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**Minutes of the North Logan City  
City Council  
Held on July 7, 2010  
At the North Logan City Library, North Logan, Utah**

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

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

Others present were: Gordon Younker, Jake Young, Nolan Krebs, Steven Taylor, Justin Taylor, Lydia Embry, Jeff Jorgensen, Cordell Batt, Scott Bennett and Marie Wilhelm.

The Pledge of Allegiance was led by Gordon Younker.  
An invocation was given by Allen Kartchner.

**Adoption of Agenda**

*Al Moser made a motion to adopt the agenda as presented. Nancy Potter seconded the motion. A vote was called and the motion passed unanimously with Al Moser, Nancy Potter and Allen Kartchner voting in favor.*

**Approval and Follow-up of Minutes for June 16, 2010 City Council Meeting**

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

**Follow-up**

Nothing at this time.

**Review of Action Items** #1

Jeff Jorgensen reviewed some of the highlighted items on the list. He said the equipment vehicles had been removed from the Canyon Gates site. He gave the status of the environmental study for 200 East. He said he spoke to Dell Loy Hansen, who agreed to donate the right of way for land for a roundabout if the City ever puts one in on 200 East. Jeff also discussed the situation with the paving there. He discussed the storm water drain situation on 800 East, by the Catholic Church. He said the City is proposing a different place for that; on the boundary line; and that they are trying to get an easement for the Church's property there. He said that City Attorney, Bruce Jorgensen, should have a contract done in the next day or two, regarding the purchase of the Lundahl water rights. He said the City Council will be asked to review that contract before a deal is made. He explained that Sunrise Engineering brought in a proposal to re-evaluate the stormwater retention for the Canyon Gates subdivision; but that Jeff felt the study was not in-depth enough and sent them back to re-do it to be more inclusive. He said he expects to hear from them within a few days. He referred to the "safe routes to school" situation and said a good meeting was held with the parents on and adjacent to 600 East, and said they seemed pretty happy with what the City is proposing to do there.

Nancy Potter asked about the condition of the fence at the Alley property, and the fact that it is falling down again. Mayor Berentzen said a more substantial fence needs to be put in, and that is being worked on.

Al Moser asked about the canal meeting and whether Jeff Jorgensen was planning to attend. Jeff said he is going, as did Mayor Berentzen. Jeff mentioned that there is not currently a lot going on with that right now.

58 **New Business**

59 Consider a proposed subdivision development plan (Krebs Subdivision) for parcel 04-052-0015  
60 (5.017 acres) located at approximately 1255 East 2700 North, North Logan dividing the parcel  
61 into five (5) lots.<sup>#4</sup>

62 Cordell Batt presented the situation and oriented those in attendance to the location of the site via  
63 an overhead map. He mentioned that a public hearing was held. He explained that all required  
64 reports and issues have been worked out and fulfilled at this point. He explained the situation  
65 regarding the ancillary agreement needed regarding the developers putting up funds for the roads  
66 (as well as curb, gutter and sidewalk); for both 2700 North and 1250 East, to be done at a later  
67 date. He said the plans state that 2700 North would be done now, while 1250 East would be  
68 done at a later date, which needs to be clarified. He said the City Council needs to review this  
69 and decide how they want this done.

70 Al Moser asked what the Planning Commission's recommendation was for this; and Cordell said  
71 that their recommendation is that the ancillary agreement be done for both roads; and that the  
72 proposed \$45,000 would be put in place; and that the roads would be done when the City deems  
73 it necessary. Cordell said aside from the council reviewing the ancillary agreement, it is staff's  
74 recommendation to approve the subdivision.

75 Steven Taylor, representing the Krebs subdivision; said there was some question as to what was  
76 going to happen with 1250 East; so they decided to put the funds in place and allow the project to  
77 be built, and let the City decide to do the road when they felt it was necessary. He said they have  
78 four applicants who already want to build on lots two, four and five. He said the reason they said  
79 previously they would do 2700 North is because there was already a lot of curb to connect to and  
80 some work that needed to be done to improve the frontage of these lots. He said that ultimately,  
81 however, they felt it was better to simply put the funds in place and have the City do the  
82 improvements when they're ready.

83 Nancy Potter asked about the alignment issues previously discussed for 2700 North. Jeff said  
84 this *will* work out the alignment issues, which he further discussed; and said his recommendation  
85 is that 1200 East be done later but that 2700 North should be done as part of the subdivision's  
86 improvements.

87 Nolan Krebs said that they tried to model this as close as they could to what the City approved for  
88 the Murray subdivision; and said the ancillary agreement is identical to theirs. He said they want  
89 the same thing, and the same consideration and fairness, which is why they did the agreement  
90 that way. He said they don't care if the improvements go in right now; that they want the City to  
91 be responsible for that.

92 Nancy Potter asked about the lot on the corner, and Mr. Krebs said they've decided to put the  
93 driveway for that lot on the south side.

94 Allen Kartchner asked how they determined the costs for the roads; and said that we should have  
95 more information on that in order to ensure that the appropriate amount is being spent. Mr. Krebs  
96 said they had a bid done three months ago for 2700 North; and have "unit prices" for what it  
97 would take a company to put in the improvements. Jeff Jorgensen said those prices seemed  
98 reasonable when he reviewed it but he was not given the details sufficient to say for sure that this  
99 would be enough funds to have the City do the work. Mr. Krebs mentioned that the contracts are  
100 actually currently cheaper than they were three months ago. He also mentioned that they have  
101 "lost a couple of buyers" because of things they had to fulfill for the City, so they would like to  
102 move forward on this.

103 Jeff mentioned some minor errors and changes that need to be made as notes on the final plat.  
104 He gave the council and the developers a copy of what his suggested changes are.

105

106 *Al Moser made a motion to approve the development plan and the preliminary plat, including the*  
107 *notes mentioned by Jeff Jorgensen needing to be included on the final plat; as well as approve*  
108 *the ancillary agreement, with the stipulation that the funds put in place will be based on detailed*  
109 *costs estimates or actual costs. Allen Kartchner seconded the motion.*

110

111 Nancy Potter commented that she felt that concessions were made for the Murrays and now the  
112 Krebs, and said she is concerned that the City is now making a precedent; and that other  
113 developers who want to develop a subdivision will want the same allowances.

114 Jeff Jorgensen explained that the ancillary agreement for the Murray Subdivision had not been  
115 approved yet so there are no real “concessions” that have been made to the Murrays. The  
116 ancillary agreement for the Kreb’s Subdivision should be based on what the City Council wants  
117 now, not other subdivisions; especially other agreements that have not been completed.  
118

119 Al Moser mentioned that the City’s ordinance requires the developer to do this; and if the City  
120 Council makes an agreement like the one done tonight, it needs to be in the *City’s* best interest,  
121 not the developer’s. He said we have that option for anyone, and said he does *not* believe we are  
122 setting a precedent.  
123

124 *A vote was called and the motion passed unanimously with Al Moser, Nancy Potter and Allen*  
125 *Kartchner voting in favor.*  
126

127 Presentation to City Council about developing a Formed-Based Code for North Logan City. #1

128 Cordell Batt briefly introduced this item. Jacob Young, Landscape Architect and Land Planner,  
129 gave a detailed presentation explaining form-based codes, and the benefits and processes  
130 thereof. Mayor Berentzen mentioned that John Bailey had received this presentation previously.

131 Per a question from Jeff Jorgensen, Mr. Young briefly discussed transitioning from Euclidian to a  
132 form-based code system. The Mayor and the council briefly discussed this. Cordell said Mr.  
133 Young would like to give a proposal to help the City develop form-based codes especially for the  
134 City Center area. Mayor Berentzen suggested having a discussion with some of the key  
135 developers of the City Center to get their input.

136 Nancy Potter said this needs to be presented to the Economic Development Committee, business  
137 owners, the landowners, etc., to get *all* of their input, as well as the Planning Commission (which  
138 Cordell said had already occurred).

139 Allen Kartchner said this is a way of developing something that has some continuity when there  
140 are several developers developing one particular area. He said this puts something in place that  
141 allows a number of developers to put something out that is a product that the City likes.

142 Al Moser said he agreed with Nancy Potter and Allen Kartchner; and said he will have to review  
143 this more fully, before he could give his opinion.

144 Jeff Jorgensen said he wanted to recommend that Mr. Young put a proposal together for the City,  
145 to see if this is something the City wants to do, before we decide whether this is something we  
146 want to invest in further; including having meetings with the principal property owners.

147 Mayor Berentzen said he thinks it is key to have the essential property owners involved in this  
148 process. He said it would be important for them to see that this works for them and that it would  
149 be an economic opportunity. He said that is the next step that needs to be taken.  
150

151 Consider an ordinance establishing the compensation for elected and statutory officers in the city.  
152 #1

153 *Al Moser made a motion to approve the ordinance. Allen Kartchner seconded the motion. A vote*  
154 *was called and the motion passed unanimously with Nancy Potter, Al Moser and Allen Kartchner*  
155 *voting in favor.*  
156

157 Consider approval of the transfer/sale of 14 square feet of land at the intersection of 2500 N and  
158 Main to UDOT for an upcoming road project (widening and improvement of 10<sup>th</sup> West as well as  
159 25<sup>th</sup> North). #1

160 *Al Moser made a motion to approve the transfer of land and to do so without compensation from*  
161 *UDOT. Allen Kartchner seconded the motion. A vote was called and the motion passed*  
162 *unanimously with Nancy Potter, Al Moser and Allen Kartchner voting in favor.*  
163

164 Consider approval of a resolution adopting the final tax rates for Tax Year 2010 consistent with  
165 the recently adopted budget and the certified tax rate computed by the County and State with no  
166 increase from the previous year. #2

167 The City Council discussed this with Jeff Jorgensen, and Allen Kartchner asked if the county is  
168 essentially saying that the property appraisal estimate they’re giving us for this year is lower than  
169 last year. Jeff Jorgensen said that was correct.  
170

171 *Allen Kartchner made a motion to adopt the resolution. Al Moser seconded the motion. A vote*  
172 *was called and the motion passed unanimously with Nancy Potter, Al Moser and Allen Kartchner*  
173 *voting in favor.*  
174

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

176 Allen Kartchner said he received two complaints from a resident next to Elk Ridge Park regarding  
177 young people making noise there late at night. He said this information was given to Chief  
178 Hawkes, but that the problem has continued. Mayor Berentzen and the council agreed that it  
179 needs to be taken up with Chief Hawkes again in order to be resolved.  
180

181 Nancy Potter said there is a section of repaired road on 1600 East, where the sewer for the new  
182 subdivision is going in; and that the patch repair work was done poorly. Mayor Berentzen and  
183 Jeff Jorgensen said staff is aware of it and said it is going to be rectified.  
184

185 Mayor Berentzen referred to the memo regarding compensation for elected officials received by  
186 the council. He said concerning Judge Marks' salary; he had a conversation with previous Hyde  
187 Park City Mayor Kooyman, as well as previous North Logan City Mayor Cary Watkins; and that  
188 there was apparently an agreement that North Logan would do an equivalent amount,  
189 percentage-wise, of what Hyde Park was contributing towards his salary, which Mayor Berentzen  
190 said he thought was approximately \$13K. He said that would make North Logan's share  
191 approximately \$21K. He said Hyde Park went ahead and paid their part; but that North Logan did  
192 not. He asked Jeff Jorgensen about this, who said he was not aware of any such agreement.  
193 Mayor Berentzen said he told Judge Marks that as long as it is within the salary range required by  
194 law, that he does not have a problem with it. He said the salary range for the judge for North  
195 Logan needs to be between \$11K and \$21K. He said the other reason that he feels that the City  
196 should consider this is because he met with County Attorney, James Swink, who indicated that  
197 they are asking North Logan City if we would consider joining together with the County in a three-  
198 entity justice court-system. Mayor Berentzen said it would not hurt North Logan City financially.  
199 He said that it would bring in the same amount of revenue and would enhance the City's court  
200 system; and further explained that Judge Marks would be one of the key individuals who would  
201 be involved in that system. He said if North Logan City made a previous agreement regarding  
202 Judge Marks' salary, we need to honor it. He asked the council for their opinion. Al Moser asked  
203 if the salary would be more or less than what he is making; and Mayor Berentzen said it would be  
204 approximately \$7K more than he is currently making. Jeff pointed out that by doing this the judge  
205 would receive a 50% salary increase, when the recently passed budget held all other salaries and  
206 wages to no increase. Mayor Berentzen said this was committed to, and that Mayor Watkins said  
207 he agreed with that. Jeff Jorgensen said he doesn't recall anything like this ever being agreed to;  
208 and further explained that whenever he spoke to Mayor Watkins about Judge Marks' salary,  
209 Mayor Watkins said that as long as Judge Marks was in the range, and there are salary increases  
210 for everyone else, then Judge Marks would get a similar salary increase; but there was never any  
211 discussion about North Logan City "matching" Hyde Park. Mayor Berentzen said based on Judge  
212 Marks' qualifications, his salary is very low, comparatively. Mayor Berentzen said he feels that  
213 North Logan City may not be doing enough to make sure Judge Marks stays in his position. Al  
214 Moser said the council passed the compensation ordinance this evening, and that if they want to  
215 change it, they should bring it back to another meeting. Jeff stated that this would take a change  
216 in the budget to approve this salary increase. Allen Kartchner said that since this has all been  
217 based on a "verbal" agreement, we should currently stay with what we have; and that Mayor  
218 Berentzen should meet with the principal people (Jeff Jorgensen, Mayor Kooyman, Mayor Bryan  
219 Cox, Mayor Watkins, Judge Marks, etc.); and return to the North Logan City Council with a  
220 proposal for them to review; regardless of what may have been previously agreed to verbally.  
221 The City Council agreed.  
222

223 Mayor Berentzen referred to the canal ditch that was being dug on 600 East, above Aspen  
224 Meadows. He said a lot of that has been put in, and the location of where the water comes in  
225 from the main canal has been relocated. He said there is not yet water going out, however. He  
226 said he spoke to the owner there and he is still not getting water for his land, so he is anxious;  
227 and Mayor Berentzen said this needs to be looked into again. Jeff reminded the council that the  
228 City's agreed-to participation in this work was only to help inspect the work to make sure it was

229 done properly, and that the City had no real responsibility in getting the work done, other than  
230 that.

231  
232 Jeff said there is nothing planned for the agenda for the July 21, 2010 City Council meeting, so  
233 that meeting will likely be canceled.

234  
235 Nancy Potter mentioned her concerns with the aesthetics of the roundabout on 200 East. She  
236 said she is not a fan of the roundabout; and further stated that it is all "too much". She said the  
237 numerous light posts stick up, there are over twenty signs in the small area of the roundabout,  
238 and that it is generally awful looking. She said it is a huge eyesore and really doesn't want the  
239 potential roundabout at 200 East and 2200 North to look the same. The council discussed  
240 removing some of the signs if possible.

241  
242  
243 *Allen Kartchner made a motion to adjourn the meeting. Al Moser seconded the motion. A vote*  
244 *was called and the motion passed unanimously with Nancy Potter, Al Moser and Allen Kartchner*  
245 *voting in favor.*

246  
247 The meeting adjourned at: 8:01 p.m.

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250 Approved by City Council: August 4, 2010

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252  
253 Transcribed by Marie Wilhelm

254  
255 Recorded by \_\_\_\_\_  
256 Scott Bennett/City Recorder

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259  
260 \* Due to the fact that there is other documentation related to this agenda item that may not be included in the official  
261 minutes of this meeting, the following repositories, cross referenced to applicable agenda items within these minutes, shall  
262 indicate where additional documentation can be found for future reference for that agenda item:

- 263 1. Annual City Council meeting binders in the Office of the City Recorder
- 264 2. Budget folders in the Office of the City Recorder
- 265 3. Special Project folders in the Office of the City Administrator
- 266 4. Subdivision Folders in the Office in the City Engineer