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**Minutes of the North Logan City
City Council
Held on December 1, 2010
At the North Logan City Library, North Logan, Utah**

Allen Kartchner made a motion to appoint Al Moser Mayor Pro Tem in the absence of Mayor Lloyd Berentzen. John Bailey seconded the motion. A vote was called and the motion passed unanimously with Kevin Dustin, Al Moser, Allen Kartchner, and John Bailey voting in favor.

The City Council meeting was called to order by Al Moser at 6:30 p.m.

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

Others present were: Lydia Embry, Jill Parker, Chelsea Niebergall, Larry Sonle, Rick Stehmeier, Chuck Larson, Diana Cannell, Jon Keller, Scott Bennett, Cordell Batt, Jeff Jorgensen and Marie Wilhelm.

The Pledge of Allegiance was led by John Bailey.
An invocation was given by Kevin Dustin.

Adoption of Agenda

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

Approval of previous City Council Meeting

Not available at this time.

Follow-up

Nothing at this time.

Review of Action Items

Jeff Jorgensen reviewed the items on the list with the council. He said the supplement for the Final Impact Statement for the 200 East project is almost done and will go to UDOT and legal review the first of January, which will take approximately 30 days each. Then, after it is with the public for 30 days, it will go to the Feds for final decision.

He said the City's Storm Water Management Plan was completed and taken to J.U.B. the previous day, and will be taken to the state today, with all of the other cities' plans.

New Business

Receive the annual report from the Bear River Health Department #1

Jill Parker from Bear River Health presented their annual report, as well as gave hard copies to the City Council, which she reviewed with them.

John Bailey asked about "herd immunity" issues occurring in the world lately, particularly in regards to polio; and said he'd heard that Utah might have dropped a little bit below the herd immunity level; and asked Ms. Parker if she had data from Bear River Health regarding this. She said she did not have that information on hand, but that she could get those numbers to him. She discussed the problems with this issue, affecting public healthy globally, nationally and locally. She mentioned the whopping cough outbreaks occurring in California, which she said they attribute to the state dropping below the protective herd immunity threshold. He also asked her

55 about legislation occurring regarding the immunization of teen mothers, which Ms. Parker
56 explained.

57

58 Receive the report from the city's independent auditor on the results of the annual financial audit
59 of the city for fiscal year 2010.^{#2}

60 Diana Cannell, from the accounting firm of Allred Jackson, presented their audit of North Logan
61 City for fiscal year 2010, which she gave hard copies of to those staff and council members in
62 attendance. She expressed her appreciation to North Logan City staff for the great job they
63 perform, for all the work they do, and how well they consistently adhere to procedures and
64 maintain all of the necessary documentation. She said it makes for a smooth auditing process.

65 She continued to review some of the highlights of the audit for the City Council. She discussed
66 the issue that the Sewer Fund is not supporting itself and said the fact that the City raised its
67 sewer rates will be very beneficial, and is a necessity for North Logan to do so.

68 Ms. Cannell discussed the Management letter and said that last year, the City had six findings,
69 and that there were only four this year. She discussed the vast variety of items they are required
70 to test during the audit; and said that the findings for North Logan City included audit adjustments,
71 fixed asset tracking and depreciation, the judicial and the library debt service, and the sewer
72 deficit fund balance; which items she detailed. She said these items were really minimal,
73 especially compared to the volume managed, and the sharp improvement from last year in these
74 areas; but also said the processes for these items just need to be monitored to ensure they do
75 not occur in the future.

76

77 Receive an update on the Logan-Cache Airport Master Plan.^{#1}

78 Chuck Larson with JUB Engineers, representing the Logan Cache Airport Board said they have
79 completed the Airport Master Plan update and are bringing to the City Council a final report
80 approved by the FAA. He said the board wants to thank Cordell Batt and the rest of the group for
81 participating in the process. He said he feels they now have a very viable, long-term plan; as well
82 as a vision for future, commercial airline operations there.

83 Jeff Jorgensen asked if there were any changes in height requirements for structures around the
84 airport, and Mr. Larson said not at all.

85 John Bailey asked if anything in their plan impacts any of the property belonging to North Logan
86 City in that area and Mr. Larson said it does not, which he briefly discussed.

87 Per a question from a member of the audience, Rich Stehmeier, the airport manager, briefly gave
88 an update on the potential plans for commercial airline use at this airport; and said there is
89 nothing imminent at this point, but they continue to work towards this goal.

90

91 Consider release of the final improvement bond for Stone Gate Estates subdivision.^{#1}

92 Jeff Jorgensen gave the status of the situation.

93

94 *Kevin Dustin made a motion to release the final improvement bond for the Stone Gates*
95 *subdivision. Allen Kartchner seconded the motion. A vote was called and the motion passed*
96 *unanimously with Kevin Dustin, Al Moser, John Bailey, and Allen Kartchner voting in favor.*

97

98 Consider adopting a proposed ordinance that would modify zoning regulations regarding the
99 number of persons that can occupy a housing unit.^{#1}

100 Jeff Jorgensen explained that he changed the verbiage as was discussed at the last City Council
101 meeting, and now includes the recommendation made by citizen Janae Shumway, agreed to by
102 the City Council.

103 Al Moser asked what would occur if North Logan City did not comply with state law. Jeff
104 Jorgensen explained that if the City wanted to enforce our ordinance (rather than what the state
105 requires), the person living in that situation could go to court, because North Logan City would, in
106 that case, be in violation of the state requirements.

107 Allen Kartchner asked about enforcement, and what happens when someone does not comply.

108 Jeff explained that it will be handled as it has been in the past, which is not to enforce this unless

109 there is a complaint; and then it is investigated, and if there is a violation, the police issue
110 citations, which has been done in previous incidents. Jeff said it is a zoning violation, which is a
111 Class B Misdemeanor, which could include a significant fine.

112

113 *Allen Kartchner made a motion to adopt the ordinance. Kevin Dustin seconded the motion. A*
114 *vote was called and the motion passed unanimously with Kevin Dustin, Al Moser, John Bailey*
115 *and Allen Kartchner voting in favor.*

116

117 Consider adopting a proposed ordinance that would modify zoning regulations by eliminating "RV
118 Park" from being an allowed use anywhere in the city by changing the zoning matrix.^{#1}

119 *Allen Kartchner made a motion to adopt the ordinance. Kevin Dustin seconded the motion.*

120

121 Allen Kartchner referred to property rights, and asked that, if this ordinance is adopted, whether
122 the City is stating that this particular use of a property is unacceptable to us as a community, and
123 Jeff said that was correct. Allen said he is concerned that we are reacting to a particular
124 instance, rather than the overall issue. He said the Planning Commission expressed those
125 concerns and indicated that it might be useful to make it a conditional use in appropriate zones;
126 and to then determine what conditions need to be specifically in place to make it an acceptable
127 use for the community. Per a question from Kevin Dustin about where it might be acceptable,
128 Allen said perhaps in a commercial zone, which he explained further. Jeff discussed this, as well.

129 Jeff said a lot has been learned about the one that has gone in, which he further discussed. He
130 also suggested areas within North Logan City that might work for such a use.

131 Jeff recommended passing the ordinance for now, until staff can put something cohesive and
132 inclusive together. He said just to have a permitted use in the general commercial zone, without
133 any kind of associated standards and design guidelines, would not be beneficial.

134 The council continued to discuss this; including that there will not be a "blanket" exclusion for this
135 in the future; but that something will be written to by City Planning department staff, to be more
136 structured, and will be written in the near future. They discussed making a second motion to add
137 a timetable to writing new guidelines for this use.

138

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

141

142 *Allen Kartchner made a motion to have the City Planning department to put some analysis for the*
143 *City Council to review and consider whether this is a use the City wants to include in the zoning*
144 *matrix; and to ask staff to have this done within six months from the date of this meeting. John*
145 *Bailey seconded. A vote was called and the motion passed unanimously with Kevin Dustin, Al*
146 *Moser, John Bailey and Allen Kartchner voting in favor.*

147

148 Consider a request to turn over to the city ownership of open space in the Deer Hollow and
149 Foothills North Subdivisions.^{#1}

150 Al Moser said he feels this needs a lot of thought before a decision can be made.

151

152 *Kevin Dustin made a motion to deny the City ownership of open space in Deer Hollow and*
153 *Foothills North Subdivision. John Bailey seconded the motion.*

154

155 Kevin Dustin said he appreciated all of the information, as well as solutions, that Alan Luce
156 included in his letter regarding this; and also expressed his concern that this could "eat up" a
157 good deal of the Parks & Maintenance Budget as this proceeds into the future. The City Council
158 discussed this at length. Allen Kartchner said an analysis should be done to consider what the
159 benefit of this could be to the City. He said if it truly contributes to the trail system of North Logan
160 City, then it is something that should be considered; but that to simply take it over would not be a
161 wise idea, which was the general consensus of the City Council. Jeff mentioned that the City
162 already has trail easements through those properties.

163

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

166

167 Re-Consider request to allow bulk storage of liquid petroleum gas at the new RV Park. Also
168 adopt a resolution implementing a permit fee for such storage tanks. The fee is intended to
169 cover the costs of the associated inspections needed to make sure the tanks are installed safely.
170 #1

171 Jeff gave a status of the situation with the developer and discussed the continual promises they
172 offer that they then don't deliver on, including, on a minor note, the fact that the developer did not
173 show up to tonight's meeting, as he said he would.

174

175 *Kevin Dustin made a motion to deny the request to allow bulk storage of liquid petroleum gas at*
176 *the RV Park. John Bailey seconded the motion.*

177

178 Al Moser pointed out that the request was for any tanks greater than 110 gallons and for up to
179 ninety days. He said it was his understanding that the tanks needed to be less than 110 gallons
180 and that the customers could not stay longer than thirty days.

181 Allen Kartchner asked that if this is denied, does it mean that no more tanks can be installed. Jeff
182 said that is correct, and that it also means that the eleven tanks that are there now, will have to be
183 returned. He said the first company that the customers in the park asked to install the tanks
184 refused, as they knew it was in violation of North Logan City's ordinance. Jeff said it is hard to
185 fault the trailer owners; but the companies who are making the money off of it should know the
186 rules, especially as they have been told before that they cannot deliver to this location.

187 Fire Chief Jon Keller mentioned that the trailer park behind "Top Stop" on Main Street, behind
188 Chevron, also has the larger tanks at their location, which needs to be dealt with as well.

189 Allen Kartchner asked how many days of fuel they have on the trailer with the smaller tanks, and
190 Chief Keller said they may get approximately five days worth of heat. Allen expressed his
191 concern about the residents of the trailers, and the issue of being punitive towards them when it is
192 really the fault of the developers.

193 Kevin Dustin said this may be the only way to put the pressure on the developer to abide by the
194 rules.

195

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

198

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

200 Cordell Batt said the second meeting was held with the property owners regarding form based
201 codes, the previous evening. He said the same three owners who came to the first one, came to
202 this meeting. He said there has not been any negative feedback; but no one is showing any
203 interest whatsoever.

204

205 Jeff reminded the City Council about the North Logan City Christmas party the following evening;
206 and also said that currently, he does not have anything for the agenda for next meeting, therefore
207 a meeting might not be held.

208

209 John Bailey received communication from Jay Monson that Logan city is open to those cities that
210 voted in favor of a county-wide library system; and for those cities to discuss an inter-local
211 agreement. John said he would like to follow up on that; and recommended sending a letter of
212 interest to Logan City pursuing this idea. The City Council discussed this; and Jeff said it is
213 important that their ideals [for how systems and policies would work] for how this would be done
214 need to be in synch with ours, for it to work. He mentioned that the North Logan City's computers
215 are now in a state to be compatible with theirs, which is a main issue. Al Moser mentioned that
216 inter-library loans are already currently available.

217

218 John Bailey said he will write a letter and review it with Mayor Berentzen.

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

The meeting adjourned at: 7:56 p.m.

Approved by City Council: January 5, 2011

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
DECEMBER 1, 2010**

The North Logan City Council will hold a regular meeting on Wednesday December 1st 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
2. Receive the report from the city's independent auditor on the results of the annual financial audit of the city for fiscal year 2010.
3. Receive the annual report from the Bear River Health Department.
4. Receive an update on the Logan-Cache Airport Master Plan.
5. Consider release of the final improvement bond for Stone Gate Estates subdivision.
6. Consider adopting a proposed ordinance that would modify zoning regulations regarding the number of persons that can occupy a housing unit.
7. Consider adopting a proposed ordinance that would modify zoning regulations by eliminating "RV Park" from being an allowed use anywhere in the city by changing the zoning matrix.
8. Consider a request to turn over to the city ownership of open space in the Deer Hollow and Foothills North Subdivisions.
9. Re-Consider request to allow bulk storage of liquid petroleum gas at the new RV Park. Also adopt a resolution implementing a permit fee for such storage tanks. The fee is intended to cover the costs of the associated inspections needed to make sure the tanks are installed safely.
10. Reports from city officers, boards, and committees.

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: December 1, 2010

PLEASE print clearly:

1. Till Parker
2. Chesee Niebergall
3. Larry Soule
4. Rich Stehmeier
5. Chuck LARSON
6. Dana Campbell
7. Jon Kellef
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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.