

1 **Minutes of the North Logan City**
2 **City Council**
3 **Held on January 20, 2010**
4 **At the North Logan City Library, North Logan, Utah**

5
6 The meeting was called to order by Mayor Berentzen at 6:30 p.m.

7
8 Council members present were: Al Moser, Kevin Dustin, Nancy Potter, John Bailey, and Allen
9 Kartchner.

10
11 Others present were: John Powell, Steve Soulier, Janet Soulier, Dan Turner, Elaine Nelson,
12 Steven C. Taylor, Justin Taylor, Kay Kartchner, Scott Bennett, and Kim Weis.

13
14 The Pledge of Allegiance was led by Nancy Potter.
15 An invocation was given by Allen Kartchner.

16
17 **Adoption of Agenda**

18 *Al Moser made a motion to adopt the agenda to allow immediate presentation of awards. Nancy*
19 *Potter seconded the motion. A vote was called and the motion passed unanimously with Al*
20 *Moser, Kevin Dustin, Nancy Potter, John Bailey, and Allen Kartchner voting in favor.*

21
22 **Presentation of Awards**

23 Mayor Berentzen presented past Council members, Steve Soulier and Elaine Nelson, with a
24 plaque recognizing their outstanding service to the City. Mayor Berentzen also presented past
25 Mayor, Cary Watkins with a plaque recognizing his outstanding service to the City.

26
27 **Approval and Follow-up of Minutes for January 6th, 2010 City Council Meeting.**

28 No minutes available.

29
30 **Follow-up**

31 None at this time.

32
33 **Review of Action Items**

34 Cordell Batt stated that the annexation work should drop off the list since it has been completed.

35
36 **New Business** #1

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

39 Lydia Embry – Spoke about the confusing signs for the roundabout.

40
41 Consider the concept plan for the Northern Meadows Subdivision, a 6-lot subdivision (2.0 acres)
42 in the R-1-12 zone located at approximately 800 East and 2630 North, North Logan. (Craig
43 Champlin)

44 Cordell Batt gave a brief overview of the Northern Meadows Subdivision concept plan. The
45 developers are proposing a six-lot subdivision with a 55-foot road and a cul-de-sac off of 800
46 East. They are using the density determinant option, which restricts the number of lots based on
47 the acreage in the property and an R-1-12 zoning. This would allow for six lots, some of which
48 can be slightly smaller than 12,000 sq ft depending on the layout of the lots. The developer is
49 asking that the geology report be waived and agree to complete the following reports: soils as
50 well as grading and drainage plan. They will be identifying where the stormwater will be flowing,
51 the current plan is to have it go through the west end of the development. The property was
52 purchased without the water rights since he was told there were no water rights. However, he is
53 checking with the canal company to see if this is accurate. He does have other water rights that

54 he can use with this property. The Planning Commission reviewed the concept plan at the
55 January 7th meeting and made a positive recommendation to the City Council.

56 Al Moser pointed out that four of the lots are smaller than 12,000 sq ft. Some are as small as
57 10,000 sq ft. Cordell Batt stated the developer had three options: standard development,
58 minimum 12,000 square feet lots with the density allowed; density determinant, smaller lots
59 without going over the density allowed; or bonus density, where the developer could donate to
60 open space. John Bailey questioned if the proposed storm water would be a closed pond with
61 total containment. Cordell Batt stated that the engineer is on board but those details are not
62 required for the concept plan and the details will be seen on the development plan. Dan Turner,
63 the engineer for this project, stated that the development plan would show the best storm water
64 containment for this project which would also be the most cost effective. They would have to
65 retain all the water on site. He pointed out that there is historical runoff with a certain percentage
66 of the stormwater going off site now. Allen Kartchner observed that currently the runoff probably
67 does not remain on site. Nancy Potter expressed concern with the lot that is .23 acres since the
68 lot next to it is over double that size. She asked if the lot could be increased with the land being
69 redistributed from the larger lots. Dan Turner stated that the size of the lots could be increased,
70 but at this point they are looking at the project from its economic viability and smaller lots are
71 selling for a higher amount and are more in demand, specifically from younger couples since both
72 usually work and do not have time to take care of yards. Allen Kartchner asked about access to
73 the undeveloped land behind this project. Cordell Batt has looked into this and has spoken with
74 Brent Hogan who owns the undeveloped land and Mr. Hogan has access from 800 East. The
75 owners to the North are not interested in doing anything. Staff has looked at what surrounds the
76 surrounding property around the proposed development.

77
78 *Al Moser made a motion to approve the concept plan. Kevin Dustin seconded the motion. A vote*
79 *was called and the motion passed unanimously with Al Moser, Kevin Dustin, Nancy Potter, John*
80 *Bailey, and Allen Kartchner voting in favor.*

81

82 Consider the concept plan for the Krebs Trust Subdivision, a 5-lot subdivision (5.0 acres) in the
83 RE-1 zone located at approximately 1250 East and 2700 North, North Logan. (Krebs Trust
84 represented by Steven Taylor)

85 Cordell Batt gave a brief overview of the Krebs Trust Subdivision. The property went into trust
86 when Mr. Krebs died and they want to subdivide the five acres into five lots. Most of the lots will
87 be an acre with a few being slightly less due to the existing house, barns, and structures and will
88 fall under the subdivision ordinance's bonus density option. The family is asking that the geology
89 report be waived and agree to the following reports: soils as well as the grading and drainage
90 plan. Since building has occurred in the area the soils report will most likely be a simplified
91 report. They will be required to do a conservation plan and work with the irrigation company on
92 their existing water shares and have a secondary system. A surveyor has been hired to
93 determine the property lines and any issues will be worked out before the development plan
94 phase. The development plan will probably have the road issue worked out. Infrastructure will
95 also be identified and they will propose an agreement to the Planning Commission which will then
96 go before the Council. The Planning Commission reviewed the concept plan and made a
97 recommendation for approval, so staff is recommending approval by the City Council.

98

99 John Bailey said he wants to make the project subject to approval once the road issues have
100 been resolved or included. There were questions about which buildings would be going with the
101 different lots. There were questions on access to the lots. Nancy Potter asked about the size of
102 the lots in the general area and the animal rights that go with these proposed lots. Cordell Batt
103 stated that the area has larger lots and that animal rights are automatically determined by the size
104 of the lots. Allen Kartchner expressed concern with Lot two and the proposed entrance and exit
105 being on a curve. Cordell Batt stated the development agreement can have a stipulation to look
106 at that issue. Allen also expressed concern that east of the subdivision on the northern side of
107 the road, 2700 N comes to an abrupt end. If the line of the road was continued down to 1250

108 east it would severely cut the front yard to the existing home. There has been some discussion
109 with Ross Lapray and the issue will be worked out, especially since the road will not be a major
110 road.

111
112 *Kevin Dustin made a motion to approve the concept plan for the Krebs Trust Subdivision. Al*
113 *Moser seconded the motion. A vote was called and the motion passed unanimously with Al*
114 *Moser, Kevin Dustin, Nancy Potter, John Bailey, and Allen Kartchner voting in favor.*

115
116 Kevin Dustin stated that there are more questions with this development due to the unique issues
117 and he hopes that the developer has listened to the concerns.

118
119 Review proposed ordinance modifying misc. land use regulations. A summary of the reasons for
120 the proposed ordinance will be explained to the council.

121 Cordell Batt gave a brief overview on the proposed ordinance modifying miscellaneous land use
122 regulations. There is an existing City code that needs to be corrected to coincide with the way it
123 is being handled in the office. The proposed ordinance has been reviewed by the City's attorney.
124 There are two things the proposed ordinance addresses: one, it would change the definition to
125 add "approved accessory or detached accessory dwelling", thereby allowing detached units which
126 follow building codes and setback requirements; and two, changing the licensing requirements for
127 accessory buildings.

128 An accessory dwelling unit in another building on the property allows for more than one family to
129 live on a given parcel and could be is termed as "affordable housing" by the State. Once the
130 transportation element has been completed, the planning commission will be looking at the
131 housing element to address State requirements to meet the criteria for affordable housing.
132 Cordell explained that when he was originally hired the process to authorize an accessory
133 dwelling unit was completed when a letter was sent out stating that the accessory dwelling had
134 been approved. About a year later he noticed the code required licensing and a fee, however,
135 that was never put in place.

136 The proposed ordinance also addresses a change in the matrix on permitted and conditional
137 uses. Changing the matrix will allow commercial and industrial areas to allow uses that have not
138 been previously allowed. Instead of having to go through a rezone process, low impact uses that
139 are compatible with either commercial or industrial areas would be allowed. An example he gave
140 was for a multi-family to be allowed in a commercial area or a small commercial allowed in a
141 residential area, basically the criteria similar to a mixed-use project.

142 The last change would clear up the language on the height restrictions and setbacks as it is hard
143 for staff to understand what it meant. The new language would make it straightforward and limit it
144 to 35 feet and taking out "whichever is greater" since it is not what staff thinks was the original
145 intent of the council. Lastly, some building codes have changed regarding building close to a
146 property line and the changes proposed in this ordinance will clarify these setback requirements.

147 Nancy Potter had concerns that the lettering and numbering are not in the right order and she
148 also wants the language to be more generic for owners not occupying the residences for long
149 periods of time. John Bailey asked about limiting the accessory buildings to one per lot and
150 asked if it was independent of the lot size. He wants the density issue and the lot size to be
151 addressed. Cordell stated that there are criteria that they would have to meet for a conditional
152 use permit, such as, parking spots, separate entrances, etc. Naturally, the smaller lots would be
153 limited and the Council could certainly look at limiting certain areas. Plus only one additional
154 habitation could be built.

155 Cordell stated that there will be a public hearing on this ordinance at the council meeting on
156 February 3rd.

157
158
159

160 Workshop to review, discuss and change as needed the proposed Transportation Element for the
161 city's General Plan. Following the workshop the council may consider a resolution adopting the
162 element into the plan.

163 Cordell Batt gave a brief overview on the proposed Transportation Element, an element of the
164 General Plan. He stated that this has been in the works for over a year and the land use portion
165 had been worked on for a couple of years before that. An important portion of the Transportation
166 Element is the map. They use the map when development is proposed to see how the
167 transportation needs are being addressed, specifically how it affects the property being built on
168 the surrounding areas. They have added a priorities map which is tied to the capital facilities
169 plan. The third map has additional transportation information that clarifies different types of roads
170 that were not previously identified. A committee worked on this ordinance to simplify it using a
171 model ordinance and then they submitted it to the planning commission. The planning
172 commission spent several months working on it, leaning toward traditional neighborhood
173 planning. They addressed the roads and how they work with the developments, North Logan's
174 road system works well because it is based on a grid system.

175 Mayor Berentzen proposed that the Council and public make comments because this item is a
176 workshop. Al Moser already submitted changes that need to be made and asked that the maps
177 be enlarged. He also suggested changing the word "shall" to "should" since this is not an
178 ordinance. Alan Collins stated that a public hearing should be held since the Transportation
179 Element is part of the General Plan and sets the direction for the City. Mayor Berentzen agreed
180 with Mr. Collins and wants the Council to address it in its form to have a clean plan to present to
181 the public. Changes will be made and the Transportation Element will be resubmitted to the
182 Council.

183

184 Monthly financial status report.

185 Scott Bennett gave the monthly financial status report and stated that the City is nearly where
186 they had forecasted to be. The sales tax is a little higher than expectation and the property tax is
187 about 5% higher than expected. Nancy Potter asked if the sales tax has been impacted by the
188 new Wal-Mart and Scott stated that it had not impacted as much as originally thought. Scott
189 reported that the energy sales and use tax is a little above the projected target, building permits
190 are higher than expected, and court fines are lower than expected. The City will not receive
191 another Class "C" inflow until next month. Overall the revenue is on target. He reported that
192 refuse collections are on target, road impact fees are higher, park impact fees are higher, water
193 impact fees are higher, sewer impact fees are higher, metered water sales are higher, and sewer
194 collection fees are right on target. Sewer payments are above target and the issue is still being
195 worked on, Logan City acknowledges their calculations are wrong. Allen Kartchner asked if there
196 was any way to refuse to pay Logan City since North Logan's been paying twice as much as they
197 should have. Kevin Dustin stated that there may some agreement that prohibits North Logan
198 from doing that. Jeff Jorgensen will be talking with the attorney to see if it is legal to withhold
199 payments. John Bailey expressed concerns with the cash accounts, especially if the trend
200 continues. He also stated that the expenditures versus the revenues are opposite from last
201 year's budget. Scott stated that the 200 East project has impacted the figures on the budget but
202 North Logan will be reimbursed and will change some of the figures.

203

204 Reports from city officers, boards, and committees.

205 Nancy Potter addressed the Council and asked for guidance on how to respond to people who
206 stop her and ask questions regarding snow and ice removal and the reasonable amount of time
207 to expect it to be removed. The Council discussed their experiences with snow removal. Mayor
208 Berentzen stated that he will check with Scott Gilgen to see if it needs to be looked at a little
209 better.

210 Nancy was called about a survey being conducted to tear down Thomas Edison Charter School
211 and rebuild it elsewhere. She asked if there were road plans for the school. Mayor Berentzen
212 stated that the surveying is probably being conducted on the federal level tied into the
213 environmental studies with the 200 East project.

214 Nancy said she had talked with Jeff regarding the boundary changes for the two elementary
215 schools. She expressed concern over the lack of sidewalks going east to west. Chief Hawkes
216 has talked with the school district has found out they have not made a final decision on this issue.
217 Cordell has printed off some maps to look at sidewalks. Mayor Berentzen questioned whether it
218 was legal for a school district to make decisions that would force a City to make road changes.
219 He stated that there seems to be something not legally correct since the District is not elected to
220 represent the City. John Bailey offered to work with the school and the Mayor to gain an
221 understanding of the City's obligations.
222 Cordell talked about a training opportunity for the Council and had placed a flyer in their boxes.
223 The Council told the Mayor that the 6:30 meeting time is working for them. Mayor Berentzen
224 stated that the newsletter will have an article on a development of a North Logan historical
225 society. It will encourage lifelong members of North Logan to join the society to paint a long term
226 history of the area. He wants to talk with each Council member and their interests in the different
227 committees they can serve on. He is also seeking comments on the shared North Logan/Logan
228 boundary on the west side of Main Street. Mayor Berentzen stated that he wants to ensure there
229 is a level of openness with media requests since Logan City got grilled over their new policy.

230
231 *Al Moser made a motion to adjourn the meeting. Kevin Dustin seconded the motion. A vote was*
232 *called and the motion passed unanimously with Al Moser, Kevin Dustin, Nancy Potter, John*
233 *Bailey, and Allen Kartchner voting in favor.*

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235 The meeting adjourned at 8:35 pm.

236
237 Approved by City Council: February 17, 2010

238
239 Transcribed by Kim Weis

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241
242 Recorded by



Scott Bennett/City Recorder

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