

55 **New Business**56 **Budget Presentation - Community Development Department:** #2

57 Cordell reviewed the work that had been done by his department over the past year including the
58 numbers of subdivisions processed, conditional use permits, etc. He said this had been a slower
59 year than last year in all areas except applications for accessory dwelling units. He said he
60 thought this was due to more people wanting to supplement their incomes by having rental units
61 in their homes.

62 Next he reviewed his proposed budget. Essentially all budget items were about the same as last
63 year except he was proposing the replacement of the city's plotter which would add about \$8,000
64 to his budget. Those funds combined with about the same amount from Protective Inspection
65 would allow for the replacement of the plotter which is worn out, outdated and costly to repair.
66 The proposed replacement plotter would also copy and scan large documents such as maps,
67 plats and engineering drawings and also allow the staff to scan these documents into the new
68 Fortis document management system.

69 Cordell also proposed some funds for consulting work for help with developing district and
70 neighborhood plans and developing form-based codes. He explained that many of the initiatives
71 put forward in the Cache Valley Envisioning process could be moved forward with such work.
72 In response to a question from Nancy Potter, Cordell explained that even though he is a
73 department of only one regular employee, the funds budgeted for travel and training are for more
74 than just himself. The Planning Commission, and Cary Watkins working as an economic
75 development volunteer for the city, also use those funds for training and some travel.

76 Al Moser pointed out that the proposed budget was an increase from last year and asked Cordell
77 to be prepared with some alternatives; some things that might be able to be cut because of the
78 expected reduction in revenue next year.

79 Mayor Berentzen expressed his desire to re-institute a Community Economic Development
80 Committee that would meet together once per month to help draw new businesses to the city.
81 Cordell Batt noted that Bruce Henderson would be moving soon and the Planning Commission
82 would therefore need another member appointed to replace him.

83

84 Public Hearing to receive public input on a proposed ordinance amending the requirements for
85 Child Care within Title 8 – Regulation of Business, Section 8-505 and Title 12A - LAND USE -
86 ZONING, Section 12A-100. The suggested amendments would modify sections of the city code
87 regulating day-care, pre-school/short term child day care, and Child Day Care Services to
88 coordinate it with Utah Code Title 26 Chapter 39. #1

89 Mayor Berentzen opened the Public Hearing at 6:55 and asked Jeff Jorgensen to explain the
90 purpose of the proposed ordinance. Jeff Jorgensen explained that this ordinance is intended to
91 bring the city code in line with state code on the issue of licensing child care businesses in the
92 city. He pointed out that copies of the ordinance being considered were available for those in
93 attendance to review. He suggested a change to the proposed ordinance based upon his
94 understanding of the city attorney's input; that change being to say that the child care licenses
95 would be required for nine "or more" rather than more nine "to twelve". He further explained that
96 in general, the ordinance was not intended to make any change to the city's requirements to get a
97 city license for operating a child care business; but it would change the number of children that
98 could be cared for before a conditional use permit was required. Jon Keller further explained that
99 their inspection process allowed them to put limits on the number of children being cared for in a
100 residence because of certain restrictions in the fire code.

101 Allen Kartchner asked about allowing the number of children to exceed twelve and whether or not
102 that was really what was allowed by the state law. Jeff said he would do some further checking
103 on that issue.

104 Michelle Yost questioned why the language in the current city code was being changed which
105 made it clear that a child care provider could have multiple sessions during a day and that only
106 the number present at one time was what was being counted. She also questioned why the city
107 code was not consistent with state code which allows a child care provider to operate for two
108 days during a week and not require a license in that case. The council agreed that this issue

109 should be further researched and discussed when the ordinance was being considered for
110 adoption during the next meeting.

111 Cordell Batt pointed out that the city may want to keep the requirement for a conditional use
112 permit for a childcare business even if the state did not require the business to be licensed.
113 There were also questions raised by Allen Kartchner about what to do if a person was caring for a
114 number of children but there was no compensation. He asked if some kind of regulations should
115 be in place for safety and neighborhood concerns even if the person giving care was not doing it
116 as a business, i.e., for compensation.

117 Jeff Jorgensen was tasked with coming back with more information to address some of the
118 concerns raised when the ordinance is considered for adoption.

119

120 *The public hearing was closed at 7:10 p.m.*

121

122 Public Hearing to receive public input on a proposed ordinance amending the requirements for
123 Restaurants with a Beer License or a Liquor License within Title 12C - LAND USE - ZONING,
124 Section 12C-1001. The suggested amendment would modify the matrix to allow Restaurants with
125 a Beer License or a Liquor License in MX-G (Mixed Use General) and CG (Commercial General)
126 Zones. #1

127 The public hearing was opened at 7:10 p.m. and Jeff Jorgensen was asked to provide some
128 background about the proposed ordinance. Jeff explained that the need for the ordinance came
129 up when Iggy's went out of business and the restaurant that was to go back into that building,
130 Aggy's, wanted to get a restaurant with liquor license. The state's quota for these types of
131 licenses was apparently used up elsewhere. The owners asked if they could get just the on-
132 premises beer retailer's license instead because the number of those types of licenses was not
133 restricted by the state. The city has zoning and quota restrictions on beer-only licenses so the
134 city was not in a position to allow them to get such a license. In checking into the issue further,
135 Jeff said he found out from the state that the concerns that the city had raised previously with
136 regard to the beer-only license could be addressed. This would be done by placing additional
137 restrictions on the beer-only licenses such that they were as restrictive in all ways as the liquor
138 licenses. Restrictions requiring that the restaurant only serve beer with a meal and a restriction
139 on the amount of beer sales to 30% of gross sales rather than 50% could also be done. Jeff also
140 explained the error in the city's assumption that the restaurant with liquor license did not allow the
141 sale of beer in closed containers for consumption off-premises. Both types of licenses allow the
142 restaurant to sell beer for consumption off premises.

143 Lydia Embry asked how many restaurants with liquor licenses were allowed state wide. No one
144 had an answer to her question.

145

146 *The public hearing was closed at 7:18*

147

148 John Bailey commented that he did not want to establish ordinances regulating the sale of
149 alcoholic beverages on a case-by-case basis. It should be done once and eliminate the need to
150 keep addressing the issue. He said the city should set a community standard and make the
151 ordinances meet that standard.

152 Allen Kartchner expressed concern about changes to the zoning matrix and allowing the sale of
153 alcoholic beverages in the mixed use zones, especially when development within those zones is
154 done on a case-by-case basis with no specific zoning guidelines to regulate them.

155 John Bailey asked what the differences were among all the various types of licenses and if there
156 really is a need for all these license types.

157 Kevin Dustin asked that the staff review the newest state legislation in this area and make sure
158 that what the city was doing matched with the newly passed laws.

159 Jeff Jorgensen and Scott Bennett were tasked with rewriting the ordinance with the input that had
160 been provided in the discussion, and come back with a modified ordinance.

161

162

163 Budget presentations – Protective Inspection Department: #2

164 Ross Lapray reviewed with the council the handout he had prepared for his proposed budget. He
165 pointed out that, for the most part, there were little, if any changes in next year's budget
166 compared to the current year. He explained that the department included 3 1/3 employees
167 (himself, two other inspectors, plus one third of the shared GIS employee). He explained that the
168 proposed decrease in books, subscriptions and dues was a result of his not having to update the
169 code books this year. This is done about every three years. There was a question about whether
170 the building code could be accessed via the internet. Ross said it could but it would cost about
171 the same, or more, to have that access. He also discussed the need for replacing the plotter.

172 Mayor Berentzen asked about the apparent disconnect between the decrease in the account for
173 the GIS employee as a contracted employee when compared to the increase in the wages and
174 benefits for him as a regular city employee. Jeff said he would put together a detailed
175 explanation showing why this was so and make it available to the council.

176 Nancy Potter asked if there was really the need to have someone attend the national building
177 code convention. Ross explained that this is where the codes are developed and rather than
178 learning about the changes only after they are adopted, which occurs every three years, he and
179 most other cities find it best to learn the changes that will be in the building code as they are
180 determined year to year.

181
182 Budget presentations – Fire Department: #2

183 Jon Keller explained the information he had provided the council in his handout. He pointed out
184 that the only real changes in his proposed budget, as compared with the current year, was the
185 increase in employees benefits and the facilities allocation. These changes were all due to
186 increases in health benefits costs and retirement costs.

187 Nancy Potter asked about the reference in the handout to an "additional employee". Jon
188 explained that no funds were in the budget for this but he was going to continue to apply for
189 federal grant money to hire another full time employee. If he got the grant, the federal
190 government would pay for the employee for the first five years but to get the funds, the city would
191 have to commit to paying for the person after those five years.

192 Jon Keller also emphasized the need to get the police department into their own building so the
193 fire department could use the entire basement to improve their ability to respond to calls.

194 John Bailey asked Chief Keller to define "call" as used in his statistics. Jon explained that meant
195 that equipment was dispatched. It could be an EMS call, a fire call, or a service call. Kevin
196 Dustin expressed his appreciation for the fire department's response to his home for a service
197 call.

198
199 Reports from city officers, boards, and committees #1

200 Jeff Jorgensen explained the handout he had provided the council regarding Hyde Park and the
201 misinformation that had been given to the residents of their city when the vote had been taken
202 several years ago when they tried to establish a tax for library service.

203 Jeff referred to a letter/petition sent to him and the council from Kay Gilgen. It was determined by
204 the council and the mayor that a response would be put together including some of the comments
205 from the attorney and members of the council. It was also determined that it would be good to
206 invite community members, the developer, and the operator of the gravel pit to meet together with
207 the council. The goal for such a meeting would be to minimize the impact on the residents in the
208 area resulting from the gravel removal operation. The council members asked the staff to make
209 sure that all current restrictions were enforced. The staff should also investigate if other
210 restrictions could be put in place - i.e., restrictions on the length of the trucks such as when they
211 are allowed to pull "pups".

212 Allen Kartchner discussed some training being hosted by the County regarding new legislation
213 and wanted to make sure the city was represented at the training. Cordell Batt said he was
214 planning on attending.

215 John Bailey asked if more information about the proposed canal projects could be made available
216 to the public. He said it seemed to him that there was a lot of misinformation. It was decided that
217 Jeff would put together some information and include it in the next issue of the newsletter.

218 Nancy Potter commented on the success of the Easter Egg Hunt and all expressed their thanks
219 to Alan Luce and the Youth City Council for putting on the event.

220 Nancy Potter asked about the plans for landscaping the roundabout at 200 E and 1800 N as well
221 as the medians along the new 200 E. Alan Luce explained that the planned landscaping included
222 plants as well as xeriscaping, but the plants were supposed to be low maintenance.

223 Mayor Berentzen and the council discussed a letter that the mayor had received from Gordon
224 Younker encouraging the city to pursue getting a trail constructed along the upper canal as part of
225 re-building that canal. The council agreed that it may be a good idea to eventually have such a
226 trail but they were concerned that having it part of the project currently being considered would
227 complicate the issues and put the project in jeopardy.

228 Kevin Dustin and Allen Kartchner said they would be absent for the council meeting on April 21st.

229

230 Executive Session (Closed) to consider acquisition of real property.

231 *John Bailey made a motion to close the meeting and move into executive session to consider*
232 *acquisition of real property. Al Moser seconded the motion. A vote was called and the motion*
233 *passed unanimously with Nancy Potter, Al Moser, Allen Kartchner, John Bailey and Kevin Dustin*
234 *voting in favor. The executive session began at 8:35 p.m.*

235

236 *Kevin Dustin made a motion to re-open the meeting and move into regular session. Al Moser*
237 *seconded the motion. A vote was called and the motion passed unanimously with Nancy Potter,*
238 *Al Moser, Allen Kartchner, John Bailey and Kevin Dustin voting in favor. The executive session*
239 *ended at 9:05 p.m.*

240

241 *Kevin Dustin made a motion to adjourn the meeting. Al Moser seconded the motion. A vote was*
242 *called and the motion failed with Kevin Dustin and Al Moser voting in favor and Nancy Potter,*
243 *John Bailey and Allen Kartchner voting against.*

244

245 Nancy Potter asked what happens to the left over funds if all the funds budgeted for the trail are
246 not used for the trail. Jeff explained that those funds would remain in that account and if not used
247 for something else in that account they would be left in fund balance at the end of the year.

248

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

252

253 The meeting adjourned at: 9:08 P.M.

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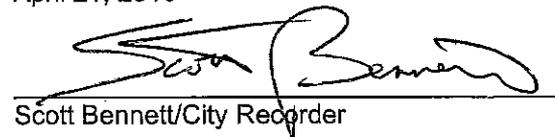
255 Approved by City Council:

April 21, 2010

256

257 Transcribed by: Jeff Jorgensen

258 Recorded by:



Scott Bennett/City Recorder

259

260

261

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

265

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

266

2. Budget folders in the Office of the City Recorder

267

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

268

4. Subdivision Folders in the Office in the City Engineer

NORTH LOGAN CITY CITY COUNCIL MEETING

Date: April 7, 2010

PLEASE print clearly:

1. _____
2. Jordan Hunt
3. Jon Keller
4. Dee Heyrend
5. Ross Jordan
6. Clark Salisbury
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In order to keep accurate records of attendance and names of speakers, we would appreciate it if you would clearly **PRINT YOUR NAME.**

IF YOU WISH TO SPEAK DURING THE MEETING:

1. PLEASE WAIT TO BE RECOGNIZED BY THE CHAIR.
2. DO NOT SPEAK FROM THE AUDIENCE.
3. STEP TO THE PODIUM AND **GIVE YOUR NAME** BEFORE PRESENTING YOUR REMARKS.
4. **PLEASE NOTE:** REMARKS NOT MADE AT THE MICROPHONE MAY NOT BECOME PART OF THE OFFICIAL RECORD, NOR BE AVAILABLE FOR COUNCIL MEMBERS TO REVIEW.