

1 **Minutes of the North Logan City**
2 **City Council**
3 **Held on March 2, 2011**
4 **At the North Logan City Library, North Logan, Utah**
5

6 The meeting was called to order by Mayor Lloyd Berentzen at 6:30 p.m.
7

8 Council members present were: Allen Kartchner, Al Moser, Nancy Potter, Kevin Dustin, John
9 Bailey and Mayor Berentzen.
10

11 Others present were: Rebecca Larsen, Karen Bradley, Alyssa Settles, illegible name, illegible
12 name, Emily Pannell Johnson, Judi Poorte, Jon Keller, Cory Walker, Barbara Middleton, Jill
13 Morgan, Cody Swensen, Brandon Taggart, Ronald Payne, Kim Hawkes, Lydia Embry, Marcia
14 Cheney, Alicia Pugmire, Scott Bennett, Jeff Jorgensen and Marie Wilhelm.
15

16 The Pledge of Allegiance was led by Mayor Berentzen.

17 An invocation was given by Al Moser.
18

19 **Adoption of Agenda**

20 *Al Moser made a motion to adopt the agenda as presented. Nancy Potter seconded the motion.*
21 *A vote was called and the motion passed unanimously with Nancy Potter, Al Moser, Allen*
22 *Kartchner, and John Bailey voting in favor.*
23

24 **Approval and Follow-up of Minutes of February 16, 2011**

25 *Allen Kartchner made a motion to approve the minutes as presented. Nancy Potter seconded the*
26 *motion. A vote was called and the motion passed unanimously with Nancy Potter, Al Moser,*
27 *Allen Kartchner, and John Bailey voting in favor.*
28

29 **Follow-up**

30 Nothing at this time.
31

32 **Review of Action Items**

33 Jeff Jorgensen reviewed the list with the City Council.
34

35 **New Business**

36 Child & Family Support Center presenting information regarding the April Child Abuse Prevention
37 Proclamation. Following the presentation the council may consider adopting the proposed
38 proclamation.^{#1}

39 Alicia Pugmire of the Child & Family Support Center gave a presentation regarding the April Child
40 Abuse Prevention Program, and also presented the services that their center provides, and
41 explained upcoming events which will serve to support their organization.

42 Mayor Berentzen read aloud the proclamation being proposed to be adopted.
43

44 *Nancy Potter made a motion to adopt the proclamation. Allen Kartchner seconded the motion. A*
45 *vote was called and the motion passed unanimously with Nancy Potter, Al Moser, Allen*
46 *Kartchner, and John Bailey voting in favor.*
47

48 Consider approval of appointments to fill vacancies on boards, committees, and commissions
49 serving North Logan City.^{#1}

50 Jeff explained that there are two members of the Planning Commission to be reappointed: Bob
51 Balling and Frank Prince, to continue in their positions; for David Luthy to be appointed as
52 member of the Library Board; and, for Nan Isaacson to be reappointed to the Library Board.
53

54 *John Bailey made a motion to approve those appointments and reappointments, as discussed.*
55 *Allen Kartchner seconded the motion. A vote was called and the motion passed unanimously*
56 *with John Bailey, Al Moser, Nancy Potter and Allen Kartchner voting in favor.*
57

58 Discuss issues relating to access to the North Logan Library by non-residents. Also to be

59 discussed is a draft agreement revising a previous agreement on the use of funds provided by the
60 Thorne Endowment.^{#1}

61 Jeff Jorgensen showed a spreadsheet with information on various options for potential fees that
62 could be charged to non-residents for them to be able to use the North Logan City Library; and
63 explained the various cost break-downs for individuals and for families, for residents vs. non-
64 residents.

65 The City Council discussed this at length. Al Moser said an individual card will essentially
66 become a home card. He said in terms of the possible inter-local agreement with Logan City, our
67 fees need to be at least as high as theirs are, or they will never consent to an agreement. He
68 asked whether it is right for one individual to pay less than another who is paying much more
69 taxes. He said the only way to make it fair and equitable is to base the fees on property taxes.

70 John Bailey said he understands what Al Moser is saying, and it is what Logan City is already
71 doing, utilizing a very detailed formula to arrive at those costs; but he feels that it all averages out
72 and that we should not be too concerned with who is subsidizing whom.

73 Marcia Cheney discussed how a multi-family card might be worked out, and said that Logan City
74 charges \$163 per card and thought that North Logan City should have something very close to
75 that in cost.

76 Allen Kartchner said a question is whether North Logan City is ready to expand outside its
77 community. He also said that adopting a fee close to Logan's would facilitate the inter-local
78 agreement, which he said he sees as the crucial issue. He also said that in terms of the future,
79 when another community shows interest in being part of an inter-library system, such as River
80 Heights, they should set up a dedicated library tax and not just be allowed to simply purchase
81 cards. He said he doesn't feel that many people will purchase "non-resident" library cards.

82 John Bailey said that regardless of who buys the card, we will have at least made the gesture to
83 aid in making this possible.

84 Jeff Jorgensen said he feels that if we do an inter-local agreement with Logan, the North Logan
85 fee needs to be exactly the same as Logan's fee, as the access to the libraries will be the same.
86 He also said our policies for use should be exactly the same. He said that written into the
87 agreement should be some understanding as to which library would get the fee money for the
88 cards.

89 Nancy Potter said it is important to remember that non-residents are only paying to *use* the
90 collections; that it is North Logan City residents who actually *own* the library.

91 Mayor Berentzen suggested to Marcia Cheney that whatever we do, we need to make it simple to
92 administer.

93

94 *Allen Kartchner made a motion that North Logan City will issue a non-resident library card for a*
95 *fee; and that the determination for the value of that fee will be made at a future date by resolution*
96 *of the North Logan City Council. Al Moser seconded the motion.*

97

98 John Bailey asked when the council would determine the fee.

99 *Kevin Dustin arrived at this time, 7:21 p.m.*

100 There was some discussion that Logan City might be increasing their fees for non-resident cards
101 in the near future. Jeff Jorgensen said at this point, we should use the figure that Logan City
102 currently charges, and state that is what we used; and then to possibly adjust it when needed.
103 He said he would put a resolution together for the City Council to review at their next meeting.

104

105 *A vote was called and the motion passed with John Bailey, Al Moser, Nancy Potter and Allen*
106 *Kartchner voting in favor; while Kevin Dustin abstained his vote as he had just arrived at the*
107 *meeting, after most of the discussion took place.*

108

109 Consider an ordinance updating the city code regarding the penalty for late payment of business
110 license fees. This ordinance, if passed, would have the amount of the fee set by resolution of the
111 City Council when such is necessary.^{#1}

112 Jeff Jorgensen briefly explained the item to the council.

113

114 *Kevin Dustin made a motion to adopt the ordinance. Al Moser seconded the motion. A vote was*

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

117
118 Consider a resolution which would provide for the minutes of certain executive (closed) sessions
119 of the City Council to be reclassified and opened to the public. These protected minutes relate to
120 acquisitions of real property that have taken place and if the resolution is approved it would make
121 these minutes open to public access.

122 Mayor Berentzen briefly explained the item.

123

124 *Kevin Dustin made a motion to approve the resolution. John Bailey seconded the motion.*

125

126 The City Council discussed this at length, including stating concerns about creating a precedent
127 and having to open each and every set of minutes; that each request should be individually
128 considered; and, that the reasons for opening a set of minutes should be warranted. Kevin
129 Dustin said he does not want this to be a laborious process, but if there is a specific reason, the
130 City is obligated to review the request. Nancy said the City should proceed carefully about this.
131 Kevin Dustin said he felt the City needs to be as transparent as possible, as to not breed
132 suspicion. The City Council continued to discuss this.

133

134 *A vote was called and the motion failed with Allen Kartchner, John Bailey, Nancy Potter and Al*
135 *Moser voting against, and Kevin Dustin voting in favor.*

136

137 **7:00 Public Hearing to receive public input on the concept plan of a proposed subdivision of the**
138 **library property. The proposed subdivision would divide the approximate 9 acres into two lots,**
139 **one of 1.4 acres west of the library and the remainder being the land on which the library sits and**
140 **east of the library. Following the public hearing the council will consider approving the proposed**
141 **concept plan.**^{#1}

142 Cordell Batt presented the situation, reviewed the staff report with the City Council, and outlined
143 the recommendations made by staff in the report, including which reports they recommend
144 waiving. He said the Planning Commission reviewed the concept plan and made a positive
145 recommendation to the City Council.

146

147 *Mayor Berentzen opened the public hearing at 7:36 p.m.*

148

149 Lydia Embry presented her comments, questions and concerns about this subdivision.

150

151 Barbara Middleton asked about the land and said this is more parks land being sold. She said
152 she did not remember any public hearings changing this from park land. She asked that if this
153 land is no longer needed, can the monies from the sale of this land be put back into the parks
154 department, and land be perhaps purchased elsewhere for a park; or if at least the monies be
155 used to determine where the best place for a park would be.

156

157 Shauna Warner, proposed developer for the assisted living center, said that a park being built on
158 a busy corner like this would not be the most appealing, and that the school being located across
159 the street already addresses those needs.

160

161 Emily Pannell Johnson, who lives in Logan, said that when she was at the Planning Commission
162 meeting where this was discussed, someone commented that they should push the whole idea of
163 the land sale out of the picture and just to look at the lot situation; and that if the lots are looked at
164 individually, they already look like two lots, and that it makes the most sense to do this step.

165

166 *As there were no further public comments, Mayor Berentzen closed the public hearing at 7:49*
167 *p.m.*

168

169 Mayor Berentzen said the parks per ratio for the City is an important thing to remember, as North
170 Logan City does have a lot of park space; and that it is an issue that that the City Council
171 continues to keep in mind as they move forward.

172

173 Jeff Jorgensen explained the process of public hearings to the attending boy scouts, as public
hearings are for citizens to give their opinion, but not to necessarily receive answers at that time.

174 Jeff further explained that this Public Hearing is simply the first step in the subdivision process.
175 He also explained that in terms of this space being park land; that the City is looking at using the
176 larger space (to the north and east of the library building) for use as park land; which will actually
177 yield the City more land for parks, as a large part of that space was originally going to be used to
178 house the Police Department building, which is now not planned to happen.

179 Al Moser said that originally, this property was not slated to be park land. He further commented
180 that when the City purchases land, but does not yet have a specific use for it at that time, they
181 often simply designate it as park land. When a determination is made and the City changes it
182 from park land to a use the City deems appropriate or necessary, citizens should understand that
183 this is a normal and acceptable process.

184 Mayor Berentzen referred to the deed restrictions on the property, and noted that two restrictions
185 included that no business that sold alcohol could be placed there; nor anything that had noise
186 issues. Jeff said he received the response letter from the LDS Church, which stated that they
187 agreed that the proposed use met the requirements of the deed restrictions on the property.

188 Jeff discussed the process of the development with the council; approval of the concept plan
189 being the current step.

190

191 *Al Moser made a motion to approve the concept plan as presented. John Bailey seconded the*
192 *motion. A vote was called and the motion passed unanimously with Kevin Dustin, Nancy Potter,*
193 *Al Moser, Allen Kartchner, and John Bailey voting in favor.*

194

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

196 Cordell Batt referred to the spreadsheet on various development plan application fees that he
197 gave to the council for them to review to consider changing those fees, which he said have not
198 been reviewed in the last nine years. He explained the information on the spreadsheet. He said
199 it is simply for the council's information, and that he and Jeff will be putting together a resolution
200 for the council to review. The council discussed this briefly.

201

202 Scott Bennett said in May, the City will be posting information on line regarding what expenses
203 and vendors the City uses, as part of the state requirements in relation to the new "transparency":
204 laws.

205

206 Mayor Berentzen mentioned that he received a lot of comments from citizens about what a great
207 job the street crew did during the last snow storm in clearing the roads. The new sidewalk on 200
208 East was discussed and that people have trouble because the responsible, adjacent property
209 owners do not clear their snow. Jeff said that if complaints are brought to the City, they can try to
210 follow up with property owners about clearing their sidewalks.

211 Mayor Berentzen said a meeting regarding 1600 East is being held with the property owners and
212 Ross Lapray; and he invited the City Council to be part of that meeting. He said the meeting will
213 be held on March 15th, at 7:00 p.m. at the City offices, in the conference room. There was
214 discussion that the main section on 1600 East in question runs from 2700 North to 3100 North.

215

216 Al Moser said that snow on sidewalks is a city-wide problem and does not feel that the City
217 should do spot enforcement. He said he also received positive comments from citizens about
218 how well the street crew did on the snow removal.

219

220 Nancy Potter mentioned a section on 2200 North just east of 1200 East that is very slippery with
221 ice after a storm, particularly when driving west to stop at the stop sign, which is at a downward
222 angle. The council discussed the fact that the adjacent trees prevent the sun from hitting that part
223 of the road. Nancy said she appreciated the City crew putting sand on that spot recently.

224

225 John Bailey gave the City Council members copies of a draft letter proposed to be sent to
226 members of Logan City Council and their library representatives, to essentially correct
227 misperceptions held by them regarding the inter-local agreement. John said he would like the
228 letter to go to all three levels of Logan City. He asked the City Council, Library Director Marcia
229 Cheney and Jeff to review the letter and give any needed corrections to John. He also said it was
230 important for Mayor Berentzen and Logan City Mayor Watts to discuss the situation face to face.
231 The council discussed various issues, as well how to proceed. Mayor Berentzen said he felt that

232 John's letter was very well done. The council also discussed the fact that having an inter-local
233 agreement with Logan City is truly a bigger advantage for them, than for us. John said he will
234 include any comments given to him by the above, and will then make a final document to give to
235 the council for their review, before he sends it out.

236
237 Barbara Middleton discussed upcoming workshops that the Tree Committee is holding; as well as
238 other events they are working on such as Arbor Day, and receiving a Legacy Tree Grant. She
239 discussed the committee and said they would like to have a teacher, a senior community
240 member, a Youth Council member and a Scout leader as members of the committee. She said
241 they only meet four times a year. She further discussed upcoming events and activities the
242 committee is part of. She also discussed the Historical Committee and said they would like more
243 people on that committee. She said the Historical Committee also needs website help, someone
244 to take minutes, and people to help identify individuals in photographs.

245 Kevin Dustin suggested putting these kinds of requests in the City newsletter.

246

247 Executive session (Closed) to consider real estate transactions.^{#1}

248 *John Bailey made a motion to move out of regular session and into Closed Session for the*
249 *purpose of considering real estate transactions. Kevin Dustin seconded the motion. A vote was*
250 *called and the motion passed unanimously with Kevin Dustin, Nancy Potter, Al Moser, Allen*
251 *Kartchner, and John Bailey voting in favor. This occurred at 8:26 p.m.*

252

253 Minutes for this written under separate cover.

254

255 *Kevin Dustin made a motion to move out of Closed Executive Session and return to the regular*
256 *meeting. Al Moser seconded the motion. A vote was called and the motion passed unanimously*
257 *with Kevin Dustin, Nancy Potter, Al Moser, Allen Kartchner, and John Bailey voting in favor. This*
258 *occurred at 8:57 p.m.*

259

260 Consider a resolution authorizing negotiation for the sale of a portion of the library property by
261 private sale.^{#1}

262 *Kevin Dustin made a motion to authorize the Mayor and Jeff Jorgensen to enter into negotiations*
263 *for the sale of a portion of the library property by private sale. Nancy Potter seconded the motion.*

264

265 Jeff Jorgensen said a negotiated purchase agreement will come back to the City Council for their
266 review and approval

267

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

270

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

274

275 The meeting adjourned at: 9:00 p.m.

276

277 Approved by City Council:


March 16, 2011

278

279 Transcribed by Marie Wilhelm

280

281 Recorded by



Scott Bennett/City Recorder

282

283

284

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

288

1. Annual City Council meeting binders in the Office of the City Recorder

289

2. Budget folders in the Office of the City Recorder

290

3. Special Project folders in the Office of the City Administrator

291

4. Subdivision Folders in the Office in the City Engineer

NORTH LOGAN CITY CITY COUNCIL MEETING

Date: March 2, 2011

PLEASE print clearly:

1. Rebecca Larsen, CFSC
2. Karen Bradley
3. Alyssa Settles
4. Kandy Mae
5. Mary Pogue
6. Emily Pinnell Johnson
7. Judi Poorte
8. Jon Kell
9. NL / C/I Slant
10. Corey Walker
11. Barbara Middleton
12. Jill Morgan Friends
13. Cody Swensen
14. Brandon Tarrant
15. Ronald Payne
16. _____
17. _____
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.