

1 **Minutes of the North Logan City**
2 **City Council**
3 **Held on August 4, 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, Nancy Potter, Kevin Dustin, Al Moser and John
9 Bailey.

10
11 Others present were: Christian Wyatt, Jane Wyatt, Kim Hawkes, Cordell Batt, Lydia Embry, Scott
12 Bennett, Jeff Jorgensen and Marie Wilhelm.

13
14 The Pledge of Allegiance was led by Allen Kartchner.

15 An invocation was given by Kevin Dustin.
16

17 **Adoption of Agenda**

18 *Allen Kartchner made a motion to adopt the agenda as presented. Al Moser seconded the*
19 *motion. A vote was called and the motion passed unanimously with Nancy Potter, Al Moser,*
20 *Allen Kartchner, John Bailey and Kevin Dustin voting in favor.*
21

22 **Approval and Follow-up of Minutes for July 7, 2010 City Council Meeting**

23 *Allen Kartchner made a motion to approve the minutes as presented. John Bailey seconded the*
24 *motion. A vote was called and the motion passed unanimously with Nancy Potter, Al Moser,*
25 *Allen Kartchner, John Bailey and Kevin Dustin voting in favor.*
26

27 **Follow-up**

28 Allen Kartchner asked Jeff Jorgensen about the status of the contracts City Attorney, Bruce
29 Jorgensen was said to be sending regarding the purchase of water rights. Jeff said he had
30 received those contracts from Bruce, and he was in the process of reviewing them. Jeff also said
31 he has been in contact with both parties, and he should have the contracts to them by the end of
32 the week.

33 Allen also asked about the status of the proposal Sunrise Engineering was going to be sending to
34 Jeff regarding Canyon Gates. Jeff said it was done; the City has signed an agreement; and that
35 Sunrise is supposed to be making their first visit and contacting Jeff soon.

36 Allen further asked about the concerns about the late-night activities at Elk Ridge Park, previously
37 discussed. Chief Kim Hawkes said that signs are currently being put in, and that the officers on
38 the "graveyard shift" have been monitoring the situation closely. Both Al Moser and Allen
39 Kartchner said they have not heard any further complaints.
40

41 **Review of Action Items**

42 Jeff Jorgensen reviewed the list with the City Council. He said the first phase of the
43 environmental study for 200 East is almost complete, and a presentation to the City Council will
44 be forthcoming. He said construction is taking place, stripes are being painted; and the road
45 should be ready to open the following Monday. He said the application has been made for the
46 next section (from 2200 to 2500 North).

47 Jeff referred to the dispute of sewer fees with Logan City, and said that Logan City agreed with
48 Jeff and will be issuing North Logan City a credit for two months. He said it will be reflected as a
49 credit on the next bill.

50 He gave updates on the Lauritzen and Alley properties, per the list.

51 He mentioned the "safe routes to school" situation and said some adjustments need to be made
52 because of some problems with the elevation of the sidewalk on one end of it. He explained this
53 further.
54

55 **New Business**

56 Consider approval of impact fees for the construction of a commercial recreational vehicle park at
57 approximately 55 East 2850 North. To be determined are the water and sewer impact fees for

58 the project because the planned meter sizes are to be larger than two inches. Also to be
59 discussed are specific impact fee computations for the road and park impact fees for the project.
60 Jeff Jorgensen explained the situation, and said this is being created to provide trailer and
61 camper parking places for the people who are working on the large gas line that is coming
62 through [Ruby Ridge Pipeline]. He said the developers have apparently looked all over Cache
63 County, and this is the only place they have found to go. He said an RV place is a permitted use
64 in this General Commercial zone. He said part of the site is within the county's recreation land;
65 and the developers have made an agreement with the county to use this as their access,
66 because UDOT will not let them access off of Main Street. He said the county has agreed to this
67 through a lease. He said when this land was annexed into the City, it was annexed as
68 Forest/Recreation land; and that an RV site is permitted as a conditional use in that zone. The
69 City Council discussed this with Jeff at length. Mayor Berentzen and Kevin Dustin agreed that
70 this is not a very good use of this piece of land and it could have adverse impacts on the
71 neighborhoods nearby. Jeff said the City's agreement for this property states that any proceeds
72 that come from this lease are supposed to go to develop the area for equestrian uses.

73 Cordell Batt detailed the situation. He said this is being presented as a temporary use, and it is
74 just that. Nancy Potter said there is a lot of infrastructure going in for something that is supposed
75 to be "temporary". Kevin Dustin said he agreed. Per a question from the council, Cordell said the
76 pipeline is supposed to take six to nine months to complete. Al Moser discussed with Cordell the
77 role both the City Council and the Planning Commission have in approving a situation like this.
78 Cordell explained that the City Council has given the Planning Commission the authority to
79 approve Conditional Use Permits. The council discussed the two zones in which this site is to be
80 located.

81 The City Council continued to discuss their concerns with this situation. They discussed how to
82 proceed, and considered tabling this item until they could discuss it with the proponents; as well
83 as express their concerns to the Planning Commission. Jeff said someone should speak to the
84 County Council and state that North Logan City has some questions about the use of the county
85 land; land which was leased to North Logan City and Hyde Park by the county through an
86 agreement in 1992. Mayor Berentzen also said the City thought that there was an agreement
87 that if the recreation land was converted to a non-recreational use, then the land exchanged for
88 the converted land would be located in either North Logan or Hyde Park. Al Moser said he felt
89 that the Federal government agency that gave Cache County the money for this property would
90 not approve of this going in on this land. The City Council agreed that someone from the council
91 would attend the following evening's Planning Commission meeting, where this conditional use
92 permit was up for approval; and state their opposition to this request. Allen Kartchner said he
93 would be attending the Planning Commission meeting.

94
95 *Kevin Dustin made a motion to table the approval of this consideration on the impact fees for this*
96 *proposed development until a later date. Al Moser seconded the motion. A vote was called and*
97 *the motion passed unanimously with Nancy Potter, Al Moser, Allen Kartchner, John Bailey and*
98 *Kevin Dustin voting in favor.*
99

100 Jeff Jorgensen made a suggestion to have the city attorney review the lease agreement on the
101 equestrian park that North Logan is a party to; and determine whether North Logan City and Hyde
102 Park have to be in agreement to allow the use of this land for the RV park. The council discussed
103 this further.

104
105 *Allen Kartchner made a motion that North Logan City has the City Attorney determine whether*
106 *North Logan City has an interest and consideration in the lease that this company is asking for,*
107 *for the right-of-way for the road and for construction of the RV Park, based on the lease*
108 *agreement with Cache County for the equestrian park. Nancy Potter seconded the motion. A*
109 *vote was called and the motion passed unanimously with Kevin Dustin, John Bailey, Al Moser,*
110 *Nancy Potter and Allen Kartchner voting in favor.*
111

112 Consider approval of a contract to begin the process of investigating the application of form-
113 based land-use codes within North Logan.

114 Cordell Batt said this agenda item is in response to what the City Council wanted from Jake
115 Young, namely a proposal from him for his services. He said this initial contract would essentially
116 be a way to present this information to the landowners, particularly in the City Center areas (i.e.,

117 mixed-use zone), to help them to become aware of what form-based codes are and what the
118 process is for using them. He said Mr. Young is also proposing a subsequent meeting to
119 essentially have some training on what form based codes are, to make the property owners feel
120 more comfortable, and get them more involved in the process. Per a question from the council,
121 Cordell said that Mr. Young's price for this service is just over \$1,000, which he said he feels is
122 very reasonable. The City Council agreed.

123 Al Moser asked if the Planning Commission had heard Mr. Young's presentation; and Cordell
124 said they had and were very interested in moving forward with this. Al Moser suggested waiting
125 until the quarterly budget review, and determining at that time whether the City wants to do this,
126 as well as what the costs will be to pursue it further. Cordell said that he put some money into his
127 department's budget for this process, in case this was something the City felt was necessary; and
128 that there are currently enough funds in the Planning budget to cover the costs in Mr. Young's
129 proposal. Al Moser said the City should wait until they know for certain that they want to proceed
130 with this. Cordell said the idea was to involve the property owners and discuss with them whether
131 this is something they want to have in their area. John Bailey said he agreed, saying that is a
132 critical piece, and feels that waiting will unnecessarily delay the whole process. The City Council
133 discussed this further. Nancy Potter said she would like to know more about this before
134 proceeding with it. Allen Kartchner said he would be in favor of spending this money to get the
135 process started; and said that form-based codes would be very beneficial to have in our mixed-
136 use zone.

137

138 *Kevin Dustin made a motion to approve the contract between North Logan City and for Jake*
139 *Young to begin the process. John Bailey seconded the motion. A vote was called and the*
140 *motion passed with Allen Kartchner, John Bailey and Kevin Dustin voting in favor, and Al Moser*
141 *and Nancy Potter voting against.*

142

143 Nancy Potter and Al Moser said they are not opposed to form-based codes; just that they feel
144 they want to know more before approving this.

145

146 Consider approval of a letter stating North Logan City's determination of the "significance" with
147 regard to Section 4(f) of the Department of Transportation Act of 1966 for Meadow View Park
148 property and undeveloped/agricultural land within the Cache County Multiple Use Park.

149 Jeff Jorgensen explained the part of the environmental study for 200 East being accomplished by
150 this letter being sent to the State from North Logan City. He stated that the "significance" letter
151 states the City's opinion as to the significance of Meadow View Park, and the county recreation
152 land, to North Logan City's recreational needs.

153

154 *Al Moser made a motion to approve the letter, and authorize Jeff Jorgensen to sign it. Kevin*
155 *Dustin seconded the motion. A vote was called and the motion passed unanimously with Nancy*
156 *Potter, Al Moser, Allen Kartchner, John Bailey and Kevin Dustin voting in favor.*

157

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

159 Al Moser said he heard that someone who wanted to buy a lot in the [new] Krebs subdivision
160 would be required to purchase flood insurance, and asked if that was the case. Jeff explained
161 that it is within the FEMA flood plain; and that flood insurance will be required until the Canyon
162 Gates retention pond is built, and the flood plain changes. Al Moser said that seems crazy, as he
163 is not aware of a flood ever taking place there, etc. Jeff agreed and said that one of the issues he
164 would like Sunrise Engineering to do during their review is to try to change that designation with
165 FEMA on the official map for that area.

166

167 Nancy Potter said she felt the 24th of July celebration that North Logan City did was wonderful.
168 She said, however, the road the parade travelled on was oiled the day before the parade, and
169 was a mess. She said there was tar everywhere; on people's clothes, vehicles, etc. She asked
170 why that was done and whether North Logan City has more control over that and could make
171 sure that doesn't happen again in the future. Jeff Jorgensen he did not know how much North
172 Logan City had control over the company's schedule, but that he would check with Scott Gilgen.

173

174 Nancy Potter also mentioned that the service project that was done on the Alley fence was great;
175 and asked if the fence was going back up. Jeff explained that the fence is in fact going back up

176 and that it will be eight feet tall. Per a question from council about the height of the fence, Jeff
177 said the council had approved the height of the fence to be higher than normal because it was
178 needed to be so in order to hide the materials being stored there. The council had left the details
179 to be worked out by Mayor Berentzen. Mayor Berentzen discussed the situation, including
180 describing some of the history; and explained that the inclusion of the type of fence being
181 installed, as well as the height of the fence being done in this way, is to help control the
182 peacocks, as well as conceal the material on the property. The council discussed this briefly.
183

184 Nancy Potter asked about some calls she received regarding a cougar being spotted in the upper
185 subdivisions (east of 1600 East). The City Council discussed with Chief Hawkes how to best
186 notify the public about this in a timely manner, without also creating a panic.
187

188 John Bailey asked if the criteria for selecting an architect for the new police station included a
189 charge to consider the location of this building, within the City master plan. This was discussed
190 and it was agreed that this was indeed part of the criteria.
191

192 Allen Kartchner asked about the schedule of City Council meetings, specifically for September
193 when the Utah League of Cities and Towns (ULCT) convention takes place. The City Council
194 agreed to have the meetings the first and fourth Wednesdays in September [rather than the first
195 and third, as usual), if there are enough agenda items for a second meeting to take place that
196 month.
197

198 Mayor Berentzen mentioned that he will out of town for the next City Council meeting.
199

200 The City Council continued to discuss the ULCT convention.
201

202 Scott Bennett said he needed clarification regarding paying part-time employees who work on a
203 holiday, using the example of an employee having to work the actual holiday day when the day
204 off was different. Such would be the case if the actual holiday was on Saturday or Sunday and
205 the day off would be on the associated Friday or Monday. For which day would the employee get
206 double time if they were required to work? Chief Hawkes discussed how this affects the reserve
207 police officers, particularly. The City Council discussed this and per their request, Jeff Jorgensen
208 said he have the staff put together a proposed change to the City's personnel policies for the
209 council to review.
210

211 The City Council agreed that if there are not enough items to hold a meeting in two weeks, one
212 would not be held.
213

214 *Nancy Potter made a motion to adjourn. Al Moser seconded the motion. A vote was called and*
215 *the motion passed unanimously with Kevin Dustin, John Bailey, Al Moser, Nancy Potter and Allen*
216 *Kartchner voting in favor.*
217

218
219 The meeting adjourned at: 7:35 p.m.
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221
222 Approved by City Council: August 18, 2010
223

224 Transcribed by Marie Wilhelm
225

226 Recorded by _____
227 Scott Bennett/City Recorder
228

229
230 * Due to the fact that there is other documentation related to this agenda item that may not be included in the official
231 minutes of this meeting, the following repositories, cross referenced to applicable agenda items within these minutes, shall
232 indicate where additional documentation can be found for future reference for that agenda item:

- 233 1. Annual City Council meeting binders in the Office of the City Recorder
- 234 2. Budget folders in the Office of the City Recorder
- 235 3. Special Project folders in the Office of the City Administrator
- 236 4. Subdivision Folders in the Office in the City Engineer