

56 with the citizens in terms of contact and feedback, and said for those who attended, the feedback
57 was positive. He explained a chart showing aerial photographs depicting the area over a 100-
58 year period. He also explained the growth in population and development for our area. He
59 further discussed the benefits of form based codes, and the process which will be followed if
60 there is approval to move forward. Jeff mentioned an area he had previously discussed with Mr.
61 Young, in Park City, which he said is very similar in design to something North Logan City has
62 considered for its own City Center, and also is comparable in size and shape. Jeff reviewed the
63 pictures with the council and discussed the development there.

64

65 *John Bailey made a motion to approve the contract to continue development of form based*
66 *codes. Kevin Dustin seconded the motion. A vote was called and the motion passed*
67 *unanimously with Kevin Dustin, Nancy Potter, Al Moser and John Bailey voting in favor.*

68

69 The council discussed various points further, including whether form based codes increase
70 residential value. John expressed the positive and evident difference made when communities
71 utilize a form base code system. Al Moser said he voted for this, but still has reservations, as he
72 wants to ensure that this is a positive step.

73

74 Consider a resolution modifying a variety of fees relating to development. #1

75 Jeff Jorgensen explained how the numbers were determined. Nancy asked if "per unit" meant
76 "per house", and "per apartment" when discussing mixed use; and further expressed that it could
77 be confusing. Jeff said that with a subdivision, "per unit" means "per lot", and explained further;
78 and said that for mixed use, it will be "per unit", meaning residential living unit, plus any
79 commercial units within the site. Jeff said the fees are comparable to Smithfield City, and said he
80 would get a copy of those "comps" to the council.

81 Hyde Park Mayor Cox mentioned that Hyde Park City is going through the same process and is
82 right in line with what they are doing.

83

84 *Kevin Dustin made a motion to approve the resolution. Nancy Potter seconded the motion. A*
85 *vote was called and the motion passed unanimously with Kevin Dustin, John Bailey, Al Moser,*
86 *and Nancy Potter voting in favor.*

87

88 Consider a resolution establishing the fee for access to the North Logan Library by non-residents.
89 #1

90 Hyde Park Mayor Cox said he has reviewed other cities to compare the fees, and also said that
91 he recognizes that what the various libraries offer are different. He mentioned the comments and
92 requests he has received, particularly from children, who have been asking what is going to
93 happen with the library when June arrives and their library membership ends. He explained the
94 fees charged by various area cities. He discussed Jeff Jorgensen's proposal to Hyde Park to
95 implement a dedicated property tax for this similar to what North Logan has done, but said the
96 Hyde Park City Council would likely not approve that. He said that a non-resident library card
97 should be done for a family, not an individual; and also said the he is concerned about the burden
98 placed on senior citizens and would like to see a reduced fee offered for them, particularly as
99 their needs are less than a family with children. He also said that expiration dates should be
100 included on the cards. He suggested charging \$50-\$75 per family; and that anything higher, such
101 as the fee Logan City Library charges, would put the cost out of reach, and therefore North Logan
102 would sell many more cards at this lower rate. He said he knows that the North Logan Library
103 offers a lot more programs for children than many of the other libraries in the valley. He said he
104 appreciates the North Logan City Council looking into this and seeing if there is a way to work this
105 out.

106 Mayor Berentzen explained that the resolution amending the master fee schedule to create a
107 North Logan City library use card for non-residents is \$163 per year, per family; which is the
108 amount that Logan City Library is charging for their non-resident library cards. He also explained
109 that there would be a restricted (limited) use library card offered to an individual, for \$50 per year,
110 which would not be transferrable.

111 John Bailey discussed questions he had regarding the individual, restricted use card, as well as
112 the potential associated fees.

113

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

115

116 Jeff Jorgensen explained the fees and the possible rules associated with the restricted library
117 card, which he said the Library Board will set. He explained this further.

118 Al Moser said it is premature to have the item regarding a restricted use card included in the
119 resolution, as the City Council has not had the chance to discuss it. He said if an individual
120 library card does not include restrictions, it *will* become a family card, and possibly more than
121 that.

122 Marcia Cheney mentioned that Logan City Library is increasing their non-resident library card fee
123 in the near future. She said when she used the formula that Logan City used in determining their
124 fee, North Logan's actual cost for a card is \$234 for a family, which is much more than the
125 proposed \$163. She said our cards would have a one-year expiration date.

126 Various items were discussed further with the council. Nancy Potter discussed her concerns with
127 a restricted card being open to abuse, and the problem of monitoring the use. Jeff further
128 discussed how the fee for the card could be determined.

129 The council continued to discuss this.

130

131 *Kevin Dustin amended his motion to remove the portion of the resolution regarding the restricted
132 use library card, as more discussion needs to take place; but to retain the family library card item
133 for discussion and a vote. Al Moser seconded that amendment. A vote was called and the
134 amendment passed unanimously with Kevin Dustin, Nancy Potter, Al Moser, and John Bailey
135 voting in favor.*

136

137 Mayor Cox asked if the formula North Logan used took the Thorne Endowment into
138 consideration, which Jeff said it did, and is giving non-residents partial credit for the Thorne
139 Endowment.

140 The council further discussed costs, and how the fees were determined, and also discussed the
141 need for equality for what North Logan residents are paying.

142

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

145

146 Kevin asked that as a matter of record, Jeff and Marcia come back with more information
147 regarding the implementation of a restricted use library card.

148 Jeff mentioned that 80% of the people in North Logan have cards, and 60% of the people in Hyde
149 Park do.

150

151 Consider approval of a proposed purchase agreement for the sale of 1.4 acres of city property on
152 the corner of 400 East and 2500 North for the purpose of a developer constructing an assisted
153 living facility on the site. #1

154 Jeff Jorgensen said he has a signed purchase agreement from the buyer that he passed copies
155 of to the council. He said there are no substantive changes from what the council saw previously;
156 only changes to items such as names, minor verbiage, etc. He said the price agreed upon is the
157 same as the appraised value. He further discussed the terms.

158 Mayor Berentzen asked for clarification on property access as well as whether expansion is
159 possible, and if they could then change the number of allowed residents. Jeff confirmed that the
160 conditional use permit kept the number of residents to a maximum of sixteen.

161

162 *Kevin Dustin made a motion to approve the real estate purchase agreement. Al Moser seconded*
163 *the motion.*

164

165 Jeff said the shared access item was proposed from the City as opposed to the developers; one
166 because the City wanted to limit access to 2500 North, and also because the gutter is very deep
167 there which causes the City to have to "bridge" the driveways along there, which the City would
168 like to limit, as well. Per a question from Mayor Berentzen about potential problems with sharing
169 access, including snow removal; Jeff explained that the agreement would be that North Logan
170 City would maintain that road and manage snow removal.

171 Potential parking issues were also discussed, which Jeff explained. Kevin Dustin said cross
172 parking agreements can bring about difficulties and should be clearly delineated.

173

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

176

177 Budget Presentation – Discuss revenue portions of the draft FY2012 budget. #2

178 Jeff Jorgensen explained the various items in the documentation with the council, at this early
179 point in the review of the draft. Al Moser mentioned that the council agreed last year to keep the
180 Energy Sales and Use Tax the same, because part of it is going towards the Cemetery. Jeff
181 agreed and said he would make a note of it. Jeff said the next few council meetings will include
182 presentations from the various City departments on each of their respective budgets.

183

184 Reports from city officers, boards, and committees

185 Ross Lapray discussed possible road improvements for 1600 East, between approximately 2700
186 North to 3100 North. He explained that last fall, the Engineering Department was directed to
187 begin looking at possibilities for rebuilding that section of roadway, and making some
188 improvements, including allowing for increased pedestrian use, as well as potentially widening
189 that section of road, and improving the intersection there. He said as he and Nate Stephens
190 worked on gathering data, they discovered the topographical issues along there, including a
191 significant cross slope, which Ross described further. He discussed potential changes that could
192 be made to deal with those issues. He discussed the population growth, and said he felt at this
193 point, there is not an urgent need to widen and develop the road in order to deal with a heavy
194 load of traffic that has sometimes thought to have been believed would occur there. He said they
195 did research on what it would be like to drive the road with the new profile grade, which would be
196 done to make the road more drivable. He said they included in potential plans, where future
197 sidewalks, and curb and gutter could be developed in the future, which would bring the road to its
198 full width; and this was done to address most of the concerns now, so that when and if the road
199 needs to be widened in the future, they would be prepared to do so. He said the proposal was
200 presented to the adjacent property owners who live along 1600 East, twenty-three of whom were
201 invited to a meeting the prior evening where the Engineering Department pitched their proposed,
202 preliminary design. He said after much discussion, it was determined by the group of
203 approximately a dozen residents, that they could not support the project as presented; however,
204 they did agree that something needed to be done to improve that section, as well as expressing
205 the desire for the ability for pedestrians to walk on a paved shoulder, outside of the travel lane, on
206 both sides of the road. Ross said that he felt that the clear message he got from the residents at
207 the meeting was that "less is more"; and that how this is developed is a fairly significant concern
208 for those residents, particularly as they are the residents who live along there. He also said they
209 did some rough staking and line painting which would indicate on the east side where the east
210 edge of the asphalt would be, based on a 32-foot section of asphalt; and on the west side it is
211 marked where the west edge of the asphalt would be. He said the center line that is there now is
212 not accurate, which he further explained. He continued to discuss the most challenging issue,
213 which is the cross slope. He discussed how the City typically designs roads with draining, and
214 how they might potentially deal with this grade variance. He discussed how it might be done
215 without bothering neighboring properties too severely. Per a question from John Bailey about
216 how long the road would last, Ross said that is very difficult to predict, but guessed it might
217 potentially work for the City for the next fifteen years.

218 Per a question from Kevin Dustin, Mayor Berentzen explained the fact that, at this point, the City
219 intentionally spoke only to the residents who own property and who are affected directly, along

220 1600 East. Kevin Dustin said that this road is also very important to the residents who use 1600
221 East to access their homes and should also be considered. Mayor Berentzen said they wanted to
222 hear from those residents first, particularly those who could be potentially giving up property.
223 Mayor Berentzen discussed the area, particularly in terms of protecting the rural feel of the area,
224 and improving the road, as well as preserving the walk-ability, but not perhaps going towards
225 developing a curb and gutter situation, which is more like something that would be seen in an
226 urban area, which is what the area residents expressed as their desire.

227 The council continued their discussion.

228 Resident Alan Collins mentioned safety issues with higher speeds, which is further invited by
229 improving the road. He mentioned that it has been established that this road will eventually be 66
230 feet in width; and said he would like to see this road be maintained as a small, rural road, and to
231 *not* have it become a "66-foot super highway".

232 Jeff Jorgensen mentioned that for a 66-foot right of way, the pavement width is actually 39 feet.
233 At this point, the only item not being done is the park strips, nor the curb, gutter and sidewalk; but
234 it still gives the driving lanes that would be there for a full arterial road.

235
236 Resident Casey Fisher said he would also like to continue the "less is more" idea. He said the
237 residents there would like to see access for pedestrians, and safe use of the highway; but where
238 it encroaches with curb, gutter and sidewalk, those things take the rural setting away from it,
239 which they wish to preserve. He said they would like to maintain ownership of their land, keep it
240 as green space, keep it open, keep it farm looking, and that putting a sidewalk there would
241 detract from that. He said his home is the closest to the road, and putting in curb, gutter and
242 sidewalk would put it within ten to fifteen feet of his bedroom window, which he said he would
243 really like to avoid. He discussed the sidewalk on the section from 2700 North to the LDS Chapel
244 which he said they appreciated, and would be in favor of seeing something like that continued.
245 He said they would like to see the road developed well so that it will be a lasting road and
246 something they can be proud of.

247
248 Ross Lapray discussed the difference of 32 vs. 34 feet, and said that due to the cross slope, just
249 that two foot increase impacts the residents on the west side of the road quite a bit. He said as
250 this gets worked through, what is done on one side of the road has great impact on the other side
251 of the road, in both directions, which he further discussed.

252 Mayor Berentzen recommended to the council members that they physically go out and see what
253 is staked.

254
255 Lydia Embry said her family owns the land along 1600 East from 2700 North to 3100 North, and
256 said they are the field the homeowners are looking at, and are the downside of it. She said
257 therefore, this is obviously of great interest to her family. She said her question is how the
258 development will affect her property, and where the road will be. She said the majority of
259 homeowners who are looking at that road are looking at *her* field.

260
261 The council furthered their discussion. Jeff said the City has the money in the budget to do some
262 of the subsurface work as discussed, this year. Al Moser said eventually the City will want some
263 of the Embry property for the road, which Lydia said she is aware of.

264 Jeff said a question is whether the City wants to purchase some of that land now or let
265 development provide it when it comes. Al Moser said, the latter, and the City should keep it in
266 mind for the future; and also said he agreed that it should be kept rural.

267 The council continued their discussion.

268 Nancy Potter said the road should not be developed too far, and mentioned a section of road on
269 1600 East that was new, but ended up getting torn out when a subdivision was put in.

270
271 John Bailey referred to the draft letter supporting the inter-local library agreement with Logan City,
272 and said he got suggested minor changes from Marcia Cheney and Jeff Jorgensen, which he
273 incorporated. He said it also includes the new census information which came out the day

274 before. Mayor Berentzen said he and John should meet with the Mayor of Logan together.

275

276 Nancy Potter mentioned a previously discussed item concerning the accessory building
277 ordinance, and the Council's request to have the Planning Commission review whether or not to
278 revise that ordinance, due to two particular sites that seemed to take negative advantage of the
279 ordinance requirements. She said the Planning Commission meeting minutes suggest that only
280 one member of the council wanted that reviewed, and she asked if it was rather a request of the
281 entire council, not just her, and whether the Planning Commission actually reviewed that
282 sufficiently enough; and asked if the council should have the commission look at this again, or let
283 it go and hope that another building like this doesn't get built.

284 Or, Kevin Dustin asked, does the council accept the fact that the Planning Commission reviewed
285 it and accept that this was their answer.

286 Al Moser said Nancy is right, that the Planning Commission did not look at it.

287 Jeff asked if there should be a combined meeting.

288 Mayor Berentzen said that Nancy was saying that the Planning Commission did not fulfill what the
289 council asked the Planning Commission to do.

290 Nancy Potter said this needs to be reviewed for the future to make sure something like this does
291 not happen again. She said she supports that property owners have their rights; but we don't
292 want something like this happening again somewhere.

293 Jeff discussed the owners using the ordinance in their favor to build what *they* wanted. He said
294 the Planning Commission had quite a long conversation on this, and determined that they do not
295 know how they could change the accessory building ordinance such that it would make any
296 sense beyond that which it is.

297 Al Moser said he felt that the situation [on 800 East] is almost like a commercial situation.

298 Jeff said there are always ways to find an exception, and you cannot stop it *all*; and Kevin Dustin
299 said you cannot legislate morality.

300 Al Moser said the Planning Commission needs to look at this; and Jeff said they had quite a
301 discussion about this. Nancy and Al said the minutes were not very long for this item, and Kevin
302 said the minutes do not reflect the length of a discussion. Marie Wilhelm agreed and explained.

303 Per a question from Mayor Berentzen about whether to ask the Planning Commission to review
304 this again, Kevin said he is satisfied that the Planning Commission had the discussion, they
305 identified this as an anomaly, and that any more efforts to change anything would just be trying to
306 change every little thing in reaction to something that happened.

307 Mayor Berentzen said he would talk to Cordell.

308

309 Mayor Berentzen mentioned that the Cache County Senior Citizen Center has asked if any on the
310 City Council would be willing, for one day, to deliver meals to those senior citizens who are
311 delivered to, to show their support and see how it is done. He said that is taking place on March
312 23rd, and if anyone on the council would like to do that, to please him know. Mayor Berentzen
313 said he has a conflict on that day and cannot participate.

314 Mayor Berentzen said that Rocky Mountain Power contacted him and explained that they have
315 \$25K on their books belonging to North Logan City for trails, and that we will lose it if something
316 isn't done. Jeff said he would work on that.

317 Mayor Berentzen said that Tree City USA did their awards luncheon and recognized North Logan
318 City. He said he would bring this back to a meeting when Alan Luce is in attendance.

319

320 Executive session (closed) to discuss opening the minutes of certain closed meetings from the
321 past, minutes which have been requested to be opened by a Governments Records and
322 Management Act request for record. #1

323 *Kevin Dustin made a motion to move in to Executive (Closed) Session for the purpose of*
324 *discussing the opening the minutes of certain closed meetings from the past, minutes which have*
325 *been requested to be opened by a Governments Records and Management Act request for*

326 record. Nancy Potter seconded the motion. A vote was called and the motion passed
327 unanimously with Kevin Dustin, John Bailey, Al Moser, and Nancy Potter voting in favor. This
328 occurred at 8:35 p.m.

329
330 Minutes for this written under separate cover.

331
332
333 Al Moser made a motion to move out of Closed Executive Session and return to the regular
334 meeting. Nancy Potter seconded the motion. A vote was called and the motion passed
335 unanimously with Kevin Dustin, John Bailey, Al Moser, and Nancy Potter voting in favor. This
336 occurred at 8:54 p.m.

337
338 Re-consider a resolution which would provide for the minutes of certain executive (closed)
339 sessions of the City Council to be reclassified and opened to the public. These protected minutes
340 relate to acquisitions of real property that have taken place and if the resolution is approved it
341 would make these minutes open to public access.^{#1}

342 Kevin Dustin made a motion to approve the resolution which would provide for the minutes of
343 certain executive (closed) sessions of the City Council to be reclassified and opened to the public.
344 Al Moser seconded the motion. A vote was called and the motion passed unanimously with
345 Kevin Dustin, John Bailey, Al Moser, and Nancy Potter voting in favor.

346
347 Kevin Dustin made a motion to charge the City Manager and Mayor to develop a policy, to be
348 reviewed by the City Council, to open closed minutes, as a regular practice, in the future. Nancy
349 Potter seconded the motion. A vote was called and the motion passed unanimously with Kevin
350 Dustin, John Bailey, Al Moser, and Nancy Potter voting in favor.

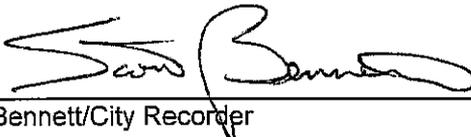
351
352 Kevin Dustin made a motion to adjourn the meeting. Al Moser seconded the motion. A vote was
353 called and the motion passed unanimously with Kevin Dustin, John Bailey, Al Moser, and Nancy
354 Potter voting in favor.

355
356
357 The meeting adjourned at: 8:56 p.m.

358
359
360 Approved by City Council: April 6, 2011

361
362
363 Transcribed by Marie Wilhelm

364
365 Recorded by


Scott Bennett/City Recorder

366
367
368
369
370 * Due to the fact that there is other documentation related to this agenda item that may not be
371 included in the official minutes of this meeting, the following repositories, cross referenced to
372 applicable agenda items within these minutes, shall indicate where additional documentation can
373 be found for future reference for that agenda item:

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

NORTH LOGAN CITY CITY COUNCIL MEETING

Date: March 16, 2011

PLEASE print clearly:

1. Blake Young
2. Emily Pannell Johnson
3. Karen Bradley
4. DANNY MACFARLANE
5. BRYAN COX
6. ~~Brennan Jensen~~ Brennan Jensen
7. Jacob CHRISTENSEN
8. Anthony Ruiz
9. Jordan Jensen
10. Eddie Johnson
11. Daren Swasay
12. Michael Ruiz
13. Nick Rodgers
14. Steve Dewey
15. Benjamin Smith
16. Casey FISHER
17. Paula Scott
18. BEN REAPER
19. Jackson Beach
20. Glenn H. Watkins
21. Brexton Rabst
22. Brandon Scott
23. Reynold K. Watkins
24. ROSS LAPPAY
25. NATE STEPHENS
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.