

1 **Minutes of the North Logan City**
 2 **City Council**
 3 **Held on February 18, 2009**
 4 **At the North Logan City Library, North Logan, Utah**

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

8
9 Council members present were: Kevin Dustin, Steve Soulier, Al Moser, and Elaine Nelson.
10 (Lloyd Berentzen was excused)

11
12 Others present were: Reed Sorensen, Alan Luce, Russell Goodwin, Tom Jensen, Herald
13 Journal, Dee Israelsen, Corey Walker, Tom Higginbotham, Drake Oldham, Arthur Wardle, Collin
14 Goodin, Val Sorensen, Clark Knighton, Braden Carroll, Mike Benson, Anthony Sorenson, Kurtis
15 Sheldon, Dallin Perkes, Jace Egbert, Ryan Francis, B.J. Johnson, Carson Lamb, Jordon Hunt,
16 Thomas Lundberg, Tanner Lundberg, Sam Anderson, Clint Field, Carlos F. Andersen, Kay
17 Gilgen, Nancy Potter, Lydia Embry, Marie Wilhelm, Scott Bennett, Cordell Batt, Jeff Jorgensen,
18 and Kim Weis.

19
20 The Pledge of Allegiance was led by Mayor Watkins
21 An invocation was given by Kevin Dustin

22
23 **Adoption of Agenda**

24 *Steve Soulier made a motion to adopt the agenda with the following modifications: Delete item 8,*
25 *Consider a resolution approving an interlocal agreement with Logan City enabling joint use*
26 *between the two libraries for North Logan and Logan City residents; delete item 10, Discuss*
27 *assumptions and basic parameters for the development of the municipal budget for FY2010, and*
28 *move item 7, Consider request to allow transfer of open space within the North Park Village*
29 *subdivision before item 4. Al Moser seconded the motion. A vote was called and the motion*
30 *passed unanimously with Kevin Dustin, Al Moser, Elaine Nelson, and Steve Soulier voting in*
31 *favor.*

32
33 **Approval and Follow-up of Minutes for February 4, 2009 City Council Meeting**

34 Not available for review at this meeting.

35
36 **Follow-up**

37 Nothing at this time.

38
39 **Review of Action Items**

40 Jeff Jorgensen had highlighted the changes since the last meeting. There were no questions
41 from the council.

42
43 **New Business**

44 Open Public Input Forum (Citizens are invited to schedule one of two five-minute times through
45 the City Recorder). No Public input was given.

46 **Consider appointments to vacancies in the following:**

47 North Logan City's representative to the Cache Valley Transit Board – Mayor Watkins
48 nominated Sally Peterson to the Transit Board. *Al Moser made a motion to approve the*
49 *nomination. Steve Soulier seconded the motion. A vote was called and the motion passed*
50 *unanimously with Kevin Dustin, Al Moser, Elaine Nelson, and Steve Soulier voting in favor.*

51
52 Planning Commission - Mayor Watkins nominated reappointments of Glen Hansen and
53 Keith Christensen to the Planning Commission. *Steve Soulier made a motion to approve the*
54 *nominations. Al Moser seconded the motion. Glen Hansen's term will end on December 31,*
55 *2011 and Keith Christensen's term will end on December 31, 2010. A vote was called and the*

56 *motion passed unanimously with Kevin Dustin, Al Moser, Elaine Nelson, and Steve Soulier voting*
57 *in favor.*

58 Consider request to allow transfer of open space within the North Park Village subdivision. #1

59 Jeff Jorgensen gave a brief overview: The Sorensens have been leasing open space from
60 owners in the North Park Village subdivision and are requesting to purchase property. This issue
61 is coming before the Council because it was originally set up that the City would have first right of
62 refusal if the property came up for sale. Jeff recommended that if the Sorensens were to
63 purchase the property that they enter into an agreement with the City to regain the first right of
64 refusal if they ever decided to sell the property. The location is an ideal place for a park and
65 property owners around the area thought that it might be a park when they purchased their
66 properties. He doesn't know if the City is in a position to purchase it at this time. If Sorensens
67 were to purchase property it would still need to remain open space. City might want to make an
68 arrangement in any agreement to keep open space restrictions in place or make slight
69 modifications for equestrian use. Original agreed upon usage was grazing of animals. Jeff
70 Jorgensen recommended that he draft an agreement and bring it before the Council at a future
71 meeting. Reed Sorensen stated that he was looking to get a quit claim deed from the current
72 owners and put it in their (the Sorensen's) name. Mr. Sorensen plans to keep it open space and
73 wants to come up with an agreement similar to what is currently allowed by a conditional use
74 permit in open spaces in the city.

75 Councilmember Elaine Nelson commended the Sorensens for doing an excellent job maintaining
76 the leased property. She stated that as a representative of the Park board, the City should be
77 looking into the cost of the property since park space is critical and she feels that the residents of
78 that subdivision expect there to be a park. Councilmember Nelson would like the City to look into
79 purchasing the property and maybe leasing it back to the Sorensens. Councilmember Kevin
80 Dustin asked if city had interest in this particular property. Are there other possibilities for parks
81 elsewhere? He would be in favor of an agreement that gives the City first right of refusal and
82 feels we need to let the Sorensens move forward if the City will not be purchasing it. Jeff
83 Jorgensen will check on the selling price and see if it's within the City's reach. If it's out of the
84 City's reach he'll come back to the Council with an agreement to protect the City's interest.
85 Councilmember Al Moser would like to see an agreement that clearly specifies what can be done
86 with the property (structures, open space, etc.). Councilmember Steve Soulier would like the
87 Planning and Zoning department look at this issue for the Open Space Plan as a high priority so
88 the City can look to see how this piece of property fits in, if this property needs protection. He
89 believes the City should expedite this inquiry so that we can get the transfer done as quickly as
90 possible. It was agreed that the City should complete its consideration within two months to bring
91 this matter before the Council for a purchase or an agreement with the Sorensens.

92

93 Consider approval of development plan for Stone Gates Estates, a subdivision of 4.32 acres into
94 seven lots located at approximately 1475 E. 1900 N. #4

95 Cordell Batt, of the Planning department, looked at the concept plan and gave approval. At
96 concept plan approval applicant was asked to address the following issues: grading and drainage
97 plans; soils report; and, water conservation report explaining how water shares were to be split on
98 property. This property is in a typical subdivision which is zoned R-1-12. Applicant could ask for
99 up to 15 lots with acreage they have, they are asking for 7 lots. A public road will be at 1475
100 East, all required reports and studies have been submitted and staff has reviewed them and are
101 comfortable with the results. Staff recommendation is for City Council to review submitted
102 materials, discuss at the meeting tonight, receive public comments, and consider approving this
103 development plan and preliminary plat for Stone Gate Estates subdivision with condition that City
104 Engineer work out any and all outstanding issues before final plat approval and construction
105 drawing submittals. Al Moser asked if City Engineer or roads people reviewed the radius on cul-
106 de-sac. It was reported that they had approved the radius. Steve Soulier asked if there were
107 sufficient amounts of secondary water. Cordell Batt commented that a note on plat will dictate the
108 amount of secondary water and shares of distribution of irrigation pipe system with a note from
109 the irrigation company that there are enough shares. They are still working on acquiring the ½

110 share per acre of the secondary water. *Steve Soulier made a motion to approve the development*
111 *plan with the understanding that the requirements for secondary water be on the final plat. Kevin*
112 *Dustin seconded the motion. A vote was called and the motion passed unanimously with Kevin*
113 *Dustin, Al Moser, Elaine Nelson, and Steve Soulier voting in favor.*

114

115 Review draft architectural plans for the proposed new municipal office building. #1

116 Mayor Watkins introduced Tom Jensen as the representative from Architectural Nexus, the firm
117 doing the initial architecture work. Mayor Watkins informed the Council that the design was not
118 set in stone but identified the needs of the City. Mr. Jensen introduced Brent Davies as the
119 project architect for the programming and concept study of city hall and the police facility. The
120 current design ensures compatibility with existing library and is 21,935 square feet.

121 Brent Davies went over the plan showing that the entrance to the community center is linked
122 between the library and city offices, showing where the ramp was going into the Sally port,
123 explained that the Community Center could accommodate up to 200 people for receptions which
124 can be divided into two rooms, etc. and would double the size of the current space, etc. The new
125 plan takes into consideration growth through the year 2040. Soil testing would be needed to
126 determine water table for basement. There was a question from the audience regarding the City
127 Hall being located in the City Center. Mayor Watkins explained that plans changed a while ago to
128 utilize the land that the City had at the library site and to connect it to a community center. A City
129 Center is still in the plans, but will have revenue producing entities and residential areas. Mayor
130 Watkins explained that the City has maxed out their office space for administrative offices. He
131 asked that we look to the future and hopefully build this within five years, the cost will be around
132 \$4.8m in today's dollars and the City will need to bond to pay for it. A discussion ensued
133 regarding the strategy of the timing to build and take advantage of the lower construction costs
134 due to the economy. The architect's recommendation was to build during a recession as it would
135 be in the best interest of the City. Mayor Watkins discussed bonding and the impact on the
136 community, would the community support this project?

137

138 Consider an ordinance revising some of the policies and regulations for the city cemetery. Also
139 consider a resolution establishing some additional fees related to the cemetery.

140 Mayor Watkins commended the Cemetery Advisory Committee (CAC) for their efforts over the
141 years to get the cemetery running where it is today. A new ordinance is needed to clear up
142 ambiguous language in the current ordinance. Mayor Watkins addressed concerns over
143 eliminating reference to cemetery board and mentioned that the CAC will continue to advise the
144 Council. Mayor Watkins would like to see the CAC help form a Cemetery District. When the
145 Cemetery District is formed the CAC would be dissolved as there would be a separate elected
146 board and taxing district. Al Moser echoed Mayor Watkins in thanking the hard work of CAC of
147 getting the ordinance and resolution to where it is and would like them to continue their
148 outstanding work. He mentioned the importance of the formation of an autonomous Cemetery
149 District so that the demands on general fund monies are no longer needed from the City.

150 Allen Luce reviewed the ordinance on the overhead and explained that he was able to talk with
151 other sextons and study websites to come up with a solid ordinance. Jeff Jorgensen spoke of
152 how some items were incorporated based on questions that were brought up by the public while
153 going through the process, such as, how to intern someone who's been cremated, etc. Steve
154 Soulier mentioned that the resident restrictions had been a thorn in the side and likes the new
155 description.

156 *Al Moser moved to approve the ordinance as presented. Steve Soulier seconded the motion.*

157 Formal discussion: Kay Gilgen was concerned about the language of the CAC being omitted
158 from the ordinance, he felt discussions should go to committee and not just stay in the council's
159 hands. Mayor Watkins and Steve Soulier clarified the role of the CAC, they should not be a
160 legally established entity because of the requirements they would need to follow to meet. Without
161 a cemetery district, decisions default to the Council anyway. Steve Soulier gave an example of
162 the Parks Board to show the close relation they have with the Council. The Parks Board is not a

163 voting entity, but they bring recommendations to the mayor and most items that have been voted
164 on by the Council originated from the Parks Board.

165 Al Moser expanded by explaining that the Council was trying to pass an ordinance that would
166 become law and further explained the problems with the Open Meetings Act that would make this
167 advisory committee's responsibilities overwhelming. He explained that if it was a group required
168 by ordinance to be established, they'd need to keep minutes and record the meetings, etc. Jeff
169 Jorgensen expressed concern that if the ordinance referenced a Cemetery Board with certain
170 responsibilities then it would have to treat it as it does the Library Board. He also recommended
171 that the CAC remain to be of assistance to the Council. Steve Soulier asked members of the
172 CAC if there were any items in the ordinance that were not cleared with their committee that need
173 to be discussed.

174 Nancy Potter also expressed concern over the CAC being eliminated from the language of the
175 ordinance. The concern is that council members come and go and the CAC wants to have some
176 say about what goes on at the cemetery since it may be some time before a Cemetery District is
177 formed. Kevin Dustin explained that even on the CAC, members come and go and thinks that
178 there's some degree of paranoia that doesn't need to be there and that the dialog needs to go
179 both ways. Councilmember Dustin echoed Steve Soulier's remarks that the Council usually
180 heeds the advice of advisory boards and has never seen them ignore their findings.

181 A member of the CAC relayed that he had heard that the City was going to trade property for a
182 church and it was an alarming statement since there had not been any contact with the CAC.
183 There were concerns that the property would be nibbled away to a school or something else,
184 decisions being made without input from the advisory committee.

185 Community member, Carlos Andersen, said he wants to know if the ordinance spelled out the
186 requirements on ground preparations for headstones and monuments to be placed. He was
187 concerned about tilting that has occurred in other older cemeteries and thinks that the ground
188 needs to be compacted with footings to avoid this in our cemetery. Allen Luce stated that the
189 ordinance does address a requirement that the monument companies must adhere to. Normally
190 the companies can come in at will, even in the middle of the night for installation of headstones,
191 however, because of the sloping of grounds in North Logan the monument companies must work
192 under the direction of the cemetery staff.

193 *Al Moser amended his motion such that the ordinance would require a specified, engineered*
194 *standard for compaction of soils under the headstones. Steve Soulier accepted the amendment.*
195 *A vote was called and the motion passed unanimously with Kevin Dustin, Al Moser, Elaine*
196 *Nelson, and Steve Soulier voting in favor.*

197
198 A discussion ensued regarding the resolution and Elaine Nelson and Steve Soulier asked if the
199 City's prices are in line with other cities, especially since Logan has recently raised their rates.
200 North Logan's rates are lower than Logan's prices, but higher than other surrounding cities. Al
201 Moser stated that the Resolution could move forward and the Council could always raise their
202 rates at a future time.

203 *Al Moser made a motion to pass the Resolution as written and Elaine Nelson seconded. A vote*
204 *was called and the motion passed unanimously with Kevin Dustin, Al Moser, Elaine Nelson, and*
205 *Steve Soulier voting in favor.*

206

207 Consider approval of franchise agreement with Questar Gas. #1

208 Steve Soulier questioned the fee for the franchise agreement and stated that the figure may be
209 outdated. Kevin Dustin said he felt that there weren't any other options for companies that could
210 provide gas to our citizens and the fee seemed reasonable to him.

211 *Kevin Dustin moved to approve agreement and Elaine Nelson seconded. A vote was called and*
212 *the motion passed unanimously with Kevin Dustin, Al Moser, Elaine Nelson, and Steve Soulier*
213 *voting in favor.*

214

215

216 Discuss assumptions and basic parameters for the development of the municipal budget for
217 FY2010.

218 This item was tabled.

219

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

221 Jeff Jorgensen referenced the water rights and asked if the Council was in agreement of offering
222 \$2,300 a share. He will make the offer official the next day and will bring it back to the Council for
223 a budget adjustment if the offer was accepted. Jeff Jorgensen will move forward with the offer as
224 the Council was in agreement.

225

226 Kevin Dustin asked the Council if they would consider sponsoring the Spice on Ice for \$600 as
227 requested (other cities are pitching in). Elaine Nelson mentioned that the City has already given
228 the Eccles Ice Arena \$144,000 worth of infrastructure improvement and there is no mention of
229 North Logan's donation among their wall of plaques. No consensus was given and Kevin Dustin
230 will take the concerns back to the ice arena board.

231

232 7:09pm Kevin Dustin left the meeting at this time.

233

234 Scott Bennett gave a presentation on administrative overhead time (mostly Accounts Payable
235 and Payroll's time) spent on different departments in an attempt to appropriately distribute the
236 administrative fee. The allocation would be approximately \$25,000 per month. Currently the
237 charges are going to water, sewer, and storm water. To evenly distribute the administrative fee,
238 the library and police departments should be included for future budgets since they have a high
239 percentage of time spent on them by administrative personnel. Steve Soulier expressed
240 concerns over doing this mid-year and said he would rather take a look at this at the next budget
241 cycle. Jeff Jorgensen explained that the only time the departments would be paying this
242 administrative allocation would be when there are other fund revenue sources, i.e. the two utility
243 enterprise funds, the stormwater fund, and library and police. Jeff Jorgensen mentioned that this
244 issue came up when it was noticed that Utah League of Cities and Towns dues and Casselle fees
245 were being charged to the benefits of the police department. Al Moser thinks redistributing the
246 administrative fee is a good idea since the water and sewer fund have paid their share and more.
247 He thinks the fee should be evenly distributed amongst the departments that are using the
248 services.

249

250

251 Mayor Watkins told the Council that he's back in discussions with the City of Logan regarding the
252 two cities' common boundary in the area around Main Street and 200 West. There is some
253 progress but he doesn't know where it's going to lead due to the assignment of tax revenue being
254 a bone of contention. However, the agreement is that there is a basic assumption on the sales
255 tax revenue of being shared 50/50. He asked the Council if the sales tax issue could be taken off
256 the table, would the council be more in favor of looking at a boundary change? Data is being
257 developed to see how the borders might be changed between 1800 North to 2500 North.
258 Currently, the data is being gathered on businesses that have a mutual benefit. The line of
259 demarcation should probably be at 200 West. Businesses that may be on the table for a 50/50
260 split are Lynn's Audio and Video, Hamilton's and a future Target. After the data is developed it
261 would be brought to the Council for discussion. Taking the sales tax out of the discussion would
262 allow more pressing issues to be addressed, i.e., police protection, utilities, sewer, having just
263 one city to deal with, etc.

264

265

266 Steve Soulier made a motion to adjourn the meeting. Al Moser seconded the motion. A vote was
267 called and the motion passed unanimously with Al Moser, Steve Soulier, and Elaine Nelson
268 voting in favor.

269

270 The meeting adjourned at: 7:18pm

271

272

273 Approved by City Council:

March 4, 2009

274

275

276 Transcribed by Kim Weis

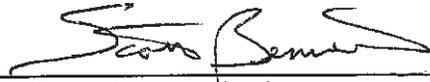
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278 Recorded by

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Scott Bennett/City Recorder

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283

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

286

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

287

2. Budget folders in the Office of the City Recorder

288

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

289

4. Subdivision Folders in the Office in the City Engineer