

1 **Minutes of the North Logan City**
2 **City Council**
3 **Held on May 5, 2010**
4 **At the North Logan City Library, North Logan, Utah**

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

7
8 Council members present were: Allen Kartchner, Kevin Dustin, Al Moser, Nancy Potter and
9 Mayor Lloyd Berentzen. (John Bailey was excused).

10
11 Others present were: North Park Police Chief Kim Hawkes, North Park Fire Chief Jon Keller,
12 Scott Gilgen, Larry Kocherhans (sic?), Lydia Embry, Jeff Jorgensen, Scott Bennett and Marie
13 Wilhelm.

14
15 The Pledge of Allegiance was led by Allen Kartchner.
16 An invocation was given by Al Moser.

17
18 **Adoption of Agenda**

19 Jeff Jorgensen said item number four (4) should be moved to a later time at the meeting, or the
20 end of the meeting, when Chief Kim Hawkes can be here to discuss that item, to which the City
21 Council agreed.

22
23 *Al Moser made a motion to adopt the agenda as amended. Allen Kartchner seconded the*
24 *motion. A vote was called and the motion passed unanimously with Allen Kartchner, Nancy*
25 *Potter, Kevin Dustin and Al Moser voting in favor.*

26
27 **Approval and Follow-up of Minutes for April 21, 2010, 2010 City Council Meeting**

28 *Kevin Dustin made a motion to approve the minutes as amended. Al Moser seconded the*
29 *motion. A vote was called and the motion passed unanimously with Allen Kartchner, Nancy*
30 *Potter, Kevin Dustin and Al Moser voting in favor.*

31
32 **Follow-up**

33 Nothing at this time.

34
35 **Review of Action Items** #1

36 Jeff Jorgensen reviewed the action items list with the Council and pointed out some of the
37 changes since last meeting.

38 Per a question from Nancy Potter, the Council discussed the funding for 3100 North and further
39 discussed Cache County not wanting to participate in that. The Council briefly discussed ways of
40 handling that, including sending a letter to Cache County.

41 The Council discussed the situation with the Alley property. Mayor Berentzen said the judge told
42 Mr. Alley that he had to remove everything from his property. Mr. Alley asked if he could put up
43 some kind of permanent fence so that he can keep the wood stacked behind it and continue his
44 livelihood. His attorney asked about other residents who stack wood, and whether that was
45 against City ordinances. Mr. Alley asked to meet specifically with either, Allen Kartchner, Al
46 Moser or Nancy Potter, along with Mayor Berentzen, to discuss it. Mayor Berentzen asked
47 whether Mr. Alley had done a reasonable job in cleaning it up. Kevin Dustin said that does not
48 reflect what the neighborhood thinks, at all. The Council also discussed Mr. Alley getting a
49 business license, for which Jeff explained. The Council continued to discuss this further and
50 decided a contingent from the City would agree to meet with Mr. Alley.

51 The City Council briefly discussed some of the other, various items on the Actions Items list.

52
53 **New Business** #1

54 **6:40 Public Hearing** to receive input on a proposed re-zone of about five acres on the east side
55 of 200 East at 1625 North. Being proposed is that the area be rezoned from Community
56 Commercial (CC) to Mixed-Use General (MX-G) in order to allow the construction of a 99 unit,
57 age-restricted residential development with a commercial pad on 200 East.

58 Jeff Jorgensen explained the situation to the City Council. He said the City Council is only to
59 consider the rezone, and not the development plan or anything of that nature, at this point.

60

61 *Mayor Berentzen opened the public hearing at 6:52 p.m.*

62

63 Lydia Embry discussed her written questions and comments she had previously submitted to the
64 City Council. She said she reviewed the staff report, but that it does not answer her questions.
65 She asked why there is a request to change the zone to mixed-use general, and whether the
66 needs would be better met with the multi-family residential zone. She asked if this project met the
67 requirements for a mixed use general zone, and reviewed the definitions of both zones. She
68 asked how changes can be made to an existing subdivision, such as Maple Rock. She asked
69 further questions, including regarding the need for more east/west streets within North Logan
70 City. She summed up her questions as (1) Why is it mixed-use general instead of multi-family
71 residential; (2) will Wasatch Point be on one or more than one parcel; and, (3) could there be a
72 public street somewhere, and would this be a good place for one.

73

74 *As there were no further public comments, Mayor Berentzen closed public hearing at 6:56 p.m.*

75

76 Jeff Jorgensen explained that the rezone request came from the developer, not City staff; but the
77 majority of it would be compatible with the multiple family residential zone. Mayor Berentzen said
78 the question is that there is no mention of a commercial facility.

79 Larry Kocherhans said he is with the group who is purchasing the land from Mr. [Jack] Nixon; and
80 that the intention is to have a commercial pad out in front, in addition to 99 senior dwelling units.
81 He said these units *are* for seniors, and *not* for families, at all. He said his group has built many
82 multi-family dwellings in the state of Utah, and that four are currently just for seniors. Per a
83 question from Mayor Berentzen, Mr. Kocherhans said they are not sure what will be on the
84 commercial pad yet; but that they currently have someone interested in possibly placing a
85 medical office there.

86 Mayor Berentzen asked if the Planning Commission was aware of the mix of commercial and
87 residential, and Mr. Kocherhans said they were. Mr. Kocherhans reviewed the site plan with the
88 City Council.

89 Per a question from Allen Kartchner, Jack Nixon said it was Mayor Cary Watkins' suggestion to
90 change the zone to mixed use. Allen Kartchner said this was done not only to further the
91 objective of the City to create a buffering zone, but also to create a place for affordable housing.

92 Jeff Jorgensen mentioned that adding this type of use to the community commercial zone was
93 recently considered.

94 Per a question from Allen Kartchner about the timeline of approval for this, Jeff said this could be
95 up for approval at the next Council meeting.

96

97 Discuss gravel removal operations for Canyon Gates Subdivision.

98 Jeff Jorgensen reviewed the plan with the City Council. He said this plan is one the developers
99 came up with to restrict the gravel operation there, which he said came directly out of the
100 development plan for this site; and that they have agreed to do these things. He said the
101 developers took the majority of the information out of the City's excavation ordinance. Jeff
102 reviewed the details of the plan further.

103 Mayor Berentzen said the associated health issues were addressed during the neighborhood
104 meeting. Jeff said the developers have agreed to follow the air quality standards.

105 Nancy Potter said she went through the City's excavation ordinance, and mentioned some
106 conflicts with this plan. She also said that the plan seems very "watered down" compared to the
107 City's ordinance; and asked why the City let the developers come up with the agreement, rather
108 than the City. She listed some of the negative issues and feels that the agreement needs to be
109 much more specific. She said there have been many complaints from the neighbors in that area,
110 but that Chief Kim Hawkes told her that there have not been many, if any, citations written for
111 violations of the ordinance. She said this needs to be better worked out to be fairer to the
112 neighbors.

113 Jeff Jorgensen discussed ways to put further restrictions in place to deal with some of the issues.

114 Nancy said a lot of these items are already covered in the excavation ordinance, which they did
115 not include in the agreement they put together. She said another issue is that the children there
116 are now going to be walking to school because of the bus changes, so there is now a safety
117 concern. She also mentioned hearing from a woman who lives in that area, who has Asthma,
118 and that the idling trucks cause her moderate breathing problems. Kevin Dustin said the main
119 issue is that the route needs to be adjusted.

120 Al Moser said FEMA has not been asked how large the gravel pit should have been dug; and
121 discussed further issues and potential mistakes made when the gravel pit was originally created.
122 He said he believes strongly that the size of the pit is planned to be much too large. Jeff
123 Jorgensen said originally, the City asked to have the pit dug smaller than they suggested, and
124 said that it should perhaps be reviewed again by another hydrologist.

125 Jeff Jorgensen and the City Council discussed the issues further.

126 A citizen asked about the placement of a scale [for weighing the contents of the trucks], which the
127 Council discussed. The Council agreed that it would be appropriate to allow a set of scales to be
128 on site. Mayor Berentzen asked Jeff Jorgensen to look into hiring a hydrologist and having him
129 meet with Jeff Jorgensen, Al Moser and Mayor Berentzen. Mayor Berentzen also said the City
130 needs to follow up with the neighbors.

131

132 Consider a proposed ordinance amending the requirements for Child Care within Title 8 –
133 Regulation of Business, Section 8-505 and Title 12A - LAND USE - ZONING, Section 12A-100.
134 The suggested amendments would modify sections of the city code regulating day-care, pre-
135 school/short term child day care, and Child Day Care Services to coordinate it with Utah Code
136 Title 26 Chapter 39.^{#1}

137 *Al Moser made a motion to approve the ordinance. Kevin Dustin seconded the motion.*

138

139 Allen Kartchner asked if the ordinance included a limit to the number of how many children can
140 be cared for at one time. North Logan City Fire Chief, Jon Keller said the state says it can be up
141 to fourteen; but that it is essentially on a case-by-case basis, and is based on the City's
142 requirements. He said the Fire Departments limits them by the square footage of the home (i.e.,
143 only one child per 35 square feet is allowed).

144

145 *A vote was called and the motion passed unanimously with Allen Kartchner, Nancy Potter, Kevin*
146 *Dustin and Al Moser voting in favor.*

147

148 Consider a proposed ordinance amending the requirements for Restaurants with a Beer License
149 or a Liquor License within Title 12C - LAND USE - ZONING, Section 12C-1001. The suggested
150 amendment would modify the matrix to allow Restaurants with a Beer License or a Liquor License
151 in MX-G (Mixed Use General) and CG (Commercial General) Zones.^{#1}

152 Mayor Berentzen briefly introduced the item, which was discussed at the previous City Council
153 meeting. Jeff Jorgensen briefly described the changes made to the business part of the
154 ordinance since the meeting that the public hearing took place for this.

155

156 *Al Moser made a motion to approve the ordinance. Kevin Dustin seconded the motion.*

157

158 Nancy Potter asked why we are changing it from 50% to 30% (i.e., that gross sales from alcohol
159 cannot exceed 30%, rather than 50%). Jeff Jorgensen said the change is being done in order to
160 make it more consistent with the restaurant with liquor license, which is a bit more restrictive. He
161 also said that a meal is required for purchase of alcohol, regardless.

162

163 *A vote was called and the motion passed unanimously with Allen Kartchner, Nancy Potter, Kevin*
164 *Dustin and Al Moser voting in favor.*

165

166 Presentation and discussion on safe routes to school with regard to new school alignments.^{#1}

167 North Park Police Chief, Kim Hawkes, reviewed with the Council the maps of potential bus routes
168 for North Park and Greenville Elementary Schools. He discussed areas for both schools which
169 fall into the "no bus" zone (i.e., students who live a mile and a half or less from their prospective
170 school), which include some streets (including 600 East) that could cause safety hazards for
171 those students who will be walking to school. He referred to another area for the North Park

172 school, which will necessitate a slow speed zone in Hyde Park, and will require another crossing
173 guard. He said there are approximately 27 students who will likely be using that route to walk to
174 school, and further discussed the requirements needed for accommodating this. He also
175 explained another area where students would have to travel a great distance in order to take
176 delineated streets to school, and the need to create pathways or possible trails for those students
177 to travel to school on a more direct route. He said the school district has tried to manage
178 "courtesy stops" [for those children who live in the "no bus zone, but will still have a pick up] and
179 have done well in assisting in getting those children to school. He said, for North Logan City, 600
180 East is the most critical situation at this point and needs to be worked out. The City Council
181 discussed this, as well as the cost of including sidewalks in needed areas.

182

183 Budget presentations by Departments – Streets and Utilities (Water and Sewer), Stormwater. #2

184 Scott Gilgen reviewed various items within the budget for his department. He also outlined
185 several projects needing to be done; as well as certain streets that are in more imminent need of
186 repair, including 2100 North above 1200 East; and, the widening and improvement of 1600 East.

187 Nancy Potter asked about the timeline for when the widening of 1600 East would take place; and
188 Scott explained that it will happen essentially when it is scheduled, and would obviously be better
189 to do in warmer weather.

190 The City Council discussed various items with Scott.

191 Jeff Jorgensen reviewed various items in the sewer, water and stormwater areas with the City
192 Council. He discussed the on-going deficit in the Sewer Department and explained why it has
193 been occurring, including the main issue which is that the rates for sewer treatment by Logan City
194 have gone up; and that the rate that North Logan City is charging its residents for sewer fees is
195 simply not enough and is *not* covering all of North Logan City's costs. He said the only way to
196 resolve this is to have a significant increase in monthly sewer fees. He said the rates have been
197 changing, and that North Logan City has not increased its rates for quite some time to correspond
198 with those increases. He also explained that the EPA completed their study, and that it looks like
199 Logan City is going to have to have a significant change in the way it manages its sewer
200 treatment, which is going to be costly. He further explained the history of our fees, and how
201 Logan City has increased theirs. He said the average home is paying approximately \$19.90 for
202 sewer; and that now, with the current costs, the rate would go up to \$36.00 per month [a
203 difference of approximately \$16.00 per month]; and that the commercial increase would be more,
204 as they use more water. He said currently, the sewer department is "deficit spending". He also
205 said that the increases that are forthcoming are significantly more than what has been passed to
206 North Logan City in the past three to four years. Per a question from Mayor Berentzen, Jeff said
207 this would be implemented the first of July [2010]. The City Council discussed this further, and
208 Mayor Berentzen suggested putting something in the newsletter to inform the public of this, in
209 addition to holding a possible workshop for the public to attend to get a clear understanding of
210 why this is occurring.

211

212 Budget workshop to discuss entire draft FY 2011 budget.

213 Jeff Jorgensen briefly mentioned a few items, said he will have a more complete budget to review
214 with the City Council in the near future.

215

216 Reports from city officers, boards, and committees #1

217 Mayor Berentzen mentioned the meeting with the Board of the Hyde Park Cemetery District;
218 which Jeff Jorgensen said will be taking place on May 26, 2010.

219 Mayor Berentzen said that the North Logan City Historical Committee met for the first time, and
220 that a number of people are going to be part of that. He said he felt that this is going to be very
221 beneficial.

222 Mayor Berentzen said the Cache Valley Specialty Hospital's Helipad issue will be discussed at
223 the next City Council meeting. Jeff said it will be a Public Hearing.

224 Mayor Berentzen said he wants to appoint North Logan citizen, Mike McGrath as a new alternate
225 to the Planning Commission. He said Mr. McGrath would likely start at the Planning Commission
226 meeting the following evening (May 6, 2010). Mayor Berentzen also said that Geri Christensen
227 will be moved from the alternate to permanent position on the Planning Commission.

228

229 Kevin Dustin made a motion to approve Mayor Berentzen's appointments, as discussed. Al
230 Moser seconded the motion. A vote was called and the motion passed unanimously with Allen
231 Kartchner, Nancy Potter, Kevin Dustin and Al Moser voting in favor.

232
233 Nancy Potter received complaints from citizens who said they were not informed in advance
234 about the trail that was moved near their properties [east of 1600 East] and that no one discussed
235 anything with them; and that the trail is short, and doesn't "go anywhere". Jeff said the decision
236 as to where the trail would be specifically located was never made, and that the trail had to be
237 located on land that North Logan City owned. He further explained that this piece of the trail will
238 be linked to Green Canyon and eventually tie in with the Wildercrest Subdivision trail, the
239 Bonneville Shoreline Trail portion; and that the City is working with the Beutlers to have it go
240 through their property to the north, and tie in to Mahogany Ridge. Jeff said all the citizens in that
241 area were notified by various means; and that there were also discussions held with some of
242 those residents who had chicken coups, sheds, etc. built on North Logan City property, and were
243 using the land; as well as, as a dumping ground.

244
245 Jeff Jorgensen said he will not be able to attend the next City Council meeting. He discussed
246 with the Council how they wanted to proceed with the budget discussion.

247
248 Scott Bennett said that Fortis, the new document management system for the City, is taking a
249 while to get up and running, but should be on-line Tuesday, with documents beginning to be input
250 into the system.

251
252 Executive session (Closed) to consider the acquisition of real property. #1

253 Kevin Dustin made a motion to move in to Executive Session for the purpose of considering the
254 acquisition of real property. Al Moser seconded the motion. A vote was called and the motion
255 passed unanimously with Allen Kartchner, Nancy Potter, Kevin Dustin and Al Moser voting in
256 favor.

257
258 This occurred at 8:29 p.m.

259
260 Minutes for this meeting written under separate cover.

261
262 Al Moser made a motion to close the Executive Session and move back into the regular City
263 Council meeting. Nancy Potter seconded the motion. A vote was called and the motion passed
264 unanimously with Allen Kartchner, Nancy Potter, Kevin Dustin and Al Moser voting in favor.

265
266 This occurred at 9:01 p.m.

267
268 Kevin Dustin made a motion to adjourn the meeting. Allen Kartchner seconded the motion. A
269 vote was called and the motion passed unanimously with Allen Kartchner, Nancy Potter, Kevin
270 Dustin and Al Moser voting in favor.

271
272 The meeting adjourned at: 9:02 p.m.

273
274 Approved by City Council: May 19, 2010

275
276 Transcribed by Marie Wilhelm

277
278 Recorded by



Scott Bennett/City Recorder

280
281
282 * Due to the fact that there is other documentation related to this agenda item that may not be included in the official
283 minutes of this meeting, the following repositories, cross referenced to applicable agenda items within these minutes, shall
284 indicate where additional documentation can be found for future reference for that agenda item:

- 285 1. Annual City Council meeting binders in the Office of the City Recorder
286 2. Budget folders in the Office of the City Recorder
287 3. Special Project folders in the Office of the City Administrator
288 4. Subdivision Folders in the Office in the City Engineer

NORTH LOGAN CITY CITY COUNCIL MEETING

Date: May 5, 2010

PLEASE print clearly:

1. MARDELL C. PARRISH
2. Scott Gilgen
3. Tad Nixon
4. Jon Keller
5. Joe Fenton
6. Jane Velis
7. Linda Pruitt
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27. _____

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.