

57 ever has been before; particularly the requirements for the permit for discharging storm water.
58 He said a presentation will be done for the City Council when they proceed a bit further. He said
59 a Stormwater Committee has been put together, as is now required. The council briefly
60 discussed the storm drain to be installed on 800 East. It was in progress.
61 Jeff continued to review the items on the list. The council discussed the letter going out to Hyde
62 Park library card holders regarding their termination of services at the North Logan City Library.
63 Mayor Berentzen said the Steve Alley item can be removed from the list, and gave an update on
64 the situation. Chief Kim Hawkes discussed the status of the clean up at the Alley property.
65 Chief Hawkes also said he will be having a meeting with someone at the Division of Wildlife
66 regarding the deer population in North Logan. John Bailey asked about doing a "sweep" of the
67 deer and moving them; and Chief Hawkes explained the problems in doing that, and that it ends
68 up killing approximately 80% of the deer.
69 The council agreed to also remove the Lauritzen item from the list.
70 The council briefly discussed the updated status of the environmental impact statement for 200
71 East.

72
73 Mayor Berentzen introduced Steve Krebs, Operations Supervisor from Questar Gas. Mr. Krebs
74 briefly described what he does and said he hopes to attend North Logan City Council meetings
75 several times a year to be available for questions or assistance.

76

77 New Business

78 **6:35 PUBLIC HEARING** to receive public input on a proposed ordinance adopting restrictions on
79 the manufacture, distribution, possession, or use of synthetic cannabinoids (commonly referred to
80 as "spice"). Following the public hearing the Council may choose to adopt the proposed
81 ordinance.^{#1}

82 *After briefly introducing the item Mayor Berentzen opened the public hearing at 6:55 p.m.*

83

84 Lydia Embry stated her questions and comments. She asked why there is a need for the
85 proposed ordinance on Spice, and asked if this was being done here because Bear River Health
86 [Department], which Mayor Berentzen is the Director of, held a public hearing on this the previous
87 day. She said there was no introduction, and without that, what the need for this is; and asked if
88 Spice is really a problem. She said she wanted to "know the 'why', before there is an 'if'."

89

90 Nancy Potter asked Mayor Berentzen to explain the problems with Spice and what it does to the
91 human body and the problems it creates [in communities].

92 Mayor Berentzen said that while he may not be qualified to explain it fully; he said he knows that
93 it is not intended to be used internally as a substance; it is intended to be used as incense. He
94 said he is Director of Bear River Health Department; and they have had substantial problems with
95 individuals who are under the influence of Spice, who have had severe reactions, behaviorally,
96 which has caused problems within the community. He said they have also had people turn
97 themselves into the hospital emergency room who are under its influence. He said it is extremely
98 addicting, but is not always pleasant in terms of what these individuals are hoping to get out of it.
99 He said if this was just an individual health issue, he believes that more governing should not be
100 done; however in the case of Spice, the behavioral influence is a threat to others. He said the
101 behavior people present when under its influence is unpredictable, and explained an example of
102 this. He said he was the person who brought it to the North Logan City Council agenda; but that
103 it was actually the county attorney who brought it to the Board of Health agenda. He said in
104 terms of prosecution, it is better to have this managed under a municipal ordinance, rather than a
105 local board of health. He said they are aware of one location with the North Logan City limits
106 where Spice is for sale.

107 The nature and scope of how and where it is being used, and the negative outcome of the use,
108 was further discussed by the council.

109 Mayor Berentzen said that state legislature is putting something together on this; and that this is
110 potentially being done for law enforcement to have some parameters to deal with this.

111 John Bailey said he considered the potential negative effects of [passing this] ahead of the issue,

112 but after weighing everything, he says they will likely do more good by taking this action, than by
113 waiting.

114 *Kevin Dustin arrived at this time: 7:04pm.*

115 Chief Hawkes explained the fact that the police department has not had an effective mechanism
116 to be able to deal with individuals under the influence of this particular substance. He further
117 discussed some of the incidents the Police Department has faced with this, including a local
118 middle school student who had consumed Spice and created an incident. He said there are an
119 increasing number of individuals turning to this substance as an alternative, because they
120 perceive it as "okay", because it is not currently illegal. He explained that there is also a
121 population who are on probation, who are limited with even greater restrictions than the general
122 population, who are turning to this because there is not a law against it, and use it to facilitate the
123 habit they had with other drugs, and can therefore avoid the law issue associated with those
124 drugs. He also explained that the county ordinance covers the unincorporated areas. Therefore,
125 to have any influence, every city has to go through a process such as North Logan is doing
126 tonight. He said the cities Ogden and South Ogden have already passed such an ordinance, and
127 there are other cities across the state which are moving in the same direction, regardless of the
128 fact that there is anticipation that the state [Utah] will potentially do something this session. He
129 said there is enough of an issue that law enforcement is seeing consistently, and is increasing,
130 that they felt they could not wait until possibly January or February, or even May, for the law to go
131 into effect, to be able to take action.

132 Mayor Berentzen said that Logan City has already taken action on this, and said he feels that it is
133 important to have consistency through the municipalities. Chief Hawkes said Hyde Park is also
134 putting together an ordinance.

135

136 *John Bailey made a motion to adopt the ordinance. Kevin Dustin seconded the motion. A roll-*
137 *call vote was called and the motion passed unanimously with five ayes: Nancy Potter, Al Moser,*
138 *Allen Kartchner, John Bailey and Kevin Dustin; and no nays.*

139

140 Consider a resolution approving an equipment lease purchase for a police department vehicle. #1

141 Chief Hawkes said the department made the decision through the budgeting process to look at
142 some alternatives to police vehicles. He said a smaller vehicle was purchased to use in order to
143 evaluate fuel economy, and whether a small vehicle would work for the department and fit their
144 needs. He explained that the leasing company presented the department with an option to lease
145 a vehicle for two years which would give the department an opportunity to use a smaller a vehicle
146 on a trial basis and give them time to determine whether something like this would work.

147

148 *Kevin Dustin made a motion to approve the resolution. Al Moser seconded the motion.*

149

150 Nancy Potter asked if the price is just for the vehicle or for the equipment as well. Chief Hawkes
151 explained, and also said there are additional items the department added, such as lights and a
152 computer, which he said the department will keep and maintain.

153 Kevin Dustin asked about previous discussion in council regarding whether a smaller vehicle
154 would work for being able to travel to the upper areas of North Logan. Chief Hawkes said that will
155 be more evident during the winter months.

156

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

159

160 Consider a request for water and sewer connections for the development of a property outside
161 the boundaries of NLC at approximately 2495 N. Main. #1

162 Jeff Jorgensen explained the new building going in between Hamilton's and Tesoro and
163 explained the fee situation for this location. He said it is in Logan City, but that North Logan City
164 is providing water and sewer for that location. He said this is an area that will be in North Logan if
165 the boundary changes being worked on occur.

166

167 *Al Moser made a motion to approve the request. Kevin Dustin seconded the motion. A vote was*

168 *called and the motion passed unanimously with Kevin Dustin, John Bailey, Al Moser, Nancy*
169 *Potter and Allen Kartchner voting in favor.*

170
171 Consider a resolution approving an interfund loan in the amount of \$426,358 from the Water
172 Enterprise Fund to the General Fund – Debt Service at an interest rate of 0.5851% and applying
173 to the current approved budget for the fiscal year ending June 30, 2011. The purpose of the loan
174 is to acquire real property.^{#1}

175 Mayor Berentzen briefly explained the item. Jeff clarified that the resolution the City has is
176 correct, but the transfer is made to the capital improvement fund rather than the general fund.

177
178 *Al Moser made a motion to approve the resolution. Allen Kartchner seconded the motion. A vote*
179 *was called and the motion passed unanimously with Nancy Potter, Al Moser, Allen Kartchner,*
180 *John Bailey and Kevin Dustin voting in favor.*

181
182 Jeff Jorgensen mentioned that even though the loan is for five years, the City can pay it off
183 sooner if it chooses to.

184
185 **Reports from city officers, boards, and committees**^{#1}

186 Allen Kartchner reported that he and John Bailey attended the Tour of Utah the previous Monday,
187 which the Cache County Planners provided, and said it was excellent. He said the organization is
188 going to try to do this every other year. He said it was very informative and well worth the time,
189 and recommended that others attend if they have the chance.

190
191 John Bailey said he agreed with Allen Kartchner on how useful the tour was. He said he would
192 like to see form-based codes get on the "fast track", particularly now in seeing how developments
193 can be done using those principles.

194 John also mentioned the letter going out to Hyde Park regarding the library, and said it is critical
195 that it has accurate information. The City Council discussed this further. Al Moser said it is only
196 fair that Hyde Park residents pay an equal amount to what North Logan residents pay, for library
197 services. John said he agrees with that; but said there is a misunderstanding among the Hyde
198 Park residents as well as the Library Board members and the City Council; and that there needs
199 to be discussion and a consensus made between the board members and the City Council. Al
200 Moser said he disagrees, and said the Library Board has nothing to do with this; that the City
201 Council decides who the City offers services too. This was discussed further.

202
203 Nancy Potter said she wanted to thank Alan Luce for the fantastic job he did on the North Logan
204 City race held the previous Saturday (a one-mile and a 5K). She said it was put together well and
205 not one thing was done that she would have changed. She said they are going to try to post the
206 race results. She further discussed the event.

207
208 Mayor Berentzen mentioned that Elaine Nelson's (four-year) term on the Cache Mosquito
209 Abatement District Board of Trustees is expiring and asked the Council if they would like to re-
210 appoint her, or whether there is interest in others being in that position. Mayor Berentzen
211 discussed what holding the position entails and the council discussed this further. The council
212 agreed that Mayor Berentzen discuss with Elaine Nelson whether she wants to retain the
213 position; and if not, to then put an inquiry in the North Logan City newsletter to see if anyone else
214 is interested and make their decision based on those candidates.

215
216 Allen Kartchner mentioned the need for a candidate for the Hyde Park Cemetery Board. Mayor
217 Berentzen and the council discussed this further and the mayor said he would get some
218 information about who would be eligible to be on the board and invite someone to submit their
219 name for consideration by the county.

220
221 *Allen Kartchner made a motion to close the regular meeting and move into Executive (Closed)*
222 *Session for the purpose of discussing the acquisition of real property. Al Moser seconded the*
223 *motion. A vote was called and the motion passed unanimously with Kevin Dustin, John Bailey, Al*
224 *Moser, Nancy Potter and Allen Kartchner voting in favor.*

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This occurred at 7:46 p.m.

Executive Session (Closed) to discuss the acquisition of real property.
Minutes for this written under separate cover.

Kevin Dustin made a motion to close the Executive (Closed) Session and re-open the regular meeting. Allen Kartchner seconded the motion. A vote was called and the motion passed unanimously with Kevin Dustin, Nancy Potter, Al Moser, Allen Kartchner, and John Bailey voting in favor. This occurred at 8:15 p.m.

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

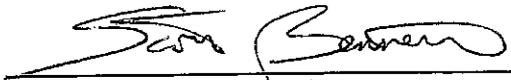
The meeting adjourned at: 8:16 p.m.

Approved by City Council:

November 17, 2010

Transcribed by Marie Wilhelm

Recorded by



Scott Bennett/City Recorder

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

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

**NORTH LOGAN CITY COUNCIL
MEETING NOTICE AND AGENDA
OCTOBER 6, 2010**

The North Logan City Council will hold a regular meeting on Wednesday October 6th in the City Council Chambers (meeting room) at the North Logan Library, 475 East 2500 North, North Logan, Utah beginning at 6:30 p.m.

The agenda is as follows:

1. Opening Business including:
 - Roll Call, Welcome, and Opening Ceremony
 - Adoption of agenda
 - Approve minutes of previous City Council meeting.
 - Follow-up on issues from previous meetings
 - Review of Action Items List
- ✓ Note – Steve Krebs, Operations Supervisor for Questar Gas Company, will be attending the meeting to introduce himself to the Council and address any concerns that the Council may have with regard to Questar Gas.
2. **6:35 PUBLIC HEARING** to receive public input on a proposed ordinance adopting restrictions on the manufacture, distribution, possession, or use of synthetic cannabinoids (commonly referred to as “spice”). Following the public hearing the Council may choose to adopt the proposed ordinance.
3. Consider a resolution approving an equipment lease purchase for a police department vehicle.
4. Consider a request for water and sewer connections for the development of a property outside the boundaries of NLC at approximately 2495 N. Main .
5. Consider a resolution approving an interfund loan in the amount of \$426,358 from the Water Enterprise Fund to the General Fund – Debt Service at an interest rate of 0.5851% and applying to the current approved budget for the fiscal year ending June 30, 2011. The purpose of the loan is to acquire real property.
6. Reports from city officers, boards, and committees.
7. Executive Session (Closed) to discuss the acquisition of real property.

The order in which items are discussed during this meeting is subject to change throughout the meeting. Persons interested in attending the meeting for specific items should plan to be in attendance at the beginning of the meeting. Any public hearings on the agenda will be no sooner than the time specified but may be later.

NORTH LOGAN CITY CITY COUNCIL MEETING

Date: October 6, 2010

PLEASE print clearly:

1. Chris Nielsen
2. Cameron S. Neeley
3. Jacob D. Holloway
4. JASON CARLISLE
5. Yduna Rust
6. Erin Rust
7. Jackson Milne
8. Chester Niebergall
9. David Karren
10. Alan Branch
11. Scott Heinz
12. Steve Krebs (Questar)
13. Neil Murray
14. Deanna Rothlisberger
15. Sasha Griffith
16. Jennifer Major
17. Wendy Kelly
18. _____
19. _____
20. _____
21. _____
22. _____
23. _____
24. _____
25. _____
26. _____
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.