presented. Elaine Nelson seconded the motion. A vote was called and the motion passed unanimously with Kevin Dustin, Al Moser, Elaine Nelson and Steve Soulier voting in favor.*

**Approval and Follow-up of Minutes for November 5, 2008 City Council Meeting and November 5, 2008 City Council Closed Session Meeting**

November 5, 2008 City Council Meeting Minutes #1  
*Elaine Nelson made a motion to approve the minutes as presented. Steve Soulier seconded the motion. A vote was called and the motion passed unanimously with Kevin Dustin, Al Moser, Elaine Nelson and Steve Soulier voting in favor.*

November 5, 2008 City Council Closed Session Meeting Minutes #1  
Elaine Nelson wanted some additional comments she made at this meeting included in the minutes.

*Steve Soulier made a motion to adopt the minutes as amended. Al Moser seconded the motion. A vote was called and the motion passed unanimously with Kevin Dustin, Al Moser, Elaine Nelson and Steve Soulier voting in favor.*

**Follow-up**

Nothing at this time.

**Review of Action Items** #1

Mayor Watkins said that a letter had been sent to the Burts regarding the old Bessenbinder property, as previously discussed, which he had given a copy of to the council members.

Steve Soulier mentioned his previous query to Jeff Jorgensen regarding annexation (Jeff Jorgensen was out of the room for this part of the discussion). Mayor Watkins said Jeff is currently working on it and Steve Soulier said he would like to move as quickly as possible on this.

55 Mayor Watkins mentioned the road project on 200 East and that he was previously promised on  
56 several occasions by several member of the County Council and county staff including by Lynn  
57 Lemon, that the monies would be forthcoming; and Mayor Watkins said the County Council has  
58 still not approved the funds for the project and that he is concerned. He also mentioned that  
59 some members of the County Council feel that this project should possibly not take place due  
60 mainly to the economy; so they will have to see how it "plays out".

61  
62 Mayor Watkins further referred to a resolution regarding the installation of a stormwater retention  
63 pond on 2100 N, west of 1200 E. He said the process began three years ago and has been a  
64 long process in getting all of the entities together on this project. He said one of the parties, the  
65 Lutheran Church, has entered into an agreement in the meantime to sell or do an exchange with  
66 the Christian Bible Center, for their property, unbeknownst to North Logan City. Mayor Watkins  
67 said he met with those representatives, and were able to conclude with them that North Logan  
68 City can still move ahead with the project; and said that the new church gave permission for North  
69 Logan City to go ahead and do the work. He said the resolution will be available this evening for  
70 the City Council's review.

71  
72 Steve Soulier mentioned that the City Center initiative is still on the Actions Items List, and should  
73 probably removed from the list as the project is at a standstill at the moment. Mayor Watkins  
74 concurred.

75  
76 Sgt. John Italasano gave an update regarding the various nuisance ordinances within the city and  
77 the status of each one; including mentioning the letter that Chief Kim Hawkes gave to Steve Alley.  
78 He also discussed the situation on Hazel Stettler's (Manning) property regarding a potential  
79 rezone there in order to manage the rental situation on her property. Steve Soulier asked about  
80 Fisher Construction. Sgt. Italasano said it is in the hand of the attorneys at this point.

81

## 82 **New Business**

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

85 Brent Miller – Representing the County Chamber of Commerce #1

86 North Logan resident, Brent Miller came as a member of the Board of Directors for the Cache  
87 Chamber of Commerce, to present the various functions of the Chamber, as well as explain how  
88 they benefit the cities of Cache Valley. He also distributed a brochure to the council members  
89 which he reviewed with them.

90 Steve Soulier mentioned the road development of 200 West that could be a very significant area  
91 of the community, and would like to see the Chamber discuss how they could be involved in  
92 helping the development of that area. He also discussed the development issues currently for  
93 200 East.

94 Elaine Nelson said that she has spoken to the Chamber a number of times over the years, and  
95 commented that in the various magazines distributed by the Chamber, there is never a mention of  
96 North Logan City for events such as the Pumpkin Walk, as well as other activities; while other  
97 cities' events are being mentioned. She suggested highlighting *all* of the various cities' events in  
98 these publications in order to better promote them.

99 Brent said he agrees there is still a bias in these brochures, not to be as broadly represented.

100 Mayor Watkins concurred, and said that there is a general perception that the Cache Chamber of  
101 Commerce is a LOGAN Chamber of Commerce, exclusively.

102 Mr. Miller said he appreciated the comments, and will take this feedback to the Chamber and the  
103 various publications, and encourage representation from every municipality.

104 Steve Soulier asked about the Logan airport area and asked Brent to give an update regarding  
105 the development of that region. Steve said that even though the airport is located within the city  
106 of Logan, North Logan will likely be more impacted than Logan will. Brent gave a status of the  
107 development intentions for that area, primarily in terms of "inside the airport fence"; but that not as  
108 much planning has taken place for "outside the airport fence". Brent said that the runway is the

109 second longest public runway in the state of Utah. He mentioned that charters have flown not  
110 only USU football team members for away games; but that other teams have used the airport to  
111 come in for home games. He said that commuter air service potential is being discussed, but  
112 nothing immediate is occurring in the near future. He also said that the old terminal building that  
113 was run down has been renovated by Junior Miller and his nephew. He said it has been done  
114 very well, and has also been done in partnership with the TSA (Transportation Security  
115 Administration), in order to include what it requires in the event of commercial service taking  
116 place there; and is therefore ready for that now.

117

118 Guylum Blaser – Residential Parking Situation<sup>#1</sup>

119 North Logan resident, Guylum Blaser who lives at 1750 North 400 East; came to represent some  
120 of his neighbors, to explain a parking situation on his street affecting him, as well as his adjacent  
121 neighbors, some of whom were also in attendance. He said the office building across the street  
122 from their homes, and just north of the Post Office, has overgrown their building's parking  
123 capacity. He said the employees working in the building are now parking on the street in front of  
124 their homes, encroaching on the neighborhood. He said delivery services (FedEx, UPS, etc.),  
125 mail service and garbage collection have all become very difficult issues. He said the residents  
126 have to put their garbage cans out either very early, or the night before, as the employees begin  
127 parking on their side of the street, very early in the morning. He also said there is now no parking  
128 for friends and neighbors when they come to visit the residents along this area. He said they  
129 would like to propose that the strip along there become a residential parking strip, allowed only by  
130 permits. He said then the residents could control the permits and share them as they need to.  
131 Mayor Watkins said that Chief Hawkes and the Police Safety Committee will be advised of the  
132 situation and will get back to the residents regarding solving this problem.

133

134 6:15 Public Hearing to receive public input on the proposed Concept Plan for the Stone Gates  
135 Estates Subdivision. Being proposed is the division of 4.26 acres into seven lots located at 1475  
136 East 1900 North, North Logan.<sup>#4</sup>

137 Cordell Batt presented the situation and described the location via an overhead projected map of  
138 the site, in addition to an aerial view. He further described the intentions of the developers for the  
139 site. He said this is a fairly typical subdivision situation and described various details. He said  
140 staff recommends that all the reports be done, except for the geology report which staff agreed to  
141 waive as there are no known hazards in this area. He also said there is no required open space.  
142 He said staff recommends that developers work with the local irrigation company, and specify on  
143 the plat what the water rights will be and where they go.

144

145 *Mayor Watkins opened public hearing at 6:32pm*

146

147 *As there were no public comments, Mayor Watkins closed the public hearing at 6:32pm*

148

149 Mayor Watkins mentioned that the Planning Commission unanimously recommended this plan.

150

151 Al Moser asked if water drainage is being taken care of. Cordell Batt said that will all be worked  
152 out with the drainage plan.

153

154 Steve Soulier referred to Russell Goodwin's submitted, written comments, and Cordell explained  
155 how they will be worked out.

156

157 *\*\* Due to the fact that at the end of the meeting the City Council decided that there will not be*  
158 *another Council meeting until January; they made the decision to vote on this item at this*  
159 *meeting. That motion is as follows:*

160

161 *Steve Soulier made a motion to approve the concept plan for the Stone Gates subdivision. Kevin*  
162 *Dustin seconded the motion. A vote was called and the motion passed unanimously with Kevin*  
163 *Dustin, Al Moser, Steve Soulier and Elaine Nelson voting in favor.*

164

165

166

167

168

169

170

171

172

173

174

175

176

177

178

179

180

181

182

183

184

185

186

187

188

189

190

191

192

193

194

195

196

197

198

199

200

201

202

203

204

205

206

207

208

209

210

211

212

213

214

215

216

217

218

219

6:30 Public Hearing to receive public input regarding a request by two land owners to divide and transfer ownership to those adjacent property owners, the approximate 13,000 square feet of city-owned open space located on the north-west corner of the intersection of 2950 North and 2050 East. The restrictions on the use of the open space would not be changed.<sup>#1</sup>

Jeff Jorgensen presented the location of the property, situated within the Phase II Canyon Ridge subdivision, and said it was developed under the old, open space overlay ordinance. He further described the request of the property owners and various minor details. He said the described portion would remain open space; but that the owners want the property deeded to them so that *they* can maintain the property in a more aesthetic way, rather than the city doing it. Jeff said he suggested considering other options, including possibly leasing the land to them long-term for very minimal cost, which would preclude amending the plat, or them having to pay property taxes, etc.

*Mayor Watkins opened the public hearing at 6:36pm.*

North Logan resident Cody Secrist said he lives just to the northeast of this property. He said the plats for this site require that the land "remain in its native state as much as possible", so he said he is curious what the plans are for the location, and what is allowed to be done on it. He said he does not doubt that the Travellers will take good care of it and probably make it look better; but said that there are a lot of adjacent homeowners to that space, including himself, and said he is concerned that there might be confusion in the future if homeownership changes hands over time and that the new homeowners may not feel the same about maintaining the property when they see adjacent neighbors not having to maintain *their* land the same way, as the city simply comes in once a year and cuts down the weeds.

*As there were no further public comments Mayor Watkins closed the public hearing at 6:38pm.*

Steve Soulier referred to the presentation done at the Utah League of Cities and Towns Convention regarding conservation easements that he discussed at a previous council meeting and said he would rather not deal with this specific property, but rather address the whole issue in general. He said he still hopes that the people who had made the presentation at the Utah League of Cities and Towns Convention will be able to present their information to North Logan City. He expressed further comments.

Consider adopting one of several proposed ordinances regulating the set-back for development adjoining canals. The options include modifying the current requirement for set-back along canals such that they only apply to new subdivisions, a second version of that ordinance that would require the set-back only on the west side of the canals, and a third version totally eliminating the set-back requirement.<sup>#1</sup>

Steve Soulier said that the city using its power to take control of people's property should be something that is done as little as possible. He said, however, that as he reviewed this issue further and better realized the impact and the benefits that the canals give to the residents, he is now in support of the proposed ordinance, option "B". He said he does not support the easement also being on the east side of the canal, however, as he would consider that a "taking".

Al Moser commented that the city is not "taking" citizens' property; only slightly restricting it, and only on new subdivisions. He said it would not stop people from using it as a yard; just restricting them from building things so close to the canal. He said we are simply utilizing our right as a governing body in this community to protect the citizens of this community and see that development is done properly.

The City Council continued to discuss this further. Jeff explained that this is *not* an easement; and explained to the council in detail, the difference between an easement and a set-back. He explained that the canal company cannot work in that 'additional' set-back space without permission from the property owner. The council continued to comment on further issues.

220 *Steve Soulier made a motion to approve the ordinance option "B" as it is currently written. Al*  
221 *Moser seconded the motion.*

222  
223 Elaine Nelson said the verbiage should be more specific and better delineated within the  
224 language of the document.

225  
226 *A vote was called the motion passed with three voting in favor (Kevin Dustin, Al Moser and Steve*  
227 *Soulier) and Elaine Nelson voting against.*

228  
229 Consider sidewalk additions in the Mahogany Ridge Subdivision and elsewhere. #1

230 Jeff Jorgensen briefly explained the history and current status of the sidewalk situation in  
231 Mahogany Ridge. He said at the time of development, sidewalks were only required and  
232 approved for one side of the road. He said in some areas, that is okay; but that there are other  
233 areas where it does not look right, and does not connect the sidewalks properly. Jeff said he  
234 feels that it is the city's responsibility to pay for the additional sidewalk development in these  
235 situations. Elaine Nelson asked how this was missed and Jeff said all the usual parties reviewed  
236 and approved it originally. He said the length in question is roughly 100 feet, and the cost would  
237 run approximately \$10K to \$12K. Steve Soulier, Al Moser and Mayor Watkins commented that  
238 there should be an effort made to enter into agreements with the affected homeowners to  
239 potentially share in the cost of the sidewalk development in those areas.

240  
241 Presentation regarding the "Certified Local Government" process as it relates to parks and trail  
242 development. #1

243 Barbara Middleton, Parks and Trails Committee Chairperson; gave a presentation regarding the  
244 benefits of this program, and what the process is to participate. She gave a packet of information  
245 regarding the program to the City Council members. She explained how the city can obtain  
246 "CLG" (Certified Local Government) status, and how the benefits of doing so gives the chance for  
247 the city to apply for federal grants for historical preservation; and can also help the city with its  
248 trails and parks development, among other things. She said that North Logan is one of the only  
249 cities in the valley that does not have CLG status and further described the kinds of things that  
250 could be done for North Logan. She said if the city obtained this status, they could always "de-  
251 certify" if they elected to; however, she said she sees no downside to getting this status.

252 Mayor Watkins commented that Barbara Middleton has done an excellent job as our parks  
253 committee chairperson; and if not for her, we would not be in the [good] place that we're in. The  
254 City Council concurred.

255  
256 *Steve Soulier made a motion to support the concept of developing a CLG and move forward as*  
257 *quickly as possible. Al Moser seconded the motion. A vote was called and the motion passed*  
258 *unanimously with Kevin Dustin, Al Moser, Steve Soulier and Elaine Nelson voting in favor.*

259  
260 Consider approval of agreement between the city and property owners for the acquisition of an  
261 easement for the installation of a stormwater retention pond in Peace Subdivision at about 720 E  
262 2100 N. #4

263 Jeff Jorgensen briefly discussed the situation, as well as the agreement; and said that it  
264 essentially provides for a retention pond to be built on the west end of the Lutheran Church's  
265 property on 800 East and 2100 North. He said they are selling their property to another church;  
266 and the new church is going to be building in the very near future. He said the retention pond is  
267 being built such that it will be large enough to accept the stormwater off of the church's building,  
268 as well as their parking lot; therefore, it is a benefit to them, as well. He said some of the  
269 stormwater that primarily comes from 2100 North and 800 East will also go into that retention  
270 pond. He said the new church has given the city the go-head to begin building the retention  
271 pond; and that they see the need for it and want the city to begin.

272 Steve Soulier he is concerned that the area looks "nice", and that the city needs to think carefully  
273 about the landscaping.

274 Jeff Jorgensen said the agreement states that the city will built it and hydro-seed it; and the

275 church will provide a sprinkler system, and will maintain it. Mayor Watkins said he spoke to the  
276 church representatives, and that they are committed to this area being very attractive.

277 Mayor Watkins mentioned that the new owners will not close on the property until January 2009;  
278 and that the compensation agreement states that the money will go to whomever the current  
279 owner is, in case the closing falls through.

280  
281 *Steve Soulier made a motion to authorize the Mayor to sign on behalf of the city for the*  
282 *agreement between the city and property owners for the acquisition of an easement for the*  
283 *installation of a stormwater retention pond at the above-referenced location. Al Moser seconded*  
284 *the motion. A vote was called and the motion passed unanimously with Kevin Dustin, Al Moser,*  
285 *Elaine Nelson and Steve Soulier voting in favor.*

286  
287 Discuss the city's current zoning regulations regarding single family residences and group homes  
288 in light of recent updates to similar ordinances within Cache County and relevant state laws. #1

289 Mayor Watkins discussed this complicated issue, and the various, associated problems and  
290 concerns nationally. He said North Logan City has a conditional use permit required for a group  
291 home, which he has learned is not legal. He said the city can create specific conditions for a  
292 group home, but cannot make them subject to the permitting process. Per a question from Steve  
293 Soulier, Jeff explained that these homes can be placed in any zone that allows single-family  
294 residences, and must allow a residential facility for the elderly or the disabled/handicapped. Jeff  
295 discussed the chart that he gave to the City Council, and the need to clarify the definition of a  
296 'family'. The City Council discussed this issue and who is actually allowed to reside in a home.  
297 Jeff Jorgensen explained the city's ordinance on this. Mayor Watkins said our ordinance is a  
298 good one, and covers most situations, and includes allowing a family, plus one unrelated person  
299 to stay in a residence. The council discussed this further. Al Moser said we need to make sure  
300 which federal law we are trying to address, and make sure it is clarified, particularly through the  
301 city attorney.

302 Mayor Watkins discussed his intentions for this issue and stated that in some of the upcoming  
303 meetings he is going to have the council discuss the potential of having the State Legislature look  
304 into making additional changes to the state code.

305  
306 **Reports from city officers, boards, and committees**

307 Mayor Watkins referred to 200 East and suggested to the council having a discussion at the first  
308 council meeting in January regarding having to possibly come up with an alternate route. The  
309 City Council briefly discussed this.

310  
311 Per Mayor's request, Jeff Jorgensen explained the city's recent hiring of Kimberly Weis for the  
312 position of Accounts Payable Clerk. He briefly discussed her background and extensive, specific  
313 experience; and said she will begin work the following day.

314  
315 Steve Soulier discussed the library report he gave to the City Council regarding the potential  
316 county-wide library system. He briefly explained this and mentioned upcoming meetings to be  
317 held with Logan City, for a potential inter-local agreement, as well as possibly sharing library  
318 cards; and also mentioned other cities who may want to have a "metropolitan" library card which  
319 would include multiple cities within Cache County.

320 Al Moser said some of the input he has heard from the county is that they are leaning towards  
321 doing a "real" county-wide library system and are putting a more concerted effort into doing that.

322  
323 Jeff Jorgensen mentioned the next City Council meeting planned for December 17, and asked the  
324 council whether or not there was a need to hold this meeting, as the only item on the agenda  
325 scheduled for that meeting is something that could be handled through the city offices (awards for  
326 neighborhood Christmas lights). The City Council agreed not to hold a meeting until January 7,  
327 2009 (the first Wednesday in January). Jeff and the City Council also discussed that it would be  
328 appropriate to make a motion on the above listed item for the Stone Gates subdivision, rather

329 than making the developers wait until the new year. *\*\* The motion made is listed under that topic,*  
330 *above. See double asterisk above, under item #2.*

331  
332 Elaine Nelson mentioned her concern about developers selling property before the concept plans  
333 are approved. Jeff explained that they are allowed to sell the property; they just cannot develop it  
334 until they go through the subdivision process.

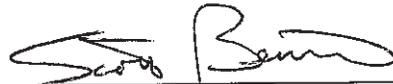
335  
336 Elaine asked if at the next meeting, the council could review the current budget and see where  
337 the revenues are at this point. Jeff said the quarterly report will be reviewed at the second  
338 meeting in January; and a budget revision will also likely be done at that meeting.

339  
340 *Steve Soulier made a motion to adjourn the meeting. Elaine Nelson seconded the motion.*  
341 *A vote was called and the motion passed unanimously with Kevin Dustin, Al Moser, Steve Soulier*  
342 *and Elaine Nelson voting in favor.*

343  
344  
345 The meeting adjourned at: 7:50pm.

346  
347 Approved by City Council: January 7, 2009

348  
349  
350 Transcribed by Marie Wilhelm

351  
352 Recorded by   
353 \_\_\_\_\_  
354 Scott Bennett/City Recorder

355  
356  
357  
358 *\* Due to the fact that there is other documentation related to this agenda item that may not be included in the official*  
359 *minutes of this meeting, the following repositories, cross referenced to applicable agenda items within these minutes, shall*  
360 *indicate where additional documentation can be found for future reference for that agenda item:*

- 361           1. *Annual City Council meeting binders in the Office of the City Recorder*  
362           2. *Budget folders in the Office of the City Recorder*  
363           3. *Special Project folders in the Office of the City Administrator*  
364           4. *Subdivision Folders in the Office in the City Engineer*