

1 **Minutes of the North Logan City**  
2 **City Council**  
3 **Held on February 4, 2009**  
4 **At the North Logan City Library, North Logan, Utah**

5  
6 The City Council meeting was called to order by Mayor Cary Watkins at 6:00 p.m.

7  
8 Council members present were: Al Moser, Steve Soulier, Elaine Nelson, Kevin Dustin (arriving at  
9 6:10pm) and Lloyd Berentzen.

10  
11 Others present were: Alan Luce, Jim Huska, Doug Hamblin, Kay Gilgen, Nancy Potter, Lydia  
12 Embry, Cordell Batt, Kim Weis, Scott Bennett, Jeff Jorgensen and Marie Wilhelm.

13  
14 The Pledge of Allegiance was led by Mayor Watkins.  
15 An invocation was given by Lloyd Berentzen.

16  
17 **Adoption of Agenda**

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

21  
22 **Approval and Follow-up of Minutes for January 21, 2008 City Council Meeting**

23 *Steve Soulier made a motion to approve the minutes as presented. Lloyd Berentzen seconded*  
24 *the motion. A vote was called and the motion passed unanimously with Lloyd Berentzen, Al*  
25 *Moser, Elaine Nelson and Steve Soulier voting in favor.*

26  
27 **Follow-up**

28 None at this time.

29  
30 **Review of Action Items**

31 Per Mayor Watkins's request, Jeff Jorgensen referred to the action items list and explained that  
32 the item regarding speed limit signs is completed; and that further items regarding some of the  
33 resolutions and ordinances should be passed and therefore completed at this meeting.

34  
35 **New Business**

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

38 No one was scheduled to speak at this meeting.

39  
40 **Consider a revised bond for the guarantee of improvements for the Aspen Meadows PUD.** #4

41 Doug Hamblin explained that he is one of the developers that took over the development of the  
42 Aspen Meadows subdivision. He said that on Phase III, they have a fairly large bond amount,  
43 and have been working on that phase for quite some time. He said that to finish the park in  
44 Phase I would cost approximately \$15K, and detailed some of the items that need to be taken  
45 care of. He also said there are some things they need to do to finish the park in Phase II, but that  
46 they wanted to wait until better weather before they installed those items. He said they have  
47 approximately \$90K set aside for the guarantee on the subdivision, and are at this meeting to ask  
48 the City Council to consider accepting a surety bond, which would guarantee the remaining work  
49 to be done as well as the required 25% warrantee.

50 Jeff Jorgensen said there are three phases to this subdivision, and various minor items that need  
51 to be done, particularly on the park; and recommends that the city do away with all of the old  
52 bonds and "fold" them all into one, and start anew with what is left that needs to be done. Jeff  
53 recommended that the council approve the request with the understanding that the cost estimate  
54 would be approved by Jeff and Ross Lapray and include all the remaining work to be done,

55 itemized with cost estimates and including a 25% warrantee amount; and also with the  
56 understanding that the City Attorney, Bruce Jorgensen would be approving the form of the bond,  
57 that being a surety bond.

58 Mr. Hamblin said there is approximately \$120K-\$130K left in their escrow account; and said he  
59 agrees with what Jeff is proposing. Mayor Watkins asked to make sure that the amount of the  
60 bond would include 125% of the cost of the improvements. Mr. Hamblin said that the \$90K was  
61 in fact 125% of the amount for Phase III.

62  
63 *Lloyd Berentzen made a motion to approve the consolidation for any existing improvement bonds*  
64 *for the Aspen Meadows PUD with the understanding that the developers would provide the city*  
65 *with a cost estimate of the remaining work to be done, to be approved by the city engineer, and*  
66 *that the form of the bond would be approved by the city attorney. Elaine Nelson seconded the*  
67 *motion. A vote was called and the motion passed unanimously with Lloyd Berentzen, Al Moser,*  
68 *Elaine Nelson and Steve Soulier voting in favor.*

69  
70 Consider a resolution adopting the revised FY2009 Municipal budget. #2

71 Jeff Jorgensen said revenues and expenditures have not changed since the last draft the City  
72 Council reviewed; and that column "E" is what they would be reviewing for approval at this  
73 meeting. He further discussed the potential changes for this section of the budget, and how it  
74 would affect the fund balance; and discussed other associated issues. He said this is the only  
75 change made since the last budget draft.

76 *Kevin Dustin arrived at the meeting at this time (6:10pm).*

77 Elaine Nelson asked where the additional 6% difference between the original 16% unrestricted  
78 fund balance, and the current position of 10% went, within the budget. Jeff said the majority of  
79 the change came from putting less of the general fund into the restricted area, specifically the  
80 Capital Improvement Fund. There was also some change due to the fact that the projected  
81 revenue for 2010 had been modified as well.

82 Al Moser said he likes the concept of maintaining it in the unrestricted fund balance, as it takes  
83 action to be able to adjust those funds; and also said it puts the city in a better standing both with  
84 the state, as well as the auditor.

85 Jeff Jorgensen agreed and explained that as long as that fund is maintained between a range of  
86 5% and 18%, he feels it better to maintain it there, as well as to keep it "liquid".

87 Mayor Watkins commented that it is a matter of timing as to what the city does to keep a fund  
88 balance from being excessive; and that a transfer of funds can happen later, if necessary. He  
89 said it is possible that in the FY2010 budget, the city could be stressed to keep it at 10%; and that  
90 in some sense, this is a "rainy day" fund.

91 Steve Soulier said he agrees with this way it is being managed; but that his concern is that we  
92 keep holding off from contributing to the capital improvement fund; and feels that something  
93 should be put into capital improvements each year, even if it is a token effort.

94 Jeff Jorgensen agreed, and mentioned that the city has in fact put more monies into the capitol  
95 improvement fund in the last couple of years, than have been put in, in the last *ten* years. He  
96 said it is also important in these times, to seriously look at expenditures, and to be conservative in  
97 our estimates for revenue.

98 Lloyd Berentzen asked about the fund balance, and asked if he could get documentation  
99 reflecting the designated fund balances outside of that 10% on a historical basis and see how  
100 much they have fluctuated. Jeff pointed out where that information was found in the budget  
101 spreadsheets.

102 Jeff Jorgensen discussed administrative allocations and the distribution thereof. Scott Bennett  
103 referred to the item that Elaine Nelson mentioned at the last meeting regarding monies going into  
104 police dept. accounts; and Scott said that the funds were adjusted to go into the appropriate  
105 accounts. Jeff discussed some of these various accounts further, and discussed the allocation of  
106 costs being distributed into the appropriate, associated departments within the budget.

107 Lloyd Berentzen asked whether the allocation was done based on the time spent serving each of

108 these departments or some other basis to justify that allocation. Al Moser said it was his  
109 understanding that it was done as a percentage with little relationship to actual effort expended by  
110 the administration towards the various other departments.

111 Steve Soulier said that concerns him, and that there needs to be a more rational reason for  
112 distributing costs, so that it can be shown that the expenses are not allocated arbitrarily.

113 Jeff and the council discussed this further. Jeff said he recommends approving the budget with  
114 the changes as discussed (regarding the monies for the Utah League of Cities and Towns fees  
115 and Caselle support costs, and putting them into the non-departmental area, as it should be),  
116 which he said changes the dynamics of the budget roughly \$9K in the general fund. He said this  
117 has to be done this way. He said in addition, they won't do anything differently in terms of how  
118 the administrative allocation is broken out until there is further determination.

119 Elaine Nelson referred to the general fund expenditures for personnel costs and asked if the  
120 numbers simply reflected wages, or if it includes benefits, as well. Jeff said it includes both, and  
121 explained it further, and the various ways the information is reflected.

122 Steve Soulier said he would like the council to have a discussion about goals and priorities,  
123 *before* discussing the actual numbers for the next budget (FY2010).

124  
125 *Al Moser made a motion to pass the resolution with the budget as amended (the amendment to*  
126 *the budget as presented was for the payments for the ULCT and the Caselle support would be*  
127 *paid from a new line item in the general fund). Lloyd Berentzen seconded the motion.*  
128

129 Elaine Nelson asked if we got a verbal or written contract from Cache County regarding the  
130 awarding of the funding for the design of 200 East. Jeff explained that a resolution has already  
131 passed authorizing the design.

132  
133 *A vote was called and the motion passed unanimously with Kevin Dustin, Lloyd Berentzen, Al*  
134 *Moser, Steve Soulier and Elaine Nelson voting in favor.*

135  
136 Consider a resolution providing for annexation. #1

137 Jeff Jorgensen explained part of the annexation petition process and said at this point, the city is  
138 accepting these petitions for further evaluation, because there are others who may still want to  
139 annex in. He further discussed this situation.

140  
141 *Steve Soulier made a motion to approve the resolution accepting for further evaluation the*  
142 *petitions that had been received. Al Moser seconded the motion.*  
143

144 Lloyd Berentzen asked if the city had been in contact with people who have not signed. Jeff said  
145 he has been in contact with some of them, and would like this resolution to move forward, so that  
146 he can proceed with sending out another notice to those residents.

147  
148 Elaine Nelson asked if it was supposed to be dated March 5<sup>th</sup> or February 4<sup>th</sup>. Jeff said February  
149 4<sup>th</sup>, 2009 and that it will be corrected on the document.

150  
151 *Steve Soulier said he would agree to amend the motion to reflect the correct date of February 4,*  
152 *2009. Al Moser expressed no objection to the amendment.*

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

155  
156 Consider a resolution stating the city's support of establishing a County-wide library system.  
157 *Kevin Dustin made a motion to pass the resolution. Steve Soulier seconded the motion.*  
158

159 Al Moser said that he does not trust the county in what they are proposing; and that he wanted it  
160 included in the minutes that a county-wide library system to him means *just that*, that everyone in  
161 the county participates, and does so in the same way with taxes.

162 Mayor Watkins said that perhaps the wording could be a formation of an expanded library  
163 system, which could *lead* to a county-wide library system; rather than making a declaration for  
164 that; because of the many impediments which currently exist. He further discussed this, and said  
165 at this point, there is no certainly that this library system is going to happen.

166 The City Council discussed the situation further.

167

168 *A vote was called and the motion passed with Kevin Dustin, Lloyd Berentzen, Al Moser and*  
169 *Elaine Nelson voting in favor, and Steve Soulier abstaining.*

170

171 Consider an ordinance revising some of the policies and regulations for the city cemetery. Also  
172 consider resolution establishing some additional fees related to the cemetery. #1

173 *Steve Soulier made a motion to postpone this item until the next City Council meeting, in order for*  
174 *the City Council to have sufficient time to review City Attorney, Bruce Jorgensen's comments on a*  
175 *draft of the ordinance. Al Moser seconded the motion. A vote was called and the motion passed*  
176 *unanimously with Lloyd Berentzen, Kevin Dustin, Al Moser, Elaine Nelson and Steve Soulier*  
177 *voting in favor.*

178

179 Consider Graffiti ordinance. #1

180 The City Council briefly discussed this; and Steve Soulier mentioned the added paragraph that  
181 was put into the ordinance.

182

183 *Steve Soulier made a motion to approve the ordinance as presented with the suggested changes*  
184 *made to the ordinance by City Attorney, Bruce Jorgensen. Al Moser seconded the motion. A*  
185 *vote was called and the motion passed unanimously with Kevin Dustin, Lloyd Berentzen, Al*  
186 *Moser, Steve Soulier and Elaine Nelson voting in favor.*

187

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

189 Jeff Jorgensen mentioned the document that he had given to the City Council regarding the  
190 evaluation from Zan Murray, of JUB, about the water rights that were for sale. Jeff explained that  
191 the city does not have enough in the budget to buy the rights outright, and that Zan seems to  
192 think they are a bit overpriced. Jeff said that he suggests pursuing this, following Zan's  
193 recommendations, which is to propose a lower purchase price, and once they were acquired,  
194 convert them into a new water right. Jeff said this will take a little longer, and a bit more money,  
195 but that the city could potentially end up with almost twice as much water right by making it a new  
196 water right and taking credit for the recharge that would result to the aquifer. He said the city  
197 might have to pay Zan approximately a couple hundred dollars to do some more work on this.  
198 Jeff asked for the council's permission to move forward with this and offer up to \$2,500 per acre-  
199 foot of water right, to which the council agreed.

200 Jeff discussed a meeting in which Hyde Park is offering emergency training, specifically for  
201 Mayors and city council members. He briefly explained the training that is being offered, and said  
202 it is to help them understand what their role is in a disaster. He said the meeting is on March 11  
203 (the second Wednesday of the month) at 5:00pm, and there is no charge, and that Hyde Park is  
204 trying to gauge the various cities' interest in attending. Mayor Watkins said North Logan City  
205 would in fact be interested in attending.

206

207 Mayor Watkins discussed the status of the 200 East project and a letter he wrote; and asked Jeff  
208 to explain the outcome of the meeting Jeff attended with UDOT in Ogden the previous day, which  
209 he proceeded to do. Jeff further explained the issues and the various potential alternatives,  
210 including the fact that all of the options have a significant effect on the ice center; primarily their  
211 parking lot. Jeff said he explained to UDOT that North Logan City is going to develop 200 East  
212 regardless, and said that UDOT realized their need to participate in this in a way that also  
213 accommodates North Logan City. He further explained his discussion with UDOT regarding  
214 roundabouts. He essentially said the situation is still complicated, and Mayor Watkins agreed.  
215 Mayor Watkins said something will have to be done so that any decisions made in the

216 construction of the first phase of the project would not prevent any of the routes under  
217 consideration from being chosen.

218

219 Steve Soulier referred to the issue of dog and cat licensing, which he said is done on an annual  
220 basis, and briefly explained the negative issues with doing it this frequently. He said the Police  
221 Department Committee recommended revising our ordinances so that the cities will instead  
222 require the licensing to correlate with the timing of the required shots, which is actually more like  
223 a three-year cycle, and will therefore be less of a burden on everyone concerned.

224 Jeff said the only reason the city has done it so frequently, is in order not only to better identify  
225 the animal(s); but also to help the owners make sure that the pets' rabies are up to date. He said  
226 a letter to the owner a month prior to their rabies being due is a much better way to remind pet  
227 owners before the rabies vaccination is due. Jeff said he would also *not* recommend raising the  
228 fee, which really just covers the cost of doing it; and should not be a "fundraiser".

229

230 Lloyd Berentzen discussed the issue of public comments made by citizens, and that the city  
231 should make sure they are responding to those citizens.

232

233 Kevin Dustin mentioned a piece of open space property that the council may be discussing in the  
234 near future; property that is behind the Sorenson's, who live at 1045 E 2650 N. He also  
235 mentioned an issue the city was having with a multiple occupancy situation that the council had  
236 previously discussed. Mayor Watkins and Jeff said the owners said that situation would be  
237 resolved specifically by the end of the fall semester, and Mayor Watkins said if it has not been  
238 done, there is still an issue.

239

240 Elaine Nelson discussed the fact that she received something she considered a "hate" letter this  
241 week regarding her perceived role in enforcing compliance with nuisance ordinances. She said  
242 that she feels that the North Logan Police Department needs to explain to citizens who are out of  
243 compliance of an ordinance that the City Council is working in *concert* with the police department.  
244 She said she really does want the city to work with these various owners to resolve the issues in  
245 an agreeable manner. Mayor Watkins said this is how the situations are handled.

246

247

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

251

252

253 The meeting adjourned at: 7:20pm.

254

255

256 Approved by City Council:

March 4, 2009

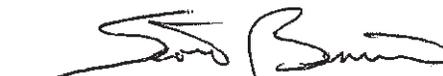
257

258

259 Transcribed by Marie Wilhelm

260

261 Recorded by



\_\_\_\_\_  
Scott Bennett/City Recorder

262

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265

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

269

1. Annual City Council meeting binders in the Office of the City Recorder

270

2. Budget folders in the Office of the City Recorder

271

3. Special Project folders in the Office of the City Administrator

272

4. Subdivision Folders in the Office in the City Engineer